



**RESOLUTION NO. 14-30**

**A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION  
PROPOSING AN AMENDMENT OF INDIANA CODE TITLE 36, ARTICLE VII, Chapter 7  
SECTION 7.6-9 9(d)**

**WHEREAS**, The Northwestern Indiana Regional Planning Commission (“NIRPC”) is a regional council of local governments serving the citizens of Lake, Porter, and LaPorte counties in Northwest Indiana and the region is part of the U.S. Census Bureau's Chicago Metropolitan Statistical Area (MSA);

**WHEREAS**, NIRPC is the Metropolitan Planning Organization (MPO) for northwestern Indiana and operates as a cooperative of local governments within the tri-county area, and is currently comprised of appointments from all cities and towns; two townships; the three County Councils, Boards of Commissioners, and Surveyors; and the governor for a total of fifty-three;


**WHEREAS**, NIRPC is a multi-purpose, sub-state, area-wide planning agency with its enabling legislation contained within Indiana Code Title 36, Article VII, Chapter 7; with amendments made to said enabling legislation in 1973, 1996, 2003 and 2007;

**WHEREAS**, on occasion, NIRPC Commissioners may request weighted voting as outlined Indiana Code Title 36, Article VII, Chapter 7-7.6-9 (d);

**WHEREAS**, Indiana Code Title 36, Article VII, Chapter 7-7.6-9 (d) regarding the weighted voting process currently denoting formulae for weighted voting as reported by the “**2000** decennial census” in 7-7.6-9 (d) (1) Step One and Step 2, (2) Step One and Step Two, (3) Step One and Step Two and (4) Step One and Step Two is outdated and impractical, not reflecting the most recent decennial Census.

**NOW THEREFORE BE IT RESOLVED**, that NIRPC supports amending Indiana Code 36-7-7.6-9 (d) that will change the wording for weighted voting as reported by the "*last* decennial census".

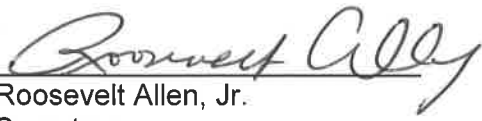
Duly adopted by the Northwestern Indiana Regional Planning Commission this 16th day of October, 2014.



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Brian Snedecor  
Chairperson

ATTEST;



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Roosevelt Allen, Jr.  
Secretary

notice fixing the time and place of the special meeting. Written notice of a special meeting is not required if:

- (1) the time of the special meeting has been fixed in a regular meeting; or
- (2) all members are present at the special meeting.

(c) A commission member may waive notice of any meeting by filing a written waiver with the secretary of the commission.

As added by P.L.165-2003, SEC.6.

**IC 36-7-7.6-8**

**Rules; records**

Sec. 8. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations. The commission's record is a public record.

As added by P.L.165-2003, SEC.6.

**IC 36-7-7.6-9**

**Quorum; official action by affirmative vote of quorum or weighted affirmative vote**

Sec. 9. (a) A majority of the commission members constitute a quorum.

(b) An action of the commission is official only if both the following apply:

(1) The action is authorized at a regular meeting or a properly called special meeting in which at least one (1) member from each county described in section 1 of this chapter is present.

(2) The action is authorized by:

(A) the affirmative votes of a majority of the members of the commission; or

(B) a weighted affirmative vote of more than fifty (50) if a motion is made under subsection (c).

(c) Upon a motion by any one (1) member of the commission that is properly seconded by another member at:

(1) a regular meeting; or

(2) a properly called special meeting;

the commission shall use the weighted voting process described in subsection (d).

(d) Each commission member has a weighted vote determined as follows:

(1) In the case of a member appointed by the executive of a municipality, the member's weighted vote is determined in STEP FIVE of the following formula:

STEP ONE: Determine the population of the municipality as reported by the last decennial

Deleted: 2000

census.

STEP TWO: Determine the sum of the population of the counties described in section 1 of this chapter as reported by the last decennial census.

Deleted: 2000

STEP THREE: Divide the number determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Round the number determined in STEP THREE to the nearest ten-thousandth (0.0001).

STEP FIVE: Multiply the number determined in STEP FOUR by one hundred (100).

(2) In the case of a member appointed by the executive of a county, the member's weighted vote is determined in STEP FIVE of the following formula:

STEP ONE: Determine the population of the area in the county that is not within a municipality and is not within a township described in section 4(a)(6) of this chapter as reported by the last decennial census.

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STEP TWO: Determine the sum of the population of the counties described in section 1 of this chapter as reported by the last decennial census.

Deleted: 2000

STEP THREE: Divide the number determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Round the number determined in STEP THREE to the nearest ten-thousandth (0.0001).

STEP FIVE: Multiply the number determined in STEP FOUR by fifty (50).

(3) In the case of a member appointed by a fiscal body, the member's weighted vote is determined in STEP FIVE of the following formula:

STEP ONE: Determine the population of the area in the county that is not within a municipality and is not within a township described in section 4(a)(6) of this chapter as reported by the last decennial census.

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STEP TWO: Determine the sum of the population of the counties described in section 1 of this chapter as reported by the last decennial census.

Deleted: 2000

STEP THREE: Divide the number determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Round the number determined in STEP THREE to the nearest ten-thousandth (0.0001).

STEP FIVE: Multiply the number determined in STEP FOUR by fifty (50).

(4) In the case of a member appointed by the trustee of a township under section 4(a)(6) of this chapter, the member's weighted vote is determined in STEP FIVE of the following formula:

STEP ONE: Determine the population of the township as reported by the last decennial census.

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STEP TWO: Determine the sum of the population of the counties described in section 1 of this chapter as reported by the last decennial census.

Deleted: 2000

STEP THREE: Divide the number determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Round the number determined in STEP THREE to the nearest ten-thousandth (0.0001).

STEP FIVE: Multiply the number determined in STEP FOUR by fifty (50).

As added by P.L.165-2003, SEC.6. Amended by P.L.169-2006, SEC.58; P.L.39-2007, SEC.2.

#### IC 36-7-7.6-10

##### Executive board

Sec. 10. (a) The commission shall elect from among its members, by the affirmative votes of a majority of the members serving on the commission, an executive board that consists of the following:

- (1) The four (4) officers of the commission.
- (2) Two (2) members of the commission from each county described in section 1 of this chapter.
- (3) The member of the commission appointed by the governor.

(b) If a vacancy occurs in a position on the executive board referred to in subsection (a)(2), a successor shall be elected from among the members in the same manner as the member whose position has been vacated.

(c) The executive board shall conduct the business of the commission, except for:

- (1) the adoption and amendment of bylaws, rules, and procedures for the operation of the commission;
- (2) the election of officers and members of the executive board as provided in this chapter; and
- (3) the adoption of the annual appropriation budget after review by the executive board.

(d) The executive board shall meet regularly at least one (1) time each month, unless otherwise determined by its members. The executive board shall notify the full membership of the commission of all its meetings with copies of its preliminary or final agendas and shall report all its actions and determinations to the full membership