

**ST. JOSEPH RIVER BASIN COMMISSION
MEETING MINUTES
December 6, 2018**

The fourth quarterly meeting of the St. Joseph River Basin Commission was held on December 6, 2018, in the Elkhart County Public Services Building, Goshen, Indiana. Jon Roberts, Chair, called the meeting to order at 10:00 am. Matt Meersman introduced himself and Leah Thill, with MACOG, and discussed the role and makeup of the SJRBC. Roll call was taken and it was noted a quorum was present with the following members in attendance:

MEMBERS PRESENT:

Jon Roberts, Kosciusko County	Sue McGee, City of Kendallville
Phil Barker, Elkhart County	Stacey McGinnis, Noble County
Adam Bowden, City of Mishawaka	Lydia Mertz, M.D., Elkhart County
Daragh Deegan, City of Elkhart	Jeff Moore, Town of LaGrange
Mark Espich, St. Joseph County	Jarod Nisley, LaGrange County
Martin Franke, LaGrange County	Jason Pippenger, Noble County
Larry Gilbert, Steuben County	Jeremy Price, Indiana DNR
Jim Hess, Elkhart County	Randy Sexton, Noble County
Zach Holsinger, LaGrange County	Kris Thomas, City of Angola
Dona Hunter, LaGrange County	Alicia van Ee, Steuben County
Dan Lash, Noble County	Robert Weaver, Kosciusko County
Tara Lee, Steuben County	Suzie Weirick, Elkhart County
Sarah Longenecker, St. Joseph County	Jewel Wise, Kosciusko County

OTHERS PRESENT:

Meg Butcher, Christopher B. Burke Engr.	Diann Scott, West Lakes Association
Carolyn Grace, St. Joseph Co. (MI) CD	Patrick Wiltshire, LaGrange Co. RUD
Bill Hartsuff, Elkhart Co. Health Dept.	Brandie Ecker, Thorne Grodnik
John Heiliger, Elkhart Co. MS4	Matt Meersman, MACOG
Jamie Miller, Indiana DNR	Leah Thill, MACOG

MEETING MINUTES OF JUNE 7, 2018

Jon Roberts asked for the Commission to consider the minutes of the September 6, 2018 meeting. There being no additions or corrections, the following action was taken:

LYDIA MERTZ MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER
2018 REGULAR MEETING. DONA HUNTER SECONDED. ALL IN FAVOR.
THE MOTION CARRIED.

FINANCIALS

Financial Report

Matt Meersman provided the financial report for the first quarter of Fiscal Year 2019 (7/1/18 – 9/30/18). Financial reports were provided to the members of the Commission for review in advance of the meeting.

Matt pointed out the items of interest on the Statement of Financial Activities. There is a projected shortage (\$8,941) in local government appropriations due to county and municipal annual budgets that are not expected to include the requested funding amounts. Additionally, the Commission should receive an increase in the amount of interest income earned due to a recent change in banking institution. Formerly, SJRBC had three accounts at Wells Fargo earning interest at .03% – the accounts were consolidated into one account at Lake City Bank and will earn an interest rate of 2.09%. Legal fees are projected to be slightly higher than originally budgeted due to expenses from last fiscal year being invoiced in this Fiscal Year. Budget amounts for Special Projects were reduced to accommodate for the various changes.

The Statement of Net Assets was reviewed. Matt indicated invoices to the State were a little behind scheduled but the Commission remained in a sound financial position.

Matt reviewed the Statement of Cash Flows which provides an accounting of the income receipts and expenditures for the quarter. He noted a receipt of \$7,400.63 from the Great Lakes Protection Fund (GLPF). The funding is related to the three-year project that will be discussed later on the agenda. Other receipts included local government appropriations from LaGrange and Steuben Counties.

Suzie Weirick wanted to know when invoices were sent out to the local governments. Matt responded that budget requests are made in the fall for the amounts to be appropriated and invoices are sent in the spring of each year.

During the September SJRBC meeting, Stacey McGinnis requested the Commission's bank statements be provided to the members. Matt indicated the statements were sent electronically in advance of the meeting with the rest of the meeting packet information. He will continue to send them by email unless the Commission formally requests they be printed.

