

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in regular session at this time, for the purpose of considering additional appropriations, a written notice was sent to each member of the Council, and proper advertisement made, and all other acts performed in accordance with the laws governing such matters.

And now in obedience to such call, come Presiding Chair Christine Cid, David Hamm, Pete Lindemulder, Ted Bilski, Randy Niemeyer and Clorius Lay, County Councilpersons, together with Tom O'Donnell and Ray Szarmach, County Council Attorneys. President Charlie Brown was absent.

In the Matter of Minutes – June 13, 2023

Bilski made the motion, seconded by Hamm, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes,1-absent.

ORDINANCE #1485

Section 1. Be It Ordained by the County Council of Lake County, IN., that for the expenses of the County Government and its institutions, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein appropriated, and shall be held to include all expenditures authorized to be made during the year unless otherwise expressly stipulated and provided by law.

	Appropriation Requested	Appropriated
County General Fund 1001		
<u>Clerk 1001 – Reduction</u>		
61110 Official & Administrators	-\$25,400.00	-\$25,400.00
<u>Emergency Mgmt 9304</u>		
64490 Other Equipment	\$3,000.00	\$3,000.00
Clerk's Records Perpetuation Fund 1194		
<u>Clerk 1001</u>		
61110 Official & Administrators	\$25,400.00	\$25,400.00
61330 PERF – Deduction	\$200.00	\$200.00
61340 Group Insurance – Deduction	\$11,100.00	\$11,100.00
C.A.S.A. Fund 1706		
<u>Juvenile Court/C.A.S.A. 4006</u>		
61120 Professionals	\$8,000.00	\$8,000.00
61320 FICA – Deduction	\$3,000.00	\$3,000.00
61330 PERF – Deduction	\$5,000.00	\$5,000.00
61340 Group Insurance – Deduction	\$4,000.00	\$4,000.00
61360 Workman's Comp	\$3,587.00	\$3,587.00
Drainage Improvement Fund 1790		
<u>Drainage Board 1008</u>		
64510 Other Capital Outlay	\$396,898.52	\$396,898.52
Auditor's Endorsement Fees Fund 7293		
<u>Auditor 1002</u>		
61290 Supplemental Pay	\$47,500.00	\$47,500.00
LC Sup. Ct. Juv. Div. F.R.C. Problem Solving Court Grant Fund 9350		
<u>Juvenile Court 4005</u>		
63995 Other Services & Charges	\$10,000.00	\$10,000.00

Juvenile Secured Detention Fund 9389

Juvenile Detention Center 8003

61190 Part-Time	\$56,160.00	\$56,160.00
61320 FICA – Deduction	\$4,679.00	\$4,679.00
61360 Workman’s Comp – Ded.	\$1,950.00	\$1,950.00
63231 Travel – Registration	\$1,000.00	\$1,000.00
63232 Travel – Meals	\$500.00	\$500.00
63233 Travel – Lodging	\$1,500.00	\$1,500.00
63234 Travel – Trans/Other	\$500.00	\$500.00
63235 Travel – Mileage	\$500.00	\$500.00
63715 Equipment Lease	\$36,520.00	\$36,520.00
63920 Food & Lodging	\$800.00	\$800.00
63995 Other Services & Charges	\$9,610.00	\$9,610.00

Juvenile LC Community Corrections Gnt Fund 9391

Juvenile Court 4005

62410 Other Supplies	\$3,160.00	\$3,160.00
63195 Contractual Services	\$42,695.00	\$42,695.00
63232 Travel – Meals	\$300.00	\$300.00
63233 Travel – Lodging	\$1,500.00	\$1,500.00
63234 Travel – Trans/Other	\$145.00	\$145.00
63920 Food & Lodging	\$6,360.00	\$6,360.00
63995 Other Services & Charges	\$840.00	\$840.00

Sup. Ct IV Prob. Sol/Drug Court Fund 9426

L C Superior Court IV 4001

61290 Supplemental Pay	\$3,000.00	\$3,000.00
62410 Other Supplies	\$1,000.00	\$1,000.00
63190 Other Professional Service	\$2,500.00	\$2,500.00
63231 Travel – Registration	\$500.00	\$500.00
63234 Travel – Trans/Other	\$1,500.00	\$1,500.00
63235 Travel – Mileage	\$1,500.00	\$1,500.00

2022 LC Local RDS/Bridge Match Fund 9444

County Highway 7002

64500 Construction & Reconstruction	\$1,663,191.84	\$1,663,191.84
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Adopted this 11th day of July, 2023.

TRANSFER OF FUNDS CERTIFICATE

I, the proper legal officer of Lake County Council, Lake County, IN., hereby certify to the Auditor of Lake County, that the Lake County Council, approved the following transfers:

	Requested	Approved
<u>Prosecutor 9001</u>		
Pre-Trial Diversion Fund 7135		
From: 7135-61125 Discretionary Salaries	\$20,000.00	\$20,000.00
To: 7135-64410 Furniture & Fixtures	\$20,000.00	\$20,000.00
<u>Emergency Mgmt. 9304</u>		
County General Fund 1001		
From: 1001-62410 Other Supplies	\$2,359.78	\$2,359.78
To: 1001-64420 Office Machines	\$2,359.78	\$2,359.78
<u>Health Dept. 9306</u>		
LC Health Dept. PHEP Grant Fund 8443		
From: 8443-64490 Other Equipment	\$5,500.00	\$5,500.00
To: 8443-64410 Furniture & Fixtures	\$2,500.00	\$2,500.00
8443-64500 Construction & Reconstruction	\$3,000.00	\$3,000.00

Economic Development 9307

General Fund 1001

From: 1001-63910 Dues & Subscriptions \$3,000.00 \$3,000.00
To: 1001-62390 Other Repair & Mainten Supplies \$3,000.00 \$3,000.00

Additional

	Made Motion	Seconded	
<u>County General Fund 1001</u> Clerk 1001 – Reduction (-\$25,400)	Lay	Hamm	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>County General Fund 1001</u> Emergency Mgmt 9304 (\$3,000)	Niemeyer	Hamm	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>Clerk's Records Perpetuation Fund 1194</u> Clerk 1001 (\$36,700)	Lay	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>C.A.S.A. Fund 1706</u> Juvenile Court/C.A.S.A. 4006 (\$23,587)	Hamm	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>Drainage Improvement Fund 1790*</u> Drainage Board 1008 (\$396,898.52) *See Footnotes	Niemeyer	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>Auditor's Endorsement Fees Fund 7293</u> Auditor 1002 (\$47,500)	Hamm	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>LC Sup. Ct. Juv. Div. F.R.C. Problem Solving Court Grant Fund 9350</u> Deferred June Juvenile Court 4005 (\$10,000)	Hamm	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>Juvenile Secured Detention Fund 9389</u> Juvenile Detention Center 8003 (\$113,719)	Hamm	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>Juvenile LC Community Corrections Gnt Fund 9391</u> Juvenile Court 4005 (\$55,000)	Hamm	Lay	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.
<u>Sup. Ct IV Prob. Sol/Drug Court Fund 9426</u> L C Superior Court IV 4001 (\$10,000)	Hamm	Bilski	Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

2022 LC Local RDS/Bridge Match Fund 9444County Highway 7002
(\$1,663,191.84)

Niemeyer

Hamm

Majority voted yes.
Brown was absent.
Motion to approve carried
6-yes, 1-absent.**Footnotes:**

Niemeyer – This was an inadvertent amount that was left out of the budget that comes out of the Kankakee River Assessment.

TransfersProsecutor 9001
Pre-Trial Diversion Fund 7135

(\$20,000)

Made Motion

Seconded

Lindemulder

Hamm

Majority voted yes.
Brown was absent.
Motion to approve carried
6-yes, 1-absent.Emergency Mgmt. 9304County General Fund 1001
(\$2,359.78)

Niemeyer

Hamm

Majority voted yes.
Brown was absent.
Motion to approve carried
6-yes, 1-absent.Health Dept. 9306 **Deferred June**LC Health Dept. PHEP Grant Fund 8443
(\$5,500)

Niemeyer

Hamm

Majority voted yes.
Brown was absent.
Motion to approve carried
6-yes, 1-absent.Economic Development 9307General Fund 1001
(\$3,000)

Niemeyer

Bilski

Majority voted yes.
Brown was absent.
Motion to approve carried
6-yes, 1-absent.In the Matter of County Highway 7002 – Create New Line Item – 2022 Lake County Local Roads and Bridges Matching/Indiana Department of Transportation (INDOT) Community Crossings Grant Fund 9444 **Deferred June**

Niemeyer made the motion, seconded by Hamm, to approve the creation of the following new line item:

64500 Construction & Reconstruction

Majority voted yes. Brown was absent. Motion to approve creation of new line item carried 6-yes, 1-absent.

In the Matter of Juvenile Court 4005 – Create New Line Item – Lake County Superior Court Juvenile Division Family Recovery Court Problem Solving Court Grant Fund 9350 **Deferred June**

Hamm made the motion, seconded by Bilski, to approve the creation of the following new line item:

63995 Other Services & Charges

Majority voted yes. Brown was absent. Motion to approve creation of new line item carried 6-yes, 1-absent.

In the Matter of Health Department 9306 – Create New Line Items – Lake County Health Department Public Health Emergency Preparedness (PHEP) Grant Fund 8443 **Deferred June**

Niemeyer made the motion, seconded by Lindemulder, to approve the creation of the following new line items:

64410 Furniture & Fixtures
64500 Construction & Reconstruction

Majority voted yes. Brown was absent. Motion to approve creation of new line items carried 6-yes, 1-absent.

In the Matter of Emergency Management 9304 – Create New Line Item – County General Fund 1001

Niemeyer made the motion, seconded by Hamm, to approve the creation of the following new line item:

64490 Other Equipment

Majority voted yes. Brown was absent. Motion to approve creation of new line item carried 6-yes, 1-absent.

In the Matter of Auditor 1002 – Revised 144 – County General Fund 1001 **Effective 07-17-2023**

Hamm made the motion, seconded by Bilski, to approve the following, effective 7-17-2023:

	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12503-001 Mapping Manager	\$35,729.00	\$0.00	(\$35,729.00)
16648-007 Bookkeeper	\$39,635.00	\$0.00	(\$39,635.00)
Xxxxx-Xxx Financial Accountant	\$0.00	\$75,364.00	\$75,364.00
Totals:	\$75,364.00	\$75,364.00	\$0.00

Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

In the Matter of L.C. Superior Court IV 4001 – Create New Line Items – Superior Court IV Problem-Solving/Drug Court Grant Fund 9426

Hamm made the motion, seconded by Bilski, to approve the creation of the following new line items:

61290 Supplemental Pay
63190 Other Professional Service
63231 Travel – Registration
63234 Travel – Transportation/Other
63235 Travel – Mileage

Majority voted yes. Brown was absent. Motion to approve creation of new line items carried 6-yes, 1-absent.

In the Matter of L.C. Superior Court IV 4001 – Revised 144 – Superior Court IV Problem-Solving/Drug Court Grant Fund 9426

Hamm made the motion, seconded by Bilski, to approve the following:

	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39002-Xxx Supplemental Pay	\$0.00	\$3,000.00	\$3,000.00

Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

In the Matter of Clerk 1001 – Revised 144 – County General Fund 1001

Lay made the motion, seconded by Bilski, to approve the following:

	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
11038-001 Odyssey Transition Manager	\$53,180.00	\$0.00	(\$53,180.00)

Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

In the Matter of Clerk 1001 – Create New Line Items – Clerk's Records Perpetuation Fund 1194

Lay made the motion, seconded by Bilski, to approve the following new line items:

61330 PERF – Deduction
61340 Group Insurance – Deduction

Majority voted yes. Brown was absent. Motion to approve the creation of new line items carried 6-yes, 1-absent.

In the Matter of Clerk 1001 – Revised 144 – Clerk's Records Perpetuation Fund 1194

Lay made the motion, seconded by Bilski, to approve the following:

	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
11038-001 Odyssey Transition Manager	\$0.00	\$55,000.00	\$55,000.00

Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

In the Matter of County Council 6001 – Revised 144 – County General Fund 1001

Bilski made the motion, seconded by Hamm, to approve the following:

	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16968-001 Office Coordinator	\$55,000.00	\$60,000.00	\$5,000.00

Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

In the Matter of Parks & Recreation 9203 – Grant Application & Grant Approval – Grant Oversight Committee – Lake County Parks & Recreation Department as a Partner to the Northwestern Indiana Regional Planning Commission (NIRPC) = US Department of Transportation – Charging and Fueling Infrastructure (CFI) - Community Program Grant Application

Niemeyer made the motion, seconded by Lindemulder, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

In the Matter of County Council 6001 - Councilmanic Post – Lake County Public Safety Communications Commission (1) – One Member of the Lake County Council (Voting Member)

Hamm made the motion, seconded by Lindemulder, to open nominations. Majority voted yes. Brown was absent. Motion to open nominations carried 6-yes, 1-absent.

Lay made the motion to reappoint Christine Cid.

Bilski made the motion, seconded by Lindemulder, to close nominations. Majority voted yes. Motion to close nominations carried 6-yes, 1-absent.

Bilski made the motion, seconded by Hamm, to seat Christine Cid. Majority voted yes. Brown was absent. Motion to seat Christine Cid carried 6-yes, 1-absent.

In the Matter of County Council 6001 – Combined Councilmanic & Citizen Appointments – Criminal Justice Coordinating Committee (3) – Two Members of the Lake County Council (2) (Shall) (Voting Members) and One Mental Health Representative (1) (Shall) (Non-Voting Member)

Bilski made the motion, seconded by Hamm, to open nominations. Majority voted yes. Brown was absent. Motion to open nominations carried 6-yes, 1-absent.

Bilski made the motion to reappoint Charlie Brown, Clorius Lay and William Mescall.

Hamm made the motion, seconded by Bilski, to close nominations. Majority voted yes. Motion to close nominations carried 6-yes, 1-absent.

Bilski made the motion, seconded by Lindemulder, to seat Charlie Brown, Clorius Lay and William Mescall. Majority voted yes. Brown was absent. Motion to seat Charlie Brown, Clorius Lay and William Mescall carried 6-yes, 1-absent.

In the Matter of County Council 6001 – Citizen Appointment – County Domestic Violence Fatality Review Team (1) – Protective Service Employee (Shall) **Deferred April, May & June** and County Domestic Violence Fatality Review Team – Clergy (1) (May)

Bilski – Do we have anybody?

Cid – We're just going to do Clergy.

Bilski made the motion, seconded by Hamm, to open nominations. Majority voted yes. Brown was absent. Motion to open nominations carried 6-yes, 1-absent.

Cid recommended JJ Hairston.

Bilski made the motion, seconded by Hamm, to close nominations. Majority voted yes. Motion to close nominations carried 6-yes, 1-absent.

Bilski made the motion, seconded by Hamm, to seat JJ Hairston. Majority voted yes. Brown was absent. Motion to seat JJ. Hairston carried 6-yes, 1-absent.

In the Matter of County Council 6001 – Convention & Tourism Bureau (1) – Resident of the 5th Largest City in the County, Democrat (Shall)

Bilski made the motion, seconded by Hamm, to open nominations. Majority voted yes. Brown was absent. Motion to open nominations carried 6-yes, 1-absent.

Bilski made the motion to reappoint Salvador Espino.

Bilski made the motion, seconded by Hamm, to close nominations. Majority voted yes. Motion to close nominations carried 6-yes, 1-absent.

