



Policy Committee Meeting Minutes
November 5, 2010 McCloskey Conference Room 135, City Hall

Policy Committee minutes are transcribed in a summarized outline manner. Audio recordings are on file with the City of Bloomington Planning Department.

Policy Committee: Jack Baker (Bloomington Plan Commission), Lynn Coyne (IU Real Estate), Susie Johnson (Bloomington Public Works), Richard Martin (Monroe County Plan Commission), Kent McDaniel (Bloomington Public Transportation Corp.), Mark Kruzan (Mayor—City of Bloomington), Patrick Murray (CAC Chair), Andy Ruff (Bloomington City Council), Jim Stark (INDOT), Mark Stoops (County Commissioners), Robert Tally (FHWA), Mike Farmer (Ellettsville Town Council), Julie Thomas (Monroe County Council), and Bill Williams (Monroe County Highway Department).

Others: Jay DuMontelle (FHWA), Michelle Allen (FHWA), Kathy Eaton-McKalip (INDOT), Connie Griffin (Town of Ellettsville), Veda Stanfield (CARR), Clark Sorensen (Indian Creek), Larry Jacobs (Chamber of Commerce), Bev Ohneck-Holly (CARR), Sandra Flum (INDOT), Tom Micuda (City Planning Director), Jay Mitchell (INDOT), Sarah Ryterband (CAC), Clark Sorensen, Steve Hendricks, Jim Rosenbarger, Michael Luurtsema, Thomas Tokarski, Barry Elkins, Steve Hendricks, Andrew Effinger, Sally McKinney, Martha Boisson, Mary Ann Williams, Jeanne Walters, David Keppel, Patty Pizzo, Ria Collee, Marti Crouch, Veda Stanfield, Linda Greene, Susan Pennington, Okche Atwood, Zilia C. Estrada, Sue Wright, Clarke Kahlo, Huang Yan, Steve Volan (Bloomington City Council), Ron Walker (BEDC), Bruce Hudson (DLZ IN/I-69 Section 4), Mary Jo Hamman (Baker/I-69 Section 5), Eric Swickard (BLA), Margie Rice (City Legal), Jody Madeira, Bruce Gann, Patrick Munson, Sam Frushaur, Alex Smith, Jess Gwinn, Sandra Tokarski, Morgan Hutton (Chamber), Donna Lentz Ferree, Farra Ferree, Gregory Travis (County Historic Board), Colleen Sikerski, David Pluckebaum, Abby Tonsing, Larry Jacobs (Chamber), Frank Nierzwicki (SPEA), Christy Gillenwater (Chamber), Sue West, Tania Karnofsky, Amar Iyengar, Joe Angeli, Colleen Ruhmkorff, Joe Varga, Terry Usrey, Chris Doran, Duncan Searle, Marc Haggerty, Tom Glastras, Steven Meyer, Pam Hamraty, Lucille Bertuccio, Christine Glaser, Dan Peterson, Carol Polsgrove, David Sabbagh, Ned Powell, Heather Blair, Stephanie Kane, S. Clevenger, Janice Clevenger, and Terri Greene.

MPO Staff: Josh Desmond, Raymond Hess, Scott Robinson and Jane Weiser.

- I. **Call to Order**—Kent McDaniel called the meeting to order. The Policy Committee introduced themselves.
***Richard Martin motioned to move items V. (Reports from MPO Staff) A, B, C, D, and E after New Business and to move New Business Item A to after New Business Item B so that the two I-69 items could be considered together. Mark Stoops seconded. The motion was unanimously approved.
- II. **Approval of Minutes:**
 - A. **September 10, 2010**—***Mr. Martin moved to approve the minutes. Jack Baker seconded. The minutes were unanimously approved.
- III. **Communications from the Chair**—Mr. McDaniel explained the procedure for the public to comment on an agenda item.

IV. Reports from Officers and/or Committees

A. Citizens Advisory Committee—Patrick Murray reported on the Oct. 27th CAC meeting. They discussed ADA accessibility related to transportation projects. They discussed the amendment to the TIP to include I-69. Several INDOT and FHWA representatives answered questions from the CAC. They voted against the amendment with a vote of 2:5:2.

B. Technical Advisory Committee—Adrian Reid reported. The TAC voted unanimously (as they have done in the past) to give a positive recommendation on the amendment.

V. Reports from the MPO Staff (Note that the reports were not heard in this order.)

A. Project Tracking

B. 2009 Crash Report

C. Annual Completion Report

D. 2011 Meeting Schedule

E. Annual MPO Conference

F. I-69 DEIS public comment submittal—Josh Desmond reported that the MPO staff submitted some written comments on the Section 4 DEIS. It was included in the MPO Policy Committee’s packet and is posted online for anyone to review. The MPO staff’s comments were generated from what is known about the project in comparison to adopted policies and procedures including our Long Range Plan, Complete Streets Policy and other existing policies. Raymond Hess pointed out that in the last section of the Memo dealing with preservation of the existing transportation network the “Tapp Rd to Rockport Rd” should actually be “That Rd to Rockport Rd.”

