

ST. JOSEPH RIVER BASIN COMMISSION
MEETING MINUTES
March 4, 2021

The first quarterly meeting of the St. Joseph River Basin Commission (SJRBC) in 2021 was held on March 4, 2021, utilizing the Google Meet virtual meeting platform. The meeting was also livestreamed on YouTube and made available here:

https://youtu.be/FhJU_XHIAk0

Daragh Deegan, Chair, called the meeting to order at 10:00 am. Matt Meersman, River Basin Director, introduced himself, reviewed instructions for participation in the virtual meeting and discussed the purpose and makeup of the SJRBC. Roll call was taken and it was noted a quorum was present with the following members in attendance:

VOTING MEMBERS PRESENT:

Chair: Daragh Deegan, City of Elkhart
Vice-Chair: Kris Thomas, City of Angola
Secretary: Alicia Walsh, Steuben County
Treasurer: Adam Bowden, City of Mishawaka
Phil Barker, Elkhart County
Peter Cook, LaGrange County
Rod Edgell, Indiana DNR
Kieran Fahey, City of South Bend
Bill Hartsuff, Elkhart County

Jim Hess, Elkhart County
Zach Holsinger, LaGrange County
Lynne Leichty, Steuben County
Sarah Longenecker, St. Joseph County
Janel Meyer, Steuben County
Jon Roberts, Kosciusko County
Brad Rogers, Elkhart County
Mike Ruff, Steuben County
Jewel Wise, Kosciusko County

OTHER PROXY MEMBERS PRESENT:

Martin Franke, LaGrange County

Steven Vaughn, LaGrange County

OTHERS PRESENT:

Brandie Ecker, Thorne Grodnik
Zach Dripps, MACOG

Matt Meersman, MACOG
Leah Thill, MACOG

MEETING MINUTES OF DECEMBER 3, 2020

Daragh Deegan, SJRBC Chair, asked the Commission members to consider the minutes of the December 3, 2020, meeting. There being no additions or corrections, the following action was taken:

JIM HESS MOVED TO APPROVE THE MINUTES OF THE DECEMBER
2020 REGULAR MEETING. KIERAN FAHEY SECONDED. ALL IN FAVOR.
THE MOTION CARRIED.

FINANCIALS

Financial Report

Matt Meersman, SJRBC Director, provided the financial report for the second quarter of Fiscal Year (FY) 2021 (10/01/20 – 12/31/20). Financial reports and bank statements were provided to the members of the Commission for review in advance of the meeting.

Matt discussed the Statement of Financial Activities and reported that funding from the State of Indiana would not be reduced for the next two fiscal years as originally expected. He was

pleased that his efforts to maintain existing funding with the State Budget Agency were successful. Matt also noted the drainage project income was higher than expected and office rent has increased to accommodate space for additional SJRBC staff.

The Statement of Net Assets (Balance Sheet) was then presented. Matt shared that the Total Fund Balance at the end of the Fiscal Year was \$241,963.08. He explained the Accounts Payable total does not match the Claims total because the financial statements are prepared at the end of the quarter (12/31/2020) and two additional invoices were received after the end of the quarter. A bank reconciliation report and copy of the bank statement were provided to the Commission prior to the meeting.

Matt reviewed the FY 2021 Statement of Cash Flows and mentioned that the statement is prepared on a cash basis and reflects all cash receipts and disbursements for the reporting period. He pointed out that \$19,000 was received in February from the IU Grand Challenge Grant.

Matt asked if there were any questions or comments regarding any of the financial statements. Hearing no questions, Daragh called for a motion to approve the financial report for the quarter ending December 31, 2020, as presented.

ALICIA WALSH MOVED TO APPROVE THE FINANCIAL REPORT FOR THE SECOND QUARTER OF FY 2021. JANEL MEYER SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

Approval of Claims

A list of the quarterly claims and associated invoices was distributed to the SJRBC members for review prior to the meeting. Claims included invoices from MACOG for October, November, and December expenses, Thorne Grodnik quarterly legal services, and an invoice from the U.S. Geological Survey for the operation and maintenance of the Waldron Lake streamgage.

Hearing no questions or comments, Daragh called for a motion to approve the claims as presented.