Hamm made the motion, seconded by Lindemulder, to seat Salvador Espino. Majority voted yes. Brown was absent. Motion to seat Salvador Espino carried 6-yes, 1-absent.

In the Matter of County Council 6001 – Library Boards (1) – Lake County (1)

Bilski made the motion, seconded by Hamm, to open nominations. Majority voted yes. Brown was absent. Motion to open nominations carried 6-yes, 1-absent.

Lindemulder made the motion to reappoint Marti Ross.

Bilski made the motion, seconded by Lay, to close nominations. Majority voted yes. Motion to close nominations carried 6-yes, 1-absent.

Bilski made the motion, seconded by Lindemulder, to seat Marti Ross. Majority voted yes. Brown was absent. Motion to seat Marti Ross carried 6-yes, 1-absent.

In the Matter of County Council 6001 – Update from Randy Palmateer

Cid – Discussion was held at study session.

In the Matter of County Council 6001 – Discussion with Data Processing to resolve the 27th Payroll's Impact on the 2024 Budget

Cid – Discussion was held at study session.

In the Matter of County Council 6001 – Discussion of Contracts for Ray Szarmach & Gerry Bishop

Lindemulder: “I wanted to put this on the agenda this month not as a personal attack against anyone or the work they have done for the county, but rather as a matter of policy. I believe we were all elected to do what was right for the citizens that elected us. I take being a good financial steward of the county’s money very seriously. I respect the work that Ray has done over the past decades. It isn’t that he is doing anything wrong for the county. It is just that the County Council hired Mr. O’Donnell in April of 2022 and in the Times newspaper it said that Mr. Szarmach planned to stay on through the summer to help with the transition. We are now over a year later and that transition is still happening. I don’t know many jobs that provide over a year and half of transition...especially when Mr. O’Donnell is an accomplished lawyer in his own right and was once an elected member of the County Council. I understand that Mr. Szarmach adds value. So, does Mr. O’Donnell. So, does Mr. Szarmach’s assistant. Using that logic though, we should hire more lawyers because they will all add value, but that isn’t the right way to spend the tax dollars of those who voted us in. From what I understand, Mr. Szarmach’s assistant has agreed to continue to work with us and Mr. O’Donnell and I welcome figuring out a way to make that happen. As we enter into the budget season we need to lead by example if we expect the other departments to make the tough decision to keep their budgets in line. How can we expect them to make those decisions and have those discussions if we aren’t willing to do it ourselves? As for Mr. Bishop...I understand that he also has done good work for the county in the past and I’m not diminishing that. What I would say is that after conversations with Mr. O’Donnell I believe there is an opportunity for him to bring in another attorney that would act as a hybrid form of Mr. Szarmach and Mr. Bishop. This attorney would be a part of Mr. O’Donnell’s “team” and would help with both litigation matters and would act as a back up to Mr. O’Donnell as part of our regular meetings. This could also be done at a reduced cost to what we are paying today. That being said, I understand that my colleagues don’t necessarily agree with my positions, and that is OK. I welcome honest, open and public discussion.

Lindemulder made the motion, seconded by Niemeyer, “To give Attorney Ray Szarmach 30 days’ notice that we will be ending his contract with Lake County.” Majority voted no. Lindemulder and Niemeyer voted yes. Brown was absent. Motion “To give Attorney Ray Szarmach 30 days’ notice that we will be ending his contract with Lake County” failed with 4-no,2-yes,1-absent.

Lindemulder made the motion, seconded by Niemeyer, “To give Attorney Gerry Bishop 30 days’ notice that we will be ending his contract with Lake County.” Majority voted no. Lindemulder and Niemeyer voted yes. Brown was absent. Motion “To give Attorney Gerry Bishop 30 days’ notice that we will be ending his contract with Lake County” failed with 4-no,2-yes,1-absent.

In the Matter of Resolution Honoring Illiana Christian High School Boys Baseball Team, IHSAA Class 2A State Champions

Lindemulder made the motion, seconded by Niemeyer, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes,1-absent.

RESOLUTION NO. 23-41

**RESOLUTION HONORING ILLIANA CHRISTIAN
HIGH SCHOOL BOYS BASEBALL TEAM,
IHSAA CLASS 2A STATE CHAMPIONS**

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, Illiana Christian High School Boys Baseball Team with a 25-9 record, captured their second straight IHSAA Class 2A Baseball State Championship, with a 3-0 victory over Covenant Christian on June 16, 2023 at Victory Field in Indianapolis.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the students, teachers, coaches and trainers but most particularly to the young men of the Illiana Christian High School Baseball Team, the IHSAA Class 2A Baseball State Champions; and that a copy of this Resolution be spread on the official records of the Lake County Council and an official copy be delivered to the Illiana Christian High School Boys Baseball Team.

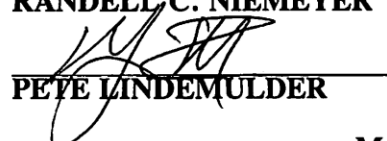
DATED THIS 11th day of July, 2023.



DAVID HAMM



RANDELL C. NIEMEYER



PETE LINDEMULDER


**ABSENT
CHARLIE BROWN, President**



CHRISTINE CID



CLORIUS L. LAY



TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Auditor to Pay an Outstanding 2022 Invoice/Debt in the Amount of \$5,631.50 from the 2023 Budget

Hamm made the motion, seconded by Bilski, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO. 23-42

**RESOLUTION PERMITTING THE LAKE COUNTY
AUDITOR TO PAY AN
OUTSTANDING 2022 INVOICE/DEBT FROM THE 2023 BUDGET**

WHEREAS, the Lake County Auditor is currently operating in the 2023 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2022, has not been paid:

<u>1329-1002-63150</u>	<u>Consultant Fees</u>
Short Elliott Hendrickson, Inc.	\$5,631.50; and

WHEREAS, the Lake County Auditor desires to pay the above invoice/debt due.

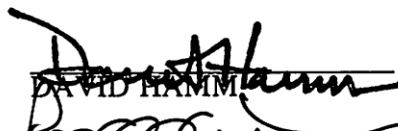
NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

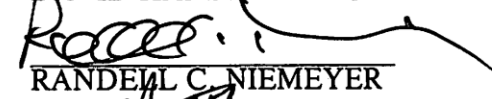
That the following 2022 expense shall be paid from the Lake County Auditor's 2023 Budget:


<u>1329-1002-63150</u>	<u>Consultant Fees</u>
Short Elliott Hendrickson, Inc.	\$5,631.50

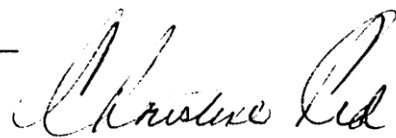
SO RESOLVED THIS 11th day of July, 2023.

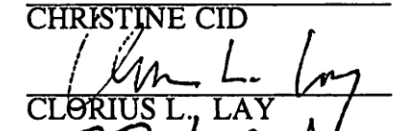
~~ABSENT~~
~~CHARLIE BROWN - President~~

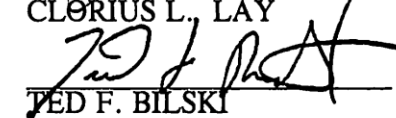

DAVID HAMM


RANDELL C. NIEMEYER


PETE LINDEMULDER


CHRISTINE CID


CLORIUS L. LAY


TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution to Approve the Transfer of \$700,000.00 from the Elected Officials Training Fund, Fund No. 1286 to the Lake County Recorder's Perpetuation Fund, Fund No. 1179

Lay made the motion, seconded by Lindemulder, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO. 23-43

RESOLUTION TO APPROVE THE TRANSFER OF \$700,000.00 FROM ELECTED OFFICIAL TRAINING FUND, FUND NO. 1286 TO THE LAKE COUNTY RECORDER'S PERPETUATION FUND, FUND NO. 1179

WHEREAS, the Lake County Council by Resolution may permit the transfer to a fund from another fund with sufficient money on deposit in the County; and

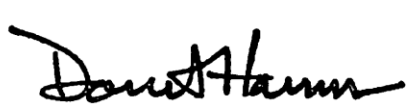
WHEREAS, the Lake County Recorder requests the transfer of \$700,000.00 from the Elected Officials Training Fund, Fund No. 1286 to the Lake County Recorder's Perpetuation Fund, Fund No. 1179; the transfer is made pursuant to I.C. 36-2-7-19(e)(4) and shall be made after July 1, 2023 and no later than December 31, 2023; and

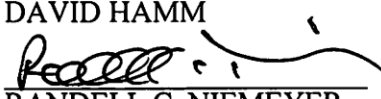
WHEREAS, the Lake County Council desires to transfer \$700,000.00 from the Elected Official Training Fund, Fund No. 1286 to the Lake County Recorder's Perpetuation Fund, Fund No. 1179.


NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$700,000.00 is hereby transferred from the Elected Official Training Fund, Fund No. 1286 to the Lake County Recorder's Perpetuation Fund, Fund No. 1179, pursuant to I.C. 36-2-7-19(e)(4) which transfer shall be made after July 1, 2023 and no later than December 31, 2023.

SO RESOLVED THIS 11th DAY OF JULY, 2023.




DAVID HAMM


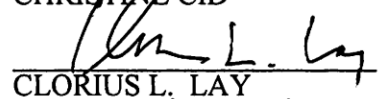
RANDELL C. NIEMEYER



PETE LINDEMULDER

ABSENT

CHARLIE BROWN - President



CHRISTINE CID


CLORIUS L. LAY


TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Permitting the Office of the Prosecuting Attorney to Pay Outstanding 2021 and 2022 Invoices/Debts from the 2023 Budget

Lindemulder made the motion, seconded by Lay, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO. 23-44

RESOLUTION PERMITTING THE OFFICE OF THE PROSECUTING ATTORNEY TO PAY OUTSTANDING 2021 AND 2022 INVOICES/DEBTS FROM THE 2023 BUDGET

WHEREAS, the Office of the Prosecuting Attorney is currently operating in the 2023 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget years of 2021 and 2022 have not been paid:

2021	-	1001-9001-63145	<u>Legal Services</u>
		BCF Inc. - Schoop's Hamburgers	\$13.00
		BCF Inc. - Schoop's Hamburgers	\$13.00
		BCF Inc. - Schoop's Hamburgers	\$13.66
		BCF Inc. - Schoop's Hamburgers	\$36.63
		BCF Inc. - Schoop's Hamburgers	\$20.54
		BCF Inc. - Schoop's Hamburgers	\$20.16
		BCF Inc. - Schoop's Hamburgers	\$28.17
		BCF Inc. - Schoop's Hamburgers	<u>\$35.82</u>
			\$180.98
2022	-	BCF Inc. - Schoop's Hamburgers	\$19.76
		BCF Inc. - Schoop's Hamburgers	<u>\$26.05</u>
			\$45.81
		TOTAL:	\$226.79; and

WHEREAS, the Office of the Prosecuting Attorney desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

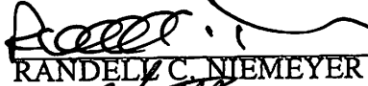
That the following 2021 and 2022 expenses shall be paid from the Office of the Prosecuting Attorney's 2023 Budget:

2021	-	1001-9001-63145	<u>Legal Services</u>
		BCF Inc. - Schoop's Hamburgers	\$13.00
		BCF Inc. - Schoop's Hamburgers	\$13.00
		BCF Inc. - Schoop's Hamburgers	\$13.66
		BCF Inc. - Schoop's Hamburgers	\$36.63
		BCF Inc. - Schoop's Hamburgers	\$20.54
		BCF Inc. - Schoop's Hamburgers	\$20.16
		BCF Inc. - Schoop's Hamburgers	\$28.17
		BCF Inc. - Schoop's Hamburgers	<u>\$35.82</u>
			\$180.98
2022	-	BCF Inc. - Schoop's Hamburgers	\$19.76
		BCF Inc. - Schoop's Hamburgers	<u>\$26.05</u>
			\$45.81
		TOTAL:	\$226.79

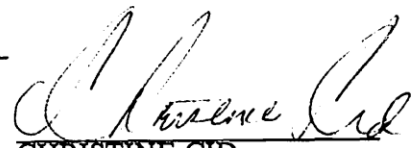
SO RESOLVED THIS 11th day of July, 2023.

ABSENT
CHARLIE BROWN, President


DAVID HAMM


RANDEL C. NIEMEIER


PETE LINDEMULDER


CHRISTINE CID

CLORIUS L. LAY


TED F. BILSKI

Members of the Lake County Council

In the Matter of Amendment to Resolution No. 17-55, Declaration for the Designation of an-Economic Revitalization Area

Niemeyer made the motion, seconded by Lindemulder, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO.17-55A

RESOLUTION AMENDING THE DECLARATION RESOLUTION FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA, RESOLUTION NO. 17-55

WHEREAS, on July 17, 2017, the Lake County Council adopted the Declaration Resolution for the Designation of An Economic Revitalization Area, Resolution No. 17-55; and

WHEREAS, the Lake County Council now desires to amend the Resolution.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

DELETE:

- 4) Under I.C. 6-1.1-12.1-3, 4 and 4.5, et. Seq., based on the information in the Applicant’s Statement of Benefits and its determinations of considerations and findings, the Council approves and allows real property tax deductions on up to twenty-three million dollars (\$23,000,000) of real property improvements and personal property tax deductions on up to seven million dollars (\$7,000,000) of new personal property investment with respect to the Project. Under I.C. 6-1.1-12.1-17 et seq., the Council also approves the real and personal property tax deductions to be provided over a ten (10) year period as follows:

<u>Year of Deduction</u>	<u>Amount of Deduction</u>
1 st	100%
2 nd	90%
3 rd	80%
4 th	70%
5 th	60%
6 th	50%
7 th	40%
8 th	30%
9 th	20%
10 th	10%

INSERT:

- 4) Under I.C. 6-1.1-12.1-3, 4 and 4.5, et. Seq., based on the information in the Applicant’s Statement of Benefits and its determinations of considerations and findings, the Council approves and allows real property tax deductions on up to fifty-nine million dollars (\$59,000,000) of real property improvements and personal property tax deductions on up to twenty-four million dollars (\$24,000,000) of new personal property investment with respect to the Project. Under I.C. 6-1.1-12.1-17 et seq., the Council also approves the real and personal property tax deductions to be provided over a ten (10) year period as follows:

<u>Year of Deduction</u>	<u>Amount of Deduction</u>
1 st	100%
2 nd	90%
3 rd	80%
4 th	70%
5 th	60%
6 th	50%
7 th	40%
8 th	30%
9 th	20%
10 th	10%

SO RESOLVED THIS 11th DAY OF July, 2023.