STACEY MCGINNIS MADE A MOTION THAT THE BANK STATEMENTS CONTINUE TO BE PROVIDED ELECTRONICALLY. ADAM BOWDEN SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

Matt asked if there were any additional questions regarding any of the financial statements. Hearing none, the following action was taken;

SUZIE WEIRICK MOVED TO APPROVE THE FINANCIAL REPORT FOR PERIOD ENDING SEPTEMBER 30, 2018. DARAGH DEEGAN SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

Approval of Claims

A list of the quarterly claims and a description of invoices received was distributed to the SJRBC members for review. Claims included invoices for July, August, and September MACOG expenses, mileage reimbursement to the River Basin Program Director, and legal expenses. There being no questions regarding any of the expenses, the following action was taken;

MARTIN FRANKE MOVED TO APPROVE THE CLAIMS AND PAYMENT OF THE EXPENSES AS PRESENTED. DAN LASH SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

DIRECTOR'S REPORT

Matt Meersman briefly reported on his efforts on behalf of the SJRBC over the last quarter that are not addressed in other items on the agenda.

Meeting Presentations

One item that came up at the last meeting is to occasionally bring in speakers to offer presentations on relevant topics such as; Wetland Regulation, Flood Plain Management and Regulations, as well as MS4 Regulations / Drain Law.

Martin Franke noted Wetland Regulation is unfortunately not a 20 to 30-minute topic. He shared that the last couple of presentations he has attended have been put on by the Army Corp of Engineers. They provide good information but do not include an IDEM or DNR perspective. Martin indicated that there is a lot of misconception and misunderstanding from the public point of view. He would like there to be a program that circulates throughout the river basin and is available to the general public and the Commission members.

Matt agreed with Martin in that all of the topics mentioned could have a multi-day sessions. He would like to provide in-depth sessions and feels it fits in the mission of the SJRBC. For meeting presentations, he would like to provide high level information. Matt acknowledged that a 20-30 minute presentation would not be comprehensive but thought it would give those with little or no knowledge some basic material.

Regional Conservation Partnership Program

The Regional Conservation Partnership Program (RCPP) final report was recently completed. Matt explained the RCPP was a five-year project that included many local partners, including the SJRBC, who provided local match funding to bring a total of \$6.8 million into the watershed in both Indiana and Michigan.

In Indiana, it brought in \$2 million through the USDA Environmental Quality Incentives Program (EQIP) to assist farmers with the implementation of conservation best management practices throughout the watershed. Additionally, it generated \$680,000 in wetland restoration funding. The SJRBC contributed approximately \$71,000 in local match; mostly through time and investment in water quality sampling.

Water Monitoring

The Dukes Bridge gauge was brought back on line for Waldron Lake. Matt met with the DNR regarding additional gauges – especially those that only require reactivation.

Education

Matt continues to seek educational opportunities by attending various workshops, trainings, and webinars on various topics related to the work of the Commission. He also works to provide educational opportunities for others. Matt shared he has been working with the City of Elkhart and other entities, in an effort to provide a Floodplain 101 Workshop for the region and recently provided a watershed presentation to the St. Joseph County Parks Department.

Advocacy

Matt indicated he persists in advocating on behalf of the SJRBC through various contact with State Legislators, IDEM, DNR, and other appropriate representatives and officials.

Support/Awareness

Maintaining an active and useful presence throughout the river basin region is one of the ways Matt offers support to various stakeholders. He noted the Commission members are welcome to invite his participation in items related to and effecting the river basin.

Over the past quarter, Matt assisted LaGrange County Drainage Board Secretary with a public hearing presentation and helped secure a speaker for the NE Indiana Envirothon. He also attended a number meetings including; Elkhart County Waterways Alliance, Shpshewana Community Lake Association, Sustainable Harbor, Bowman Creek Stakeholders, the City of South Bend, Two Rivers Coalition, Drainage Board / Commissioners, and Soil and Water Conservations Districts.

OLD BUSINESS

Basin Updates – Commission Members

There were no updates provided.

