

NIRPC Executive Board Meeting

Electronic Meeting via Zoom

September 17, 2020 Minutes

Call to Order

Chairman, Michael Griffin, called the meeting to order at 9:00 a.m. with the Pledge of Allegiance.

This meeting was convened as an *electronic meeting*, pursuant to Governor Holcomb's Executive Order 20-42 on August 26, extending the declaration of emergency, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency until October 2. All persons were meeting remotely on a Zoom platform that allowed for real time interaction, and supported the public's ability to observe and record the proceedings. When the agenda item provided for public comment, this was supported as well.

New Appointments to the Commission

Dave Hollenbeck announced there were no new appointments to the Commission.

Roll call - Taken by Candice Eklund.

Present

The 17 Commissioners present included Geof Benson (Beverly Shores), Kevin Breitzke (Porter County Surveyor), Robert Carnahan (Cedar Lake), Tom Dermody (LaPorte), Bill Emerson (Lake County Surveyor), Michael Griffin (Highland), Richard Hardaway (Merrillville), Jack Jeralds (Schneider), Tim Jones (Kouts), Justin Kiel (La Crosse), Tom McDermott (Hammond), Wendy Mis (Munster), Tom Schmitt (Schererville), Brian Snedecor (Hobart), Greg Stinson (Porter), James Ton (Chesterton), and George Topoll (Union Township). Also present was Matt Deitchley representing INDOT.

Absent

The 33 Commissioners absent included Kyle Allen (Lake County Commissioner), Duane Arndt (Kingsford Heights), Jeanette Bapst (Dune Acres), Janet Beck (Pottawattomie Park), Jim Biggs (Porter County Commissioner), Charlie Brown (Lake County Council), Bill Carroll (Lake Station), Anthony Copeland (East Chicago), Joshleen Denham (Trail Creek), Jon Derwinski (Winfield), Daina Dumbrys (Michiana Shores), Tony Hendricks (LaPorte County), Eric Hull (Burns Harbor), Jack Jeralds (Schneider), Andrew Kyres (Crown Point), Jeff Larson (Porter County Council), Robert Lemay (Long Beach), Sue Lynch (Portage), Sheila Matias (LaPorte County Commissioner), Lori Mercer (Westville), Edward Morales (Porter Township), Matt Murphy (Valparaiso), Diane Noll (Wanatah), Duane Parry (Michigan City), David Peeler (Hebron), Jerome Prince (Gary), Michael Rosenbaum (LaPorte County), Rick Ryfa (Griffith), Carolyn Saxton (Ogden Dunes), Ed Soliday (Governor Appointee), Gerald Swets (St. John), Sharon Szwedo (New Chicago), Mary Tanis (Dyer), and John Yelkich (Lowell).

Kingsbury, Lowell, and The Pines have appointed no representatives to NIRPC.

Staff present included Ty Warner, Kathy Luther, Charles Bradsky, Mitch Barloga, Lisa Todd, Flor Baum, Dominique Edwards, Scott Weber, Gabrielle Biciunas, Peter Kimball, Stephanie Kuziela, Candice Eklund, and attorney Dave Hollenbeck.

Approval of Minutes

The minutes of the July 16, 2020 Full Commission meeting were approved on motion by James Ton and second by Richard Hardaway. With Tom Dermody, Michael Griffin, Richard Hardaway, Justin Kiel, Tom McDermott, Greg Stinson, James Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.

Public Comment

Public comments were received from Brenda Scott Henry, Nancy Moldenhauer, Teagan Massie, Caroline Loughgren, Alex Bazan, and Alyssa Guritz regarding Indiana University's Environmental Resilience Institute to conduct greenhouse gas inventories on behalf of multiple Northwestern Indiana communities. These comments were in support of Resolution #20-24, which is seeking approval from NIRPC's Executive Board at today's meeting.

