

**ST. JOSEPH RIVER BASIN COMMISSION**  
**MEETING MINUTES**  
**March 2, 2023**

The first quarterly meeting of the St. Joseph River Basin Commission (SJRBC) in 2023 was held on March 2<sup>nd</sup>, at the Schrock Pavilion in Goshen. The meeting was also livestreamed on YouTube and made available here: <https://youtu.be/QdIVx3H0DxM>

Alicia Walsh, Chair, called the meeting to order at 10:00 am. Matt Meersman, River Basin Director, introduced himself along with Kate Barrett and Ashley Matthews from the Michiana Area Council of Governments (MACOG). He briefly reviewed instructions for participation 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 IN PERSON:**

*Chair:* Alicia Walsh, Steuben County

*Vice-Chair:* Adam Bowden, City of Mishawaka

*Secretary:* Jim Hess, Elkhart County

*Treasurer:* Jewel Wise, Kosciusko County

Phil Barker, Elkhart County

Bob Barnes, Elkhart County

Daragh Deegan, City of Elkhart

Rod Edgell, Indiana DNR

Mark Espich, St. Joseph County

Kieran Fahey, City of South Bend

Bill Hartsuff, Elkhart County

Anita Hess, Noble County

Ray Hoover, Town of LaGrange

Chad Jonsson, Town of Syracuse

Andy Laughlin, Steuben County

John Law, St. Joseph County

Janel Meyer, Steuben County

Jon Roberts, Kosciusko County

Randy Sexton, Noble County

Jim Slabaugh, Steuben County

Kris Thomas, City of Angola

Steve Vaughn, LaGrange County

**OTHERS PRESENT:**

Donny Aleo, Elkhart Co. Parks

Todd Clark, Elkhart SWCD

Clint Knauer, Steuben Co. Plan Director

Greg Knauer, Steuben Co. Deputy Surveyor

Jason Kauffman, City of Goshen Stormwater

Ryan Miller, City of Goshen Stormwater

Grant Poole, Pokagon Band DNR

Steve Weideman, Shipshewana Lake

Brandie Ecker, Thorne Grodnik

Kate Barrett, MACOG

Ashley Matthews, MACOG

Matt Meersman, MACOG

**CONSENT AGENDA**

Alicia Walsh, SJRBC Chair, reminded members that they can request to have any item removed from the consent agenda if they believe it warrants its own separate vote.

**Minutes – December 1, 2022**

Alicia asked the Commission members if there were any comments or questions about the minutes of the December 1, 2022, meeting. Hearing no corrections or additions, Alicia moved on to the next item on the consent agenda.

**Financial Report**

Matt presented the financial report for the second quarter of Fiscal Year 2023 (10/01/22 – 12/31/22). Financial statements were provided to the members for review in advance of the meeting.

Matt discussed the Statement of Financial Activities (Profit & Loss). Matt stated he appealed the reserve requirement for the budget appropriation from the State of Indiana and was able to get it reduced from 2% to 1%. He added that the high interest rates have generated unexpected revenue and some special project expenses are expected to be lower than budgeted. Matt said he expects that water monitoring expenses could exceed what was previously budgeted, so he will discuss that further and request a budget amendment later in the meeting.

The Statement of Net Assets (Balance Sheet) was then presented. Matt noted the accounts payable was for services provided by MACOG for October, November, and December. Total Fund Balance for the FY 23 Q2 was \$344,658.31.

Matt reviewed the Statement of Cash Flows and mentioned that the statement is prepared on a cash basis ending on 12/31/22. Matt noted that all local government appropriations have been received since the last meeting except for the City of South Bend and the City of Kendallville. Both cities have budgeted the appropriations and payments are expected.

Matt asked if there were any questions on the financial report. Hearing no questions, he moved on to the next item in the consent agenda.

### **Claims – March 2, 2023**

A list of the quarterly claims and associated invoices totaling \$47,511.12 was distributed to the SJRBC members for review prior to the meeting. Claims included invoices from MACOG for October, November, and December services, and Thorne Grodnik for quarterly legal services. There were also invoices from Christopher Burke Engineering for the Steuben County's Needs Assessment, financial support for Indiana Watershed Leadership Academy participation, and invoices for stream gauging efforts in Waldron Lake and Phillips Ditch. Matt asked if there were any questions about the claims, or any other items from the consent agenda.

Hearing no other questions or comments, Alicia called for a motion to approve the consent agenda.

RANDY SEXTON MOVED TO APPROVE THE CONSENT AGENDA.  
JIM HESS SECONDED. ALL IN FAVOR. MOTION CARRIED.

### **OLD BUSINESS**

#### **Existing Projects**

Matt noted that all of the existing projects to be discussed fall under the heading of Special Projects in the budget, and they would not be possible without the financial support of the local government members of the Commission, which cover the cost of basic operations.