VI. Old Business

A. Public Participation Plan Amendment – Mr. McDaniel indicated this item was moved to the end of New Business.

B. FY 2010-2013 Transportation Improvement Program Amendment

1. I-69 Section 4 (INDOT) continued from 9/10/10—***Jim Stark moved to withdraw the previous amendment which was tabled at the last meeting. Lynn Coyne seconded. Richard Martin commented that the second item on the agenda is a much abbreviated discussion about I-69 that is directly pertinent to the jurisdiction of the MPO. The first includes the small section which is within the jurisdiction of the MPO and a great deal which is not. He is particularly interested in making sure that our discussions focus on those aspects of this project which directly affect the MPO in our jurisdiction. It is necessary for us to be very clear about what we can and cannot consider and what our obligation is here and what the consequences of any decision that we might make would be. He would like to make sure that the public has an opportunity to speak on the full range of the project since that is what was originally advertised with the motion to continue at the last meeting. He felt most of the public was prepared to speak on the tabled amendment. If we remove that, we may end up with an awful lot of information coming in which is not really germane to the issue that we are going to be addressing. He would like our discussion of that issue to be very focused on those questions. He didn’t know how to do that if we end up with this milieu of discussion going forward on the item that is really pertinent to us. He would speak against the motion. Andy Ruff asked for comments from staff or for the petitioner to answer Mr. Martin’s question. He had assumed

that clearly we are not discussing impacts from a little island that will change—we are discussing impacts on the MPO area from the entire project. He would like to hear confirmation before we move on that during the discussion of the second item of New Business that the discussion of any aspect of the entire length of I-69 will be legitimate, accepted discussion. Mark Kruzan agreed. The Policy Committee chair can choose that any comments on any part of the I-69 project can be considered germane and not out of order. Mr. McDaniel said he would hate to stop any testimony before it is heard. Mr. Kruzan said the current motion could be approved as long as all discussion is considered based on a gentleman's agreement that the speaker considers it germane. Mr. Stark accepted the addition to his motion. *****The motion was unanimously approved.**

VII. New Business

A. Highway Safety Improvement Program Application Review & Award (*Action Requested*)

—Mr. Hess presented. Recently, it was approved that low cost programmatic types of projects were an eligible expense including upgrading signage. Two applications (from the County and the City) have been received requesting funds. There are sufficient funds for both projects and INDOT is supportive of spending these funds before they are rescinded.

*****Richard Martin moved to allocate Highway Safety Improvement Program funds for the project submitted by the Monroe County Highway Department and the project submitted by the City of Bloomington and that both of these projects be included in the TIP so that they may proceed expeditiously. Jack Baker seconded.** Mr. McDaniel asked for public comment. There was none. *****The motion was unanimously approved.**

B. FY2010 -2013 Transportation Improvement Program Amendment

1. Highway Safety Improvement Program projects (MPO staff) (see above)

2. **Atwater/Henderson Signal (City of Bloomington)**—Mr. Hess presented the project's need for additional funding and a TIP amendment to award HSIP funds to it. *****Mr. Martin moved approval of the increase in TIP funding for the Atwater/Henderson City Transportation Improvement Program to the total amount of \$653,051.00 for the Fiscal Year of 2011. Mr. Baker seconded.** Mr. McDaniel asked for public comment. There was none. *****The motion passed unanimously.**

3. **I-69 Section 4 Segment from May Creek to SR 37 (INDOT) (*Action Requested on all of the above*)**—Mr. Desmond presented. This amendment would create a new listing in the TIP for the I-69 highway project. It would insert a less than 2 mile long segment of I-69 in Section 4. This is in lieu of the previous request to put all of Section 4 of I-69 in the TIP. (See packet for additional details.) The TAC voted unanimously to approve the request. The CAC voted (2:5:2) against the request. Mark Stoops questioned if this section really starts at May Creek. He thought it was 3 miles away from May Creek. Mr. Hess said this was brought to staff's attention yesterday afternoon. It was hard to tell from the maps if this is a misnomer and that May Creek is really south of here. There are a couple of other descriptions of the project that were part of the public notice, including a basic overlay of the project. Mr. Desmond asked the petitioner to come to the podium to answer questions on this. Mr. Stoops felt that this might make it an invalid agenda item and the amendment should be re-advertised accurately. Mr.

Desmond said that staff was comfortable with the number of descriptors on the project and that it was not misleading. If the PC feels differently, it may modify the agenda.

