

ST. JOSEPH RIVER BASIN COMMISSION
MINUTES
March 1, 2018

The first quarterly meeting of the St. Joseph River Basin Commission was held on March 1, 2018, in the Elkhart County Public Services Building, in Goshen, Indiana. Jon Roberts, President, called the meeting to order at 10:00 a.m. Roll call was taken and it was noted a quorum was present with the following members in attendance:

MEMBERS PRESENT: Jon Roberts – Kosciusko County
Dona Hunter – Governor’s Appointee
Frank Lucchese – Elkhart County
Daragh Deegan – City of Elkhart
Robert Weaver – Kosciusko County
Martin Franke – LaGrange County
Jarod Nisley – LaGrange County
Jeff Moore – Town of LaGrange
David Dolezal – Noble County
Sue McGee – City of Kendallville
Adam Bowden – City of Mishawaka
Tara Lee – Steuben County
Kris Thomas – Steuben County
Jeremy Price – Department of Natural Resources

OTHERS PRESENT: Lisa Gilkey-Schoetzow – Legal Representative, Thorne Grodnik LLP
Jeffery Reece – Friends of the St. Joe River Association
Joshua Schwalm – City of Elkhart
Diann Scott – West Lakes Association
James W. Rasp – Elkhart Conservation Club
Suzan Stuckman – Elkhart Conservation Club
Charles Horswell – Elkhart Conservation Club
Judy Wenig-Horswell – Elkhart Conservation club
John Law – St. Joseph County Public Works
Randy Sexton – Noble County Surveyor
Jordan Beehler – Elkhart County, SWCD
Jim Hess – Elkhart County, SWCD
Grant Poole – Pokagon Band, DNR
Allison Turner – enFocus
Jason Dorrier – ABC 57 News
Matt Meersman – MACOG
Shirley Czerna – MACOG

MINUTES OF December 7, 2017

There were no corrections or additions to the minutes of the December 7, 2017 meetings. The following action was taken.

MOTION TO APPROVE THE MINUTES OF THE
DECEMBER 7, 2017 MEETING WAS MADE BY DONA
HUNTER AND SECONDED BY DARAGH DEEGAN.
THE MOTION CARRIED.

FINANCIALS

Financial Report

Matt Meersman reviewed the SJRBC Financial Report for the period ending December 31, 2017. Martin Franke asked, noting the mileage issue, would there be a need in the future for a vehicle owned by the SJRBC. Matt explained the SJRBC does have access to a municipal vehicle, through an agreement with MACOG. Occasionally Matt does use his personal vehicle, by choice. There being no other questions, the Basin Commission approved the Financial Report.

MOTION TO APPROVE THE FINANCIAL REPORTS AS
PRESENTED WAS MADE BY MARTIN FRANKE AND
SECONDED BY DONA HUNTER. THE MOTION CARRIED.

Approval of Claims

A list of the quarterly SJRBC claims and a description of the bills paid by MACOG were distributed to the SJRBC members for their review. Matt Meersman asked for the Basin Commission's approval of the Claims.

MOTION TO APPROVE THE SJRBC CLAIMS FOR
OCTOBER, NOVEMBER, AND DECEMBER 2017 MACOG
REIMBURSEMENTS AND THE MARCH 2018 ATTORNEY
FEE WAS MADE BY DONA HUNTER AND SECONDED
BY FRANK LUCCHESI. THE MOTION CARRIED.

DIRECTOR'S REPORT

Matt Meersman reported on his efforts on behalf of the SJRBC over the last quarter that would not be addressed in other items on the agenda. The overview included website management, education outreach, financial oversight and partner support with grant opportunities, dam removal and local ordinances potentially impacted by state legislation.

OLD BUSINESS

Basin Updates – Commission Members

Martin Franke announced the LaGrange County SWCD has various on-going projects, using Great Lakes Commission grants. A grant was completed on the Little Elkhart River, last September. Two grants will be completed this coming September on the North Branch of the Elkhart River and Pigeon River. Also, the LaGrange County SWCD has applied for a Great Lakes Commission grant on Fawn River. There will be a guided tour of recently completed Great Lakes Commission projects, in May. Further information will follow, as it becomes available.

Additionally, the LaGrange County SWCD is sponsoring a Prescribed Burn Field Day at Par Gil Natural Resource Learning Center, in LaGrange County on March 24 and a Forestry Field Day on April 21. Commission members were invited to both events.

