

**ST. JOSEPH RIVER BASIN COMMISSION  
MEETING MINUTES  
June 1, 2023**

The second quarterly meeting of the St. Joseph River Basin Commission (SJRBC) in 2023 was held on June 1<sup>st</sup>, at the Schrock Pavilion in Goshen. The meeting was also livestreamed on YouTube and made available here: [https://www.youtube.com/watch?v=HXaL\\_K3ug3Q](https://www.youtube.com/watch?v=HXaL_K3ug3Q)

Jim Hess, Secretary and Acting Chair, called the meeting to order at 10:00 am in the absence of Chair Alicia Walsh and Vice-Chair Adam Bowden. 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:**

<i>Secretary:</i> Jim Hess, Elkhart County	Ray Hoover, Town of LaGrange
<i>Treasurer:</i> Jewel Wise, Kosciusko County	Chad Jonsson, Town of Syracuse
Phil Barker, Elkhart County	Clint Knauer, Steuben County
Bob Barnes, Elkhart County	Dan Lash, Noble County
Mark Espich, St. Joseph County	Sue McGee, City of Kendallville
Kieran Fahey, City of South Bend	Janel Meyer, Steuben County
Martin Franke, LaGrange County	Jon Roberts, Kosciusko County
Bill Hartsuff, Elkhart County	Kris Thomas, City of Angola
Zach Holsinger, LaGrange County	

**OTHER PROXY MEMBERS PRESENT IN PERSON:**

Steve Vaughn, LaGrange County

**OTHERS PRESENT:**

Todd Clark, Elkhart SWCD	Brandie Ecker, Thorne Grodnik
Trevor Hampshire, City of Kendallville	Kate Barrett, MACOG
Matt Horsley, Indiana DNR	Ashley Matthews, MACOG
Jason Kauffman, City of Goshen Stormwater	Matt Meersman, MACOG
Ryan Miller, City of Goshen Stormwater	
Charlie Pettibone, Steuben County Planning	

**CONSENT AGENDA**

Jim Hess, SJRBC Secretary and Acting 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 – March 2, 2023**

Jim asked the Commission members if there were any comments or questions about the minutes of the March 2, 2023, meeting. Hearing no corrections or additions, Jim moved on to the next item on the consent agenda.

**Financial Report**

Matt presented the financial report for the third quarter of FY 2023 (01/01/23 – 03/31/23). 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 the high interest rates have generated unexpected revenue and some special project expenses are expected to be lower than budgeted. He noted that he expects a slight shortfall with legal expenses, which he will discuss 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 January, February, and March as well as legal expenses. Total Fund Balance for the FY 23 Q3 was \$385,879.24.

Matt reviewed the Statement of Cash Flows and reminded everyone that the statement is prepared on a cash basis ending on 3/31/23. Matt noted that all local government appropriations have been received since the last meeting except for the City of Kendallville.

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

### **Claims – June 1, 2023**

A list of the quarterly claims and associated invoices totaling \$32,119.17 was distributed to the SJRBC members for review prior to the meeting. Claims included invoices from MACOG for January, February, and March services, and Thorne Grodnik for quarterly legal services. There were also invoices from Juozas Gaigalas for web map development, ToltHawk for annual service, and additional legal expenses related to HB1639. Matt noted all claims were related to projects already approved and included in the budget. Matt asked if there were any questions about the claims, or any other items from the consent agenda.

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

DAN LASH MOVED TO APPROVE THE CONSENT AGENDA.

JEWEL WISE SECONDED. ALL IN FAVOR. MOTION CARRIED.

### **OLD BUSINESS**

#### **23rd Annual Symposium**

Matt stated the 23<sup>rd</sup> Annual Symposium took place on May 12. He thanked Annie Klehfoth and the City of Elkhart for their help and support. The discussion panels included academics, practitioners and drainage officials. Kris Thomas enjoyed the discussion portion of the Symposium and appreciated hearing from a variety of panel members. Kieran Fahey agreed. Matt thanked everyone who attended.