*****Mark Stoops moved that item should be withdrawn and re-advertised correctly. Julie Thomas seconded.** Mr. Ruff said that he didn't consider this an intentional mistake. He didn't think that anyone familiar with this area would be misled. He thought that the discussion should go forward today since so many people showed up. Mr. Stark said that he did not believe that it has been misadvised. The MPO did not ask for latitude and longitude references. Mr. Martin noted that if someone interprets this section as extending to May Creek it changes the amount of dollars. If there is a mistake in the mapping it could cost the MPO \$20 million. We need to know how these two aspects align. There was more discussion about allowing public input if an agenda item is removed. Mr. McDaniel said that it has not been their practice in the past to take public input on procedural issues. That might not be a good precedent to establish. Mr. Ruff and Mr. Stoops agreed that the situation is unusual. This would be the 2nd time that the public has shown up at an MPO meeting and been unable to speak on this subject. Mr. Baker said that he didn't think they were denying people to speak if they have to pull the item due to misadvertisement. Bill Williams said he has a map that shows that May Creek is basically where the MPO boundary is. He thought that the other creek was really Happy Creek. *****The motion was denied by voice vote. There was one "yes" vote.**

Mr. Martin said that the description is correct according to the DEIS report that they issued. If the creeks are named wrong—that is another issue.

Mr. McDaniel called on INDOT to make their presentation. Sam Sarvis, Deputy Commissioner with INDOT in charge of Major Programs, presented background on the I-69 project to this point. The BMCMPPO has included it in the Long Range Transportation Plan. Many millions of dollars have already been spent. Many meetings have been held. He presented the reasons for building I-69. The road will happen. He asked the MPO to participate in a partnership. They believe that the project is appropriately fiscally constrained. They are reviewing the comments provided to INDOT during the public comment period in order to improve the plan.

Mr. Stoops said that while the County worked on a plan for the area with funds from INDOT, there was no communication or cooperation from INDOT. The engineers hired to conduct the study got no cooperation from INDOT. There is no cooperation from INDOT with the County or City. What is the real need to have this section of I-69 in our TIP? Mr. Sarvis said he was sorry about the condition of the relationships and was hoping to make some improvements. It is necessary for the State to spend federal dollars in this area. INDOT has had conversations with the MPO staff in order to include them in the design process. Mr. Stoops said he was concerned that some of the bridge and road designs in the southern part of the state have changed and will now cause major flooding. The bridges are now shorter. He was concerned about INDOT cooperating in karst area mitigation and historically designated land protection. Mr. Sarvis elaborated on cooperation in the first tiers. They will be depending on local expertise in problem solving. Sarvis said INDOT would follow local standards. Mr. Stoops pointed out that I-69 will dump a lot of traffic onto State Road 37 just south of 2nd St. and he hasn't heard of any improvements being made to deal with that. Mr. Sarvis said they will turn their attention to Section 5 after they have delivered Section 4. Mr. Stoops asked if Mr. Sarvis understood that

INDOT is asking the MPO to include I-69 in our plans knowing that it will devastate many of our local roads. Mr. Sarvis said that he didn't believe that this was an accurate characterization of what would happen. Julie Thomas said she didn't believe that I-69 would be a safer route. The most dangerous intersections in the County are non-ramped entrances to SR 37. I-69 will make SR 37 busier. How will INDOT mitigate this problem? Mr. Sarvis said that they would look at that very seriously. Ms. Thomas said it concerns them that they only have Section 4 in front of them. Mr. Sarvis said they can't focus on Section 5 until they are through with Section 4. Ms. Thomas asked about details about how INDOT and local people would work on problems that come up. Mr. Sarvis said through coordination meetings. Mr. Sarvis said they would follow every county guideline. Mr. Stark reiterated that INDOT has engineers who interact with the County and the City all across the state when they are doing projects. Mr. Ruff asked about financing I-69. Is it based on Federal gas tax revenues? Mr. Sarvis said yes. 700 million dollars are allocated for the construction of Sections 1, 2 and 3. Mr. Ruff asked if INDOT knows how many other road projects have been scheduled but then delayed due to unavailable funding. Mr. Ruff has heard that there are \$5 billion worth of delayed projects around the state. He asked about unsafe bridges. He said he didn't understand how a project could be considered fiscally constrained when it interferes with the funding of so many other needed improvements. He said that he had heard that INDOT intends to speed the process up by reducing the pavement thickness, using asphalt instead of concrete (to make it cheaper), reducing the number of interchanges at this time, increased closure of roads, etc. Can we expect these changes in Section 4? Mr. Sarvis said that what they are doing is included in the EIS. The medians were reduced in Sections 2 and 3 since they didn't think they would have to provide a 3rd travel lane in the future. It saved money and reduced the impact on landowners. Mr. Ruff asked how they could justify shortchanging some areas while providing Bloomington with amenities like side paths. Mr. Sarvis said he didn't think that anyone felt shortchanged. They deferred an interchange in Daviess County. Traffic models had showed that very few people were going to use that interchange. Mr. Ruff said that he was concerned that the changes came after the plan was developed. He asked Sarvis if he thought the State was required to build I-69 instead of using the much cheaper I-70/US 41 option. Mr. Sarvis said the decision on the route was made some time ago. At this point if they stopped planning to construct the road FHWA might have concerns about all of the Federal dollars that have been spent to date. Mr. Ruff told Mr. Sarvis that the decision to include I-69 in the Long Range Transportation Plan was made under a certain amount of duress. The fact that it is in the LRTP does not reflect any kind of support. Public opinion has always been overwhelmingly against the project.

