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## NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION EXECUTIVE BOARD MEETING

May 20, 2021 9:00 A.M.

#### **Zoom Information:**

https://zoom.us/j/93531134732?pwd=Z2dHcTBKSG5UNnRiQ21IRU50bStNUT09

Meeting ID: 935 3113 4732 Meeting Passcode: 747132 Call in: (312) 626-6799

#### **Annotated Agenda**

- 1.0 Call to Order and Pledge of Allegiance George Topoll
- 2.0 New Appointments to the Commission Attorney Dave Hollenbeck
- 3.0 Roll Call and approval of the Minutes of the April 15, 2021 Executive Board Meeting (pp. 1-4)

  \*\*ACTION REQUESTED: Approval\*\*
- 4.0 Public Comment on Current Agenda Items

  Members of the audience who have signed up to comment on agenda items will be recognized by
  the Chair. Time is limited to 3 minutes per commenter. Commenters must indicate on the sign-in
  sheet prior to the start of the meeting.
- 5.0 Possibility of Remote (hybrid) Meetings Attorney Dave Hollenbeck
- 6.0 Report of the Chair George Topoll
- 7.0 Report of the Executive Director Ty Warner
  - 7.1 Commissioner Topical Interest and Demographic Survey
- 8.0 Finance and Personnel Committee Greg Stinson (pp. 5-9)
  - 8.1 Resolution #21-13 Automated Clearing House (ACH) Payments (pp. 7-9)

    \*\*ACTION REQUESTED: Approval\*\*
- 9.0 NIRPC Economic Development District Report Denarie Kane
  - 9.1 Resolution #21-12 A Resolution Authorizing the Submittal of the Economic Development Administration FY 2021 Partnership Planning Grant Application to Administer the Economic Development District FY 2021 (pp. 10-11)

ACTION REQUESTED: Approval

10.0 Presentation: Cline Avenue Bridge Update - Terry Velligan

- 11.0 INDOT, Matt Deitchley, La Porte District Deputy Commissioner
- 12.0 Other Business
- 13.0 Announcements
- 14.0 Adjournment

#### NIRPC Executive Board Meeting

Electronic Meeting via Zoom April 15, 2021 Minutes

#### Call to Order

Chairman, George Topoll, 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 21-08 on March 31, 2021 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. 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. Though the meeting was intended as a Full Commission meeting, attendance was one Commissioner short of a quorum of Commissioners present at the beginning of the meeting for a Full Commission. A quorum of the Executive Board was present and the meeting reverted to a meeting of the Executive Board. All actions could be taken up by the Executive Board.

#### Present

The 9 Executive Board members present at the meeting included Tom Dermody (LaPorte), Bill Emerson (Lake County Surveyor), Richard Hardaway (Merrillville), Justin Kiel (La Crosse), Sue Lynch (Portage), Wendy Mis (Munster), Greg Stinson (Porter), James Ton (Chesterton), and George Topoll (Union Township).

The 17 Commissioners present at the start of the meeting included Duane Arndt (Kingsford Heights), Jeannette Bapst (Dune Acres), Geof Benson (Beverly Shores), Kevin Breitzke (Porter County Surveyor), Charlie Brown (Lake County Council), Robert Carnahan (Cedar Lake), Bill Carroll (Lake Station), Daina Dumbrys (Michiana Shores), Denise Ebert (Wanatah), Jack Jeralds (Schneider), Andrew Kyres (Crown Point), Duane Parry (Michigan City), Jerome Prince (Gary), Tom Schmitt (Schererville), Steve Spebar (Whiting), Gerald Swets (St. John), and Mary Tanis (Dyer). Also present was Matt Deitchley representing INDOT. Daina Dumbrys joined later in the meeting.

#### **Absent**

The 3 Executive Board members absent at the meeting included Michael Griffin (Highland), Sheila Matias (LaPorte County Commissioner), and Jim Pressel (Governor Appointee).