GLPF Conservation Incentive Project

The SJRBC is subcontracted on a three-year, grant funded project to work with drainage officials throughout the St. Joseph River watershed in both Indiana and Michigan. The goal is to determine what the potential is for creating an incentive for land owner conservation and better land management, as well as, generate a fair benefit assessment through the drain tax.

Throughout Indiana and Michigan, public drain creation, maintenance, and reconstruction costs are divided and billed, as required by law, based on the benefit received by the landowner in the watershed. In most cases, the benefit is determined by parcel acreage with every acre being treated equally. The project is studying the feasibility of using geographic information systems to evaluate how much benefit a land owner actually receives from a drainage ditch. The benefit assessment criteria used in this project includes information such as soil type and land cover.

Matt indicated he is assessing if the SJRBC can serve municipalities in an administrative support roll in developing each areas benefit assessment. The drain tax would become more like a “service fee” by being able to charge property owners by the amount of sediment and water they allow into the drain. Matt presented a map of the LaGrange County drainage watershed; the Galloway Ditch. He has successfully worked with the County Surveyor and other officials in LaGrange County through this process. Matt has assisted in reformatting the Galloway Ditch apportionment table for importing into the County’s tax software.

Since the last SJRBC meeting, Matt shared he has also been working within two drainage districts in Michigan. They have been looking at soil type, land cover, where wetlands use to be, etc. to assess the benefit. The Soil and Water Conservation District is also involved and they looked at best management practices – property owners with management practices like cover crops were provided lower assessments.

Matt reminded the Commission that when assessments are done this way, there is a need to revisit and potentially reapportion the benefit periodically, perhaps every five years. Land use and cover may change over time. This could lead to administrative issues and expenses that counties may not want to incur due to required public hearings and notifications. Matt suggested the Commission work with state legislators and attempt to amend the drain law to allow for reapportionment without the same hearing requirements if the same criteria are used. As long as the same factors and publically available datasets are used in the calculations, it is not arbitrary. Gaining the support of the Indiana Farm Bureau is imperative.

Suzie Weirick cautioned that public meetings are the one opportunity for people to have a voice on the matter and unless there are very low attendance numbers, or no one is attending the public meetings, she would not suggest eliminating them. Suzie stressed that keeping the public involved in necessary. Matt responded that the cost of providing the public hearing is high. Not only in terms of staffing, but the cost of mailing a notification letter to each property owner can be significant. Suzie suggested rather than asking legislators to amend the law so there is no meeting requirement, maybe we could ask for a change in the way meeting notifications are posted. Eliminating the individual mailing would reduce the administrative costs.

Indiana Watershed Leadership Academy Scholarship

Matt informed the Commission that the tuition cost to attend the Indiana Watershed Leadership Academy has increased. Previously the cost was \$700 to attend; it has increased to \$750. He then turned the discussion over to Tara Lee, who spoke on behalf of the Scholarship Committee. Tara explained that in October, the Scholarship Committee (Tara Lee, Matt Meersman, Lydia Mertz, and Sarah Longenecker) met to assess the six applications that were received. Four great applications were received and the Committee selected Zach Holsinger, from LaGrange County, as their first choice to receive the scholarship. She continued that Matt approached the Friends of the St. Joe River to help fund additional applicants and they agreed to sponsor two scholarships if the SJRBC provides two as well. Tara (for the Committee) requested the Commission agree to provide a second scholarship. This would give all four applicants the opportunity to attend the Academy. Along with Zach Holsinger, the additional three attendees would be; Carolyn Grace from the St. Joseph (MI) Conservation District, Kris Thomas from the City of Angola, and Joe Parman from Van Buren County.

This is a good chance to collaborate with the Friends of the St. Joe and sponsor all four of the excellent applicants. Matt Meersman requested the Commission make a revision to the FY 2019 budget to pay for a second scholarship. He recommended increasing the “IWLA Scholarship” line item by \$800 and decreasing the “Water Monitoring” line item by \$800.