Mr. Stoops asked about INDOT's yearly revenues. Mr. Sarvis said he believed that in a typical year, they would receive between \$550 and \$700 million in capital projects and probably around \$350 million in operating funds. It is estimated that the total cost of building I-69 between Evansville and Indianapolis will be around \$3.1 billion. Mr. Stoops asked if they are tying up 4-5 years of their total revenues on I-69. Mr. Sarvis said they hope it will be less than that. Mr. Stoops said that he was surprised that Mr. Sarvis wasn't aware of the number of bridges around the state that were "functionally obsolete." Mr. Sarvis said that the bridges are inspected semiannually and rated. The Assets Division focuses their efforts on deciding what other transportation and safety projects need to be done. Mr. Stoops said that Mitch Daniels has said they would save money by bypassing some highway construction standards. Mr. Sarvis said that in certain areas they can build to a minimum standard. They are not throwing

out the rulebook. They have to construct I-69 to FHWA standards. Mr. Kruzan pointed out that people are misquoted often. Mr. Stoops said he was concerned about getting a highway built to minimum standards in our MPO area. Mr. Kruzan agreed. Ms. Thomas asked what would happen if the PC votes to not include I-69 in the TIP. Mr. Sarvis said that INDOT would take a serious look at any discretionary funds that flow into this area. They believe that this is a planning partnership. Mr. Kruzan said he appreciated the question and the direct answer. He has been frustrated at previous meetings by not getting direct answers. He asked Mr. Sarvis if the reason INDOT is seeking this amendment is to get federal funding for this portion of the project. Mr. Sarvis agreed. Mr. Kruzan said he had been tempted to vote against this amendment because he had thought this would be a way to stop I-69. But after consulting our City attorneys, attorneys in Indianapolis and FHWA he has come away with 2 additional questions. Can a governor dissolve an MPO? If the project does not qualify for federal funding, would INDOT funding that would come to our MPO be directed away from local projects and to I-69? Mr. Sarvis said that a lot of that money would probably go to lawyers and consultants. The priorities would change and state dollars would be redirected. Mr. Kruzan asked if the MPO would continue to exist and be recognized but funding would be under State control. Mr. Sarvis said he believed that was true.

Mr. McDaniel thanked Mr. Sarvis for finally giving us the answer to questions we've been asking for years. He asked Mr. Tally if the FHWA have the authority to disband an MPO. Mr. Tally said that the MPO exists based on federal statutes. The way the MPO operates is based on an agreement between the Governor and the MPO itself. The Governor cannot dissolve the MPO. The decision about what gets funded is up to the State. No one has the authority to disband the MPO.

Mr. Stark said that annually INDOT has between \$80 to \$100 million that they spend on bridges throughout the state. There are other areas that are funded annually. So, we are not taking the money from those bridges to fund I-69 with. Mr. Stoops asked what the backlog of bridges is. Mr. Tally said that it's about 25% which is better than many other states.

*****Mr. Stark moved that this TIP amendment be passed. Mr. Farmer seconded.**

Public Comment:

Judy Madiera, a resident of Rolling Glen, has spoken extensively with DLZ and I-69 representatives. They are worried about safety, pollution and property values. Her property value has already declined \$80,000. I-69 representatives said that the path of I-69 has moved into their neighborhood due to karst and caves. INDOT cancelled a meeting that had been planned with the neighborhood to allow residents to show them where these karst features are. A road was slated to be blocked off leaving residents unable to access their homes. They heard today that the pathway had been set but 2 weeks ago they were told that the pathway could perhaps be shifted eastward. They have not had cooperation with people associated with the I-69 project. At first they were told that the highway would be 70 feet high going through their neighborhood. Now they are saying that it could only be 30 to 40 feet elevated. It will be very expensive to build the road through their neighborhood. We don't know enough about this road to be able to approve it.

Terry Greene who lives in southwestern Monroe County asked the MPO to not include I-69 in the TIP. We have never had cooperation from INDOT. Why do we think they will cooperate with us now?

Major General Marty Umbarger asked for the MPO's support for his agencies. I-69 would help the Indiana National Guard protect southwestern Indiana in a timely, effective and safe manner.