The 21 Commissioners absent included Kyle Allen (Lake County Commissioner), Janet Beck (Pottawattomie Park), Jim Biggs (Porter County Commissioner), Anthony Copeland (East Chicago), Joshleen Denham (Trail Creek), Jon Derwinski (Winfield), Robert Forster (Kouts), Tony Hendricks (LaPorte County), Eric Hull (Burns Harbor), Robert Lemay (Long Beach), Tom McDermott (Hammond), Lori Mercer (Westville), Edward Morales (Porter Township), Matt Murphy (Valparaiso), David Peeler (Hebron), Bob Poparad (Porter County Council), Michael Rosenbaum (LaPorte County Council), Rick Ryfa (Griffith), Brian Snedecor (Hobart), Sharon Szwedo (New Chicago), and John Yelkich (Lowell).

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

Staff present included Ty Warner, Kathy Luther, Charles Bradsky, Talaya Jones, Mitch Barloga, Flor Baum, Scott Weber, Meredith Stilwell, Denarie Kane, Kevin Polette, Candice Eklund, and attorney Dave Hollenbeck.

#### **Approval of Minutes**

Under General Consent, George Topoll declared the minutes of the March 18, 2021 Executive Board meeting minutes were adopted. There were no objections.

**Public Comment -** There were no public comments.

#### Report of the Chair - George Topoll

George Topoll reported only 19 Commissioners responded to the Commissioner Interest Survey that was emailed to them on March 30 and April 12; therefore, topical committee assignments will not be updated until additional responses are received.

#### Report of the Executive Director - Ty Warner

Mr. Warner offered additional comments on the Interest Survey stating it was not only used to formulate committee's but also asks for demographic information for federal reporting requirements. The current committee structure was adopted in 2015 but has since been discussed that the structure needs to be streamlined further to make the best use of time for the Commissioners and NIRPC staff.

Ty discussed the Brownfield Community Capacity Assessment survey that will be sent to the Commissioners addressing the Brownfield Coalition grant that NIRPC received for Brownfield assessments. Some projects have been submitted but more opportunities remain.

A survey regarding the Coastal Management Needs for Local Governments on the Great Lakes and St. Lawrence River was also sent to the Commissioners of the region's coastal communities but only two responses have been received. This information will be used to compile lists from the Great Lakes Communities, including Indiana.

Ty recognized NIRPC staff for their milestones in service: Allen Hammond for 15 years, Joe Exl for 10 years and Meredith Stilwell for 10 years of service.

#### Environmental Management Policy Committee (EMPC) – Bill Emerson

The EMPC met on April 1 and Kathy Luther and Kathy Sipple provided an update on the Regional Greenhouse Gas Initiative program. Bill Emerson thanked the Commissioners for their approval and support of this initiative. The next EMPC meeting is scheduled for July 1, 2021 at 9:00 a.m.

#### Finance & Personnel Committee (F & P) - Greg Stinson

Greg Stinson reported the F & P Committee met this morning to review the year-end final report for 2020 as well as the financial reports and claims registers for March. The F&P Committee favorably recommends Resolution #21-05 as part of the Consent Agenda. The 2021-2022 Unified Planning Work Program (UPWP) includes a revised budget that reflects the 2022 planning funds allocated to NIRPC. Kathy Luther stated the UPWP is NIRPC's scope of work for all NIRPC activities as an MPO and for transit oversight activities.

#### Technical Planning Committee (TPC) - Kevin Breitzke

The TPC met virtually on April 6, 2021. Kevin Breitzke stated TPC favorably recommends Resolutions #21-06 and #21-10 as part of the Consent Agenda. Scott Weber presented on Resolution #21-06, State Performance Measures. INDOT revised five performance measure in October 2020, giving NIRPC 180 days to agree with the states adjusted target measures or set their own. The recommendation of NIRPC staff is to agree with INDOT's adjusted performance targets.

