

ST. JOSEPH RIVER BASIN COMMISSION
MEETING MINUTES
June 3, 2021

The second quarterly meeting of the St. Joseph River Basin Commission (SJRBC) in 2021 was held on June 3, 2021, at the Schrock Pavilion in Goshen. Members who requested electronic participation were provided access with the Google Meet virtual meeting platform. The meeting was also livestreamed on YouTube and made available here: <https://youtu.be/L49iNMhn-6s>

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

VOTING MEMBERS PRESENT IN PERSON:

<i>Chair:</i> Daragh Deegan, City of Elkhart	Mike Kissinger, Kosciusko County
<i>Secretary:</i> Alicia Walsh, Steuben County	John Law, St. Joseph County
<i>Treasurer:</i> Adam Bowden, City of Mishawaka	Frank Lucchese, Elkhart County
Rod Edgell, Indiana DNR	Sue McGee, City of Kendallville
Martin Franke, LaGrange County	Jason Pippenger, Noble County
Bill Hartsuff, Elkhart County	Jon Roberts, Kosciusko County
Anita Hess, Noble County	Mike Ruff, Steuben County
Jim Hess, Elkhart County	Randy Sexton, Noble County
Ray Hoover, Town of LaGrange	Jewel Wise, Kosciusko County
Dona Hunter, LaGrange County	

VOTING MEMBERS PRESENT ELECTRONICLY (via Google Meet):

<i>Vice-Chair:</i> Kris Thomas, City of Angola	Lynne Leichty, Steuben County
Kieran Fahey, City of South Bend	Sarah Longenecker, St. Joseph County

OTHER PROXY MEMBERS PRESENT IN PERSON:

Dan Lash, Noble County

OTHERS PRESENT IN PERSON:

Cindy Bailey	Brandie Ecker, Thorne Grodnik
Robert Barr, IUPUI	Kate Barrett, MACOG
Ian Hahus, CBBEL	Zach Dripps, MACOG
Aaron Sawatsky-Kingsley, City of Goshen	Matt Meersman, MACOG
Mattie Lehman, City of Goshen	

CONSENT AGENDA

Daragh Deegan, SJRBC Chair, introduced a new process in which regular items requiring approvals, such as minutes and financial reporting, will be handled as one agenda item rather than taking individual votes. Each item on the consent agenda will still be reviewed individually as they typically would, but one vote to approve all the items will be taken after all the items have been reviewed. Daragh also noted that any member can ask to have any item removed from the consent agenda if they believe it warrants its own separate vote. Daragh explained that this process will be used going forward to minimize the need for multiple roll call votes.

Minutes – March 4, 2021

Daragh asked the Commission members to consider the minutes of the March 4, 2021, meeting. Daragh noted that Martin Franke had a correction that he and Steven Vaughn, both of LaGrange County, were listed in the wrong place in the attendee list. Minutes will be corrected. Hearing no other corrections or additions, Daragh moved on to the next item on the consent agenda.

Financial Report

Matt Meersman, SJRBC Director, provided the financial report for the third quarter (Q3) of Fiscal Year (FY) 2021 (01/01/21 – 03/31/21). Financial reports were provided to the members for review in advance of the meeting.

Matt discussed that due to contributions from local governments over the last quarter, the net change in assets is now in the positive after being negative last quarter. Matt discussed the year-end forecast on the Statement of Financial Activities (Profit & Loss) and noted that interest was behind, bank charges were down and travel miles were lower due to reduced travel early in the fiscal year. Matt also noted that there were big savings on education and outreach due to the virtual format of the Symposium.

The Statement of Net Assets (Balance Sheet) was then presented. Matt stated that the Total Fund Balance for the third quarter was \$291,513.32. He noted that all of the accounts payable were for MACOG services performed in the second quarter.

Matt reviewed the Statement of Cash Flows and mentioned that the statement is prepared on a cash basis ending on 03/31/21. Matt showed a copy of the March bank statement and explained that the balance was the same as the cash account balance because all checks had cleared this period. He pointed out that \$19,000 was received from the close out of the IU Grand Challenge Grant. Matt stated several appropriations from local governments were received during the period. He also noted that the Town of Syracuse, the City of South Bend, and the City of Elkhart had all provided contributions after the end of the reporting period. Matt mentioned that the City of Kendallville was the only member who had not provided an appropriation yet this year. He said he is working to schedule a meeting with them.