Report of the Chair - Michael Griffin

Michael Griffin discussed the adopted Sense of the Commission Resolution (#20-07), pertaining to the Commissioners opinion that the Governor and State of Indiana needed to take certain steps which included a declaration of emergency to deal with the severe environmental and economic crisis along the lake shore from erosion. Michael Griffin and Ty Warner previously had a phone conference with the director of Homeland security and some of their Associate Directors. The outcome from the phone conference was that it would be helpful to provide data collections. At the request of Ty Warner, some of the communities provided specific dates in alignment with their incidents. On behalf of the Commission, the data was transmitted to the Department of Homeland Security for deliberation. When a second phone conference was held last week, the Director of Homeland Security stated they were unable to commit to any available funding because a declaration has to be affiliated with an event and their position is that Lake Michigan water levels are cyclical. As a result of the meeting, a webinar hosted by the Federal Emergency Management Agency (FEMA) will be held to allow the Commissioners and interested members gain further guidance. Ty Warner will provide the webinar information to the Commissioners when received.

Michael Griffin discussed the executive order by the Governor for local governments to hold meetings virtually. The statute ordinarily applies to state agencies and redevelopment commissions. Due to the nature of the issue as it specifically applies to NIRPC, it would be better to expressly have language in the statute that applies to NIRPC allowing electronic participation and feels it should be on the legislative agenda.

Michael Griffin commended Ty Warner and Mitch Barloga for choosing to apply for the Pathways Grant and making it possible to obtain new signage that helped with the linkages on bike trails. Michael encouraged the group to take time and see the signs.

Report of the Executive Director - Ty Warner

Ty Warner thanked Mitch Barloga, NIRPC's Active Transportation Manager, for his extensive work on the Pathways Grant initiative. Ty announced that staff is back working in the office on an alternating schedule and was thankful to them on their successful remote operations during the time the office was closed. Staff continues to be accessible even during the times they continue to work remotely.

Mr. Warner noted he will present his report based on the areas outlined in NIRPC's enabling statute; environment, economic development, and transportation:

- **Environment** - Ty also referenced the phone conference held with the Director of Homeland Security regarding the erosion issues along the lakefront. The details of the workshop hosted by FEMA will be distributed when Ty receives them. FEMA has a Notice of Funding Availability (NOFA) out for the Building Resilient Infrastructure Communities (BRIC). BRIC grants are hazard mitigation assistance grants that will open on September 30 and close on January 29, 2021.

The City of Hammond won an award at the Partners for Clean Air award ceremony hosted by South Shore Clean Cities (SSCC), for their extensive trail development that Mayor McDermott has been a strong leader on. In the Federal Highway Administration's newsletter, NIRPC, SSCC, and the City of Hobart were spotlighted in a congestion mitigation air quality segment for Hobart's alternative fuel project. Ty congratulated both Mayor McDermott and Mayor Snedecor.

- **Economic Development** - With the Economic Development District (EDD) designation, NIRPC has become the recipient of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds. These funds were made available to help with the recovery of the coronavirus. Gabrielle Biciunas, NIRPC's EDD Coordinator, is working with the communities to aid them with the application process. Notification was received from the Economic Development Administration (EDA) that the initial funding of \$225 million made available to the region is dwindling quickly. Ty strongly encouraged applications to be submitted by the end of September because these grants are on a first come, first serve basis. Gabrielle or Ty may be contacted for assistance on making EDA applications.
- **Transportation** - Ty spoke of the ongoing issues that had been identified by the Rail Crossing Task Force chaired by Mayor McDermott. On NIRPC's behalf, a letter was sent to our congressional representatives

regarding the provisions that were in the House's proposed transportation bill that spoke to the specific rail crossing issues, suggesting that those provisions get carried over into the Senate's version. Further, Senator Braun's office noted he was attempting to introduce a bill to increase funding for railroad crossings. Ty will follow-up if the bill materializes.