Charles Bradsky presented on Resolution #21-10, FY 2020-2024 TIP Amendment #13, stating no comments were received during the 30-day public comment period. Charles noted this public comment also included the adoption of the FY 2022-2026 TIP. Approval was received from the Interagency Consultation Group (ICG) on April 8. Amendment #13 is adding significant funding to two projects and eliminating two projects.

By virtue of the Executive Board's General Consent to allow these items to be Consent Agenda matters, George Topoll asked for a vote on the three matters below:

- Approval of Resolution #21-05, 2021-2022 UPWP Amendment #4
- Approval of Resolution #21-06, State Performance Measures
- Approval of Resolution #21-10, FY 2020-2024 TIP Amendment #13

Hearing no objections, a motion was received by Jim Ton and seconded by Greg Stinson to adopt the matters on the consent agenda. Roll call was taken by Candice Eklund for the three matters. With Tom Dermody, Bill

Emerson, Richard Hardaway, Justin Kiel, Sue Lynch, Wendy Mis, Greg Stinson, Jim Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.

#### Technical Planning Committee (TPC) - Kevin Breitzke

The following Resolutions were voted on separately because these resolutions build on each other and will show transparency in this section before proceeding to the next resolution. Scott Weber discussed the 30-day public comment period report that collectively covered the Air Quality Determination report for Amendment #2 to the *NWI 2050*, the FY 2022-2026 Transportation Improvement Program (TIP) program, as well as Amendment #2 to the *NWI 2050 Plan*. No public comments were received.

- 1. Resolution #21-07 Air Quality Conformity Scott Weber stated this resolution needs to be approved before the Commission can adopt Amendment #2 to the *NWI 2050 Plan* or the FY 2022-2026 TIP due to the Environmental Protection Agency designating Lake and Porter Counties as non-attainment with respect to ozone. On a motion by Greg Stinson and seconded by Jim Ton, the Executive Board voted to approve the Air Quality Conformity report. Roll call was taken by Candice Eklund. With Tom Dermody, Bill Emerson, Richard Hardaway, Justin Kiel, Sue Lynch, Greg Stinson, Jim Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.
- 2. Resolution #21-08 *Move NWI* Scott Weber stated the *Move NWI* document stipulates that a project that adds capacity, cannot be added to any programming document using federal funds without first demonstrating adherence to the *Move NWI* Congestion Management Process. This resolution illustrates the two projects that came about as Amendment #2 to the *NWI 2050* and FY 2022-2026 TIP that caused a need to demonstrate adherence. The projects include the Cline Avenue gap extension in St. John and the Willowcreek Avenue extension in Porter County. On a motion by Richard Hardaway and seconded by Sue Lynch, the Executive Board voted to approve the Demonstration of Congestion Management Compliance. Roll call was taken by Candice Eklund. With Tom Dermody, Bill Emerson, Richard Hardaway, Justin Kiel, Sue Lynch, Greg Stinson, Jim Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.
- 3. Resolution #21-09 NWI 2050 Plan Amendment #2. Scott Weber discussed the two projects that are being added and the two projects that are being changed in the NWI 2050 Plan for this amendment. On a motion by Greg Stinson and seconded by Sue Lynch, the Executive Board voted to approve the NWI 2050 Plan Amendment #2. Roll call was taken by Candice Eklund. With Tom Dermody, Bill Emerson, Richard Hardaway, Justin Kiel, Sue Lynch, Greg Stinson, Jim Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.
- 4. Resolution #21-11 FY 2022-2026 TIP Charles Bradsky stated NIRPC submitted the new FY 2022-2026 TIP to INDOT and the FHWA and are awaiting comments from them. Charles does not anticipate any comments that would cause a need for the TIP to be recreated. On a motion by Jim Ton and seconded by Richard Hardaway, the Executive Board voted to adopt the FY 2022-2026 TIP. Roll call was taken by Candice Eklund. With Tom Dermody, Bill Emerson, Richard Hardaway, Justin Kiel, Sue Lynch, Wendy Mis, Greg Stinson, Jim Ton, and George Topoll voting in the affirmative, and no one voting in the negative, the motion passed.