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

Claims – June 3, 2021

A list of the quarterly claims and associated invoices totaling \$17,501.13 was distributed to the SJRBC members for review prior to the meeting. Claims included invoices from MACOG for January, February, and March expenses, and Thorne Grodnik quarterly legal services. Hearing no questions or comments, Matt moved on to the next item on the consent agenda.

Fiscal Year 2022-2023 Legal Contract

An updated contract for legal services for Fiscal Year 2022-2023 was provided to the SJRBC members for review prior to the meeting. Matt noted that the only changes in the contract were the dates. Matt asked if there were any questions on the legal contract. With no questions, Matt concluded discussion of the updated legal contract.

In closing discussion of the consent agenda, Matt explained that it is a format frequently used by park boards and bigger cities with lots of activity. Commission members are encouraged to review consent agenda item materials prior to meetings. He noted that he still intends to review each item and allow members to ask questions, but action would be taken with one single vote.

Martin Franke asked for clarification on the first note from the Statement of Financial Activities related to an expected shortfall in local government revenue. Matt explained that the total basic operating expenses are what is divided amongst, and requested from, the members. He noted that Steuben County has not yet appropriated the full requested amount. However, Matt reported that they have significantly increased their contribution from \$1,000 to \$3,500 in the last year. He said he is hopeful they will be able to appropriate the full request amount soon.

Hearing no further questions or comments, Daragh called for a motion to approve the consent agenda with the changes to minutes from last meeting.

RAY HOOVER MOVED TO APPROVE THE CONSENT AGENDA WITH THE NOTED CHANGES TO THE MINUTES. ANITA HESS SECONDED. A ROLL CALL VOTE WAS TAKEN. ALL IN FAVOR. THE MOTION CARRIED.

NEW BUSINESS

Existing Projects

Matt indicated that the existing projects all 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. Matt noted he will speak in more detail regarding each of the projects under the budget and recommended moving on to next item in agenda.

21st Annual Symposium

Matt stated the Annual Symposium was held virtually on May 14, 2021, with close to 100 participants. Matt noted that SJRBC Chairman Daragh Deegan and Marcy Hamilton from the Southwest Michigan Planning Commission discussed dam removal projects. Matt also noted that there were close to 100 views of the livestream on YouTube.

Water Monitoring Program

Matt stated he had previously discussed wanting to increase water monitoring efforts in the basin, and the possibility of bringing on additional help to do that. Matt then introduced Dr. Kate Barrett, Ph. D, who has been hired by MACOG to assist part-time in enhancing programs.

Kate introduced herself, a recent Ph. D. graduate in Biology from Notre Dame. She stated she is interested in applying her skillset to local watershed issues. Kate then discussed plans for the Biological Monitoring Program to establish monitoring at twelve sites throughout the basin beyond urbanized areas and use macroinvertebrates as biological indicators. She hopes to have the taxonomic work done by Midwest Biodiversity Institute (MBI), which is also used by the South Bend-Elkhart Aquatic Monitoring Program. Matt stated that biological monitoring regularly occurs in urbanized areas, but there is a lack of data in rural areas of the basin.

Matt provided a quote from MBI for \$12,427.39 for processing macroinvertebrate samples and data from 12 sites in the basin for 2021. Matt requested approval to start using MBI. Martin Franke asked if the location of the sites had been determined. Matt responded that sites have not been determined yet, but they would like to have 3-4 sites in Michigan and a site for every county that is a member of SJRBC.

Daragh explained that their program follows the methods used by Ohio, which includes an Invertebrate Community Index (ICI). Daragh stated it is a more robust method than the one used by Indiana. Daragh also stated Kate was successful in getting a grant from the Indiana Academy of Science to help fund the project. Hearing no further questions, Daragh called for a motion to approve entering into an agreement with MBI.

RAY HOOVER MOVED TO APPROVE AN AGREEMENT WITH MBI.
SUE MCGEE SECONDED. A ROLL CALL VOTE WAS TAKEN. ALL
IN FAVOR. THE MOTION CARRIED.

NEW BUSINESS

Wetlands Task Force Representation

Daragh stated that as a result of the passage of Senate Bill 389, the SJRBC was asked to nominate someone for the Indiana Wetlands Task Force. Daragh stated that he asked Matt to serve in that capacity and he agreed. Daragh noted that the nomination was already submitted to the Governor's office because the deadline came before the meeting. Daragh called for a motion to retroactively approve Matt as the Commission's representative on the Wetlands Task Force.