LYNNE LEICHTY MOVED TO APPROVE THE CLAIMS AND PAYMENT OF THE EXPENSES AS PRESENTED. MICHAEL RUFF SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

OLD BUSINESS

Existing Projects:

Matt indicated the Projects discussed fall under the heading of Special Projects in the budget and would not be possible without the financial support of the Commission members to cover the cost of basic operations.

Additional MACOG Staff

Matt reported that both Connor Flora and Madison Ward had completed their internships with SJRBC. Conner left in December after installing one more streamgage in LaGrange County and was accepted into the Master of Environmental Management Program at Western Colorado

University. Madison wrapped up her internship in January after finishing the SJRBC 2020 Annual Report and will be completing her undergraduate degree in Public Relations at IUSB.

Matt shared that he has been talking with the MACOG Executive Director about hiring a part-time staff member to assist in the implementation of a water monitoring program.

Municipal/Partner Support

The Great Lakes Restoration Initiative Tree Project analyzed the tree canopy in six communities within the St. Joseph River watershed to identify high priority planting locations for stormwater uptake. Matt reported that meetings are being held to share the results of the analysis and select planting sites. Each community will receive 50 new 2” caliper trees to plant.

Drainage Project

Matt noted that approximately 75% of waterways in the basin are managed as regulated drains. He explained that means there is a funding mechanism in place to fund the work that occurs on them and there are clear purposes for drainage. Matt expressed his gratitude for all of the county surveyors who have assisted in the drainage project.

Matt commented that the drainage project has primarily taken place in LaGrange County so far. He has assisted the drainage board with the apportionment process by utilizing data to equitably distribute drainage costs among the property owners based on acreage, land cover and soil type.

North Branch Elkhart River (NBER) Corridor Flood Risk Management Plan

Matt reported the final report was delivered in October and is available on the SJRBC website. He stated the next steps from the plan are to establish flood resilience planning teams with members from the counties and communities within the Basin to identify and agree upon suitable flood resilience strategies for the areas identified in the study.

Water Monitoring – Crowd Sourced Streamgages

Matt stated a new CrowdHydrology streamgage was installed on Royer Lake in December and SJRBC continues to support the operation and maintenance of the USGS gage on Waldron Lake.

21st Annual Symposium

Matt explained the Symposium will be a virtual event again in 2021 and will be held on Friday, May 14. He noted he is still looking for speaker and topic suggestions.

NEW BUSINESS

Wetland and Watershed Legislation

Matt stated there are two bills this legislative session that could affect the Commissions work.

Senate Bill (SB) 389

Matt explained SB 389 would repeal the State’s wetland regulations. In January, Matt traveled to the Statehouse to provide testimony but was not given the opportunity, so he sent written testimony to all the House and Senate committee members whose districts are within the Basin.

Matt indicated he also discussed the matter by phone with several legislators. The bill has passed through the Senate and is currently with the House Environmental Affairs Committee.

House Bill (HB) 1055

Matt stated HB 1055 would allow counties to create Watershed Development Commissions. His concern is what it would mean for existing commissions. Matt worked with the bill's author and committee members on an amendment to send the bill to a study committee.

Daragh stated that the City of Elkhart sent a letter to State Legislators in opposition of SB 389. He asked if the Commission would be interested in taking a formal position opposing the bill. Matt stated he has been clear on the letters already sent that they are from Matt Meersman who serves the Commission, and not on behalf of the Commission.

Alicia Walsh spoke in agreement for the Commission to oppose SB 389 as a whole region.

Martin Franke stated he wrote a letter to legislators in opposition but expressed caution on writing in opposition on behalf of the entire Commission. He expressed there needs to be some regulation and it does need to be fixed.

Peter Cook spoke in agreement with Martin Franke and commented he would not be ready to vote either way.

Lynne Leichty stated she agrees that there have been some oversteps by the regulatory agency, so she thinks there needs to be some standardization of what is rational and acceptable.

Martin agreed that consistency is the goal but at the same time not every wetland situation can be treated the same.

Following a considerable amount of discussion and clarification the following action was taken,

A MOTION WAS MADE BY ALICIA WALSH TO ALLOW MATT MEERSMAN TO WRITE A LETTER TO STATE LEGISLATORS ON BEHALF OF THE COMMISSION, INCLUDING OPPOSITION TO THE CURRENT LANGUAGE IN SB 389 AND ENCOURAGING CHANGES THAT LEAD TO STREAMLINING AND CLARIFYING WETLAND REGULATIONS ACROSS THE STATE OF INDIANA. KRIS THOMAS SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

Jim Hess commented that it is important for everyone to share the information and data we have about the basin, and be proactive about educating the public. He stressed the importance of sharing a consistent message throughout the entire basin.