#### **Steuben County Stormwater and Drainage Needs Assessment**

Matt discussed the Commission's work in Steuben County to review their policies and ordinances related to water management. Christopher Burke Engineering was hired to complete an audit of the existing drainage, stormwater, and floodplain management policies, create a flood resilience checklist, and present a list of recommendations with examples. Matt said the meeting with the Steuben County Drainage Board was held on December 5, 2022. Matt received the primary findings of the Needs Assessment which included raising the rates of drainage fees to afford maintenance, updating the stormwater ordinance, and collecting permit fees. It was also

recommended to include a recently updated model stormwater ordinance from the Local Technical Assistance Program (LTAP) as much as possible and build up capacity in both the Planning Department and Surveyor's Office to appropriately implement the recommendations. Andy Laughlin stated that the various departments are working together to address some of the issues identified in the assessment.

### **Phillips Ditch Study**

Matt said Tritium was hired to assist St. Joseph County with the study of Phillips Ditch which has previously flooded the Jewel Woods neighborhood. Tritium will collect data needed to help engineers determine mitigation strategies for the area. John Law described how Phillips Ditch flows and goes through Jewel Woods, through businesses, goes into a big swamp and then back underground. Matt explained that discharge measurements will be taken on five different occasions at five different water levels to determine how much volume is coming through the ditch. He said Tritium will also collect streambed conductivity measurements to try to understand where and how much volume can be lost to groundwater. Tritium will be getting the actual water level monitors out this month and will go out four more times for discharge measurements throughout the next year.

### **Member/Partner Support**

Matt explained the Member & Partner Support line item in the budget which from the work plan includes providing "funding to local units of government and other partners for projects that serve to improve water quality and mitigate flooding in the river basin." He reminded the Commission that an individual from the Indiana Lake Association requested financial support for water monitoring to identify *E. coli* sources as discussed during the September 2022 SJRBC meeting. Matt stated that the Commission does not have a formal process for requesting or issuing these funds and it has been handled on a case-by-case basis with local government members. Matt explained that since the last meeting, the Indiana Lake Association sent a formal request letter and proposal for different water monitoring options which was provided to the Commission members in the meeting materials. Matt stated that if the Commission wanted to support the project, he would recommend offering up to \$3,845 to pay for the study detailed in the proposal as "Option A", but only if the Indiana Lake Association pays for the cost of individual sample analysis and agrees to share all data collected and reports generated. Brandie Ecker suggested that the Commission may want to set up a committee to determine a formal process for these requests if they expect to consider more in the future. Several Commission members discussed the fact that Elkhart County had already recommended sewer system connections for Indiana Lake residents based on testing they conducted. Concerns were expressed that further testing wouldn't change the outcome. Alicia suggested tabling the request until a formal process was developed by the Commission. There were no members of the Indiana Lake Association present at the meeting to provide any comments or address concerns.

ADAM BOWDEN MOVED TO DENY INDIANA LAKE ASSOCIATION'S  
REQUEST FOR FUNDING SUPPORT. BOB BARNES SECONDED.  
ALL IN FAVOR. MOTION CARRIED.

Matt said this request is the first to come from what would be considered a partner. Previous financial support has only been given directly to local government members. Matt asked Brandie

if it was ok to continue supporting members as done in the past. Brandie said member support can still be provided as it has in the past, but she recommended setting up a committee to develop a policy if financial support requests from partners, rather than members, would be considered in the future.

RAY HOOVER MOVED TO ESTABLISH A WORKING COMMITTEE TO DEVELOP A GRANT APPLICATION PROCEDURE. JIM HESS SECONDED. ALL IN FAVOR. MOTION CARRIED.

Adam Bowden suggested a member from each county in addition to the Chair serve on the committee for a total of seven members. Alicia asked for volunteers and identified some potential members. Brandie recommended that she also be included to provide legal counsel. Alicia said she would continue to develop the committee and report back at the next meeting.

### **Water Monitoring Program**

Kate Barrett provided an update on the SJRBC Water Monitoring Program. There are 12 biological monitoring locations which are meant to complement existing efforts by various partners throughout the basin. Kate said results from the 2022 monitoring season are expected late this spring. She reminded the Commission that the Elkhart County Water Quality Trends Report was finished in May 2022. The final report can be found on the SJRBC website: <https://sjrbc.com/resources/monitoring/index.html>. Kate discussed recent projects which included assistance with strategic planning for water monitoring in both Steuben County and LaGrange County. She has also continued analyzing existing biological and chemical water monitoring data sets. Kate said she would like to have a basin-wide picture of water quality and offered to help any other county that was interested in collecting or analyzing data. She said an interactive web map is being developed with a GIS consultant to store and deliver the data in a useful way. The web map can be accessed at <https://stjoe.riverdata.org/>.

