

Minutes of the January 19, 2012, NIRPC full Commission Meeting

Chairman Thomas McDermott, Jr., called the meeting to order. The Pledge of Allegiance was recited.

Attorney David Hollenbeck reviewed the Certificates of Appointment, indicating all appointments were in order and the new commissioners should be seated. New commissioners are: Mayor Karen Freeman-Wilson, Mayor James Snyder, Mayor Blair Milo, Jeff Freeze Patrick Margraf, James Simmons, Richard Murphy, Donald Parker, Brian Novak, Tom Clouser, Matthew Bernacchi, and Greg Stinson.

Commissioners present were Nancy Adams, Roosevelt Allen, Jr., Geof Benson, Matt Bernacchi, Bob Carnahan, Christine Cid, Tom Clouser, Anthony Copeland, Stan Dobosz, Karen Freeman-Wilson, Jeff Freeze, Rosalie Jacobs, Richard Ludlow, Tom McDermott, Blair Milo, Edward Morales, Philip Mores, Jim Murphy, Rich Murphy, Brian Novak, Anthony Pampalone, Donald Parker, Shawn Pettit, Jim Polarek, Bob Schaefer, Tom Schmitt, Dave Shafer, James Simmons, Brian Snedecor, James Snyder, James Ton, David Uran, and George Van Til.

Staff present included John Swanson, David Hollenbeck, Steve Strains, Jody Melton, Angie Hayes, Gary Evers, Bill Brown, Tom Vander Woude, Stephen Sostaric, Allen Hammond, La Kisha Girder, Kevin Garcia, Bob Niezgodski, Mitch Barloga, Joe Exl, Kelley Wenger, Gabrielle Biciunas, and Kathy Dubie.

Self-introductions were made.

Chairman McDermott explained that NIRPC recently created the Norman E. Tufford Award to memorialize NIRPC's founding Executive Director, Norman E. Tufford. The first award was given posthumously to Norm Tufford for his many accomplishments and public service to northwest Indiana. The award was accepted by Norm Tufford's son, Jim Tufford. A second award will be given at a later date.

Nominating Committee Report – In the absence of committee chair Jon Costas, committee member Tom McDermott reported that the three-person committee is nominating the following slate of officers and executive board members for 2012:

Chairman	Geof Benson
Vice-Chair	David Uran
Treasurer	Brian Snedecor
Secretary	Blair Milo

Executive Board Members:

La Porte County	Ken Layton	Porter County	Nancy Adams
La Porte County	Bob Schaefer	Porter County	James Ton
Lake County	Roosevelt Allen, Jr.	Lake County	Thomas McDermott, Jr.
Governor's Appointment	Chester Dobis		

Chairman McDermott called for nominations from the floor three times. Shawn Pettit moved that nominations be closed. The motion was seconded by Richard Ludlow and approved. Shawn Pettit then moved to accept the nominations as presented. The motion was seconded by Stan Dobosz and approved.

Chairman McDermott congratulated the new officers and executive board members and said that he was honored to have served as NIRPC's chairman for the past year. He added that he was proud of the accomplishments made by the commission and staff during 2011. He completed his chairmanship by turning over the gavel to newly-elected chairman, Geof Benson.

Geof Benson assumed the chair and presented Mayor McDermott with a plaque recognizing his service to NIRPC for 2011.

On a motion by Brian Snedecor, second by Anthony Copeland, the minutes of the December, 2011, commission meeting were approved.

On a motion by Shawn Pettit, second by Richard Ludlow, the consent agenda was approved.

Joe Exl, NIRPC Environmental Planner presented a Watershed Management Framework Update and Planning Tools. This project will be completed in the very near future and will be useful when seeking grant monies. In addition to a Q & A session, George Van Til asked that a comprehensive director of storm water systems be created.

Comprehensive Regional Plan Implementation Committee: Steve Strains reported that the newly-formed committee met on January 18. A Chairman and Vice-Chairman are currently needed.

Transportation Improvement Program: Stan Dobosz, Chair, asked Gary Evers to provide information on Resolution 12-01, which is Amendment #8 to the 2012-15 Transportation Improvement Program. On a motion by Stan Dobosz, second by Shawn Pettit, the resolution was adopted. Gary Evers then provided an explanation of Resolution 12-02, Amendment #9 to the 2012-15 Transportation Improvement Program. On a motion by Stan Dobosz, second by Shawn Pettit, the resolution was adopted.

Legislative Committee: Dave Shafer, Chair, reported that the committee met on December 21 and has many recommendations for action by the commission. On a motion by Mr. Shafer, second by Brian Novak, the commission approved the position papers addressing transportation and economic development issues for the 2012 session of Congress.

Mr. Shafer next moved for adoption of Resolution 12-03. The motion was seconded by Brian Novak. It was further explained that this is in reference to federal legislation for transportation reauthorization and provides for raising the population threshold for urbanized areas to be designated as MPOs from Minutes of the January 19, 2012, NIRPC full Commission Meeting

50,000 to 200,000. Additionally, there is no provision for "grandfathering" the existing MPOs with populations less than 200,000. While NIRPC would not be impacted by such a change, 7 of the 14 Indiana Metropolitan Planning Organizations could be eliminated by this provision. After further discussion, the resolution was adopted.