Water Monitoring Projects

Matt commented that there is about \$30,000 in the budget for water monitoring projects and he has come up with a strategy to split the monitoring approach into Quantity and Quality.

Quantity/Flow

Matt reported that he has been speaking with ToltHawk, a company the Maumee River Basin Commission (MRBC) has been using for monitoring devices. He explained the solar powered devices use wireless technology to send real time water level data at a cost significantly less than

monitoring through USGS. Matt stated that the cost to install a USGS streamgage is about \$20,000, and the annual maintenance is approximately \$14,000; that means the \$30,000 budgeted for water monitoring would be exhausted by installing just one USGS gage. He explained that the ToltHawk devices cost about \$1,000 each and \$250 annually for data management.

Matt noted long-term data needs for additional studies and modeling. He indicated he would like to get a plan in place for determining priority locations to install new monitoring devices.

Quality

Matt explained that annual biological monitoring occurs in South Bend, Elkhart, and Goshen, but there is no consistent monitoring that takes place outside of these urbanized areas. Matt and Daragh have been talking with an Aquatic Ecologist, from Holy Cross College, who has applied for grant funding to cover some costs associated with establishing a basin-wide biological monitoring program. Matt would like to work with this person further in developing the program.

Matt expressed that he would like the majority of the monitoring to occur in Indiana, but that it is important to understand what is happening on the Michigan side of the basin as well.

Brandie Ecker indicated she does not believe the Commission has a small purchasing policy for procurement, and if there are additional vendors who could provide a similar product to the ToltHawk device, the Commission may need to request quotes from three vendors. She stated the Commission would need to select the best, most responsive and responsible vendor. Brandie noted that if there is only a single provider, a sole source purchase could be made.

Pigeon Creek/River Study

Matt stated that a study in this watershed would expand on the efforts started in the North Branch of the Elkhart River (NBER). This study could provide recommendations on the best way to address the multiple uses of the Pigeon River including large wood management strategies and bank stabilization issues. Matt requested and received a proposal from the consultants who worked on the NBER study. The proposal for the Pigeon River study includes a cost of \$70,000.

Martin Franke stated he has been involved in work related to Pigeon Creek including the 2014 watershed management plan. He agreed that further study of the creek/river could be beneficial.

Other Business/Updates

Support for Business/Action Items

Daragh commented that Martin Franke asked about a change to the SJRBC by-laws that would require a member from a different county to second a motion made on an item of business.

Martin commented it is an issue he tries to be aware of when making a motion or providing a second so that there is no appearance of any single county pushing an item through on their own.

Matt noted there is language in the by-laws, similar to Martin's suggestion, related to what constitutes a quorum. He stated that a quorum requires 11 members, but they need to be from a minimum of three (3) different counties.

From a legal perspective, Brandie stated there is nothing that would prevent the Commission from amending the by-laws to accommodate Martin's suggestion. However, she would not recommend restricting the Commission in this way.

Going forward, Daragh suggested that after a motion is made, the Chair could request someone offer the second from a different county. He asked that the members state their name and the county they are representing when moving to support a proposal.

Urban Goose Management

Daragh reported the City of Elkhart is working with the City of South Bend Parks Department on an Urban Goose Management Plan and they are trying to form a coalition between Elkhart County, St. Joseph County, the various parks departments in both counties, and potentially other areas in the basin that might have urban goose problems. The goal is to have a unified voice in dealing with the related nuisance issues. Daragh asked members to contact him if they would like to participate in the coalition.

DIRECTOR'S REPORT

Matt reported on his activities related to administrative duties, education and outreach, planning and resource development, partner support, and advocacy. He stated for members who are interested he is able to provide a more detailed written document.

ITEMS FROM THE FLOOR

There were no comments.

ADJOURNMENT

There being no further business, Daragh Deegan called for a motion to adjourn the meeting and thanked everyone for their participation and patience throughout the meeting.

ADAM BOWDEN MOVED TO ADJOURN THE SJRBC MEETING.
BRAD ROGERS SECONDED. ALL IN FAVOR. THE MOTION CARRIED.



Daragh Deegan, SJRBC Chair