Martin Franke clarified that in the past, only one scholarship has been offered and he wanted to know if offering more would continue in future years. Matt replied that offering a scholarship is handled one year at a time. The justification for funding two scholarships this year would be that four strong applicants working in the St. Joseph River Basin could attend. This would help create four better watershed leaders and further develop the St. Joseph River Basin Commission.

RANDY SEXTON MOVED TO ENDORSE THE PROPOSED FY 2019 BUDGET AMENDMENT TO ALLOW THE SJRBC TO PROVIDE TWO IWLA SCHOLARSHIPS. SUZIE WEIRICK SECONDED.

Martin Frankie asked for clarification on which two applicants would be sponsored by the Commission, as there are two from Michigan and two from Indiana. Following a brief discussion, Matt stated the SJRBC would pay for the two Indiana attendees.

Stacey McGinnis wanted to know if the Commission was legally allowed to offer scholarships. Matt indicated he would follow up with legal counsel to verify but he is not aware of anything in the statute that is prohibitive.

Jon Roberts asked for any additional comments or questions. Hearing none, he called for a vote on the motion to approve providing two scholarships to the Indiana Watershed Leadership Academy Scholarship.

KRIS THOMAS ABSTAINED. ALL IN FAVOR. THE MOTION CARRIED.

2019 SJRBC Symposium Planning

The annual Symposium has traditionally been held at Fernwood Botanical Garden and Nature Preserve in Niles, Michigan. A survey of those who attended the Symposium was taken a couple of years ago to find out what was important to them and location was not identified as critical. Attendees did indicate that they like the event being held at a natural resources type of venue.

Matt shared that he had checked with Pokagon State Park and Fernwood as potential locations for the May 10, 2019 Symposium. Both facilities are available and the catering options are comparable. He noted he would like the Commission to determine which location he should pursue for hosting the Symposium.

Also, Matt provided information regarding potential speakers. The Kankakee River Basin Commission worked with a consulting firm and IUPUI on a regulated drain project for the Yellow River. First they identify where the sediment was coming from and then test strategies to remediate the sediment. Professor Robert Barr, Staff Scientist with IUPUI's Center for Earth and Environmental Science (CEES), has confirmed that he is available to present on their work at the Symposium. The practices and techniques used on the Yellow River project could be scalable to the needs of the SJRBC.

Another possible speaker is Pete Hippensteel, a retired professor from Trine University who serves as the technical vice president of the Steuben County Lakes Council. Hippensteel was

recently awarded the Lifetime Achievement Award by the Hoosier Environmental Council. Matt indicated he had not yet reached out to Hippensteel to see if he would be available.

Martin Franke expressed concern about not holding the Symposium at Fernwood; asking if it would affect being able to return to the location in the future. Matt responded he spoke with Fernwood and he did not think that would be the case.

Randy Sexton indicated he thought both of the perspective speaker ideas would be a good choice and offered several supporting comments.

DAN LASH MOVED TO APPROVE POKAGON STATE PARK AS THE LOCATION FOR THE MAY 10, 2019 SYMPOSIUM AND ROBERT BARR AS THE SPEAKER. MARTIN FRANKE SECONDED.

THE COMMISSION AGREED TO ALLOW MATT MEERSMAN TO MAKE ATLERNATE LOCATION OR SPEAKER ARRANGEMENTS IF NECESSARY.

Hearing no additional comments or questions from the Members, Jon Roberts called for a vote.

ALL WERE IN FAVOR. THE MOTION CARRIED.

State Budget Request

Matt indicated a “Change Package” request had been submitted to the State Budget Agency. The hope is to gain additional funding to support the expanded responsibilities of the new legislation. SJRBC has requested additional operations funding equal to the amount provided to the Maumee River Basin Commission (MRBC). Matt was informed that the State Budget Agency will be recommending a funding increase from \$54,000 to \$105,000 to the Governor. Once the budget goes to the Governor’s office, Commission members are urged to begin speaking to the appropriate legislators about the necessity of the increase and keeping it in the budget.

Jon Roberts confirmed with Matt that he will keep the Commission informed on the State Budget request and when they need to take action with legislative representatives.