GLPF Conservation Incentive Project

As part of the Great Lakes Protection Fund project, Matt has been working with the LaGrange County Surveyor to apportion the maintenance costs for the Hogue #68 ditch. A new method is being used that creates an incentive for soil and water conservation. A public hearing was held in January, and there were no objections. The Drainage Board approved the apportionment, and it will be used on the 2018 tax bills. The project will allocate the cost of maintaining the ditch not simply based on acres, but on land cover, usage, and soil type, utilizing GIS watershed analysis tools. If successful, the new assessment method could help provide a foundation that would guide future drain assessment practices, reduce long-term maintenance costs, and increase the protection of waterways throughout the St. Joseph River basin.

NEW BUSINESS

Special Project Expenses

Due to the number of hours worked on the GLPF special project this billing period, funds budgeted for the SJRBC Director's Salary were exceeded by \$2,000. Matt was under the impression it would be acceptable to use funds from Special Project line items for hours worked, if the time allotted exceeded the director's salary for that billing period. To avoid any conflict with their cooperative agreement, James Turnwald, MACOG Executive Director, requested the SJRBC take action to clarify that it is acceptable to bill for Director's wages worked on special projects in excess of the amount budgeted in the Basic Operations line item.

Martin asked if the \$2,000 would be allocated by MACOG, and if the SJRBC is set up for that procedure. Matt said the \$2,000 had not been billed by MACOG yet, but thought it would be acceptable under the Commission's current contract with MACOG. Item J. of the contract states: "MACOG may make available additional space or other services to the SJRBC on a direct charge basis. MACOG shall bill the SJRBC for such services on a basis that is mutually agreed to by the parties."

Matt requested a motion be made to allow MACOG to bill for director's wages incurred implementing special projects, within the special projects budgeted amount, separate from the amount budgeted under basic operations.

MOTION TO ALLOW MACOG TO BILL FOR DIRECTOR'S WAGES INCURRED IMPLEMENTING "SPECIAL PROJECTS", WITHIN THE SPECIAL PROJECTS BUDGETED AMOUNT, SEPARATE FROM THE AMOUNT BUDGETED FOR BASIC OPERATIONS WAS MADE BY DONA HUNTER AND SECONDED BY DARAGH DEEGAN. THE MOTION CARRIED.

HB 1089 – SJRBC Scope Expansion

State Representative David Ober introduced HB 1089 in the 2018 legislative session to change the SJRBC's enabling statute to expand the SJRBC's responsibilities and powers for better handling flood mitigation. The Commission was provided a copy of the revised bill that recently passed both state houses. Next week the bill will be sent to the Conference Committee for approval, followed by the Governor's signature.

Matt outlined how the bill would change the SJRBC statute and addressed concerns. Some of the changes included removal of the governor's appointee, adding a county surveyor and SWCD representative from each county, and requiring state approval of certain plans. The most concerning changes were the difficulty to take action and meet quorum requirements with the additional members as well as the absence of funding.

Randy Sexton, Noble County Surveyor and Chairman of the Board for the Maumee River Basin Commission, said he would challenge the SJRBC to look at this opportunity with an open mind and understand the benefits. Adding county surveyors to the Commission would bring a different perspective to past endeavors. Coordinating the management of land and water resources is necessary and would bring a more holistic approach to water issues. Matt said combining water quality and water quantity issues is the key to success, together with attaining financial resources from the State.

Matt asked if there were any objections to proceed with expanding the SJRBC to include flood mitigation. There being none, Resolution 01-18 was presented to the Commission, which addressed concerns with the current bill. The resolution asked for the author to make recommended changes to the quorum requirement and provide reasonable assurances that additional funding would be sought so that the expanded responsibilities could be undertaken before proceeding with HB 1089.

Martin said the resolution was well written. Dona Hunter said it would be great if the Conference Committee allowed the SJRBC determine quorum requirements for taking action in the bylaws. Daragh Deegan said he liked the resolution as written and was excited for the potential opportunities. Water quality and water quantity go hand-in-hand. Sitting on the Board with surveyors and SWCD members would be a great learning opportunity for everyone.

Martin asked for a verbal vote to be conducted, if a motion was made on Resolution 01-18. The Commission agreed. Jon Roberts asked if there was a motion to adapt Resolution 01-18.