Ty noted that NIRPC's Notice of Funding Availability (NOFA) was released on September 11 and will close on October 21. The NOFA is for projects that will run through NIRPC in 2025 and 2026. The NOFA virtual workshop was scheduled for September 29 at 9:30 a.m. Charles Bradsky is the point of contact for questions and assistance for project funding applications.

Though not funded through NIRPC, INDOT's Community Crossings call for projects has been released and applications can be submitted from September 25 thru October 23, 2020. Ty Warner thanked INDOT for continuing to offer this program.

Ty shared that NIRPC received an award from the American Planning Association's Indiana Chapter for outstanding transportation planning for *NWI 2050*, and thanked the Commission and staff for their work on this extensive planning document and vision for Northwest Indiana.

Environmental Management Policy Committee - Bill Emerson

Bill Emerson reported the EMPC met on September 3, 2020 and discussed the Indiana University Environmental Resilience Institute program in detail. This program will have a great impact on communities, it is cost effective, and it is felt that NIRPC is the appropriate body to support this program.

Kathy Luther stated she was approached last fall about the possibility of sponsoring a regional application for the Indiana University Environmental Resilience Institute intern program. This program allows communities to apply for a partially subsidized intern to conduct a greenhouse gas inventory for their community. Kathy informed them NIRPC could consider the activity but would need local government support in the form of political will, staff support, and financial resources. Kathy was notified last month with resolutions of support from Lake and LaPorte counties demonstrating political will to do this project. NIRPC staff has met with group members, regional partners such as SSCC, and the Environmental Resilience Institute. The EMPC recommends Resolution #20-24, authorizing NIRPC to apply for the program if they receive letters of commitment from at least three, and preferably five, local governments. Applications are due December 2, 2020 with commitment letters needing to be submitted by November 27. The total cost of each intern would be a \$1,500 stipend, an estimated cost of \$2,760 for NIRPC's administrative costs and an additional fee of \$200-\$300 (depending on the size of the community) for access to the database portal. The cost of the intern stipend and NIRPC's administrative costs would be pro rata. On motion by James Ton and second by Greg Stinson, the Executive Board voted to approve Resolution #20-24. With Tom Dermody, Michael Griffin, Richard Hardaway, Justin Kiel, Tom McDermott, Greg Stinson, James Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed. Michael Griffin thanked the members of the EMPC and Kathy Luther for their efforts in bringing this resolution before the Executive Board and asked the Commissioners to follow up with their communities.

Finance & Personnel Committee - Richard Hardaway

Richard Hardaway reported the Finance & Personnel (F & P) Committee met this morning to review the financial reports, claims registers, and the bank reconciliations for July and August 2020. There are two actions for consideration that come highly recommended by the F & P Committee. Gabrielle Biciunas presented on Resolution #20-25. This resolution is to amend the management plan for the LaPorte County Revolving Loan Fund (RLF) to relax certain policies and provide greater flexibility of the program to help address impacts of COVID-19 on small businesses. The LaPorte County RLF Board and the EDA have approved the management plan amendment. Gabrielle also presented on Resolution #20-26. This resolution is to adopt the management plan for a Regional RLF for Lake, Porter, and LaPorte counties under the CARES Act. The EDA has awarded NIRPC \$583,000 to capitalize and administer an RLF to make loans available to the small businesses within NIRPC's three-county region that have been impacted by the coronavirus. As a designated EDD, this new regional RLF program will further support and enhance the economic development efforts within our region. Under the matters of the Consent Agenda, and the Chairman receiving a motion by Richard Hardaway and second by George Topoll, the Executive Board voted to approve Resolution numbers 20-25 and 20-26 and roll call was taken by Candice Eklund for these two resolutions. No Commissioners requested an agenda item to be voted on

separately. With Tom Dermody, Michael Griffin, Richard Hardaway, Justin Kiel, Tom McDermott, Greg Stinson, James Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.

Technical Planning Committee - Kevin Breitzke

The Technical Planning Committee (TPC) met virtually on September 8. Kevin Breitzke stated there were two actions for consideration today and each one comes with a favorable recommendation by TPC.