Tom Tokarski (CARR) said that the fundamental reason for the MPO is to grant citizens a considerable amount of local control which is being violated in this situation. This MPO is being extorted. This is a denial of our democratic process. Any project must be shown to be fiscally constrained. INDOT can show that they have enough money for the little piece of Section 4 but they don't have enough money for all of Section 4. They are starting I-69 in several small pieces. When they run out of money they will argue that the project has been endorsed and ask for more money. This is a blatant dishonest manipulation of the public process. We need information on design and impacts of all of Section 4. Don't let them tie your hands. Section 4 does not need to be built.

Steve Hendricks (Highland Village) said that building of I-69 is irresponsible. It is too costly. The MPO must continue to say "no."

Greg Travis (Vice Chairman of the Monroe Co. Historic Preservation Board and President of the Monroe County Economic Development Commission) said the Historic Preservation Board would like to register their concerns about the I-69 highway as it relates to historic preservation, tourism and economic development in Monroe County. They believe the DEIS is seriously incomplete which directly affects the MPO's ability to use the study as a planning resource. INDOT and its consultants have failed to come up with a plan for permanent mitigation of noise and visual impact upon several National Register Properties. It significantly impacts the character of the county's significant historic areas in particular the Victor Pike area. I-69 will permanently change the historic landscape of the complex know as the Virginia Iron Works. This area is eligible for the National Register and should be preserved as a historic park. The EIS doesn't address damage mitigation for these sites. I-69 will damage tourism and quality of life. The MPO's responsibility is to protect the citizen's of Monroe County—not the Governor's political ambitions. He asked them to vote against the amendment.

Brian Garvey (CARR) has attended meetings with INDOT and CARR for 20 years. Mitch Daniels said, "I'd rather ask for forgiveness than for permission." The residents of the southern counties have not had an open process. The reasons for I-69 are obsolete. He was concerned with fiscal responsibility. Other states are using existing roads. Building roads doesn't result in factories coming in. Our infrastructure is crumbling. While this highway is being built, we are not considering light rail or other progressive mass transit. The road is displacing thousands of people and cutting through farms. INDOT doesn't have the facts or accurate maps. I-69 is a disaster.

David Keppel (Green Sanctuary Task Force on Global Climate Change of the Unitarian Universalist Church) asked the MPO to vote against the amendment. To say "no" is to say that INDOT has not presented the information. If this were to be approved, we would surely see

huge unintended consequences. The community is forward-looking and concerned with sustainability. We have been implicitly threatened. Fix the essential projects.

Alex Smith was concerned with the impacts this will have on the state's natural heritage. He has identified 2 additional species of birds not included in the DEIS. INDOT does not know all of the impacts of I-69 through Section 4. Don't approve the amendment.

Patrick Munson (professor emeritus) knows a lot about karst. INDOT says the corridor was chosen to avoid karst but this corridor goes through lots of karst features. He and several others have walked the corridor and have identified many hundreds of karst features. INDOT has a 1994 commissioned study that shows a massive number of sinkholes that they did not cite in their DEIS. They have changed the location of the corridor somewhat to avoid as many karst features as they could. They are wedded to that corridor. He provided a map of a route they could have chosen and avoided 25% of the karst impacts. Please take everything INDOT says with a major grain of salt.

Stan Frushour (retired from the USGS as their cave and karst specialist) said that Munson is quite correct on all points. The representative from INDOT stated that they would follow the county's statutes on building in karst areas. There needs to be a legal binding document between County and INDOT that will hold them to that.

Okche Atwood (21-year resident) said that she has never seen Highway 37 crowded so we don't need I-69. It seems to be for international trucks passing by. It will impact our peace, safety and tranquility. This makes Bloomington have a good quality of living.

Andrew Effinger (Rogers Group) said that they support the project. If the MPO does not approve this amendment it could mean that INDOT will build I-69 without your input.

Chris Doran said the MPO should not approve the amendment. The arrogance of INDOT is stupendous. He's worked with various environmental groups for 15 years and has a doctorate in Political Economy focused on environmental projects. He has taught Environmental Studies for 5 years. He's seen a lot of EIS and has never seen a project that makes such little social, economic and environmental sense. The EIS is blatant at skimming over environmental aspects. The Policy Committee has a responsibility to the citizens of Monroe County. Climate change is not addressed in the EIS. A high speed train would get troops to the southeastern part of the state much faster. The State has a disgraceful budget. INDOT cannot prove that they can pay for this. He was proud of Bloomington's stance against I-69.

Jess Gwynn said that this is not about letting a little segment to come through. It is about allowing the entire project to come through. Local citizens passed a school funding referendum to make up for what the State has not provided. INDOT and FHWA have a mandate to spend money on highways—that's what they do. INDOT has never wanted public input. The MPO is the only body that matters at this point. Do not pass the amendment.