#### **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 the Midwest Biodiversity Institute sent the results from the 2022 monitoring season last week. She presented a table displaying the grades for each site with Invertebrate Community Index (ICI) scores ranging from 0-60 (60 being an exceptional score). Kate highlighted Prairie River at Hoshel Canoe County Park, Pigeon River at Scott Mill, and Turkey Creek at Lake Wawasee: all three sites had significant water quality improvement from 2021 to 2022. Kate noted the worst score in 2022 was still marginally good. Martin Franke observed the change in the ICI score at Pigeon Creek near Angola. The 2021 ICI score was 46

(Exceptional) and in 2022 it was 44 (Very Good). Kate said she would consider it biologically significant, but also explained that it could be due to sampling site being slightly further downstream in 2022 than in 2021. Once the 2023 ICI scores are received, Kate will have three years of data to establish baselines for all of the monitoring sites. She said her goal is to have chemical monitoring along with biological monitoring to compare and contrast. Matt explained that the concern with chemical monitoring is that it is just a snapshot in time and might not be indicative of any long-term trends. Matt also asked Kate if climate could impact the ICI score results. Kate said climate and local weather patterns can absolutely affect the results and she will be collecting weather data from across the Basin in order to conduct time series analyses.

Kate then discussed other water monitoring projects in the Basin. She stated she has been working with partners in Steuben County, the Steuben County Lakes Council, and a biology professor from Trine University to expand their chemical monitoring. Kate said she applied for a grant over the winter proposing sampling for 10 sites known to have an *E. coli* problem. The sampling would be weekly for 20 consecutive weeks. She found out last week that the grant has been awarded through the Steuben County Community Foundation and monitoring will begin June 5. Two AmeriCorps interns will work out of Trine University and will be trained specifically for this project. The Indiana State Department of Health lab will run the caffeine sample analysis at no cost. Matt added that the Elkhart County Health Department has had a robust sampling program in place for several years. Kate was able to analyze their data and identify trends in water quality because it has been collected regularly over the years. Matt and Kate are hoping to be able to use those same methods to identify trends and develop corrective action plans in Steuben County. Kate is working to develop a similar program in LaGrange County.

Kate highlighted educational and outreach efforts for the past quarter. She gave presentations at the Indiana Watershed Leadership Academy and at an event for Unity Gardens in South Bend, IN. Kate also submitted a paper on water quality to Indiana Academy of Sciences and gave a brief presentation at their conference in March. Next week, she will attend an event at Wellfield Botanical Gardens. Kate and Matt will be giving an Indiana Master Naturalist presentation in July and will be participating in the Middlebury Riverfest.

Kate provided an update on the interactive web map that will host all the available water quality data. She said there will be documentation and tutorials shared with the Commission as soon as it is available.

Kate announced an upcoming Hoosier Riverwatch training opportunity. It will be Saturday, September 9 at St. Patrick's County Park in South Bend, IN. Training will be limited to 15 people and registration is required by calling St. Joseph County Parks.

Matt stated Tritium will be installing the four remaining water level monitoring devices next week as well as conducting field measurements and generating stage-discharge curves for three sites in the North Branch of the Elkhart River and one site on the Fawn River. Matt also discussed the opportunity for additional water monitoring by leveraging funds received by several communities in the watershed from a settlement with Monsanto. He explained that the SJRBC has funds to purchase more water level monitoring devices and pay the annual service fees if the cost of stage-discharge curve development expenses are covered by the communities.