RAY HOOVER MOVED TO APPROVE MATT AS THE SJRBC'S
REPRESENTATIVE. ADAM BOWDEN SECONDED. A ROLL CALL
VOTE WAS TAKEN. ALL IN FAVOR. THE MOTION CARRIED.

FY 22 Work Plan & Budget Adoption

Work Plan

A proposed FY22 Work Plan was provided prior to the meeting. Matt explained that under Special Projects, the biggest change is in regards to the expansion of water monitoring to provide funding and support for long-term biological monitoring and long-term water level/flow monitoring, which is reflected in the budget. Matt also noted another change under Municipal/Partner Support to establish flood resilience planning teams in the North Branch of the Elkhart River watershed. Matt noted one final change under Planning/Resource Development to include the completion of functional assessments of tributaries to identify potential vulnerabilities.

Budget Adoption

A proposed budget for FY 22 was provided prior to the meeting. Matt commented that the state's reserve amount was expected to go down from 15% to 3%, which would provide more money to work with next year. Matt also noted the interest revenue was changed from \$2500 to \$500. He explained that Special Projects revenue was reduced because the grant from IU was closed out. Matt stated that Basic Operations expenses were mostly unchanged from last year with the exception of a small increase in office rent. He noted that bank service fees were decreased along

with minor changes to printing and travel/mileage. Matt stated it was important to note that total Operating Expenses, which are apportioned among local government members, remained the same at \$63,660.

Matt explained that changes to Special Projects expenses included an increase in water monitoring supported by the new grant Kate secured. He also noted the budgeted expenses for planning/resource development were decreased to \$19,150 due to the closeout of the IU Grand Challenge Grant.

Daragh asked what the timeline was for the next steps in the planning project for the North Branch of the Elkhart River. Matt stated that he received a quote from Burke for about \$30,000, but said it could be done in phases to fit the budget. Matt would like to move forward this summer, but not without the Commission's approval. Daragh requested more information from the cost proposal. Matt explained that Burke could break out Phase 1 to include tasks 1-3 with a fee of \$15,000. Phase 2 would include tasks 4-5 with a fee of \$14,700. Phase 1 tasks included refining project strategy and identifying participants, reviewing relevant plans/codes, and facilitating meetings. Tasks 4-5 would include drafting language to amend plans/codes and training the trainer. Matt noted that the task for "training the trainer" could potentially be accomplished in Phase 1. Daragh asked if anyone had any thoughts, questions or concerns about the project. Michael Kissinger stated that Kosciusko County would be particularly interested in the results from this work. Daragh asked Brandie Ecker if the approval of the work plan, budget and the proposal for the North Branch of the Elkhart River could all be handled with one action. Brandie stated that the proposal should be handled separately.

RAY HOOVER MOVED TO APPROVE THE FY22 WORK PLAN AND BUDGET. FRANK LUCCHESI SECONDED. A ROLL CALL VOTE WAS TAKEN. ALL IN FAVOR. THE MOTION CARRIED.

Daragh called for a motion to approve Phase 1 of the North Branch planning project implementation proposal.

MARTIN FRANKE MOVED TO APPROVE PHASE 1 OF THE NORTH BRANCH PROPOSAL. ANITA HESS SECONDED. A ROLL CALL VOTE WAS TAKEN. ALL IN FAVOR. THE MOTION CARRIED.

Electronic Meeting Policy Discussion

Matt explained that the SJRBC's statute includes a provision for electronic meetings, but it was not utilized during the pandemic because the Governor's emergency declaration allowed for less restrictive virtual meetings. With the ending of the emergency declaration, and the desire to maintain an option for electronic participation, Matt asked Brandie Ecker, the SJRBC's general counsel, to help develop a policy that incorporated, and clarified, the provisions from the SJRBC's statute. A draft of that policy was shared with all the members before the meeting. Matt highlighted some items from the statute, including the requirement for roll call voting and the necessity of having 11 members present in the room. He explained that once one-third of the members (11) were present in-person, meeting participants attending virtually would be allowed to vote and count towards quorum. Brandie Ecker then explained another requirement is that each member of the SJRBC is required to physically attend at least one meeting of the SJRBC annually. Matt said he keeps track of attendance and whether it is virtual or in-person.