Sandra Tokarski (CARR) said that INDOT has two goals: One to allow expenditure on I-69. The second goal is to beat down a community for their audacity to oppose them. For 20 years

Bloomington and other communities have rejected I-69. INDOT has never listened. They won't now. We need a legally binding document as mentioned before—but INDOT will never sign that. They have no intention of following local procedures. Vote no. In a democracy, the comment period never ends.

Megan Hutton (Chamber of Commerce) said that they support I-69. I-69 is being built. We need to ensure that we are at the table. I-69 will not turn this into a bland community. Vote yes.

Lucille Bertuccio does not support I-69. She does not own a car and loves to walk around Bloomington. But since we no longer have bus or rail service in town, she has to add an additional day to visit her daughters in Portland. She suggested that INDOT looks to the future including global warming. Say “no” to the highway but “yes” to other forms of transportation.

Ria Collee agrees with the previous speakers. She is on the National Quaker Earth Care Witness Group. She is speaking from a spiritual point of view. She read a statement about restoring the Earth's ecological integrity. I-69 will impact all creatures in the area including animals.

Michael Luurtsema said that the representative from the Chamber said that the highway was already built or under construction but he heard in this meeting that only 43 miles have been built. Nothing is set. Any vote in favor of adding this section to the TIP will be considered as tacit approval of the entire project.

Ron Walker (BEDC) thanked the MPO for the work they have done. It has benefited the local economy. His job is to attract and retain quality jobs in the area. Alternative transportation is very meaningful to increasing the number of jobs and business in the area. He doesn't want to give up our local funding to have it diverted to building I-69. A decision of “no” by this group essentially changes the funding mechanism. Stay at the table.

Zilia Estrada thanked the courageous people who have questioned the hidden assumptions behind I-69. She agreed that the amendment should not be accepted. Small steps make long lasting changes. The MPO should trust their intuition and say “no.” If all funding is cut off, this town is amazingly resourceful at finding new ways to get things done.

Steve Volan (District 6 City Council representative) said that he had heard the word “safety” bandied about by proponents of I-69. He asked which set of people will be safer. I-69 will make it safer for cars to drive very fast. One way for drivers to drive more safely is to slow down. Roads can be made safer by having proper maintenance and improving intersections. He was surprised to hear that 25% of our bridges are unsafe and that was considered okay does not give him confidence in the State's governance of transportation issues. They say that safety is paramount to INDOT. Who will the roads be safer for—bikers, users of multiuse trails, pedestrians crossing the SR45/46 bypass? Mr. Sarvis said that if we oppose this amendment INDOT will withhold money for all of our other kinds of local transportation projects. He believes that Mr. Sarvis and INDOT really do want to do the right thing. Mr. Sarvis said that money that was intended for roads would go to lawyers. INDOT should put aside a similar amount of money defending the state against lawsuits from people that were injured at places

that were on INDOT's repair agenda but were put on the back burner to prioritize this project. INDOT's overt threat that they will withhold money from Monroe County that was perhaps intended to improve the safety of drivers reflects INDOT's willingness to decrease safety.

Donna Lentz Ferree said that driving at 2:00 am from Curry Pike to REMC in Bloomfield she rarely sees another car on SR 45. It offends her that INDOT will tear up her neighborhood when they could improve Bloomfield Rd. if they think it is needed.

Steve Boncheck said that this road has been discussed since at least the late 1960s. A lot of people who have opposed this road are not alive anymore or aren't here today. The lady from the Chamber said that this road is a done deal. We were told that about Marble Hill and the PCB Incinerator. It's not just responsible to say "no" but it is also a courageous thing. Vote "No."

Sarah Clevenger said that building highways is out of date. Saying "no" to this proposition may open the doors for mass transportation which we sorely need.

Mark Haggerty said that his land that he has had for 30 years is to be confiscated. It's very rural and very beautiful. He's deeply upset. The City Council voted for the PCB incinerator and it still wasn't built. The power resides in the people. The Indiana Constitution says that we have a right to participate in the process. The people should be able to modify decisions. He wants the people to rise up and protect the property in the county.

David Sabbagh wanted the MPO to consider that Bloomington is the major economic and health care center of this region. The State of Indiana puts a lot of money into our community through IU and Ivy Tech. You have to take into consideration that we don't exist in a vacuum.

Sarah Ryterband (CAC) wanted to comment on some issues raised today. Mr. Sarvis said that because of money already invested we need to proceed. She did not agree with that. Several other prosperous communities have said no to big highways. I-69 is not a reality. Cutting corners in construction will create an inferior roadway that will need costly repairs. She heard that bridges were being built to 100-year-flood standards. In the last few years we have had many 100-year-floods. She asked them to vote against the amendment.

Dick Powell said that he wanted to go on record as opposing I-69.

Farrah Ferree returned to Bloomington after college and living in California by choice. Bloomington has the potential to do wonderful things. This massive highway may bring in more crime. An impact of I-69 is that many smaller roads will be closed. She wanted more details and to know why we need it. Fix the roads we have.