## **NEW BUSINESS**

### **Legislative Changes**

Matt announced that House Bill 1639 passed and is now public law. The new law allows for the formation of Watershed Development Commissions (WDC) across the state and therefore updates the language of the SJRBC statute to offer a conversion process. It also assures that everyone on the existing Commission would at least be part of an advisory committee should it convert to a WDC. The WDC would consist of the County Surveyor, someone appointed by the Executive of the largest municipality, and someone appointed by the County Commissioners from each member county. Matt said converting to a WDC would provide a local funding source that comes from a special assessment paid by landowners in the basin. He discussed the maximum assessment rates set in the statute, different factors that can be used to determine apportionment, and potential annual revenue. The Commission discussed concern over raising taxes and what would be required to convert to a WDC. Matt noted that the existing Commission and their Counties would have to agree to convert to a WDC before starting the process.

### **Water Study and Implementation Plan**

Matt stated he would like to conduct or sponsor a regional water study and develop an implementation plan. He is considering authoring the plan with Kate and recruiting help from experts for designs and recommendations. Matt suggested starting with a regional water study, similar to what was done in Central Indiana, with support from the Indiana Finance Authority. The study could analyze groundwater availability and the impact of withdraw on surface water.

### **2023-25 Legal Contract**

Matt stated that the SJRBC contract with Thorne Grodnik LLP for legal services is a two year agreement and is due to be updated. The new agreement was provided to the members for review in advance of the meeting. The meeting rate increased from \$350 to \$450 and the hourly rate from \$130/hour to \$200/hour. Matt noted that the rates have not increased in over ten years.

MARTIN FRANKE MOVED TO APPROVE THE AGREEMENT WITH THORNE GRODNIK LLP. JON ROBERTS SECONDED. ALL IN FAVOR. MOTION CARRIED.

Matt then requested a budget amendment for legal services. Matt explained additional expenses were incurred due to consulting with Brandie Ecker on House Bill 1639 and the Monsanto settlement checks. He would like to add an additional \$300 to the line item for legal services.

RAY HOOVER MOVED TO APPROVE ADDING AN ADDITIONAL \$300 FOR LEGAL SERVICES. SUE MCGEE SECONDED. ALL IN FAVOR. MOTION CARRIED.

### **FY 24 Work Plan & Budget Adoption**

Matt stated the FY 24 work plan and budget was included in the meeting packet. There were no significant changes from FY 23 except for addressing the strategic plan under special projects.

RAY HOOVER MOVED TO APPROVE THE FY 24 WORK PLAN. JANEL MEYER SECONDED. ALL IN FAVOR. MOTION CARRIED.

Matt moved on to review of the FY 24 budget. He explained the budget is broken down into two sections: basic operations and special projects. The basic operations portion is what is divided up and requested from members. Matt explained that according to the enabling statute, the portion of the budget requested from members must be divided amongst the counties based on land area. Because municipal members also provide support, he uses a formula based on population to determine the amount the municipality pays within each county. Matt stated that the proposed budget increased basic operating expenses by 2-3%. He said there is updated census data which will be used to determine appropriation requests in FY 24. He noted the primary changes to the budget included increased interest income, expenses related to an expected audit by the State Board of Accounts, increased legal expenses, and increased expenses to support expanded water monitoring. Ray Hoover and Martin Franke expressed concerns that there was not enough money budgeted for the Director's salary. The Commission discussed these concerns and Matt said he was comfortable with the budget as proposed.

RAY HOOVER MOVED TO APPROVE THE FY 24 BUDGET. JEWEL WISE  
SECONDED. ALL IN FAVOR. MOTION CARRIED.

### **Other Business/Updates**

#### **DIRECTOR'S REPORT**

Matt informed everyone that he has been working on several administrative tasks this past quarter including budget requests, onboarding for new members, and drainage apportionment assistance. Matt thanked Kate for all of her work on an Urban Tree Canopy grant proposal.

#### **ITEMS FROM THE FLOOR**

Jim asked if there were any items from the floor. Hearing none, he moved on to the next item in the agenda.

#### **ADJOURNMENT**

There being no further business, Jim Hess called for a motion to adjourn the meeting.

RAY HOOVER MOVED TO ADJOURN THE MEETING. SUE MCGEE  
SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

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Adam Bowden, SJRBC Vice Chair