Martin Franke stated that he found the roll call voting to be redundant. He asked if the process could be streamlined in any way through changes in the policy. Brandy explained that the language in the SJRBC's statute, which states that all votes must be taken by roll call if a member is participating electronically, restricts the policy. After further discussion of the policy, SJRBC statute and recent changes made in state laws regarding electronic meetings, Daragh suggested that the draft policy could either be approved now, or discussion could be tabled until the next meeting if there were any concerns with the proposed policy.

RAY HOOVER MOVED TO APPROVE THE ELECTRONIC MEETING POLICY AS PRESENTED. ADAM BOWDEN SECONDED. A ROLL CALL VOTE WAS TAKEN. ALL IN FAVOR. THE MOTION CARRIED.

Purchase Policy Discussion

Matt explained that James Turnwald, the Executive Director of MACOG, asked him what the purchase policy was for SJRBC. Matt said there was currently no purchase policy in place. James suggested that the Commission should consider adopting one to provide guidelines for both SJRBC members and MACOG. After meeting with Matt and James, Brandie Ecker created a draft policy, which was provided to members prior to the meeting. Matt reviewed the policy, including his suggestions for thresholds within each of several categories. He explained that there is a distinction between the purchase of services and supplies in the policy, which accounts for different requirements in state law. Brandie explained that for the purchase of supplies under \$50,000, a small purchase policy could be utilized to determine how/when those supplies can be purchased. For the purchase of supplies between \$50,000.00-\$150,000, state law requires that quotes be requested from three different sources. Brandie stated that special rules generally govern any purchase over \$150,000.

Matt explained that under the draft Purchase Policy, the purchase of supplies or services of \$10,000 or less would not require SJRBC board approval, provided the funds were already included in the budget. Purchases above \$10,000 would need prior approval from the board, and possibly other requirements like quotes, depending on whether it was for services or supplies. After further discussion, Matt and Brandie provided clarification of the purchase types and suggested thresholds.

MARTIN FRANKE MOVED TO APPROVE THE PURCHASE POLICY AS PRESENTED. ANITA HESS SECONDED. A ROLL CALL VOTE WAS TAKEN. ALL IN FAVOR. THE MOTION CARRIED.

Other Business/Updates

John Law stated he is working on a few projects of interest to the Commission including a two-stage ditch on the headwaters of Cobus Creek and a project at Baugo Creek County Park to help stabilize a bank/bluff near the pedestrian bridge. John is also working with a private subdivision and their homeowner's association to study Woodward Bayou in Mishawaka.

DIRECTOR'S REPORT

Matt reported on some of his activities that were not included in other items on the agenda. He highlighted his work with the LaGrange County Drainage Board, his work with legislators on

Senate Bill 389, tree planting in Middlebury, a forestry grant with the Indiana DNR, and a project with the St. Joseph County (Michigan) Conservation District to collect “stream view” data for the mainstem of the St. Joseph River from the headwaters to the mouth.

Daragh Deegan thanked Matt, and commented on how much he does even though he technically only works part time as the Director of the SJRBC. Matt stated that his passion for his work, and willingness to donate time to the cause, comes from his love of being on the river in his canoe. He informed the Commission that he would be spending a lot of time outside of work getting ready for a big canoe race at the end of July, which he predicted a podium finish at.

ITEMS FROM THE FLOOR

Jewel Wise reported that the North Webster Library is hosting a traveling Smithsonian Institute exhibit called “Water Ways” that will be on display from June 26-August 7. It is an interactive exhibit focusing on the role water plays in our communities.


Martin Franke announced that he recently graduated from the Indiana Watershed Leadership Academy and thanked the Commission for the opportunity.

Aaron Sawatsky-Kingsley wanted to thank all of those people helping with the care of the Elkhart River on behalf of the City of Goshen. The city is currently working on a flood resilience plan, and the efforts of Commission and its members are greatly appreciated.

ADJOURNMENT

There being no further business, Daragh Deegan called for a motion to adjourn the meeting. He explained that this action could be taken without a roll call vote if there were no longer any participants attending electronically. The members who were attending electronically quickly exited the meeting. Daragh thanked everyone for their participation and patience throughout the meeting.

RAY HOOVER MOVED TO ADJOURN THE MEETING. JEWEL WISE
SECONDED. ALL IN FAVOR. THE MOTION CARRIED.