Mr. Martin said that the more we look at issues of quality and character that is suitable to this community, the more we understand that initial cost estimates may be very, very low. How would INDOT get additional funds to meet our standards? Mr. Sarvis asked how they would include those changes in their plan. He didn't know where they would find the funding or what that would do to their schedule. Mr. Martin asked if they would be willing to state that they

would honor that standard deemed appropriate through a cooperative arrangement with INDOT. Mr. Sarvis said if they come up with the standard together, they would honor it, if it there was some basis for it. Mr. Martin asked if the basis was lacking would they use our standards not INDOT's.

Mr. Stoops asked if this would be a hazardous materials route. Mr. Sarvis said yes. Mr. Stoops questioned the wisdom of that considering our karst features and proximity of population. Not only would I-69 be running hazardous materials but it would stub out in Bloomington. Mr. Tally said that all interstates are open to hazardous materials. You could not restrict hazardous materials from Bloomington. He noted that there is a range of standards available to the state DOTs. FHWA works with the states to decide which standards are appropriate. FHWA works directly with INDOT to make informed decisions and document that for the record. There was more discussion between Mr. Stoops and Mr. Tally about segmenting and development of I-69.

Mr. Stoops praised the public speakers. He pointed out that the wind blows from west to east so all the diesel fumes will be blowing over Bloomington. There will be a lot of pollution produced by I-69. We will pay for mitigating stormwater problems created by I-69. The main thing that distribution centers want is a rail stub which we don't have. He felt that the pressure to build this interstate comes from Mitch Daniels. In 2 years, he will not be governor. In 1 year, someone will be campaigning for governor. If funding is cut off to Monroe County and Bloomington, it could be detrimental to a candidate to say that they would continue cutting off the funds. That's a risk we should take. The lack of detail in the DEIS by INDOT includes the inability of the experts finding a federally endangered species of warblers. They didn't want to find them. We have local people finding all these karst features when INDOT and their consultants can't find them. Those studies probably just weren't included in the EIS. But INDOT will not give us access to those studies which are under the control of the private contractors. That is not good enough for the MPO. The Monroe County Commissioners have passed a resolution opposing the construction of I-69. He feels that he is speaking for 3 County Commissioners at this time. It is the MPO's responsibility to watch out for the citizens and the health and welfare of this area.

Mr. Martin said he was going to move to amend the motion from Mr. Stark for a lot of reasons. He hoped it was understood that it is an attempt both to allow us to move forward without punitive consequences at this time, to give INDOT an opportunity to actually act upon what they say rather than what they say and not deliver and to give us a requirement in the future to address this before they can actually proceed with any kind of construction effort.

*****Mr. Martin moved to adopt the following RESOLUTION AMENDING THE FY2010-2013 TRANSPORTATION IMPROVEMENT PROGRAM TO INCLUDE THE INDIANA DEPARTMENT OF TRANSPORTATION'S INTERSTATE 69 PROJECT** as decided by the Policy Committee of the Bloomington/Monroe County Metropolitan Planning Organization (BMCMPPO) on November 5, 2010.

WHEREAS, the Bloomington/Monroe County Metropolitan Planning Organization (BMCMPPO) is the organization designated by the Governor of Indiana as the Metropolitan Planning Organization

responsible for carrying out, with the State of Indiana, the provisions of 23 U.S.C. 134, and capable of meeting the requirements thereof for the Bloomington, Indiana urbanized area; and WHEREAS, the BMCMPPO must develop and maintain a Transportation Improvement Program (TIP) to illustrate how federal funds will be expended on transportation projects within the metropolitan planning area; and

WHEREAS, the Indiana Department of Transportation has requested the FY2010-2013 TIP be amended to include the segment of Section 4 of the Interstate 69 project (from May Creek in Monroe County to the intersection with State Road 37) within the metropolitan planning area of the BMCMPPO; and

WHEREAS, public comment has brought forth several specific examples of the inadequacy of the DEIS II as a planning document for the future and therefore the need for careful oversight of contractor services and deliverables; and

WHEREAS, the BMCMPPO takes this action in protest because it believes that adopting the I-69 segment into the TIP is necessary to avoid reductions in other State funding for and disruption of INDOT related projects and cooperative services; and

WHEREAS, the Technical Advisory Committee recommended approval of this TIP amendment at their meeting held on October 27, 2010; and

WHEREAS, the Citizens Advisory Committee did not recommend approval of this TIP amendment at their meeting on October 27, 2010.