Mr. Shafer briefly discussed pending state legislation authorizing referenda for the financing of the operation and expansion of transit systems. Attention was drawn to a letter, copy is included in today's meeting packet. Tom McDermott added information about the current situation in Marion County.

Mr. Shafer next moved that NIRPC support legislation that proscribes employees of a governmental entity from also simultaneously serving as elected officials of that entity, but exempting local governments with populations under 7,900 from this requirement and that NIRPC support extending the disclosure provisions under the ethics rules of the Indiana General Assembly to local government elected officials. Jim Ton seconded the motion. Christine Cid asked for the language of the ethics rules and was told it was not available. She also asked if the issue of employees serving as elected officials include police and fire personnel. Dave Shafer said that, with the exception of communities with less than 7,900 residents, it does. Several commissioners added their comments. For purposes of discussion, Tom McDermott seconded the motion. He subsequently withdrew his second. Karen Freeman-Wilson then seconded Mr. Shafer's motion. She asked that each of the two proposed items be taken separately. Regarding the issue of employees serving as elected officials of that entity, George Van Til called for a weighted vote. His motion was seconded by Tom McDermott and approved. By a weighted vote of 19.170% the motion to support the legislation failed. Regarding the matter of the ethics rules, Dave Shafer moved to support the disclosure provisions to local government elected officials. His motion was second by Karen Freeman-Wilson. After further discussion, with several abstentions and one "no" vote, the motion passed.

Jim Snyder then asked if NIRPC has expressed any interest in taking a stand on the pending right-to-work legislation. After a brief discussion, Jim Snyder moved that NIRPC's legislative committee look into this issue and take a position. Tom McDermott seconded the motion. Several commissioners indicated their communities have already sent letters to northwest Indiana legislators opposing the legislation. Since NIRPC will not meet again until February 16, Jim Snyder amended his motion to give authority to NIRPC's executive director to send a letter to the northwest Indiana delegation expressing NIRPC's opposition to the right-to-work legislation. This motion was seconded by Shawn Pettit. David Uran moved that the weighted vote mechanism be used regarding Mayor Snyder's motion. Tom McDermott seconded that

motion. Several commissioners voiced their opposition to the matter being voted on today, without the opportunity to poll elected officials from their individual communities. Dave Shafer then moved to table Mayor Snyder's motion. Bob Schaefer seconded that motion. Jim Snyder then moved to use weighted voting regarding the motion to table. Dave Uran seconded that motion. The motion to table failed by a weighted vote of 11.909%. With weighted voting used, the commission approved the sending of a letter to the northwest Indiana delegation voicing opposition to the right-to-work legislation. The motion passed with one commissioner voting "no" and several commissioners abstaining. The final vote was 67.612% and a letter of opposition will be sent. On a motion by Brian Snedecor, second by David Uran, the commission authorized Tom McDermott, Jim Snyder, and Geof Benson to work with John Swanson in drafting the letter.

Dave Shafer continued the legislative report by moving for adoption of Resolution 12-04, which sets forth the principles for long-term operation and maintenance of the Little Calumet River Basin Flood Control System. The motion was seconded by Jim Snyder. After a lengthy discussion, Brian Snedecor asked for a friendly amendment which would exclude the mention of the \$6 million repayment, second by David Uran. Dave Shafer did not accept the amendment. A request for a friendly amendment from Christine Cid was also denied by Dave Shafer. Without further discussion the resolution passed.

Shawn Pettit moved for suspension of the rules to allow for possible action by the commission regarding pending legislation regarding home rule and a Lake County tax. His motion was seconded by Brian Snedecor and passed. A letter reflecting the commission's action will be sent to the northwest Indiana delegation.

Indiana Department of Transportation (INDOT): Mike McPhillips said that the mild weather has allowed them to proceed with more repairs than was anticipated for this time of year.

Northwest Indiana Economic Development District: Roosevelt Allen reported on short-term matters the district is pursuing. Also, the district will meet on January 27 to reorganize with its newly-appointed membership.

Local Government Assistance Advisory Committee: Brian Snedecor, Chair, announced that the next committee meeting will be held on January 25 in Hobart. He encouraged all commissioners to attend.

Other Business: Geof Benson, NIRPC Chair, asked anyone interested in being appointed to the Northwest Indiana Economic Development District to contact him after today's meeting. He also explained that former mayor Kathy Chrobak was a member of the NARC Board of Directors. Since she is no longer a member of NIRPC, she is not eligible to continue to serve on NARC's board. Therefore, Chairman Benson asked that anyone interested in being considered as her replacement contact either him or John Swanson by January 20. Finally, he encouraged all members to complete the committee

preference form and return it to Kathy Dubie. It is Chairman Benson's intent to make the committee appointments at NIRPC's February 16 executive board meeting.

Public Comment: Gary resident Jim Nowicki thanked Mayor Freeman-Wilson for appointing herself to NIRPC and asked INDOT for the status of repair work to the road in the area of 12/20/I-65. Angie Fegaras, INDOT, reported that the area will be completely upgraded and is listed in NIRPC's Transportation Improvement Program.

Report of the Executive Director: In addition to the report included in the meeting packet, Director John Swanson pointed out the quarterly newsletter being distributed today. Included in the document is the 2011 year in review. The materials are worth reading.

On a motion by Shawn Pettit, second by Stan Dobosz, the meeting was adjourned.