Charles Bradsky provided an overview of the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA). Northwest Indiana received \$5.5 million in funding from INDOT, which must be obligated by the end of FY 2024. NIRPC staff developed guidelines for use of these funds, and they will be using the list of projects from the 2020 NOFA as possible candidates at the TROC Committee meeting scheduled on April 27, 2021. The results discussed at the TROC meeting will be recommended to the TPC.

Kevin Breitzke encouraged the Commissioners to attend the TROC meeting to represent their communities. Kevin noted the new Greenways and Blueways bike maps are available at the NIRPC office and they can contact staff to pick them up. The next TPC meeting is scheduled on May 11, 2021 at 10:00 am.

#### NIRPC Economic Development District Report – Denarie Kane

Denarie Kane reported on the *Recover NWI* Revolving Loan Fund (RLF). There is a contract in place with the Regional Development Company to perform the underwriting and to run credit reports on the applicants. A website page is currently being created so applicants can submit their applications electronically. Denarie will contact the communities for assistance in distributing the information to their local business communities once the program has launched.

Denarie reminded the Commissioners of the Economic Development Administration (EDA) Bootcamp Zoom meeting on April 22, 2021. James Winters, the Economic Development Representative for the state of Indiana, and former NIRPC staff planner, will be the featured speaker. The bootcamp will offer communities how to be more competitive when submitting their grants to the EDA.

#### **INDOT** - Matt Deitchley

Matt Deitchley, La Porte District Deputy Commissioner, reported that bridge work this construction season will cover 20% of INDOT's district, with 2022 representing the largest amount of funding being allocated to bridge work maintenance in their history. Matt noted that National Work Zone Awareness Week is April 26-30 and Wear Orange Day will be on April 28. Matt also provided information regarding the vaccination clinic in Gary at Roosevelt High School. With the turn out being lower than expected, INDOT is helping with advertising by including the information on their message board, social media posts, and the overhead messaging on I-94.

#### **Other Business**

Robert Dirks, the Planning and Environmental Specialist at the Federal Highway Administration, discussed the federally required certification review that is conducted every four years by the FHWA and FTA on planning processes. As the NIRPC MPO was last certified in December of 2017, it will need to be recertified by December of 2021. Reviews will likely begin late summer, to be followed by a draft report that NIRPC will have the opportunity to review prior to finalizing the certification. Robert Dirks will coordinate the review with Ty Warner and NIRPC staff in the near future.

Mary Tanis shared the Town of Dyer has two considerations. With the West Lake Corridor having an effect on their community, they are looking into constructing two round-a-bouts, one at 213th and Sheffield and the other at Main Street and Sheffield, with the latter needing assistance from the Town of Munster. They are also looking to expand the bike trail that stretches into Illinois, which they would like to take south to Steger Road rather than the northern route. They would also like a pedestrian bridge over Route 30.

Bob Carnahan shared two subdivisions are being built on U.S. 41 and the new center lane will be beneficial with the new construction.

#### **Announcements**

Bob Carnahan announced the Farmer's Market in Cedar Lake will soon be open on the second and fourth Wednesdays of the month. Summer Fest is scheduled for July 2-5, with fireworks on July 2<sup>nd</sup> and 3<sup>rd</sup>.

Ty Warner noted the Executive Board meeting will be held on May 20 at 9:00 a.m. and will likely be a safely held in-person meeting.

Ty Warner noted the trails map has been distributed across the region and has become very popular, especially during the pandemic for people to get outside and discover the trails. For additional information, contact Mitch Barloga at <a href="mailto:mbarloga@nirpc.org">mbarloga@nirpc.org</a>.