ABSENT
CHARLIE BROWN - President

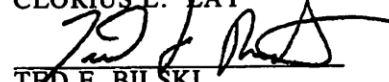

DAVID HAMM


CHRISTINE CID


RANDELL C. NIEMEYER

CLORIUS L. LAY


PETE LINDEMULDER


TED F. BILSKI

Members of the Lake County Council



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**
State Form 51784 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION									
Name of taxpayer United States Cold Storage, Inc.			Name of contact person Erica Matthews VP Corporate Controller						
Address of taxpayer (number and street, city, state, and ZIP code) 2 Aquarium Drive Suite 400 Camden NJ 08103				Telephone number (856) 3548171					
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT									
Name of designating body Lake County Council			Resolution number (s)						
Location of property Pl. E. 1/2 of E. 1/2 of S. 23 T. 33 R. 8 Long E. of I-65 111.81Ac 17050 Colorado Street Hebron, IN 46341		County Lake		DLGF taxing district number 45-012					
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) Construction of state of the art refrigerated warehouse facility. Initial plans to develop a 245,730 sq. foot facility. The building will be fully automated and have 13.1 million cubic feet of refrigerated storage space.			ESTIMATED						
			START DATE			COMPLETION DATE			
			Manufacturing Equipment						
			R & D Equipment						
			Logist Dist Equipment						
			IT Equipment						
			01/01/2024						
			12/31/2029						
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT									
Current number	Salaries	Number retained	Salaries	Number additional	Salaries				
				25	1040000				
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT									
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
		COST		COST		COST		COST	
		ASSESSED VALUE		ASSESSED VALUE		ASSESSED VALUE		ASSESSED VALUE	
Current values									
Plus estimated values of proposed project						24,800,000		1,549,000	
Less values of any property being replaced									
Net estimated values upon completion of project									
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER									
Estimated solid waste converted (pounds)			Estimated hazardous waste converted (pounds)						
Other benefits:									
SECTION 6 TAXPAYER CERTIFICATION									
I hereby certify that the representations in this statement are true.									
Signature of authorized representative <i>Erica Matthews</i>				Date signed (month, day, year) 06/12/2023					
Printed name of authorized representative Erica Matthews			Title VP & Corporate Controller						

FOR USE OF THE DESIGNATING BODY														
<p>We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.</p>														
<p>A. The designated area has been limited to a period of time not to exceed <u>N/A</u> calendar years * (see below). The date this designation expires is _____ . <i>NOTE: This question addresses whether the resolution contains an expiration date for the designated area.</i></p>														
<p>B. The type of deduction that is allowed in the designated area is limited to:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">1. Installation of new manufacturing equipment;</td> <td style="width: 20%;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> <td style="width: 30%;"><input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18</td> </tr> <tr> <td>2. Installation of new research and development equipment;</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td><i>Check box if an enhanced abatement was approved for one or more of these types.</i></td> </tr> <tr> <td>3. Installation of new logistical distribution equipment.</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td></td> </tr> <tr> <td>4. Installation of new information technology equipment;</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td></td> </tr> </table>			1. Installation of new manufacturing equipment;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18	2. Installation of new research and development equipment;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>Check box if an enhanced abatement was approved for one or more of these types.</i>	3. Installation of new logistical distribution equipment.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		4. Installation of new information technology equipment;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
1. Installation of new manufacturing equipment;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18												
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3. Installation of new logistical distribution equipment.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
4. Installation of new information technology equipment;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<p>C. The amount of deduction applicable to new manufacturing equipment is limited to \$ <u>24,000,000.00</u> cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)</p>														
<p>D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)</p>														
<p>E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)</p>														
<p>F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____ . (One or both lines may be filled out to establish a limit, if desired.)</p>														
<p>G. Other limitations or conditions (specify) _____</p>														
<p>H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Year 1</td> <td><input type="checkbox"/> Year 2</td> <td><input type="checkbox"/> Year 3</td> <td><input type="checkbox"/> Year 4</td> <td><input type="checkbox"/> Year 5</td> <td rowspan="2"><input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</td> </tr> <tr> <td><input type="checkbox"/> Year 6</td> <td><input type="checkbox"/> Year 7</td> <td><input type="checkbox"/> Year 8</td> <td><input type="checkbox"/> Year 9</td> <td><input checked="" type="checkbox"/> Year 10</td> </tr> </table>			<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)	<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input checked="" type="checkbox"/> Year 10	
<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)									
<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input checked="" type="checkbox"/> Year 10										
<p>I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a copy of the abatement schedule to this form. If no, the designating body is required to establish an abatement schedule before the deduction can be determined.</p>														
<p>Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.</p>														
<p>Approved by: (signature and title of authorized member of designating body)</p> <p><i>Christine Cid</i></p>	<p>Telephone number</p> <p>(219) 755-3280</p>	<p>Date signed (month, day, year)</p> <p>7/11/23</p>												
<p>Printed name of authorized member of designating body</p> <p>Christine Cid, Vice President</p>	<p>Name of designating body</p> <p>Lake County Council</p>													
<p>Attested by: (signature and title of attester)</p> <p><i>Peggy Holinga-Katona</i></p>	<p>Printed name of attester</p> <p>Peggy Holinga-Katona</p>													
<p>* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.</p>														

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

In the Matter of Resolution of the Lake County Council Regarding Appropriation of County Reserve Revenue Funds to the City of Hammond, Indiana

Hamm made the motion, seconded by Lay, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO. 2023-45

**RESOLUTION OF THE LAKE COUNTY COUNCIL REGARDING
APPROPRIATION OF COUNTY RESERVE REVENUE FUNDS
TO THE CITY OF HAMMOND, INDIANA**

WHEREAS, I.C. 36-2-3.5-3 provides that the Lake County Council is the fiscal and legislative body for Lake County, Indiana; and

WHEREAS, I.C. 36-2-3.5-5 provides that the Lake County Council shall pass all ordinances, orders, resolutions and motions for the government of the County in the manner prescribed by I.C. 36-2-4, et. seq.; and

WHEREAS, Lake County, Indiana ("County") has been awarded a certain sum of monies by the Federal Government through the American Recovery Plan ("ARP") which allowed an allocation for lost revenue that was used to pay down Lake County Health Insurance program debt, leaving a reserve in the General Fund; and



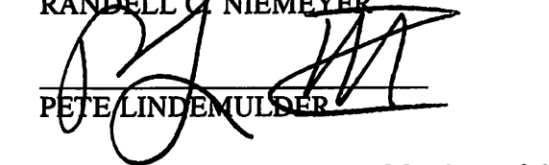
WHEREAS, the County has engaged in conversation to appropriate the sum of \$1,400,000.00 to the City of Hammond for construction of the City's new fire station; providing a benefit to the citizens of Lake County, Indiana.

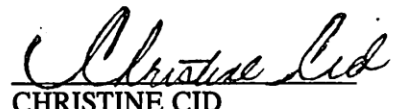
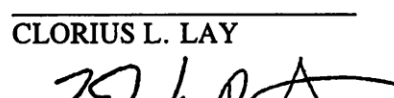
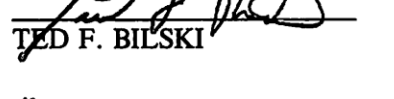
NOW, THEREFORE, BE IT RESOLVED THAT:

The Council of Lake County, Indiana determines that it is in the best interests of the County to appropriate \$1,400,000.00 of the County's reserve revenue funds to the City of Hammond for construction of the City's new fire station.

PASSED AND ADOPTED by the Council of Lake County, Indiana, on the 11th day of July, 2023.

ABSENT
CHARLIE BROWN, President


DAVID HAMM

RANDELL C. NIEMEYER

PETE LINDEMULDER


CHRISTINE CID

CLORIUS L. LAY

TED F. BILSKI

Members of the Lake County Council

In the Matter of County Highway 7002 – Interlocal Cooperative Agreement by and Between the Town of Munster, Indiana, the Town of Highland, Indiana, the City of Hammond, Indiana, the Town of St. John, Indiana, the City of Gary, Indiana, and Lake County, Indiana for Emergency Vehicle Preemption (EVP)

Niemeyer made the motion, seconded by Hamm, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

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**INTERLOCAL GOVERNMENTAL AGREEMENT BY AND BETWEEN THE
TOWN OF MUNSTER, INDIANA, THE TOWN OF HIGHLAND, INDIANA, THE CITY
OF HAMMOND, INDIANA, THE TOWN OF ST. JOHN, INDIANA, THE CITY OF
GARY, INDIANA, AND LAKE COUNTY, INDIANA**

This Agreement is made and entered into by and between the Town of Munster, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana ("Munster"), the Town of Highland, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, the City of Hammond, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, the Town of St. John, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, the City of Gary, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, and the Lake County, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana (Sheriff and Highway Department) (Collectively "Parties").

WHEREAS, the Town of Munster, Indiana, the Town of Highland, Indiana, the City of Hammond, Indiana, the Town of St. John, Indiana, the City of Gary, Indiana, and Lake County are desirous of entering into this Interlocal Government Agreement for the purposes of cooperating with one another and setting forth the Parties contribution toward the acquisition and implementation of signal preemption, devices for emergency vehicles on signals throughout the Parties' jurisdiction (the Project); and

WHEREAS, the Parties agree that the Project will provide benefit to the citizens of the Town of Munster, Indiana, the Town of Highland, Indiana, the City of Hammond, Indiana, the Town of St. John, Indiana, the City of Gary, Indiana and Lake County generally; and

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WHEREAS, Munster has applied and the Parties have been awarded \$6,450,000.00 in federal transportation funds from the Northwestern Indiana Regional Planning Commission ("NIRPC"); and

WHEREAS, the Parties have agreed to share the remaining cost of the project pro-rata after receipt of federal transportation funds based on the intersections receiving the signal preemption devices as in each jurisdiction follows:

Munster	30 Intersections – 15 Police Vehicles; 28 Fire Vehicles
Highland	34 Intersections – 15 Police Vehicles; 30 Fire Vehicles
Hammond	127 Intersections – 32 Police Vehicles; 68 Fire Vehicles
Lake County	20 Intersections (Sheriff – 8; Highway – 12) – 80 Police Vehicles
St. John	3 Intersections – 23 Police Vehicles; 22 Fire Vehicles
Gary	57 Intersections – 30 Fire Vehicles

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, IT IS AGREED AS FOLLOWS:

Section 1. That the prefatory statements set out above are incorporated herein and made a part hereof.

Section 2. After receipt of the federal transportation funds set forth above from NIRPC, the Parties agree to contribute their matching portion (not to exceed) for the Project as follows:

Munster	\$291,970.00
Highland	\$323,470.00
Hammond	\$1,086,520.00

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Lake County Sheriff	\$159,200.00
Lake County Highway	\$137,600.00
St. John	\$110,190.00
Gary	\$458,740.00

Section 3: Remedies. Any Party to this agreement may enforce the provisions hereof by any remedy available at law or inequity.

Section 4: Assignment. No Party to this Agreement shall assign its rights or obligations hereunder without the express written consent of the other Parties obtained and delivered under the manner required by law.

Section 5: Entire Agreement. This instrument contains the entire agreement of the Parties. No promise, term, condition or representation which is not contained here shall have no force or effect.

Section 6: Governing Law. This instrument shall be governed by and under the laws of the State of Indiana.

Section 7: Other Provisions. This instrument shall be deemed to be severable, such that, in the event that any provision hereof is deemed to be invalid or unenforceable by any jurisdiction, the remainder of the Agreement shall remain in effect to the extent practicable. This Agreement may be amended only in writing, adopted, and executed in the same manner as the Agreement itself was adopted.

Section 8: Notices. All Notices required to be given here under shall be in writing delivered by courier or U.S. Mail, Certified, Return Receipt Requested and directed to the Town Managers of Munster, Highland, Hammond, and St. John, Indiana,

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the Major of Gary, Indiana, and the Lake County Council. Any Party may inform the other Parties in writing of any change of persons and addresses to receive notice from time to time as required.

CERTIFICATE OF APPROVAL BY THE ENTITIES

Adopted and approved this _____ day of _____, 2023.

TOWN OF MUNSTER

TOWN OF HIGHLAND

By: _____

By: _____

Title: _____

Title: _____

CITY OF HAMMOND

TOWN OF ST. JOHN

By: _____

By: _____

Title: _____

Title: _____

CITY OF GARY

LAKE COUNTY

By: _____



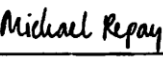
~~By: _____~~

Title: _____

~~Title: _____~~

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**Lake County
Board of Commissioners**

	Kyle W. Allen Sr.	District 1
	Gerry Tippy	District 2
	Michael C. Repay	District 3

Attest:



Peggy Katona, Lake County Auditor

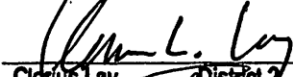
Participant Execution Date: 6-21-2023

ADOPTED and APPROVED by Lake Council on 11th DAY OF July 2023


**LAKE COUNTY COUNCIL
LAKE COUNTY, INDIANA**

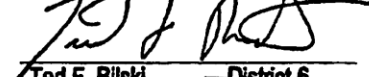
ABSENT
Charlie Brown, President, District 3


David Harum District 1


Clorius Lay District 2


Pete Lindemulder District 4


Cristine Cid District 5


Ted F. Bilski District 6


Randy Niemeyer District 7

Attest:


Peggy Katona, Lake County Auditor

In the Matter of County Council 6001 – Joint Interlocal Cooperation Agreement Between the Town of St. John, Indiana and Lake County, Indiana for Public Improvement Costs Incurred for any of the Following Projects: 1 Million Gallon Storage Tank, Water Bond Projects Storage, White Oak Avenue Repave 93rd to 109th, Intersection 93rd Avenue/US 41, Oakwood Drive Storm Water, repave 93rd, High Wind Tornado Sirens, Police/Fire Department Building Construction, and Fire Training Site Updates Located in St. John Township, Lake County, Indiana

Lindemulder made the motion, seconded by Niemeyer, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

DocuSign Envelope ID: 62C2A861-F607-493C-9225-21D7125B0150

JOINT INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TOWN OF ST. JOHN, INDIANA AND LAKE COUNTY, INDIANA FOR PUBLIC IMPROVEMENT COSTS INCURRED FOR ANY OF THE FOLLOWING PROJECTS: 1 MILLION GALLON STORAGE TANK, WATER BOND PROJECTS STORAGE, WHITE OAK AVENUE REPAVE 93RD TO 109TH, INTERSECTION 93RD AVENUE/US 41, OAKWOOD DRIVE STORM WATER, REPAVE 93RD, HIGH WIND TORNADO SIRENS, POLICE/FIRE DEPARTMENT BUILDING CONSTRUCTION, AND FIRE TRAINING SITE UPDATES LOCATED IN ST. JOHN TOWNSHIP, LAKE COUNTY, INDIANA

THIS JOINT INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TOWN OF ST. JOHN, INDIANA AND LAKE COUNTY, INDIANA FOR ANY OF THE FOLLOWING PROJECTS: 1 MILLION GALLON STORAGE TANK, WATER BOND PROJECTS STORAGE, WHITE OAK AVENUE REPAVE 93RD TO 109TH, INTERSECTION 93RD AVENUE/US 41, OAKWOOD DRIVE STORM WATER, REPAVE 93RD, HIGH WIND TORNADO SIRENS, POLICE/FIRE DEPARTMENT BUILDING CONSTRUCTION, AND FIRE TRAINING SITE UPDATES IN ST. JOHN TOWNSHIP (hereinafter referred to as this "Agreement") is made and entered into in accordance with Indiana Code §36-1-7, *et seq.*, as amended from time to time, by and between the TOWN OF ST. JOHN, Lake County, Indiana, a Municipal Corporation, by its TOWN COUNCIL as its executive and fiscal body (hereinafter referred to as "ST. JOHN"), and LAKE COUNTY, INDIANA, a unit of local government, by its BOARD OF COUNTY COMMISSIONERS as its executive and its COUNTY COUNCIL as its fiscal body (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, ST. JOHN is a unit of local government located in Lake County, Indiana, with jurisdiction over real property located within the Municipal Corporate Boundaries of ST. JOHN; and

WHEREAS, COUNTY is a unit of local government located in Lake County, Indiana, with jurisdiction over certain real property located within the corporate boundaries of Lake County; and

WHEREAS, ST. JOHN and COUNTY have each been advised that the provisions of Indiana Code §36-1-7-1, *et seq.* (Interlocal Cooperation Act and referred to hereinafter as the "Act"), as amended from time to time, permit local governmental units and entities to make the most efficient use of their powers by enabling governmental units to mutually contract and utilize services for the mutual benefit of the participating governmental entities; and

WHEREAS, ST. JOHN and COUNTY are political subdivisions empowered by the Act with authority to contract on behalf of each other on a basis of mutual advantage so as to better provide public services and facilities at a lesser cost; and

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WHEREAS, ST. JOHN and COUNTY each seek to enter into a joint interlocal cooperation agreement based upon the terms and provisions of the Act, as amended from time to time, together, for improvement costs which will be incurred by the Town for any of the following projects: 1 Million Gallon Storage Tank, Water Bond Projects Shortage, White Oak Avenue Repave 93rd to 109th, Intersection 93rd Avenue/US 41, Oakwood Drive Storm Water, Repave 93rd, High Wind Tornado Sirens, Police/Fire Dept. Building Construction, and Fire Training Site Updates, hereafter referred to as the PROJECTS; and

WHEREAS, ST. JOHN, and COUNTY have determined that entry into a joint interlocal cooperation agreement for the PROJECTS is a public improvement in the best interests of the residents of ST. JOHN and COUNTY, and therefore, have determined that it is advisable to enter into and become a participating unit under such a joint interlocal cooperation agreement pursuant to the applicable provisions of State Law, as amended from time to time.