**MOTION TO ADAPT RESOLUTION 01-18 CONCERNING
FLOOD MITIGATION AND HOUSE BILL 1089 WAS MADE
BY DARAGH DEEGAN AND SECONDED BY DONA
HUNTER. BY A VERBAL VOTE OF 14 YEA AND 0 NAY,
THE MOTION CARRIED.**

Matt said he would provide Representative David Ober and Senator Susan Glick with the signed resolution today, and he thanked the SJRBC for their efforts.

18th Annual Symposium

Matt announced the 18th Annual Indiana-Michigan St. Joseph River Basin Symposium is scheduled for May 11, 2018, at the Fernwood Botanical Gardens in Niles, Michigan and will include lunch. The keynote speaker will be Melissa Widhalm from Purdue University, discussing Climate Change and water management. There are plans to offer an “ignite style presentation” format. If anyone is interest in presenting a project, contact Matt for further information. Daragh asked if there will be a sponsor for the lunch. Matt said not thus far. The SJRBC has budgeted money for the symposium this year, but would welcome anyone interested in partnering with us.

Great Lakes Day – Washington, DC

The annual Great Lakes Day event in Washington, DC will take place on March 7-8, 2018. Matt has been involved with the event for the past couple of years and will be attending again this year. The event will provide participants with the opportunity to meet with legislators to explain the importance of efforts to protect and restore clean water in the St. Joseph River and the Great Lakes Basin. Talking points this year will be support funding for the Great Lakes Initiative, improve outdated drinking and wastewater infrastructure, and ensure local funding for USDA Conservation programs.

FY2019 Budget Planning

It will be necessary to adopt a new budget at the June meeting. A draft of the FY2019 Budget Plan will be sent to the Commission in advance. There will be some adjustments related to the previous budget, including the Notes and Special Projects expenses on the Statement of Financial Activities. The strategy of the SJRBC may change as more opportunities and funding become available.

ITEMS FROM THE FLOOR

Randy Sexton distributed a Letter of Request for the SJRBC to sponsor fifty percent of the cost for maintenance, to reactivate the Waldron Lake Gauge. The other fifty percent would be covered by USGS. The Annual cost for this sponsorship is \$4,500. The gauge was defunded by IDNR in May 2016, due to budget cuts. Since the Waldron Lake Gauge was deactivated, the citizens of West Lakes no longer have the ability to observe water levels and water quantity issues that adversely affect the West Lakes chain.

Dave Dolezal reported the Noble County Commissioners recently reconsidered the level of funding allotted to the SJRBC. As the SJRBC veers towards flood mitigation, the Commissioners approved funding of \$8,900 this budget session, compared to \$500, previously. Martin asked if the proposed sponsorship has been presented to any other groups. Randy said it had not at this time. John Law, Kankakee River Basin Commission, said stream gauges collect invaluable long term information, which could be presented to the state legislature to receive funding. Jeff Reece, Friends of the St. Joe River, commented that once an agreement is made to move forward with sponsorship, it may become an ongoing occurrence. Randy said it is very important to keep this gauge operable, if at all possible.

Matt said if the SJRBC is interested in moving forward with sponsoring a lake gauge, the FY 2018 SJRBC budget does have funding available. It would be allocated under water monitoring, since a flow gauge could monitor the overall health of a watershed. Martin motioned that the SJRBC provide sponsorship of \$4,500 for the Waldron Lake gauge for one year, with the understanding that other funding options be pursued in the future.

MOTION TO PROVIDE SPONSORSHIP OF \$4,500 FOR THE WALDRON LAKE GAUGE FOR ONE YEAR, WITH THE UNDERSTANDING THAT OTHER FUNDING OPTIONS BE PURSUED IN THE FUTURE, WAS MADE BY MARTIN FRANKE AND SECONDED BY DARAGH DEEGAN. THE MOTION CARRIED.

Randy Sexton, Noble County Surveyor and Diann Scott, West Lakes Association, thanked the Commission.

ADJOURNMENT

There being no further business to come before the Basin Commission, the following action was taken.

MOTION TO ADJOURN WAS MADE BY ADAM BOWDEN AND SECONDED BY DONA HUNTER. THE MEETING WAS ADJOURNED.

Jon Roberts, President