NOW, THEREFORE, BE IT RESOLVED:

- (1) That the Bloomington/Monroe County Metropolitan Planning Organization hereby amends the FY 2010-2013 Transportation Improvement Program to add the segment of Section 4 of Interstate 69 (from May Creek to the intersection with SR 37) within the BMCMPPO metropolitan planning area with the following entries:
 - Preliminary Engineering (PE) in FY2011 with a total cost of \$2,750,000 (NHS \$2,200,000; State \$550,000)
 - Right of Way acquisition in FY 2012 with a total cost of \$3,120,000 (NHS \$2,496,000; State \$624,000);
 - Construction in FY2013 with no amount specified
 - Description: New Interstate highway road construction in karst terrain subject to the strict requirements of the 1993 Memorandum of Understanding between INDOT, IDEM, IDNR, and the U.S. Fish and Wildlife Service, and with reporting to the Monroe County Surveyor the precise location of every karst feature identified and reporting to the Monroe County Drainage Engineer the treatment applied to avoid destruction or contamination of the karst feature and related subterranean structures in a manner consistent with local ordinances, and providing among other necessary infrastructure to be determined prior to construction, an overpass or underpass in Section 4 at Harmony Road in Monroe County consistent with the adopted MPO LRTP Travel Demand Model Alternative 5 identifying this route as the most travelled local road to be crossed by I-69 in Section 4, and maintain access to That Road east side of the proposed highway, and Bolin Lane open with grade separation, thereby avoiding a significant shift in traffic from Bloomfield Road to Rockport Road, both of which enter the MPO jurisdiction
 - Support: LRTP

- *Note: This segment of I-69 is the part that runs through the metropolitan planning area. This segment is part of the larger I-69 Section 4 project which runs from US 231 to SR 37 and costs \$546,500,000.
- (2) That this resolution of support shall be forwarded to all relevant public officials and government agencies, and shall be available for public inspection during regular business hours at the City of Bloomington Planning Department, located in the Showers Center City Hall at 401 North Morton Street, Bloomington, Indiana.

*****Mr. Williams seconded the motion to amend.**

Mr. Martin noted that this doesn't end the issue for any of us. It does give the local jurisdiction more involvement in the process than it has had in the past. It doesn't put anything on the ground. There is still an opportunity for something else to happen. It does preserve the funding which we have now been able to secure for other projects in the MPO. He doesn't know how this will play out going forward. We will have to see how honest everybody is going to be. There is no good solution here but this is the least of the bad choices that we have going forward. He said that Harmony Rd. is included in the resolution even though it is not within the BMCMPPO jurisdiction because the closing of Harmony Road will have a major impact on the traffic flow into the MPO area resulting in a significant shift of traffic volume from SR45/2nd St. where we have for the last 15 years invested heavily to increase capacity, to Rockport Road where we have invested nothing to increase capacity. One of the primary reasons for the MPO process is to protect the value of our investments and such a change in volume would not be consistent with that purpose.

Mr. Williams listed several county roads that he hopes are still on the table with this motion. Mr. Martin said that he anticipated that if there really is a partnership, those issues will be resolved. Mr. Ruff said he was confused about the procedure. Will there be public comment on the amendment. Mr. McDaniel said that was not their practice. Mr. Stoops said that he believed that Mr. Martin was basically adding conditions to the motion.

Ms. Thomas said that the location was still inaccurate. Mr. Sarvis discussed how they came up with the cost. Mr. Coyne asked if they could ask INDOT what this amendment would mean to future funding. Mr. Sarvis said this amendment would allow them to start the engineering process and right-of-way acquisition. INDOT is still evaluating the comments on closing roads. It has become very clear how important Harmony Rd. is. The amendment is acceptable to INDOT.

*****Roll call vote was taken on the amendment. The amendment passed by a vote of 9:4.**

Mr. Ruff still had objections concerning funding of the project. He said they should vote against including I-69 in the TIP for many reasons. Julie Thomas said that additional gas stations and truck stops are not economic development. Closing access to some rural roads would add additional costs to emergency service, school buses, etc. Mr. Kruzan said that with the amendment to the motion he could vote for it. He would much rather see money being put into passenger rail. Defeating the amendment would definitely impact our federal money.

Voting “no” means that local money will be spent on building I-69. The worst case is that State money won’t be available to us. Last Tuesday showed us that a lot of people who don’t care about social and public services can be elected. He feels very badly about anyone whose land is being impacted and Andy Ruff because this is very important to him. This vote doesn’t mean tacit approval of the entire project. It is about keeping local dollars locally controlled. Mr. Ruff didn’t agree with Mr. Kruzan’s feelings about how much money would be impacted.

Mr. McDaniel said that we are now voting on the original motion as amended.

*****Roll call vote was taken. The motion passed by a vote of 9:4 with many reluctant “yes” votes.**

Mr. McDaniel asked if they could postpone the rest of agenda to January. Mr. Hess said yes.

***Ms. Johnson moved adjournment. Mr. Farmer seconded. The motion was unanimously approved.

The meeting was adjourned.

These minutes were approved by the Policy Committee at their meeting held on 1/14/10. (JFW)