COVENANTS

NOW, THEREFORE, ST. JOHN and COUNTY, in consideration of the terms and conditions set forth herein, all of which are hereby acknowledged, do hereby agree as follows:

SECTION 1: DURATION.

The duration of this Agreement shall be from its effective date to completion and acceptance of the Project as defined herein.

SECTION 2: PURPOSE.

The purpose of this Agreement is to set forth and establish the responsibilities and obligations of ST. JOHN and COUNTY concerning the PROJECTS.

SECTION 3: EFFECTIVE DATE

The effective date of this act shall be after the agreement has been signed by a majority of the elected officials of each party necessary to constitute an official act and a copy of the executed agreement is placed on record and filed with the Lake County Recorder.

SECTION 4: PROJECT DEFINED.

This Project is for any of the following projects: 1 Million Gallon Storage Tank, Water Bond Projects Shortage, White Oak Avenue Repave 93rd to 109th, Intersection 93rd Avenue/US 41, Oakwood Drive Storm Water, Repave 93rd, High Wind Tornado Sirens, Police/Fire Dept. Building Construction, and Fire Training Site Updates that will improve public health and economic conditions which will benefit the citizens of Lake County, Indiana. *See attached Exhibit "A", Resolution No. 22-75A*

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SECTION 5: PROJECT FUNDING.

COUNTY agrees to pay to ST. JOHN within thirty (30) days of ST. JOHN commencing the Project, the amount of FOUR HUNDRED SIXTY-TWO THOUSAND ONE HUNDRED FORTY-THREE DOLLARS and NO CENTS (\$462,143.00) to help fund the Project. This contribution of COUNTY is solely for improvement costs ST. JOHN will incur for the PROJECTS improvement.

SECTION 6: ADMINISTRATION AND AUTHORITY DELEGATION.

- A. This Agreement shall be administered as follows:
- 1) ST. JOHN shall use the funds for improvement costs which will be incurred by the Town for any of the following projects: 1 Million Gallon Storage Tank, Water Bond Projects Shortage, White Oak Avenue Repave 93rd to 109th, Intersection 93rd Avenue/US 41, Oakwood Drive Storm Water, Repave 93rd, High Wind Tornado Sirens, Police/Fire Dept. Building Construction, and Fire Training Site Updates.
 - 2) With the \$462,143.00 received from LAKE COUNTY, ST. JOHN shall use the funds for any of the following projects: 1 Million Gallon Storage Tank, Water Bond Projects Shortage, White Oak Avenue Repave 93rd to 109th, Intersection 93rd Avenue/US 41, Oakwood Drive Storm Water, Repave 93rd, High Wind Tornado Sirens, Police/Fire Dept. Building Construction, and Fire Training Site Updates.
- B. The CLERK-TREASURER OF THE TOWN OF ST. JOHN, LAKE COUNTY is hereby designated to receive, disburse, and account for all funds pursuant to this Agreement.
- C. ST. JOHN shall use the funds in accordance with all state and local rules and laws.
- D. Because the COUNTY will have no supervisory responsibility for the purchases made by ST. JOHN, the COUNTY will not be in privity of contract with any person or company contacted by ST. JOHN to complete the project, and COUNTY'S only involvement during the project is to provide funding, the County of Lake and any and all of its elected officials, appointed officials, offices, departments, divisions, employees, to include those of the Lake County Highway Department shall not be liable for and ST. JOHN shall hold the aforementioned unit, bodies, and persons harmless from any loss or damage to any party that may occur during this PROJECTS.
- E. The project will be deemed completed when ST. JOHN certifies to COUNTY the project has been completed and provides COUNTY with a detailed list of how the funds were used for the project.

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SECTION 7: ASSIGNMENT OF RIGHTS.

No Party shall assign, delegate, or otherwise transfer its rights and obligations as set forth in this Agreement to any other entity.

SECTION 8: AMENDMENTS.

The terms of this Agreement may not be amended, supplemented, waived or modified without the prior written approval of all Parties.

SECTION 9: FORCE MAJEURE.

Except as otherwise provided in this Agreement, ST. JOHN and COUNTY, shall not be deemed in default or in breach of this Agreement to the extent it is unable to perform due to an event of Force Majeure. For the purpose of this Agreement, Force Majeure shall mean and include any act of God, accident, fire, lockout, strike or other labor dispute, riot or civil commotion, act of public enemy, failure of transportation facilities, enactment, rule, order, or act of government or governmental instrumentality (whether domestic or international and whether federal, state or local, or the international equivalent thereof), failure of technical difficulties, or any other cause of any nature whatsoever beyond the control of ST. JOHN and COUNTY, which was not avoidable in the exercise of reasonable care and foresight.

SECTION 10: NOTICES.

All notices required to be given under this Agreement shall be in writing, and deemed sufficient to each Party when sent by United States Mail, postage prepaid, or hand-delivered, to the following:

St. John Town Council Council President 10955 W. 93 rd Avenue St. John, In 46373	Commissioner Mike Repay 2293 North Main Street Crown Pt., In 46307	Councilman Charlie Brown 2293 North Main Street Crown Pt., In 46307
--	--	---

SECTION 11: CAPTIONS.

The captions and section designations herein set forth are for convenience only, and shall have no substantive meaning.

SECTION 12: SEVERABILITY.

In the event that any section, paragraph, sentence, clause, or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

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SECTION 13: ENTIRETY OF AGREEMENT.

This Agreement represents the entire understanding between the Parties and supersedes all other negotiations, representations, or agreements, whether written or verbal, relating to this Agreement. This Agreement shall inure to the benefit of, and shall be binding upon the Parties, and their respective assigns and successors in interest.

SECTION 14: MATERIAL DISPUTE.

The parties agree that ST. JOHN and COUNTY shall meet for resolution purposes. Thereafter, if the dispute is unable to be resolved, the Parties agree that the dispute will be governed by the laws of the State of Indiana in a court of competent jurisdiction. The Parties agree that each Party shall be responsible for its own attorney fees, absent any applicable provision of law to the contrary.

SECTION 15: COUNTERPARTS.

This Agreement shall be signed in counterparts and each of said counterparts shall be considered an original.

SECTION 16: RECORDING AND FILING.

- A. Before this Agreement takes effect, it must be recorded with the Office of the Lake County Recorder.
- B. No later than sixty (60) days after it takes effect and is recorded, the Agreement must be filed with the Office of the State Board of Accounts for audit purposes all pursuant to I.C. §36-1-7-6.

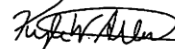
SECTION 17: PUBLIC ACTION AND RATIFICATION.

- A. Because there exists a situation where time is of the essence, the parties will have their respective elected officials sign the agreement to make it effective and then ratify it at a subsequent public meeting.
- B. To be effective with a retroactive ratification, the following must occur at a public meeting:
 - 1) The Town Council as the executive and fiscal body of the Town of ST. JOHN, Lake County, Indiana, a Municipal Corporation.
 - 2) The Lake County Council has the fiscal body of the County of Lake, Indiana.
 - 3) The Board of Commissioners as the county executive of the County of Lake, Indiana.

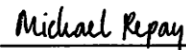
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IN WITNESS WHEREOF, the Parties, by their duly authorized Officials and Representatives have caused this Agreement to be executed this 21st day of June, 2023.

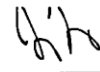
**LAKE COUNTY, INDIANA
BOARD OF COMMISSIONERS:**



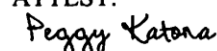
Kyle Allen, Sr., 1st District



Michael C. Repay, 3rd District




Jerry Tippy, 2nd District

ATTEST:


Peggy Katona, Auditor

**LAKE COUNTY, INDIANA
COUNTY COUNCIL:**

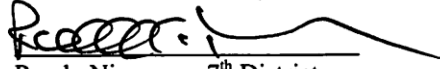


David Hamm, 1st District


ABSENT
Charlie Brown, 3rd District



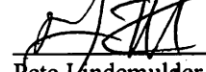
Christine Cid, 5th District



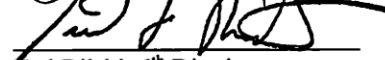
Randy Niemeyer, 7th District



Clorius Jay, 2nd District



Pete Lindemulder, 4th District



Ted Bilski, 6th District

Signed by Lake County Council on July 11 2023

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IN WITNESS WHEREOF, the Parties, by their duly authorized Officials and Representatives have caused this Agreement to be executed this _____ day of _____, 2023.

**ST. JOHN, INDIANA
TOWN COUNCIL:**

Mike Aurelio, At-large Rep

Wayne Pondinas, At-large Rep

Bryan Blazak, Ward 1

Michael Schilling, Ward 2

Gerald Swets, Ward 3

ATTEST:

Beth Hernandez,
Clerk-Treasurer

In the Matter of County Council 6001 – Joint Interlocal Cooperation Agreement Between the Town of Dyer, Indiana and Lake County, Indiana for a Large Diameter Storm Improvement Project and/or Water Main Replacement Project Located in St. John Township, Lake County, Indiana

Lindemulder made the motion, seconded by Lay, to approve. Majority voted yes. Brown was absent. Motion to approve carried 6-yes, 1-absent.

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JOINT INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TOWN OF DYER, INDIANA AND LAKE COUNTY, INDIANA FOR A LARGE DIAMETER STORM IMPROVEMENT PROJECT AND/OR WATER MAIN REPLACEMENT PROJECT LOCATED IN ST. JOHN TOWNSHIP, LAKE COUNTY, INDIANA

THIS JOINT INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TOWN OF DYER, INDIANA AND LAKE COUNTY, INDIANA FOR A LARGE DIAMETER STORM IMPROVEMENT PROJECT AND/OR WATER MAIN REPLACEMENT PROJECT IN ST. JOHN TOWNSHIP (hereinafter referred to as this "Agreement") is made and entered into in accordance with Indiana Code §36-1-7, *et seq.*, as amended from time to time, by and between the TOWN OF DYER, Lake County, Indiana, a Municipal Corporation, by its TOWN COUNCIL as its executive and fiscal body (hereinafter referred to as "DYER"), and LAKE COUNTY, INDIANA, a unit of local government, by its BOARD OF COUNTY COMMISSIONERS as its executive and its COUNTY COUNCIL as its fiscal body (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, DYER is a unit of local government located in Lake County, Indiana, with jurisdiction over real property located within the Municipal Corporate Boundaries of DYER; and

WHEREAS, COUNTY is a unit of local government located in Lake County, Indiana, with jurisdiction over certain real property located within the corporate boundaries of Lake County; and

WHEREAS, DYER and COUNTY have each been advised that the provisions of Indiana Code §36-1-7-1, *et seq.* (Interlocal Cooperation Act and referred to hereinafter as the "Act"), as amended from time to time, permit local governmental units and entities to make the most efficient use of their powers by enabling governmental units to mutually contract and utilize services for the mutual benefit of the participating governmental entities; and

WHEREAS, DYER and COUNTY are political subdivisions empowered by the Act with authority to contract on behalf of each other on a basis of mutual advantage so as to better provide public services and facilities at a lesser cost; and

WHEREAS, DYER and COUNTY each seek to enter into a joint interlocal cooperation agreement based upon the terms and provisions of the Act, as amended from time to time, together, for improvement costs which will be incurred by the Town for a large diameter storm improvement project and/or water main replacement project, hereafter referred to as the WATER IMPROVEMENT PROJECT; and

WHEREAS, DYER, and COUNTY have determined that entry into a joint interlocal cooperation agreement for the WATER IMPROVEMENT PROJECT is a public improvement in the best interests of the residents of DYER and COUNTY, and therefore, have determined that it is advisable to enter into and become a participating unit under such a joint interlocal

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cooperation agreement pursuant to the applicable provisions of State Law, as amended from time to time.

COVENANTS

NOW, **THEREFORE, DYER and COUNTY**, in consideration of the terms and conditions set forth herein, all of which are hereby acknowledged, do hereby agree as follows:

SECTION 1: DURATION.

The duration of this Agreement shall be from its effective date to completion and acceptance of the Project as defined herein.

SECTION 2: PURPOSE.

The purpose of this Agreement is to set forth and establish the responsibilities and obligations of DYER and COUNTY concerning the WATER IMPROVEMENT PROJECT.

SECTION 3: EFFECTIVE DATE

The effective date of this act shall be after the agreement has been signed by a majority of the elected officials of each party necessary to constitute an official act and a copy of the executed agreement is placed on record and filed with the Lake County Recorder.

SECTION 4: PROJECT DEFINED.

This Project is for a large diameter storm improvement project and/or water main replacement project that will improve public health and economic conditions which will benefit the citizens of Lake County, Indiana. *See attached Exhibit "A", Resolution No. 2022-71*

SECTION 5: PROJECT FUNDING.

COUNTY agrees to pay to DYER within thirty (30) days of DYER commencing the Project, the amount of TWO HUNDRED FIFTY THOUSAND DOLLARS and NO CENTS (\$250,000.00) to help fund the Project. This contribution of COUNTY is solely for improvement costs DYER will incur for the WATER IMPROVEMENT PROJECT improvement.

SECTION 6: ADMINISTRATION AND AUTHORITY DELEGATION.

A. This Agreement shall be administered as follows:

- 1) DYER shall use the funds for improvement costs which will be incurred by the Town for a large diameter storm improvement project and/or water main replacement project.

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- 2) With the \$250,000.00 received from LAKE COUNTY, DYER shall use the funds for a large diameter storm improvement project and/or water main replacement project.
- B. The CLERK-TREASURER OF THE TOWN OF DYER, LAKE COUNTY is hereby designated to receive, disburse, and account for all funds pursuant to this Agreement.
- C. DYER shall use the funds in accordance with all state and local rules and laws.
- D. Because the COUNTY will have no supervisory responsibility for the purchases made by DYER, the COUNTY will not be in privity of contract with any person or company contacted by DYER to complete the project, and COUNTY'S only involvement during the project is to provide funding, the County of Lake and any and all of its elected officials, appointed officials, offices, departments, divisions, employees, to include those of the Lake County Highway Department shall not be liable for and DYER shall hold the aforementioned unit, bodies, and persons harmless from any loss or damage to any party that may occur during this water improvement project.
- E. The project will be deemed completed when DYER certifies to COUNTY the project has been completed and provides COUNTY with a detailed list of how the funds were used for the project.