Scott Weber presented on Resolution #20-22, *MOVE NWI* Congestion Management Program (CMP). *MOVE NWI* is a congestion management process for Northwest Indiana, which is a framework plan on how our region can collectively better manage traffic congestion. The region previously adopted a CMP plan in 2011. A CMP is federally required due to NIRPC managing a region of over 200,000 people – in fact, NIRPC manages a population of over 700,000. *MOVE NWI* had a 21-day public comment period from August 10-31, 2020. No public comments were received. Productive dialogue was held with INDOT, FHWA, and other MPO partners.

Charles Bradsky presented on Resolution #20-23, FY 2020-2024 TIP Amendment #10. NIRPC held the 21-day public comment period from August 14 thru September 4, 2020. No public comments were received. NIRPC also sent the list of projects to the Interagency Coordinating Group (ICG). NIRPC received minor comments from the ICG and approval was given on August 26, 2020. Amendment #10 consists of 17 projects and covers fiscal years 2020-2024, with seven projects having local sponsors and 10 projects being sponsored by the IDNR and INDOT. Under the matters of the Consent Agenda, and the Chairman receiving a motion by James Ton and second by Greg Stinson, the Executive Board voted to approve Resolution numbers 20-22 and 20-23 and roll call was taken by Candice Eklund for these two resolutions. No Commissioners requested an agenda item to be voted on separately. With Tom Dermody, Michael Griffin, Richard Hardaway, Justin Kiel, Tom McDermott, Greg Stinson, James Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.

Kevin Breitzke restated the NOFA would be open from September 11 until October 21 and encouraged the engineers representing our communities to attend the virtual workshop on September 29, 2020.

Charles Bradsky presented on the NOFA, stating NIRPC and several working groups met to improve the deficiencies of the previous NOFA and to make overall improvements of the application. Some of the improvements include additional questions relating to project management to avoid future risks, maps now being integrated into the application for ease of use, and being able to upload their project into a Google Form for submission, which will generate an email to both the community and NIRPC staff. Also, additional time will be allotted to topical meetings to review, discuss, and score projects in depth. Kevin Breitzke ended his report thanking staff for their outstanding job in preparing this NOFA. The next TPC meeting will be held on October 6, 2020 at 10:00 a.m.

INDOT - Matt Deitchley

Matt Deitchley, La Porte District Deputy Commissioner, echoed the good news of the Community Crossings program returning September 25 and closing on October 23. Matt encouraged communities to submit their projects and to contact INDOT with any questions.

INDOT is preparing for the winter season and will be installing new equipment on snow plows that will include additional tracking capabilities. In the future, the public will be able to see the path the plows have taken and INDOT will be able to review when plowing took place to help with efficiency and customer service.

Matt noted the work being done on I-65 and I-94 is ahead of schedule and has an estimated completion date of mid-October. Richard Hardaway inquired about the work being performed on the center islands on Broadway Avenue in Merrillville. Greg Stinson thanked INDOT for the work completed on US 20 and Waverly Road and complemented how the work improved traffic and safety.

Announcements

Robert Carnahan stated the 2020 Census ends on September 30. It was noted a representative from Lake County is working to help improve the low submissions and try to make it a success for all communities.

Michael Griffin reminded the Commissioners of the virtual Exit Conference meeting with the State Board of Accounts being held today at 11:30 a.m.

Adjournment

Hearing no other business, Michael Griffin adjourned the meeting at 10:26 a.m.

Michael thanked the Commissioners for the time and service they exhibit and present to their local communities and for the time they commit to this regional commission. Michael also thanked the Executive Director and staff at NIRPC for all they do to support the commissioners work in trying to advance the region's interests and creating a better Northwest Indiana.

The Executive Board will meet on October 15, 2020 at 9:00 a.m.

The livestream video recording of this meeting is available on NIRPC's YouTube Channel at <https://www.youtube.com/watch?reload=9&v=yVx1R5u6abk>