#### Adjournment

Hearing no other business, George Topoll adjourned the meeting at 10:21 a.m.

The livestream video recording of this meeting is available on NIRPC's YouTube Channel at <a href="https://www.youtube.com/watch?v=268HoHR4eGM">https://www.youtube.com/watch?v=268HoHR4eGM</a>

# NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION FINANCE AND PERSONNEL COMMITTEE April 15, 2021 / Google Meet Virtual Meeting – 8:00 a.m.

#### **Members Present**

Greg Stinson, Richard Hardaway, Bob Carnahan, Justin Kiel, George Topoll Staff and Others Present

Ty Warner, Talaya Jones, Kathy Luther, Lisa Todd, Stephanie Kuziela, Meredith Stilwell, Denarie Kane, David Hollenbeck, Wendy Mis, Bryan Blazak, Duane Arndt

#### Call to Order

Greg Stinson called the meeting to order with the Pledge of Allegiance.

#### Approval of Minutes

The minutes of the March 18, 2021 meeting were presented. Bob Carnahan made motion and Richard Hardaway seconded to approve the minutes. A roll call vote was taken with Bob Carnahan, Richard Hardaway, Justin Kiel, Greg Stinson and George Topoll voting in the affirmative motion passed 5-0.

#### Final 2020 Year End Financial Status Budget to Actual

Talaya presented the general fund financial reports, year to date December 2020. Total expenditures for the period ending December 31, 2020 are \$6,667,100 of the \$10,258,326 budgeted. When questioned by Commissioner Carnahan regarding what happens to the excess money, Talaya explained the money is in grants and is reprogrammed into the 2021 budget. Total general fund revenue for the period is \$2,096,002 of the \$3,275,273 budgeted. When questioned by Commissioner Carnahan if there is potential for uncollected revenue to be collected in 2021, Talaya indicated NIRPC has already started collecting some of the funds.

Talaya presented the financial reports for Coronavirus Aid, Relief and Economic Securities (CARES), year to date December 2020. Total NIRPC CARES fund expenditures for the period ending December 31, 2021 were \$2,534,727. Commission Stinson pointed out a \$500 error in the Departmental category. Total CARES revenue collected for the period is \$2,833,872 of the \$4,307,009 budgeted.

#### Review of Financial Status - March 2021 Budget vs Actual

Talaya Jones presented the March 2021 bank reconciliations for the NIRPC general account and the Revolving Loan Fund (RLF) account.

Talaya Jones presented the March 2021 general fund financial reports. Total expenditures for the period ending March 31, 2021 are \$960,295 of the \$11,981,765 budgeted. Total general fund revenue for the period is \$22,885 of the \$3,574,659 budgeted.

Talaya presented the Coronavirus Aid, Relief and Economic Securities (CARES) Act financial reports, year to date March 2021. Total NIRPC CARES fund expenditures for the period ending March 31, 2021 are \$116,707 of the \$1,034,233 budgeted, with total CARES expenditures at \$1,154,048 of the \$5,267,013 budgeted. Total CARES revenue collected for the period is \$896,180 of the \$4,282,009 budgeted.

#### Approval of Claims Registers - March 2021

Talaya presented the March 2021 General Fund claims register totaling \$257,532.28 to the Committee for approval. Bob Carnahan made motion and Justin Kiel seconded to approve the March 2021 General Fund claims register. A roll call vote was taken with Bob Carnahan, Richard Hardaway, Justin Kiel, Greg Stinson and George Topoll voting in the affirmative, motion passed 5-0. The CARES Act expenditures register of claims totaling \$879,636.59 was then presented for approval. Bob Carnahan made motion and Richard Hardaway seconded to approve the March 2021 CARES Act claims register. A roll call vote was taken with Bob Carnahan, Richard Hardaway, Justin Kiel, Greg Stinson and George Topoll voting in the affirmative, motion passed 5-0.