SECTION 7: ASSIGNMENT OF RIGHTS.

No Party shall assign, delegate, or otherwise transfer its rights and obligations as set forth in this Agreement to any other entity.

SECTION 8: AMENDMENTS.

The terms of this Agreement may not be amended, supplemented, waived or modified without the prior written approval of all Parties.

SECTION 9: FORCE MAJEURE.

Except as otherwise provided in this Agreement, DYER and COUNTY, shall not be deemed in default or in breach of this Agreement to the extent it is unable to perform due to an event of Force Majeure. For the purpose of this Agreement, Force Majeure shall mean and include any act of God, accident, fire, lockout, strike or other labor dispute, riot or civil commotion, act of public enemy, failure of transportation facilities, enactment, rule, order, or act of government or governmental instrumentality (whether domestic or international and whether federal, state or local, or the international equivalent thereof), failure of technical difficulties, or any other cause of any nature whatsoever beyond the control of DYER and COUNTY, which was not avoidable in the exercise of reasonable care and foresight.

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SECTION 10: NOTICES.

All notices required to be given under this Agreement shall be in writing, and deemed sufficient to each Party when sent by United States Mail, postage prepaid, or hand-delivered, to the following:

Dyer Town Council	Commissioner Mike Repay	Councilman Charlie Brown
Council President	2293 North Main Street	2293 North Main Street
One Town Square	Crown Pt., In 46307	Crown Pt., In 46307
Dyer, In 46311		

SECTION 11: CAPTIONS.

The captions and section designations herein set forth are for convenience only, and shall have no substantive meaning.

SECTION 12: SEVERABILITY.

In the event that any section, paragraph, sentence, clause, or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

SECTION 13: ENTIRETY OF AGREEMENT.

This Agreement represents the entire understanding between the Parties and supersedes all other negotiations, representations, or agreements, whether written or verbal, relating to this Agreement. This Agreement shall inure to the benefit of, and shall be binding upon the Parties, and their respective assigns and successors in interest.

SECTION 14: MATERIAL DISPUTE.

The parties agree that DYER and COUNTY shall meet for resolution purposes. Thereafter, if the dispute is unable to be resolved, the Parties agree that the dispute will be governed by the laws of the State of Indiana in a court of competent jurisdiction. The Parties agree that each Party shall be responsible for its own attorney fees, absent any applicable provision of law to the contrary.

SECTION 15: COUNTERPARTS.

This Agreement shall be signed in counterparts and each of said counterparts shall be considered an original.

SECTION 16: RECORDING AND FILING.

- A. Before this Agreement takes effect, it must be recorded with the Office of the Lake County Recorder.

DocuSign Envelope ID: 62C2A861-F607-493C-9225-21D7125B0150

- B. No later than sixty (60) days after it takes effect and is recorded, the Agreement must be filed with the Office of the State Board of Accounts for audit purposes all pursuant to I.C. §36-1-7-6.

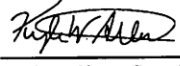
SECTION 17: PUBLIC ACTION AND RATIFICATION.

- A. Because there exists a situation where time is of the essence, the parties will have their respective elected officials sign the agreement to make it effective and then ratify it at a subsequent public meeting.
- B. To be effective with a retroactive ratification, the following must occur at a public meeting:
 - 1) The Town Council as the executive and fiscal body of the Town of DYER, Lake County, Indiana, a Municipal Corporation.
 - 2) The Lake County Council has the fiscal body of the County of Lake, Indiana.
 - 3) The Board of Commissioners as the county executive of the County of Lake, Indiana.

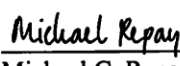
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IN WITNESS WHEREOF, the Parties, by their duly authorized Officials and Representatives have caused this Agreement to be executed this 21st day of June, 2023.

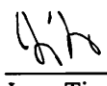
**LAKE COUNTY, INDIANA
BOARD OF COMMISSIONERS:**



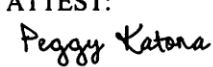
Kyle Allen, Sr., 1st District



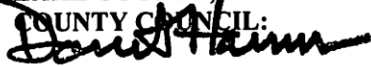
Michael C. Repay, 3rd District



Jerry Tippy, 2nd District

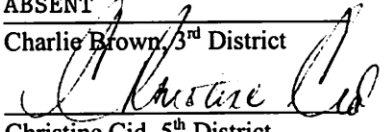
ATTEST:


Peggy Katona, Auditor

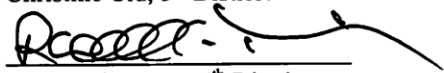
~~LAKE COUNTY, INDIANA
COUNTY COUNCIL:~~


David Hamm, 1st District

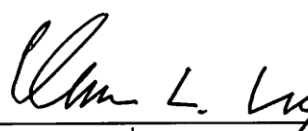
ABSENT
Charlie Brown, 3rd District



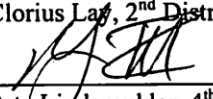
Christine Cid, 5th District



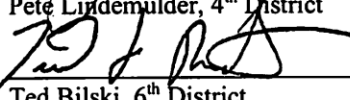
Randy Niemeyer, 7th District



Clorius Lay, 2nd District



Pete Lindemulder, 4th District



Ted Bilski, 6th District

Signed by Lake County Council on July 11, 2023

DocuSign Envelope ID: 62C2A861-F607-493C-9225-21D7125B0150

IN WITNESS WHEREOF, the Parties, by their duly authorized Officials and Representatives have caused this Agreement to be executed this _____ day of _____, 2023.

**DYER, INDIANA
TOWN COUNCIL:**

Mary Tanis, President

Mary K. Timm, Vice President

Robert Starkey, Member

Annette Ludwig, Member

Patrick McShane, Member

ATTEST:

Debbie J. Astor,
Clerk-Treasurer

In the Matter of Ordinance Establishing the Lake County Community Economic Development Department's American Rescue Plan Act – Home Supplemental Allocation Grant Fund, a Non-Reverting Fund

Niemeyer made the motion, seconded by Lay, to approve on First Reading. Majority voted yes. Brown was absent. Motion to approve on First Reading carried 6-yes, 1-absent.

Niemeyer made the motion, seconded by Bilski, to Suspend Rules. Majority voted yes. Brown was absent. Motion to Suspend Rules carried 6-yes, 1-absent.

Niemeyer made the motion, seconded by Lay, to approve on Second Reading. Majority voted yes. Brown was absent. Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1485A

ORDINANCE ESTABLISHING THE LAKE COUNTY COMMUNITY ECONOMIC DEVELOPMENT DEPARTMENT'S AMERICAN RESCUE PLAN ACT -HOME SUPPLEMENTAL ALLOCATION GRANT FUND, A NON-REVERTING FUND

WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, Lake County Community Economic Development Department has been awarded a grant from the U.S. Department of Housing and Urban Development's (HUD) American Rescue Plan (ARP)-HOME Supplemental Allocation Grant in the sum of \$2,197,579.00 for homelessness assistance and supportive services to be used for (1) production or preservation of affordable housing; (2) tenant-based rental assistance; (3) supportive services, including homeless prevention services and housing counseling; and (4) the purchase or development of non-congregate shelter for individuals and families experiencing homelessness; and

WHEREAS, the Lake County Council desires to create the Lake County Community Economic Development Department's American Rescue Plan Act-HOME Supplemental Allocation Grant Fund, a Non-Reverting Fund for the deposit of \$2,197,579.00 from the U.S. Department of Housing and Urban Development's (HUD) ARP-HOME Supplemental Allocation Grant.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:


1. That the Lake County Community Economic Development Department's American Rescue Plan Act-HOME Supplemental Allocation Grant Fund, a non-reverting fund, is established for the deposit of \$2,197,579.00 from the U.S. Department of Housing and Urban Development's (HUD) ARP-HOME Supplemental Allocation Grant.
2. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.
3. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the


Lake County Community Economic Development Department's
American Rescue Plan Act-HOME Supplemental Allocation Grant Fund.


- 5. In the event the Lake County Community Economic Development Department receives future awards from the U.S. Department of Housing and Urban Development (HUD) ARP-HOME Supplemental Allocation Grant program, those grants may be accounted for using the established Fund.


SO ORDAINED THIS 11th DAY OF JULY, 2023.

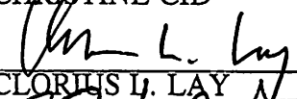
ABSENT
CHARLIE BROWN, President



DAVID HAMM


RANDELL C. NIEMEYER


PETE LINDEMULDER


CHRISTINE CID


CLORIUS L. LAY


TED F. BILSKI

Members of the Lake County Council

In the Matter of Ordinance Amending the Lake County 2023 Salary Ordinance, Ordinance No. 1476F, Establishing Ten (10) Additional Supplemental Pay Positions and Increasing Supplemental Pay for Two (2) Positions for Lake County Auditor's Office

Hamm made the motion, seconded by Bilski, to approve on First Reading. Majority voted yes. Brown was absent. Motion to approve on First Reading carried 6-yes, 1-absent.

Hamm made the motion, seconded by Bilski, to Suspend Rules. Majority voted yes. Brown was absent. Motion to Suspend Rules carried 6-yes, 1-absent.

Hamm made the motion, seconded by Bilski, to approve on Second Reading. Majority voted yes. Brown was absent. Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1476F-5

ORDINANCE AMENDING THE LAKE COUNTY
2023 SALARY ORDINANCE, ORDINANCE NO. 1476F,
ESTABLISHING TEN (10) ADDITIONAL SUPPLEMENTAL PAY
POSITIONS AND INCREASING SUPPLEMENTAL PAY FOR
TWO (2) POSITIONS FOR LAKE COUNTY AUDITOR'S OFFICE

WHEREAS, on October 11, 2022, the Lake County Council adopted the Lake County 2023 Salary Ordinance, Ordinance No. 1476F; and

WHEREAS, the Lake County Council now desires to amend Ordinance No. 1476F to establish a revised Form No. 144 to create ten (10) additional supplemental pay positions and increasing supplemental pay for two (2) positions for the Lake County Auditor's Office, effective July 17, 2023.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That it be ordained by the Lake County Council that the attached Form No. 144, Exhibit "A", establishing ten (10) additional supplemental pay positions and increasing supplemental pay for two (2) positions for the Lake County Auditor's Office, effective July 17, 2023, is hereby approved.

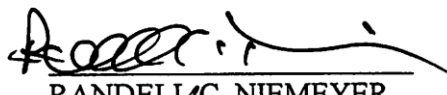
SO ORDAINED THIS 11th DAY OF JULY, 2023.

ABSENT


CHARLIE BROWN - President




DAVID HAMM



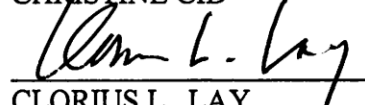
RANDELL C. NIEMEYER



PETE LINDEMULDER



CHRISTINE CID



CLORIUS L. LAY



TED F. BILSKI

Members of the Lake County Council

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

**STATEMENT OF SALARIES AND WAGES
PROPOSED TO BE PAID OFFICERS AND EMPLOYEES
CALENDAR YEAR 2023**

Auditor 7293-1002 LAKE County, Indiana
(Name of Office, Department, Board Agency)

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023:

FULL TIME SALARIED OFFICERS AND EMPLOYEES

ohy

<u>Title of Position or Employee Classification</u>	<u>\$ PRESENT</u>	<u>\$ PROPOSED</u>	<u>\$ DIFFERENCE</u>
<u>JOB CODE # AND POSITION #</u>			
39002040 - Supplemental Pay NGenFnd 7293	\$ 16,763.00	\$ 21,763.00	\$ 5,000.00
39002043 - Supplemental Pay NGenFnd 7293	\$ 6,329.00	\$ 9,329.00	\$ 3,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 7,000.00	\$ 7,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 6,000.00	\$ 6,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 6,000.00	\$ 6,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 4,000.00	\$ 4,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 4,000.00	\$ 4,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 3,000.00	\$ 3,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 3,000.00	\$ 3,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 2,500.00	\$ 2,500.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 2,000.00	\$ 2,000.00
390020xx - Supplemental Pay NGenFnd 7293	\$ -	\$ 2,000.00	\$ 2,000.00
Totals	\$ 23,092.00	\$ 70,592.00	\$ 47,500.00

PART TIME AND HOURLY RATED EMPLOYEES

<u>Title of Position or Employee Classification</u>	<u>Rate of Pay</u>
	\$ Per
	\$ Per

*Show rate of pay per month, week, day, hour, etc.

Submitted by:

[Signature]
(Signature)

Date June 12, 2023

Lake County Auditor
(Title)

NOTES:

- (1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuing year.
- (2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement
- (3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Ex. A.

In the Matter of Ordinance Establishing the Adult Community Corrections – Indiana Department of Corrections – Community Corrections and Justice Reinvestment Grant for an Alcohol and Drug Court Program Even-Numbered Year Fund, a Non-Reverting Fund

Hamm made the motion, seconded by Bilski, to approve on First Reading. Majority voted yes. Brown was absent. Motion to approve on First Reading carried 6-yes, 1-absent.

Hamm made the motion, seconded by Bilski, to Suspend Rules. Majority voted yes. Brown was absent. Motion to Suspend Rules carried 6-yes, 1-absent.

Hamm made the motion, seconded by Bilski, to approve on Second Reading. Majority voted yes. Brown was absent. Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1485B

**ORDINANCE ESTABLISHING THE ADULT COMMUNITY CORRECTIONS –
INDIANA DEPARTMENT OF CORRECTIONS – COMMUNITY CORRECTIONS AND JUSTICE
REINVESTMENT GRANT FOR AN ALCOHOL AND DRUG COURT PROGRAM
EVEN-NUMBERED YEAR FUND,
A NON-REVERTING FUND**

WHEREAS, Indiana Code 36-2-3.5-3 provides that the Lake County Council is the fiscal and legislative body for Lake County, Indiana; and

WHEREAS, Indiana Code 36-2-3.5-5, provides that the County Council shall pass all ordinances, orders, resolutions and motions for the government of the County in the manner prescribed by I.C. 36-2-4, et. seq.; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury; and

WHEREAS, the Indiana Department of Corrections (IDOC) – Community Corrections and Justice Reinvestment (CC&JR) Court Recidivism Reduction Grant Program has, for many years, awarded the Lake Superior Court - County Division 2 funding for an Alcohol and Drug Court; and

WHEREAS, the IDOC-CC&JR Grant funds shall be used exclusively in conformance with Indiana Code §11-12 and in accordance with the annual Grant Agreement executed between the parties and for no other purposes; and

WHEREAS, the IDOC awarded the LCACC FY 2024 Community Corrections and Justice Reinvestment (CC&JR) Alcohol and Drug Court was applied for grant funding in the amount of \$69,000.00 for purposes of sustaining the Lake Superior Court – County Division 2 -Lake Alcohol and Drug Program (LADOS- Division 2 program) from January 1 through December 31, 2024; and

WHEREAS, the Lake Superior Court – County Division 2 - LADOS- Division 2 program is a judicial reform program providing services to individuals charged with alcohol and drug offenses. The LADOS- Division 2's education, treatment, and other services encourage and motivate offenders to accept personal responsibility, adopt healthier lifestyles, and implement other behavior modifications to prevent program participants from committing repeat offenses. This Alcohol and Drug Court Grant-funded program uses evidence-based programming proven to reduce recidivism by participants, who successfully complete the program; and

WHEREAS, the IDOC has determined each IDOC-CC&JR Grant program must be accounted for in a separate fund which shall alternate between an odd-year award and an even-year award to prevent commingling of grant funds across LCACC programs and between annual program-specific awards; and

WHEREAS, the Lake County Council desires to create the Alcohol and Drug Court Grant Even-Numbered Year Fund to account for the current award and any future IDOC-CC&JR Alcohol and Drug Court Grant awards made in even-numbered years.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

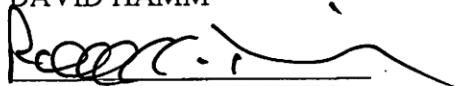
1. That the Indiana Department of Corrections-Community Corrections and Justice Reinvestment (IDOC-CC&JR) Grant for an Alcohol and Drug Court Even-Numbered Year Fund, a non-reverting fund, is established and will be used for the deposit of the remaining balance and anticipated advance grant payments for the LADOS – Division 2 program’s FY 2024 IDOC-CC&JR award.
2. That, as an advance grant, 100% funded by the State of Indiana, and awarded with a grant budget approved by a State Agency, the Lake County fiscal body is not required to appropriate money to be paid out of the fund, except as otherwise provided by law.
3. That this grant fund will be used for grant-funded expenses in compliance with permissible uses, the Alcohol and Drug Court’s approved grant budget, and appropriations created by the Lake County Auditor’s Office.
4. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake County Adult Community Corrections Indiana Department of Corrections-Community Corrections and Justice Reinvestment (IDOC-CC&JR) Grant for an Alcohol and Drug Court Even-Numbered Year Fund.
5. In the event the Alcohol and Drug Program receives future IDOC-CC&R Grant funding for Alcohol and Drug Court in even-numbered years, this Fund may be used to account for such awards.