Daragh Deegan, SJRBC Chair

ST. JOSEPH RIVER BASIN COMMISSION

ROLL CALL LIST

MEETING DATE:

JUNE 3, 2021

PLACE A CHECK MARK () IF PRESENT
(11 members constitutes a quorum)

ELKHART COUNTY--

Mayor, City of Elkhart:	Rod Roberson	<input type="checkbox"/>
	*Daragh Deegan	<input checked="" type="checkbox"/>
Commissioner:	Brad Rogers	<input type="checkbox"/>
	*Frank Lucchese	<input checked="" type="checkbox"/>
Health Officer:	Bethany Wait, D.O.	<input type="checkbox"/>
	*Bill Hartsuff	<input checked="" type="checkbox"/>
Surveyor:	Phil Barker	<input type="checkbox"/>
	*Steve Schweisberger	<input type="checkbox"/>
Soil & Water Conservation District:	Jim Hess	<input checked="" type="checkbox"/>
	*	<input type="checkbox"/>

KOSCIUSKO COUNTY--

Council President, Town of Syracuse:	Larry Siegel	<input type="checkbox"/>
	*	<input type="checkbox"/>
Commissioner:	Cary Groninger	<input type="checkbox"/>
	*Jon Roberts	<input checked="" type="checkbox"/>
Health Officer:	William Remington, M.D.	<input type="checkbox"/>
	*Robert Weaver	<input type="checkbox"/>
Surveyor:	Mike Kissinger	<input checked="" type="checkbox"/>
	*Jim Moyer	<input type="checkbox"/>
Soil & Water Conservation District:	Jewel Wise	<input checked="" type="checkbox"/>
	*	<input type="checkbox"/>

LAGRANGE COUNTY--

Council President, Town of LaGrange:	Ray Hoover	<input checked="" type="checkbox"/>
	*Diane Cameron	<input type="checkbox"/>
Commissioner:	Peter Cook	<input type="checkbox"/>
	*Martin Franke	<input checked="" type="checkbox"/>
Health Officer:	Anthony Pechin, M.D.	<input type="checkbox"/>
	*Jarod Nisley	<input type="checkbox"/>
Surveyor:	Zach Holsinger	<input type="checkbox"/>
	*Steven Vaughn	<input type="checkbox"/>
Soil & Water Conservation District:	Dona Hunter	<input checked="" type="checkbox"/>
	*	<input type="checkbox"/>

*-DENOTES "DESIGNATED PROXY REPRESENTATIVE"

ST. JOSEPH RIVER BASIN COMMISSION

ROLL CALL LIST

NOBLE COUNTY--

Mayor, City of Kendallville:	SuzAnne Handshoe *Sue McGee	<u> X </u>
Commissioner:	Anita Hess *Dan Lash	<u> X </u> <u> X </u>
Health Officer:	Terry Gaff, M.D. *Jason Pippenger	<u> X </u>
Surveyor:	Randy Sexton *	<u> X </u> <u> </u>
Soil & Water Conservation District:	Stacey McGinnis *	<u> </u> <u> </u>

ST. JOSEPH COUNTY--

Mayor, City of Mishawaka:	David Wood *Adam Bowden	<u> X </u>
Mayor, City of South Bend:	James Mueller *Kieran Fahey	<u> X </u>
Commissioners:	Derek Dieter *	<u> </u> <u> </u>
Health Officer:	Robert Einterz, M.D. *Mark Espich	<u> </u> <u> </u>
Surveyor:	John McNamara *John Law	<u> X </u>
Soil & Water Conservation District:	Sarah Longenecker *	<u> X </u> <u> </u>

STEBEN COUNTY--

Mayor, City of Angola:	Richard Hickman * Kris Thomas	<u> X </u>
Commissioners:	Lynne Leichy *	<u> X </u> <u> </u>
Health Officer:	Ted Crisman, M.D. *Alicia Walsh	<u> X </u>
Surveyor:	Mike Ruff *	<u> X </u> <u> </u>
Soil & Water Conservation District:	Janel Meyer *	<u> </u> <u> </u>

DEPT. OF NATURAL RESOURCES (Director):	Daniel Bortner *Rod Edgell	<u> X </u>
---	-------------------------------	--------------

*-DENOTES "DESIGNATED PROXY REPRESENTATIVE"