#### Resolution 21-05 - 2021-2022 UPWP Amendment #4, FY 2022 Update

Kathy Luther presented Resolution 21-05 to the. The Unified Planning Work Program (UPWP) is NIRPC's scope of work for federal Department of Transportation funds spent for Metropolitan Planning Organization planning and transit oversight and is a two-year work program. The second year in the program is always an estimate and needs to be revised after the budget is determined and planning emphasis areas given by the Federal Transit Administration and Federal Highway are received. Amendment #4 is an update of the UPWP document to make the necessary changes. Bob Carnahan make motion and Justin Kiel seconded to recommend Resolution 21-05 to the NIRPC Commission for approval A roll call vote was taken with Bob Carnahan, Richard Hardaway, Justin Kiel, Greg Stinson and George Topoll voting in the affirmative, motion to passed 5-0.

#### Personnel updates

Meredith Stilwell reported that submissions have been received for the current job postings of Director of Transportation, Economic District Development Coordinator and Programming and Grant Assistant.

#### Other Business

None

#### Adjournment

There being no further business, the meeting was adjourned.



#### **RESOLUTION 21-13**

# A RESOLUTION ESTABLISHING A POLICY FOR ELECTRONIC FUND TRANSFERS AND ONLINE BANKING FOR NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

WHEREAS, Northwestern Indiana Regional Planning Commission finds it necessary and efficient to use Automatic Clearing House (ACH) and Electronic Funds Transfer (EFT) including online banking transfers for payments and deposits, pursuant to Indiana Code 36-1-8-11.5, and;

WHEREAS, Northwestern Indiana Regional Planning Commission now determines that it is reasonable and appropriate to authorize ACH and EFT including online transfer transactions pursuant to Indiana Code.

NOW, THEREFORE, BE IT RESOLVED by Northwestern Indiana Regional Planning Commission that:

<u>Section 1. Automatic Clearing House (ACH) Transactions</u>. ACH transactions are hereby authorized for Northwestern Indiana Regional Planning Commission to make certain payments via ACH. Authorized payments include payroll, bond payments, and other accounts payables.

<u>Section 2. Electronic Funds Transfers (EFT) Including Online Transfers</u>. Northwestern Indiana Regional Planning Commission also authorized to use online transfers for the purpose of transferring funds to the Account Payable checking account from the CARES checking account as it relates to services in the process of paying claims/invoices.

<u>Section 3. Documentation</u>. Northwestern Indiana Regional Planning Commission is required to maintain adequate documentation of the above-referenced transactions for future audits, as provided by law.

All of which is CONSIDERED, APPROVED, AND ADOPTED by Northwestern Indiana Regional Planning Commission, this 20th day of May, 2021.

ATTEST:	George Topoll Chairperson
Richard Hardaway Secretary	

# SPECIAL DISTRICTS BULLETIN

## AND UNIFORM COMPLIANCE GUIDELINES ISSUED BY STATE BOARD OF ACCOUNTS

March 2021

#### **IN THIS ISSUE**

#### **Articles**

Capitalization Policy	1
Electronic Payments from the Special District	1
Electronic Payments to the Special District	1-2

#### **CAPITALIZATION POLICY**

The special district board must have a written policy concerning capital assets that includes at a minimum, the threshold at which an item is considered a capital asset.

#### **ELECTRONIC PAYMENTS FROM THE SPECIAL DISTRICT**

IC 36-1-8-11.5 authorizes the special district board to adopt a resolution to authorizing an electronic funds transfer method of payment of claims. If the district board adopts such a resolution, the district may pay money from its funds by electronic funds transfer. The district must comply with all other requirements for the payment of claims by political subdivisions.

As used in IC 36-1-8-11.5, "electronic funds transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, that is initiated through an electronic terminal, telephone, or computer or magnetic tape for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account.