SO ORDAINED THIS 11th DAY OF JULY, 2023.

ABSENT
CHARLIE BROWN - President



DAVID HAMM



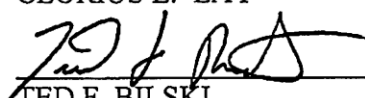
RANDELL C. NIEMEYER



PETE LINDEMULDER



CHRISTINE CID

CLORIUS L. LAY


TED F. BILSKI

Members of the Lake County Council

In the Matter of Ordinance Amending the Lake County 2023 Salary Ordinance No. 1476F, Reorganizing Positions in the Lake County Clerk's Office (1001-1001)

Lay made the motion, seconded by Hamm, to approve on First Reading. Majority voted yes. Brown was absent. Motion to approve on First Reading carried 6-yes, 1-absent.

Lay made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Brown was absent. Motion to Suspend Rules carried 6-yes, 1-absent.

Lay made the motion, seconded by Hamm, to approve on Second Reading. Majority voted yes. Brown was absent. Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1476F-6

ORDINANCE AMENDING THE LAKE COUNTY
2023 SALARY ORDINANCE, ORDINANCE NO. 1476F,
REORGANIZING POSITIONS IN THE
LAKE COUNTY CLERK'S OFFICE (1001-1001)

WHEREAS, on October 11, 2022, the Lake County Council adopted the Lake County 2023 Salary Ordinance, Ordinance No. 1476F; and

WHEREAS, the Lake County Council now desires to amend Ordinance No. 1476F to establish a revised Form No. 144 to reorganize positions in the Lake County Clerk's Office (1001-1001), effective upon adoption.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That it be ordained by the Lake County Council that the attached Form No. 144, Exhibit "A", reorganizing positions in the Lake County Clerk's Office (1001-1001), is hereby approved, effective upon adoption.

SO ORDAINED THIS 11th DAY OF July, 2023.

ABSENT
CHARLIE BROWN - President


DAVID HAMM


RANDELL C. NIEMEYER


PETE LINDEMULDER


CHRISTINE CID


CLORIUS L. LAY


TED F. BILSKI

Members of the Lake County Council

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

**STATEMENT OF SALARIES AND WAGES
PROPOSED TO BE PAID OFFICERS AND EMPLOYEES
CALENDAR YEAR 2023**

1001 Clerk (1001 County General)
(Name of Office, Department, Board Agency)

LAKE

County, Indiana

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023

FULL TIME SALARIED OFFICERS AND EMPLOYEES

ony

<small>Title of Position or Employee Classification</small>			
JOB CODE # AND POSITION #	\$ PRESENT	\$ PROPOSED	\$ DIFFERENCE
11106-005 Division Manager	\$ 45,803.00	\$ -	\$ (45,803.00)
16731-009 Deputy Clerk	\$ 33,418.00	\$ -	\$ (33,418.00)
16743-004 Supervisor	\$ 37,875.00	\$ -	\$ (37,875.00)
11041-001 Executive Chief Deputy	\$ 66,464.00	\$ 70,000.00	\$ 3,536.00
11103-001 Director of Finance	\$ 48,622.00	\$ 51,000.00	\$ 2,378.00
11104-001 Personnel Director	\$ 56,418.00	\$ 59,000.00	\$ 2,582.00
11106-001 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
11106-002 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
11106-003 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
11106-004 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
11106-006 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
11106-007 Division Manager	\$ 40,104.00	\$ 42,752.00	\$ 2,648.00
11106-008 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
11106-009 Division Manager	\$ 39,459.00	\$ 41,000.00	\$ 1,541.00
11106-010 Division Manager	\$ 35,278.00	\$ 37,941.00	\$ 2,663.00
11106-011 Division Manager	\$ 45,803.00	\$ 50,000.00	\$ 4,197.00
15621-001 Financial Clerk	\$ 35,237.00	\$ 36,000.00	\$ 763.00
15621-002 Financial Clerk	\$ 35,184.00	\$ 36,000.00	\$ 816.00
15621-003 Financial Clerk	\$ 34,866.00	\$ 36,000.00	\$ 1,134.00
15621-004 Financial Clerk	\$ 34,228.00	\$ 35,000.00	\$ 772.00
16655-001 Chief Bookkeeper	\$ 38,745.00	\$ 40,000.00	\$ 1,255.00
16731-001 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00
16731-002 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00
16731-003 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00
16731-004 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00
16731-005 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00
16731-006 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00
16731-007 Deputy Clerk	\$ 33,418.00	\$ 34,471.00	\$ 1,053.00

Ex. A.

16743-001 Supervisor	\$ 37,875.00	\$ 40,000.00	\$ 2,125.00
16743-002 Supervisor	\$ 37,875.00	\$ 40,000.00	\$ 2,125.00
16743-003 Supervisor	\$ 37,875.00	\$ 40,000.00	\$ 2,125.00
16743-005 Supervisor	\$ 37,875.00	\$ 40,000.00	\$ 2,125.00
16743-006 Supervisor	\$ 37,875.00	\$ 40,000.00	\$ 2,125.00
16743-007 Supervisor	\$ 37,875.00	\$ 40,000.00	\$ 2,125.00
16745-001 Assistant Supervisor	\$ 35,918.00	\$ 37,000.00	\$ 1,082.00
16745-002 Assistant Supervisor	\$ 35,918.00	\$ 37,000.00	\$ 1,082.00
16903-001 Executive Secretary	\$ 43,882.00	\$ 45,000.00	\$ 1,118.00
Totals	\$ 2,882,772.00	\$ 2,882,772.00	\$ -

PART TIME AND HOURLY RATED EMPLOYEES

<u>Title of Position or Employee Classification</u>	<u>Rate of Pay*</u>
_____	\$ _____ Per _____
_____	\$ _____ Per _____
_____	\$ _____ Per _____
_____	\$ _____ Per _____
_____	\$ _____ Per _____

*Show rate of pay per month, week, day, hour, etc.

Submitted by:

Michael A. Brown
(Signature)

Date JUNE 28, 2023

LAKE COUNTY CLERK
(Title)

NOTES:

- (1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuing year.
- (2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement
- (3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

In the Matter of Public Hearing – Lake County Commissioners – A General Ordinance of Lake County, Indiana, Authorizing the Issuance and Sale of Bonds of the County in the Aggregate Principal Amount not to Exceed \$5,500,000, for the Purpose of Funding Certain Judgements and Settlements Entered Against the County, together with Expenses in Connection with the Issuance of Bonds on Account thereof, and Appropriating the Proceeds Derived from the Sale of such Bonds for such Purpose

Bilski made the motion, seconded by Hamm, to open public hearing. Majority voted yes. Brown was absent. Motion to open Public Hearing carried 6-yes, 1-absent.

No remonstrators from the public were present.

Bilski made the motion, seconded by Lay, to close Public Hearing. Majority voted yes. Brown was absent. Motion to close Public Hearing carried 6-yes, 1-absent.

In the Matter of Ordinance of Lake County, Indiana, Authorizing the Issuance and Sale of Bonds of the County in the Aggregate Principal Amount not to Exceed \$5,500,000, for the Purpose of Funding Certain Judgements and Settlements Entered Against the County, together with Expenses in Connection with the Issuance of Bonds on Account thereof, and Appropriating the Proceeds Derived from the Sale of such Bonds for such Purpose

Bilski made the motion, seconded by Hamm, to approve on First Reading.

Lindemulder: After the study session, I spent some time talking to some of our finance department in regards to how much cash we actually have available in the general fund that's not designated for something else. In my research, the funds that were potentially available for this between surplus in the budget this year, surpluses from last year, other funds are available such as unencumbered funds that they had worked to clear up. I was told that we had between twenty and twenty-two million dollars in cash. Now I know that there are potential liabilities out there with our health insurance that could be about seven million dollars give or take. With this bond, up to 5.5 million, we don't need 5.5 million. I think that, from what I've seen, the fees that are going to be about a quarter of a million dollars, plus interest over the next five years, we're probably looking at nine hundred thousand to a million dollars in fees and interest with cash that I would say, we do have the money to pay our bills with cushion leftover that I think could be used at this time to pay out in cash and not incur anywhere from nine hundred thousand to a million dollars in fees and interest.

Bilski – I agree; however, we're getting ready to come into budget cycle. Those cancelled P.O.'s what's gonna take to budget out. There's probably about six million there. We're in the midst of negotiating with the County Sheriff Department, that's pay raises there. We're looking at an additional pay period in 2024 that's coming up that we're going to have to fund in an excess of four million dollars just for that one fund. It takes one catastrophic injury, that scares me. Unfortunately, I've been up here with the council when we've been hit and the next thing you know we're dead in the water. With the Mr. Blanchard's help, we've gotten that money built up in there to help curb that but when we can borrow the money and not tap in to our resources and still be able to manage, I'm in favor of a bond at that point.

Lay – I agree with Mr. Bilski. The most responsible thing at this point may simply be to issue a judgement bond for 5.5 million dollars. I think we should go ahead because things can occur. These are judgement bonds. I would suggest that, if you have to bond to pay debt, the people that have requested the money cannot be as anxious to get it if you start paying it out of your unencumbered funds.

Niemeyer – In the study session I had asked for a break down which Mr. Fech had provided for us. There was not a lot of detail in that fee breakdown other than who the fees are going to. I've asked Mr. Fech for further details of the amount of work that he's put into this and according to the email he sent me, its anywhere between eighty and hundred hours. So, his rate looks to be fair. His was twenty-eight thousand, Mr. O'Donnell sixty-seven fifty, Mr. Szarmach sixty-seven fifty, Cender-Dalton thirty-five thousand, Taft (Bond Counsel) sixty thousand, S&P Ratings fifteen thousand five hundred, underwriters discount seventy-five thousand, registered paying agent three thousand, printing three thousand and other rounding and contingencies seven thousand. In reviewing the cases that were settled, I wonder if there's not opportunities for us in some of these cases to actually try them and win. Also, in certain cases where there are violations of people's civil rights, are there any sort of employment actions taken on these employees of the various departments who commit these offenses?

Majority voted yes. Lindemulder and Niemeyer voted no. Brown was absent. Motion to approve on First Reading carried 4-yes,2-no,1-absent.

Bilski made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Niemeyer voted no. Motion to Suspend Rules failed with 5-yes,1-no,1-absent.

Niemeyer – For my no vote on the suspension of rules, if the meeting is to be rescheduled for next week, I will be out of town so it would be unfair for me to force you into a meeting. My query for Mr. O'Donnell is could we reconsider the suspension of rules?

Bilski made the motion, seconded by Niemeyer, to revisit the suspension of the rules. Majority voted yes. Brown was absent. Motion to revisit suspension of the rules carried 6-yes, 1-absent.

Hamm made the motion, seconded by Bilski, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 6-yes, 1-absent.

Bilski made the motion, seconded Hamm, to approve on Second Reading. Majority voted yes. Lindemulder and Niemeyer voted no. Motion to approve on Second Reading carried 4-yes, 2-no, 1-absent.

COUNTY COUNCIL ORDINANCE NO. 1485C

A GENERAL ORDINANCE OF LAKE COUNTY, INDIANA, AUTHORIZING THE ISSUANCE AND SALE OF BONDS OF THE COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,500,000, FOR THE PURPOSE OF FUNDING CERTAIN JUDGMENTS AND SETTLEMENTS ENTERED AGAINST THE COUNTY, TOGETHER WITH EXPENSES IN CONNECTION WITH THE ISSUANCE OF BONDS ON ACCOUNT THEREOF, AND APPROPRIATING THE PROCEEDS DERIVED FROM THE SALE OF SUCH BONDS FOR SUCH PURPOSE.

WHEREAS, the Lake County Council (the "County Council") has examined the Court Orders relating to the judgments and settlements which are incorporated herein as if set forth herein which require Lake County, Indiana (the "County") to pay judgments and settlements in the amounts as provided therein (collectively, the "Judgments") and has established the principal amount of the Judgments and estimated the maximum court costs relating to the Judgments and any other costs permitted under Indiana Code 5-1-8-1 and Indiana Code 5-1-14-6, including the costs of issuance of bonds on account thereof;

WHEREAS, the payment of the aforementioned Judgments is an exercise of the powers of the County, is necessary, and will be to the general benefit of the County and its citizens;

WHEREAS, the County does not have sufficient funds available or provided in the existing budgets or tax levies which may be applied to the payment of the Judgments including expenses incidental thereto, making it necessary to authorize the issuance of judgment funding bonds of the County in a principal amount not to exceed Five Million Five Hundred Thousand and No/100 Dollars (\$5,500,000.00);

WHEREAS, the payment of the Judgments together with expenses in connection with the issuance of bonds on account thereof, is necessary and will be to the general benefit of the County and the citizens served by the County;

WHEREAS, an emergency exists requiring additional appropriations, and the County has no funds available or provided for in existing budgets or tax levies that may be applied to satisfy the obligations arising from the Judgments, making it necessary to authorize the issuance and sale and the appropriation of the proceeds of bonds of the County for the payment of the Judgments, including expenses incidental thereto;

WHEREAS, the Lake County Council seeks to authorize the issuance and sale of judgment funding bonds for the purpose of financing the payment of the Judgments, including expenses incidental thereto, with such issuance and sale pursuant to the provisions of Indiana Code 5-1-8-1 or any other applicable provisions of Indiana law;

NOW, THEREFORE, BE IT ORDAINED BY THE LAKE COUNTY COUNCIL AS FOLLOWS:

SECTION 1. The County is hereby authorized to make a loan, for and on behalf of the County, for the purpose of funding the payment of the Judgments, together with expenses in connection with the issuance of bonds on account thereof, in the amount not to exceed Five Million Five Hundred Thousand and No/100 Dollars (\$5,500,000). The payment of such obligations is being made in accordance with the Judgments, and such payment, when made, will be in full and complete satisfaction of the Judgments.