Matt stated there was a proposal included in the meeting packet to install four water level monitoring devices, conduct field measurements and generate stage-discharge curves for three sites in the North Branch of the Elkhart River watershed and one site on the Fawn River. The sites in the North Branch of the Elkhart River watershed were recommended in the Flood Risk Management Plan and the site on Fawn River was requested by the City of Angola following their water study. Matt requested a budget amendment to increase the water monitoring line item from \$29,700 to \$56,000 to cover the additional monitoring. The amendment will result in an unbalanced budget, but Matt still anticipates a positive change in net assets for the year and there are funds in reserve that could be used if necessary.

RAY HOOVER MOVED APPROVE THE BUDGET AMENDMENT TO INCREASE THE WATER MONITORING LINE ITEM TO \$56,000 TO COVER ADDITIONAL MONITORING. JOHN LAW SECONDED. ALL IN FAVOR. MOTION CARRIED.

Matt then requested approval to proceed with the proposal from Tritium that was included in the meeting packet.

RAY HOOVER MOVED TO APPROVE PROPOSAL FROM TRITIUM TO PAY ASSOCIATED INVOICES UP TO \$24,030. KIERAN FAHEY SECONDED. ALL IN FAVOR. MOTION CARRIED.

### **23rd Annual Symposium**

Matt said the 23rd Annual Symposium will be held in-person this year at Pinhook Park Community Center on May 12. Registration will be required for the event and it will be limited to about 100 participants. Matt stated Commission members will receive notice for registration first and will also be invited to the Friends of the St. Joseph River Association “Watershed Celebration” following the Symposium. Matt explained he would like to promote the event as a “Drainage Symposium” in an effort to discuss flood mitigation as well as natural resources protection in terms of drainage. There will be snacks and refreshments in the afternoon for the Symposium and dinner in the evening for the “Watershed Celebration”.

### **NEW BUSINESS**

#### **Legislative Updates**

Matt stated there are several legislators from the Basin that serve on the Drainage Task Force. He said the Task Force has been discussing changes to local floodplain regulation related to Senate Bill 242: Floodplain Mapping. The Bill repeals the requirement for local floodplain administrators to use the “best available floodplain mapping data” as provided by the Department of Natural Resources when reviewing an application for a permit to authorize construction near a floodplain. Matt said clarification is needed and he has reached out to local representatives to discuss. He noted that landowners were not notified of the changes made to the floodplain status of their property as a result of earlier legislative changes, which created confusion and mistrust. Matt said the local floodplain administrators are encouraged to still use the data for regulation.

Matt then discussed House Bill 1639 which would allow for the formation of Watershed Development Commissions across the state. The bill has a process for how existing Commissions, like the SJRBC, could transform into a Watershed Development Commission (WDC) if all the county members chose to do so. Matt noted that becoming a WDC would provide a local funding source that comes from landowners in the Basin. The bill sets a maximum amount that can be charged to landowners. The board of the WDC would decide what the assessment would be, develop a work plan every year, and hold meetings to explain the reason for the special assessment. The counties would then be responsible for collecting from landowners. Matt stated that exclusive authority is limited to the main channel of the St. Joseph River, but the WDC could support projects all over the Basin with the cooperation of local government members. He explained that there was an amendment to the bill that allows the Commission to maintain municipal representation and all existing members of the SJRBC could be part of an advisory board to the WDC. Matt said the bill has bipartisan support and is now in the Senate. Adam Bowden asked if local funding sources that are currently in place would go

away if the State mandated implementation of a WDC. Matt said he suspects the local funding sources would stay in place but the existing appropriation from the State could go away.

### **Strategic Planning and Implementation**

Matt stated there is a need to develop a comprehensive plan to help secure and target funding. He explained he would start the process by getting quotes to determine the cost of hiring an outside source to develop the entire plan versus developing the in-house with the assistance of experts on the technical aspects of the plan. Matt will discuss again at the next SJRBC meeting.

### **Other Business/Updates**

### **DIRECTOR'S REPORT**

Matt informed everyone that he has been working on several administrative tasks this past quarter. He has been working on reporting for the State Board of Accounts as well as web updates and completing orientation for new board members and proxies. Matt and Kate have been working with the Forest Service on a potential tree project which would help take water out of the stormwater systems. Matt is still working with LaGrange County on drain assessment apportionments with the Surveyor's office.

### **ITEMS FROM THE FLOOR**

Alicia asked if there were any items from the floor. Hearing none, she moved on to the next item on the agenda.

### **ADJOURNMENT**

There being no further business, Alicia Walsh called for a motion to adjourn the meeting.

RAY HOOVER MOVED TO ADJOURN THE MEETING. ADAM BOWDEN  
SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

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Jim Hess, SJRBC Secretary & Acting Chair

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