#### **ELECTRONIC PAYMENTS TO THE SPECIAL DISTRICT**

IC 36-1-8-11.5 allows the special district board to authorize the district to accept various payment methods, including electronic payments. This authorization should be documented by resolution.

A payment to a special district for any purpose may be made by any of the following financial instruments that the district board authorizes for use: (1) Cash. (2) Check. (3) Bank draft. (4) Money order. (5) Bank card or credit card. (6) Electronic funds transfer. (7) Any other financial instrument authorized by the special district board. The term "credit card" means a credit card, debit card, charge card, or stored value card.

If there is a charge to the special district for the use of a financial instrument, the special district may collect a sum equal to the amount of the charge from the person who uses the financial instrument.

#### **ELECTRONIC PAYMENTS TO THE SPECIAL DISTRICT (continued)**

If authorized by the district board, the special district may accept payments under IC 36-1-8-11.5 with a bank card or credit card under the procedures set forth. However, the procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type.

The special district may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the special district or charged directly to the special district's account, the special district may collect from the person using the card either or both of the following: (1) An official fee that may not exceed the transaction charge or discount fee charged to the political subdivision or municipally owned utility by bank or credit card vendors. (2) A reasonable convenience fee: (A) that may not exceed three dollars (\$3); and (B) that must be uniform regardless of the bank card or credit card used.

The fees described in (1) and (2) may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such fees. These fees are permitted additional charges under IC 24-4.5-3-202. (g)

The special district may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this subsection.



#### **RESOLUTION 21-12**

A RESOLUTION AUTHORIZING THE SUBMITTAL OF THE ECONOMIC DEVELOPMENT ADMINISTRATION FY 2021 PARTNERSHIP PLANNING GRANT APPLICATION TO ADMINISTER THE ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Northwestern Indiana Regional Planning Commission (NIRPC), hereafter referred to as "the Commission", is the regional Council of Local Governments (COG) and the designated Metropolitan Planning Organization (MPO) for Lake, Porter and LaPorte County area: and

WHEREAS, NIRPC has been designated by the U.S. Economic Development Administration (EDA), a bureau of the U.S. Department of Commerce, as an Economic Development District (EDD) on August 23, 2019, that makes the counties of Lake, Porter, and LaPorte in Northwest Indiana eligible to receive certain types of federal funding for regional and local economic development efforts; and

WHEREAS, the EDD designation is consistent with NIRPC's charge within its state enabling legislation to institute and maintain a comprehensive planning and programming process for: (1) transportation, (2) economic development, and (3) environmental policy, and provide a coordinative management process for Lake, Porter, and LaPorte counties (Indiana Code 36-7-7.6); and

WHEREAS, EDA supports Partnership Planning investments to facilitate the development, implementation, revision, or replacement of Comprehensive Economic Development Strategies (CEDS), which articulate and prioritize the strategic economic goals of recipients' respective regions; and

WHEREAS, in 2020, NIRPC received an Economic Development Administration Partnership Planning grant for up to \$70,000 (Seventy Thousand dollars) in federal funds to assist with the Economic Development District scope of work, enabled by NIRPC Resolution 20-09, a grant that must be renewed annually;

**NOW THEREFORE BE IT RESOLVED,** that the Northwestern Indiana Regional Planning Commission board authorizes the NIRPC Executive Director:

- 1. To apply for and administer the Economic Development Administration grant award;
- 2. To sign related documents on behalf of the organization; and
- 3. To commit up to \$70,000 (Seventy Thousand dollars) in local matching funds.

**BE IT FURTHER RESOLVED,** that the Commission will make the local match funds available as needed and affirms that the funds are not encumbered in any way that would preclude its use consistent with the requirements of the EDA Investment Assistance.

Duly adopted by the Northwestern Indiana Regional Planning Commission this 20th day of May 2021.

	George Topoll Chairperson
ATTEST:	
Richard Hardaway Secretary	