SECTION 2. In order to procure the loan for the purpose of the payment of the Judgments, the Board of Commissioners is hereby authorized and directed to have prepared and to issue and sell judgment funding bonds of the County, to be designated "Lake County, Indiana, General Obligation Judgment Funding Bonds, Series 2023" (the "Bonds"), or as otherwise deemed appropriate, in the aggregate principal amount not to exceed Five Million Five Hundred Thousand and No/100 Dollars (\$5,500,000);

The aggregate principal amount of the Bonds authorized to be issued hereunder shall not exceed the aggregate face amount of the Judgments, together with expenses in connection with the issuance of the Bonds, all pursuant to Indiana Code 5-1-8-1 and Indiana Code 5-1-14-6. The final aggregate principal amount of the Bonds shall be certified by the County Auditor in accordance with the foregoing prior to the sale of the Bonds. Such certificate shall be conclusive for purposes of establishing the final aggregate principal amount of the Bonds.

The Bonds shall be issued by and in the name of the County, in fully registered form in the denominations of \$5,000 or an integral multiple thereof. The Bonds shall be numbered consecutively from R-1 upwards and shall bear interest at a rate or rates not exceeding six percent (6%) per annum (the exact rate or rates to be determined either by bidding or by the terms of a purchase agreement with the purchaser of the Bonds if sold pursuant to other than a public sale pursuant to Indiana law), which interest shall be payable commencing on January 15, 2024 and semiannually thereafter to maturity, unless determined otherwise by the County upon the recommendation of the Financial Advisor to the County. Interest shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred sixty (360) day year. The principal of the Bonds shall mature and be payable on January 15 and July 15 of each year over a period of not more than six (6) years. To the extent possible and as deemed advisable by the Financial Advisor to the County, payments of principal and interest on the Bonds shall be scheduled to provide for level debt service payments. The final amortization schedule shall be certified by the County Auditor prior to the sale of the Bonds.

The County Council and Auditor are hereby authorized and directed to appoint the Registrar and Paying Agent for the Bonds which may be the County Auditor or the County Treasurer or a qualified banking institution (the "Registrar and Paying Agent"); and the County Auditor is hereby authorized and directed to enter into such agreements or understandings with the Registrar and Paying Agent as will enable such entity to perform effectively all required services on behalf of the County. The County Auditor is further authorized and directed to pay the fees and expenses of the Registrar and Paying Agent out of available funds of the County.

The principal of the Bonds shall be payable at the principal office of the Registrar and Paying Agent. Interest on the Bonds shall be paid by check or draft mailed or delivered one business day prior to such payment date to the registered owner thereof at the address as it appears on the registration books kept by the Registrar and Paying Agent as or the last day of the month immediately preceding the interest payment date or at such other address as is provided to the Registrar and Paying Agent in writing by such registered owner. All payments on the Bonds shall be made in any coin or currency of the United States of America which on the dates of such payments shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the County kept for that purpose at the principal office of the Registrar and Paying Agent, by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar and Paying Agent duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. Bonds may be transferred or exchanged without cost to the registered owner, except for any tax or governmental charge required to be paid with respect to the transfer or exchange. The Registrar and Paying Agent shall not be obligated to make any exchange or transfer of Bonds during the period following the last day of the month immediately preceding an interest payment date on the Bonds until such interest payment date. The County and the Registrar and Paying Agent may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any Bond is mutilated, lost, stolen or destroyed, the County may cause to be executed and the Registrar and Paying Agent may authenticate a new Bond of like date, maturity and denomination as the mutilated, lost, stolen or destroyed Bond, which new Bond shall be marked in a manner to distinguish it from the Bond for which it was issued; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the County and the Registrar and Paying Agent, and in the case of any lost, stolen or destroyed Bond there shall be first furnished to the County and Registrar and Paying Agent evidence of such loss, theft or destruction satisfactory to the County and the Registrar and Paying Agent, together with indemnity satisfactory to them. In the event any such lost, stolen or destroyed Bond shall have matured, instead of causing to be issued a duplicate Bond, the County and the Registrar and Paying Agent may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The county and the Registrar and Paying Agent may charge the owner of such Bond with their reasonable fees and expenses in connection with the above. Every substitute Bond issued by reason of any Bond being lost, stolen or destroyed shall, with respect to such Bond, constitute a substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds duly issued hereunder.

The Bonds shall bear an original date which shall be, subject to the determination of the

County Auditor, the first day of the month in which the Bonds are sold or delivered to the purchaser or purchasers thereof or the date on which the Bonds are delivered, and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before January 30, 2024, shall pay interest from its original date. Any Bond authenticated thereafter shall pay interest from the interest payment date next preceding the date of authentication of such Bond unless such Bond is authenticated after the last day of the month preceding an interest payment date and on or before such interest payment date, in which case interest thereon shall be paid from such interest payment date.

The Bonds may be subject to redemption prior to maturity upon the recommendation of the Financial Advisor to the County.

All Bonds shall be executed on behalf of the County by the manual or facsimile signature of the Board of Commissioners of the County and attested by the manual or facsimile signature of the County Auditor, and the official seal of the Board of Commissioners shall be impressed or a facsimile thereof shall be printed on each of the Bonds. In the event that any officer whose signature appears on any Bond shall cease to be such officer for any reason before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had been in such office at the time of such delivery. Subject to the provisions hereof for registration, the Bonds shall be negotiable under the laws of the State of Indiana.

The Bonds shall be authenticated with the manual signature of an authorized representative of the Registrar and Paying Agent, and no Bond shall be valid or obligatory for any purpose until the certificate of authentication on such Bond shall have been so executed.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Such notice to the County may be served personally or be sent by registered mail. The Registrar and Paying Agent may also be removed at any time as Registrar and Paying Agent by the County, in which event the County Auditor, on behalf of the County, may appoint a successor Registrar and Paying Agent. The County shall cause each registered owner of Bonds then outstanding to be notified by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar and Paying Agent. Any predecessor Registrar and Paying Agent shall deliver all of the Bonds and cash in its possession with respect thereto, together with the registration books, to the successor Registrar and Paying Agent. The County Auditor is hereby authorized to act on behalf of the County with regard to any of the aforementioned actions of the County relating to the resignation or removal of the Registrar and Paying Agent and appointment of a successor Registrar and Paying Agent. The County Auditor is further authorized and directed, on behalf of the County, to enter into such agreements or understandings with any subsequent Registrar and Paying Agent as will enable it to perform the services required of it. Any such subsequent Registrar and Paying Agent shall be paid for its services out of available funds of the County.

coin or currency of the United States of America which on the dates of such payments shall be legal tender for the payment of public and private debts. Subject to the provisions for registration, this bond is negotiable under the laws of the State of Indiana.

This bond is one of an authorized issue of bonds of the County aggregating _____ Dollars (\$_____), fully registered and numbered consecutively from R-1 upwards, issued pursuant to an Additional Appropriation and Bond Ordinance adopted by the Lake County Council on _____, 2023, entitled "A General Ordinance of Lake County, Indiana, authorizing the issuance and sale of bonds of the County in the aggregate principal amount not to exceed \$5,500,000, for the purpose of funding certain judgments and settlements entered against the County, together with expenses in connection with the issuance of bonds on account thereof, and appropriating the proceeds derived from the sale of such bonds for such purpose," and the Indiana Code, for the purpose of funding certain judgments and settlements entered against the county. Reference is hereby made to the Ordinance for a description of the nature and extent of the rights, duties and obligations of the owners of the bonds, the County and the terms on which this bond is issued, and to all provisions of such Ordinance to which the holder hereof by the acceptance of this bond assents.

The bonds maturing in any one year are issuable only in fully registered form in denominations of \$5,000 or integral multiples thereof not exceeding the aggregate principal amount of the bonds maturing in such year.

[The Bonds maturing on or after _____, 20__ are subject to optional redemption prior to maturity on any date on or after _____, 20__, with thirty (30) days' notice, at a redemption price equal to the principal amount plus accrued interest to the date of redemption.]

[The Bonds are subject to mandatory sinking fund redemption prior to maturity at a redemption price equal to the principal amount plus accrued interest to the date of redemption on the dates and in the amounts set forth herein.]

[Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the County and the Registrar at least thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this Bond. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption shall be the principal office or corporate trust office of the Registrar and Paying Agent, unless the County selects another place. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date. Each Five

Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of mandatory redemption.]

If this bond or a portion hereof shall have become due and payable in accordance with its terms or this bond and the whole amount of the principal of and interest so due and payable upon all of this bond or a portion hereof then outstanding shall be paid or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in that case this bond or such portion hereof shall no longer be deemed outstanding or an indebtedness of the County.

This bond is transferable or exchangeable only upon the books of the County kept for such purpose at the principal office of the Registrar and Paying Agent by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar and Paying Agent duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Registrar and Paying Agent shall not be obligated to make any exchange or transfer of this bond following the last day of the month immediately preceding an interest payment date on this bond until such interest payment date. The County and the Registrar and Paying Agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due thereon.

In the event this bond is mutilated, lost, stolen or destroyed, the County may cause to be executed and the Registrar and Paying Agent may authenticate a new bond of like date, maturity and denomination as this bond, which new bond shall be marked in a manner to distinguish it from this bond; provided, that in the case of this bond being mutilated, this bond shall first be surrendered to the County and the Registrar and Paying Agent, and in the case of this bond being lost, stolen or destroyed, there shall first be furnished to the County and the Registrar and Paying Agent evidence of such loss, theft or destruction satisfactory to the County and the Registrar and Paying Agent, together with indemnity satisfactory to them. In the event that this bond, being lost, stolen or destroyed, shall have matured, instead of causing to be issued a duplicate bond the County and the Registrar and Paying Agent may, upon receiving indemnity satisfactory to them, pay this bond without surrender hereof. In such event, the County and the Registrar and Paying Agent may charge the owner of this bond with their

reasonable fees and expenses in connection with the above. Every substitute bond issued by reason of this bond being lost, stolen or destroyed shall, with respect to this bond, constitute a substitute contractual obligation of the County, whether or not this bond, being lost, stolen or destroyed shall be found at any time, and shall be entitled to all the benefits of the ordinance referred to above, equally and proportionately with any and all other bonds duly issued thereunder.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the County and of the owners of the bonds, may (with certain exceptions as stated in the Ordinance) be modified or amended with the consent of the owners of at least sixty percent (60%) in aggregate principal amount of outstanding bonds exclusive of bonds, if any, owned by the County.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to the registered owners of bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Such notice to the County may be served personally or be sent by registered mail. The Registrar and Paying Agent may also be removed at any time as Registrar and Paying Agent by the County, in which event the County may appoint a successor Registrar and Paying Agent. The County shall cause the registered owner of this bond, if then outstanding, to be notified by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar and Paying Agent.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and such total issue of bonds is within every limit of indebtedness provided by the constitution and laws of the State of Indiana; and that the full faith and credit of Lake County, Indiana, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal of and interest on this bond according to its terms.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by an authorized representative the Registrar and Paying Agent.

IN WITNESS WHEREOF, Lake County, Indiana, by ordinance of its County Council, has caused this bond to be executed in its name by the manual or facsimile signature of its Board of Commissioners, and attested by the manual or facsimile signature of its Auditor, with the corporate seal of such Board of Commissioners impressed or a facsimile thereof printed hereon.

LAKE COUNTY, INDIANA

By: Board of Commissioners
of the County of Lake, Indiana

(SEAL)

ATTEST:

By: _____
Auditor, Lake County, Indiana

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned ordinance.

Registrar and paying Agent

By: _____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (insert name and address of transferee) the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guarantee:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association Recognized Signature Guarantee Program.

SECTION 4. In the event that the Board of Commissioners does not adopt a resolution subsequent to the date of this Ordinance and prior to the time the Bonds are scheduled to be sold to sell the Bonds pursuant to applicable Indiana law at other than a public sale, the Bonds shall be sold at public sale in accordance with Indiana law.

SECTION 5. The provisions of this Section 5 shall govern the sale of the Bonds if the County does not otherwise determine to sell the Bonds at other than a public sale as provided in Section 4.

The Bonds may be offered and sold pursuant to an Official Statement with respect to the Bonds (the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange commission (the "Rule") and any and all applicable rules and regulations of the Municipal Securities Rulemaking Board. The County Council hereby authorizes the County Auditor (a) to authorize and approve a Preliminary Official Statement, as the same may be appropriately confirmed, modified and amended for distribution as the Preliminary Official Statement of the County; (b) on behalf of the County, to designate the Preliminary Official Statement a "final" Official Statement of the County with respect to the Bonds, subject to completion as permitted by and otherwise pursuant to the provisions of the Rule; and (c) to authorize and approve the Preliminary Official Statement to be placed into final form and to enter into such agreements or arrangements as may be necessary or advisable in order to provide for the distribution of a sufficient number of copies of the final Official Statement under the Rule.

Prior to the sale of the Bonds, the County Auditor shall cause to be published a notice of intent to sell once each week for two weeks in the Northwest Indiana Times, the Post-Tribune and The Indianapolis Star, or as otherwise provided under Indiana law. Without limiting the foregoing, the notice of such sale or a summary thereof may also be published in a financial journal published in the City and State of New York and/or in other newspapers, in the discretion of the County Auditor. The notice must state that any person interested in submitting a bid for the Bonds may furnish in writing at the address set forth in the notice, the person's name, address, and telephone number, and that any such person may also furnish a telex number. The notice must also state: (1) the amount of the Bonds to be offered; (2) the denominations; (3) the dates of maturity; (4) the maximum rate or rates of interest; (5) the place of sale; (6) the time within which the name, address and telephone number must be furnished, which must not be less than seven (7) days after the last publication of the notice of intent to sell; and (7) such other matters as the County Auditor shall deem appropriate. Each person so registered shall be notified of the date and time bids will be received, not less than twenty-four (24) hours before the

date and time of sale. The notification shall be made by telephone at the number furnished by the person, and also by telex if the person furnishes a telex number.

All bids for Bonds shall be sealed and shall be presented to the County Auditor at her office, and the County Auditor shall continue to receive all bids offered until the hour named on the day fixed for the sale of the Bonds, at which time and place she shall open and consider each bid. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding six percent (6%) per annum. Bids specifying more than one interest rate shall also specify the amount and maturities of the Bonds bearing each interest rate, and all Bonds maturing on the same date must bear the same rate of interest. The interest rate on Bonds of a given maturity must be at least as great as the interest rate on Bonds of any earlier maturity. Subject to the provisions set forth below, the County Auditor shall award the Bonds to the bidder offering the lowest net interest cost to the County, to be determined by computing the total interest on all of the Bonds from the date thereof to their maturity and deducting therefrom the premium bid, if any, or adding thereto the amount of any discount, if any. No bid for less than 100% of the par value of the Bonds (or such lesser percentage not less than 97% as the County Auditor, with the advice of the County's financial advisor, may determine at the time of the publication of notice of intent to sell Bonds or the time the Bonds are sold at other than a public sale), including accrued interest at the rate or rates named to the date of delivery, will be considered. The County Auditor shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in the notice for the sale of the Bonds, the County Auditor shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising; provided, however, that if such sale be continued, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time originally fixed for such sale.

The County Auditor is hereby authorized to determine, in her discretion, to sell the Bonds pursuant to the general provisions of Indiana Code 5-1-11, and in the event of such a determination, those portions of this Section 5 which conflict with such subsection shall be deemed inapplicable.

Prior to the delivery of the Bonds, the County Auditor shall be authorized to obtain a legal opinion as to the validity of the Bonds from Taft Stettinius & Hollister LLP, bond counsel for the County, and to furnish such opinion to the purchaser or purchasers of the Bonds. The cost of such opinion shall be considered as part of the costs incidental to these proceedings and may be paid out of proceeds of the Bonds.

SECTION 6. The provisions of this Section 6 shall govern the sale of the Bonds if the County determines to sell the Bonds at other than a public sale pursuant to this Ordinance. In the event of such determination, the Bonds shall be sold as allowable by Indiana law to the purchaser thereof in such denomination or denominations as the purchaser thereof may request, pursuant to a purchase agreement (the "Purchase Agreement") between the County and the purchaser thereof, hereby authorized to be applied for, entered into and executed by the President of the Board of Commissioners and attested by the County Auditor, on behalf of the County, upon such determination by the Board of Commissioners subsequent to the date of the adoption of this Ordinance. Such Purchase Agreement may set forth the definitive terms and conditions for such

sale, but all of such terms and conditions must be consistent with the terms and conditions of this Ordinance, including without limitation the interest rate or rates on the Bonds which shall not exceed the maximum authorized rate of interest for the Bonds pursuant to this Ordinance. Bonds sold to such purchaser thereof shall be accompanied by all documentation required by such purchaser thereof pursuant to Indiana Code 5-1.4 or Indiana Code 5-1.5 and the Purchase Agreement, including without limitation an approving opinion of nationally recognized bond counsel, certification and guarantee of signatures and certification as to no litigation pending, as of the date of delivery of the Bonds to such purchaser thereof, challenging the validity or issuance of the Bonds. In the event the County determines to sell the Bonds to such purchaser thereof, the entry by the County into the Purchase Agreement and the execution of the Purchase Agreement on behalf of the County by the President of the Board of Commissioners and in accordance with this Ordinance, are hereby authorized, approved and ratified.

SECTION 7. The County Auditor is hereby authorized and directed to have the Bonds prepared, and the Board of Commissioners is hereby requested and authorized to execute the Bonds with their manual or facsimile signatures. The County Auditor is hereby requested and authorized to attest to the Bonds with her manual or facsimile signature, and to cause the seal of the Board of Commissioners to be impressed or a facsimile thereof to be printed on the Bonds, all in the form and manner herein provided. After the Bonds have been properly executed, the County Auditor or County Treasurer shall deliver or cause to be delivered the Bonds to the purchasers in the manner provided by law.

SECTION 8. The County Council hereby requests, authorizes and directs the Board of Commissioners, the County Auditor and the County Treasurer, and each of them, for and on behalf of the County, to prepare, execute and deliver any and all other instruments, letters, certificates, agreements and documents as are determined to be necessary or appropriate to consummate the transactions contemplated by this Ordinance, and such determination shall be conclusively evidenced by the execution thereof. The instruments, letters, certificates, agreements and documents, including the Bonds, necessary or appropriate to consummate the transactions contemplated by this Ordinance shall, upon execution, as contemplated herein, constitute the valid and binding obligations or representations and warranties of the County, the full performance and satisfaction of which by the County is hereby authorized and directed.

SECTION 9. In order to preserve the excludability from gross income of interest on the Bonds under federal law, the County Council, on behalf of the County, represents, covenants and agrees that, to the extent necessary to preserve such exclusion:

(a) No person or entity or any combination thereof, other than the County or any governmental unit within the meaning of Section 141(b)(6) and Section 150(a)(2) of the Internal Revenue Code of 1986, as amended and in effect on the date of delivery of the Bonds (the "Code"), will use proceeds of the Bonds;

(b) No Bond proceeds will be lent to any entity or person other than a governmental unit. No Bond proceeds will be transferred directly or indirectly transferred or deemed transferred to a person other than a governmental unit in a fashion that would in substance constitute a loan of such Bond proceeds;

(c) The County will not take any action or fail to take any action with respect to the Bonds that would result in the loss of the excludability from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Code, and the County Council will not act or permit any actions by officers or officials of the County that would in any manner adversely affect such excludability. The County Council further covenants that the County will not make any investment or do any other act or thing during the period that any Bond is outstanding hereunder which would cause any Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Bonds. The County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable; and

(d) All officers, employees and agents of the County are hereby authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date that the Bonds are issued, and to make covenants on behalf of the County evidencing the County’s commitments made herein. In particular, any and all appropriate officers, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding (i) the facts and circumstances and reasonable expectations of the County on the date that the Bonds are issued and (ii) the commitments made herein by the County regarding the amount and use of the proceeds of the Bonds.

SECTION 10. Notwithstanding any other provision of this Ordinance, any of the covenants and authorizations contained in this Ordinance (the “Tax Sections”) which are designed to preserve the excludability of interest on the Bonds from gross income for purposes of federal income taxation (the “Tax Exemption”) need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 11. If, when the Bonds or a portion thereof shall have become due and payable in accordance with their terms and the whole amount of the principal of and interest so due and payable upon all of the Bonds or a portion thereof then outstanding shall be paid or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in that case the Bonds or such portion thereof issued hereunder shall no longer be deemed outstanding or an indebtedness of the County.

SECTION 12. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 13. The county may, without the consent of, or notice to, any of the owners of the Bonds, adopt a supplemental ordinance for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in this Ordinance;
- (b) To grant to or confer upon the owners of the Bonds any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the Bonds, or to make any change which, in the judgment of the County, is not to the prejudice of the owners of the Bonds ,
- (c) To modify, amend or supplement this Ordinance to permit the qualification of the Bonds for sale under the securities laws of the United States of America or of any of the states of the United States of America;
- (d) To provide for the refunding or advance refunding of the Bonds;
- (e) To procure a rating on the Bonds from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Bonds; and
- (f) Any other purpose which in the judgment of the Board does not adversely impact the interests of the owners of the Bonds.

SECTION 14. This Ordinance, and the rights and obligations of the County and the owners of the Bonds may be modified or amended at any time by supplemental ordinances adopted by the County with the consent of the owners of the Bonds holding at least sixty percent (60%) in aggregate principal amount of the outstanding Bonds (exclusive of Bonds, if any, owned by the County); provided, however, that no such modification or amendment shall, without the express consent of the owners of the Bonds affected, reduce the principal amount of any Bond, reduce the interest rate payable thereon, advance the earliest redemption date, extend its maturity or the times for paying interest thereon, permit a privilege or priority of any Bond or Bonds over any other Bond or Bonds, create a lien securing any Bonds other than a lien ratably securing all of the Bonds outstanding, or change the monetary medium in which principal and interest are payable, nor shall any such modification or amendment reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment so consented to shall be binding upon all the owners of the Bonds and shall not be deemed an infringement of any of the provisions of this Ordinance or of the Act, and may be done and performed as fully and freely as if expressly permitted by the terms of this Ordinance, and after such consent relating to such specified matters has been given, no owner shall have any right or interest to object to such action or in any manner to question the propriety thereof or to enjoin or restrain the County or any officer thereof from taking any action pursuant thereto.

If the County shall desire to obtain any such consent, it shall cause the Registrar and Paying Agent to mail a notice, postage prepaid, to the respective owners of the Bonds at their

addresses appearing on the registration books held by the Registrar and Paying Agent. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar and Paying Agent for inspection by all owners of the Bonds. The Registrar and Paying Agent shall not, however, be subject to any liability to any owners of the Bonds by reason of its failure to mail the notice described in this Section 14, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as provided in this Section 14.

Whenever at any time within one year after the date of the mailing of such notice, the County shall receive an instrument or instruments purporting to be executed by the owners of the Bonds of not less than sixty percent (60%) in aggregate principal amount of the Bonds then outstanding (exclusive of Bonds, if any, owned by the County), which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar and Paying Agent, thereupon, but not otherwise, the County may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the Bonds, whether or not such owner shall have consented thereto.

Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section 14, this Ordinance shall be, and be deemed to be, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance shall thereafter be determined, exercised and enforced hereunder, subject in all respects to such modifications and amendments.

SECTION 15. It is hereby determined that an emergency requiring additional appropriations exists, and the proceeds derived from the sale of the Bonds, in the amount determined in accordance with Section 2 of this Ordinance, not to exceed Five Million Five Hundred Thousand and No/100 Dollars (\$5,500,000), shall be and are hereby appropriated to provide funding for the obligations created by the Judgments, together with expenses in connection with the issuance of the Bonds. The payment of the Judgments is being made pursuant to the terms thereof, and the aggregate payment appropriated hereby is in full and complete satisfaction of the Judgments. Such appropriation shall be in addition to all appropriations provided for in the existing applicable budget and levy, and shall continue in effect until the payment in full of Judgment together with expenses in connection with the issuance of the Bonds.

SECTION 16. The full faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and the interest on the Bonds according to their terms. The County covenants that it will cause a property tax for the payment of the principal of and interest on the Bonds to be levied, collected, appropriated and applied for that purpose as set forth in Indiana Code 6-1.1-18.5-8. There shall be levied in each year upon all taxable property in the County, real and personal, and collected a tax in an amount and in such manner sufficient to meet and pay the principal of and interest on the Bonds as they become due, and the proceeds of this tax are hereby pledged solely to the payment of the Bonds.

SECTION 17. The County has properly published notice in accordance with Indiana Code 5-3-1 and Indiana Code 6-1.1-18-5 regarding the appropriation of the proceeds of the Bonds as provided herein and hereby authorizes the proceeds of the Bonds and the interest earnings thereon are hereby pledged and appropriated to the cost pursuant to this Ordinance. A certified copy of this Ordinance shall be filed with the Indiana Department of Local Government Finance by the County Auditor in accordance with Indiana Code 6-1.1-18-5 regarding the proposed additional appropriations.

SECTION 18. The County represents and covenants that the Bonds herein authorized, when combined with other outstanding indebtedness of the County at the time of issuance of the Bonds, will not exceed any applicable constitutional or statutory limitation on the County's indebtedness.

SECTION 19. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the County or the city in which the Registrar and Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 20. This Ordinance shall be in full force and effect from and upon compliance with the procedures, if any, required by law, and all ordinances in conflict herewith are hereby repealed to the extent or such conflict.

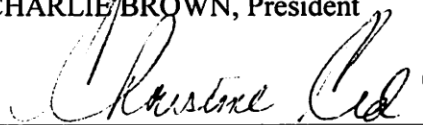
* * * * *

This Additional Appropriation and Bond Ordinance is hereby adopted and approved this
11th day of July, 2023.

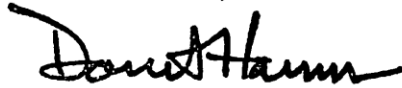
COUNTY COUNCIL,
COUNTY OF LAKE, INDIANA

ABSENT

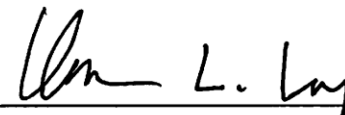
CHARLIE BROWN, President



CHRISTINE CID, Vice President



DAVID HAMM



CLORIUS LAY

NO

PETE LINDEMULDER

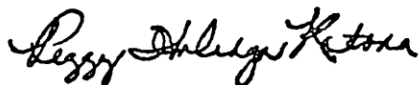


TED F. BILSKI

NO

RANDY NIEMEYER

Attest:

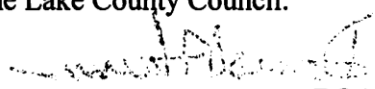


Peggy Katona, Lake County Auditor

The foregoing Additional Appropriation and Bond Ordinance was presented by me to the Board of Commissioners of the County of Lake, Indiana, at __:__ o'clock __.m., on _____, 2023.

Peggy Katona, Lake County Auditor

The foregoing Additional Appropriation and Bond Ordinance is hereby approved by the Board of Commissioners of the County of Lake, Indiana, as of this _____ day of _____, 2023. The Lake County Auditor is hereby authorized and directed to announce such approval to the Lake County Council.



BOARD OF COMMISSIONERS OF
LAKE COUNTY, INDIANA

Kyle W. Allen, Sr.

Jerry Tippy

Michael C. Repay

ATTEST:

Peggy Katona, Lake County Auditor

In the Matter of Public Hearing – Petition to Vacate Public Way between Parcel #45-24-28-178-012.000-007 & 45-24-28-178-006.000-007, Lying North of 233rd Avenue, a 20' Alley in Shelby, Block 2, Cedar Creek Township

Cid opened Public Hearing

John Reed – This is step one in a process of doing a substantial charitable project supported by the Dean and Barbara White Foundation in Shelby. This old platted alleyway has never been improved. It is platted in between two parcels both owned by the trustee on either side. There are no objections. All the letters have been provided by the county departments and the utilities in regards to their support and non-objection to the vacation.

Niemeyer made the motion, seconded by Lindemulder, to close Public Hearing. Majority voted yes. Brown and Bilski were absent. Motion to close Public Hearing carried 5-yes, 2-absent.

In the Matter of Ordinance Granting Petition to Vacate a Portion of a Platted Alley for Cedar Creek Township

Niemeyer made the motion, seconded by Lay, to approve on First Reading. Majority voted yes. Brown was absent. Motion to approve on First Reading carried 6-yes, 1-absent.

Niemeyer made the motion, seconded by Lindemulder, to Suspend Rules. Majority voted yes. Brown was absent. Motion to Suspend Rules carried 6-yes, 1-absent.

Niemeyer made the motion, seconded by Lindemulder, to approve on Second Reading. Majority voted yes. Brown was absent. Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1485D

**ORDINANCE GRANTING PETITION TO VACATE
A PORTION OF A PLATTED ALLEY BY
ALICE F. DAHL, CEDAR CREEK TOWNSHIP TRUSTEE**

WHEREAS, Petitioner Alice F. Dahl, Cedar Creek Township Trustee pursuant to I.C. 36-7-3-12 files her Petition to Vacate a Portion of a Platted Alley; and

WHEREAS, the Lake County Council on the 11th day of July, 2023, granted the said petition.

IT IS NOW, THEREFORE, ORDAINED AS FOLLOWS:

That the following described real estate in Lake County, Indiana, shall be given fee simple to the Petitioner Alice F. Dahl, Cedar Creek Township Trustee:

A 20 FOOT WIDE STRIP OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 32 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, SAID STRIP BEING ALL OF THE 20 FOOT WIDE PLATTED ALLEY LYING BETWEEN LOTS 1 THROUGH 6 AND LOTS 7 THROUGH 12, IN BLOCK 2 OF THE VILLAGE OF SHELBY, AS SHOWN IN PLAT BOOK 2, PAGE 7 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, CONTAINING 0.14 ACRES MORE OR LESS.

SO ORDAINED THIS 11th DAY OF JULY, 2023.



DAVID HAMM



RANDELL C. NIEMEYER



PETE LINDEMULDER

ABSENT
CHARLIE BROWN, President



CHRISTINE CID



CLORIUS L. LAY



TED F. BILSKI

Members of the Lake County Council

Public Comments: Carl Ploense, resident of Hammond and peer support specialist for Volunteers of America SPACES (Suicide Prevention and Community Education Services) Program, provided informational pamphlets to advise the council of the services they provide to the Veterans in Lake and Porter County.

There being no further business to come before the Council, it was moved and seconded that this Council does now adjourn, to meet again as required by law.

Presiding Chair, Lake County Council

ATTEST:

Peggy Holinga Katona,
Lake County Auditor