SJRBC Scholarships

Brandie Ecker interjected regarding the legality of the Commission providing scholarships to the Indiana Watershed Leadership Academy – a previous point of concern. She stated that as far as she can tell from reading the State Statue, the Commission is legally empowered to distribute funds in the form of grants, as long as it contributes to the mission. She suggested changing the wording from a “Scholarship” program to a “Grant” program.

NEW BUSINESS

Election of Calendar Year (CY) 2019 Officers

Matt Meersman offered a proposed CY 2019 Slate of Officers to the Commission prior to the meeting for their consideration. The slate included the following as proposed officers:

Chairman: Martin Franke, LaGrange County Commissioners' Representative
Vice Chairman: Kieran Fahey, City of South Bend Mayor's Representative
Secretary: Daragh Deegan, City of Elkhart Mayor's Representative
Treasurer: Kris Thomas, City of Angola Mayor's Representative

The Chair called for additional nominations. Hearing none, he called for a motion to endorse the Slate of Officers as proposed.

DONA HUNTER MOVED TO ENDORSE THE SLATE OF OFFICERS FOR CALENDAR YEAR 2019. TARA LEE SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

Strategic Plan Development

Currently, when requests for support are made to SJRBC, the Director (Matt) refers to the Work Plan to see if the request conforms. Matt would like to develop a strategic plan and work from a strategy and/or vision developed by and for the SJRBC. Matt explained that he is currently trying to complete an inventory of public water infrastructure; anything from storm pipes to agricultural ditches. He displayed a map of the public ditches and watersheds in the basin. It was noted that Elkhart County is one of two counties in the state that has a different process for raising funds for ditch management. Funds are not raised on a watershed basis; therefore, there are no watersheds indicated on the map in Elkhart County.

Matt suggested that helping members with asset management is a potential role the Commission could serve throughout the basin. Collecting and analyzing public water infrastructure data at a basin scale could help evaluate the cost of management practices versus the benefits, and track the condition of drainage ditches and other water infrastructure.

To begin developing a Strategic Plan, Matt indicated the importance of working with other partners such as the Army Corp of Engineers, Indiana Department of Natural Resources, and United States Geological Survey, etc. There is a need for assistance in determining how to set water monitoring priorities and data collection needs. As an organization, there is a need to more specifically outline the core services.

Matt stressed the future need to bring on additional SJRBC staff. He is intent on maintaining his current status of an average 30-hour work week and as the organization continues to develop, he will need help to complete the work.

Bill Weeks, of the Conservation Law Center (CLC), recently reached out to Matt, via email, with an opportunity for the Commission. The CLC is applying for financial support to study whether holding some of the water from the St. Joseph River in small, well located reservoirs, could significantly reduce peak flood effects. Bill wanted to know if SJRBC would be interested in working with CLC on the study. Matt responded with enthusiastic interest to the project.

Diane Scott shared the West Lakes Association has been working with Bill for the last seven months. She indicated he is very interested in what they are dealing with and the efforts they are undertaking. Bill is also very interested in learning more about the potential changes to the Indiana Drainage Code discussed earlier in the meeting.

Dona Hunter commented that with the recent changes to the law (governing statute) it behooves the Commission to do some planning; before funding is requested for a specific project. She stressed the value of determining projects that will benefit the watershed the most.

Randy Sexton pointed out that when approaching legislators to ask for funding, the prepared materials need to be clear, concise, and well put together.

Adam Bowden conveyed his support in developing a Strategic Plan to assist in project prioritization and understanding how decisions are made.

Martin Franke agreed with the development of a Strategic Plan as well. There needs to be a basis for the Commissions direction and goals to move forward.

Jon Roberts asked if there were any further comments or discussion. Hearing none, he noted that Matt should continue moving forward with the development of an SJRBC Strategic Plan.

ITEMS FROM THE FLOOR

Hearing no items from the floor, Jon Roberts indicated the next meeting of the St. Joseph River Basin Commission will be held on Thursday, March 7, 2019.

The Commission members and the SJRBC Director recognized Jon Roberts for his service as Chair over the past three years.

ADJOURNMENT

There being no further business to come before the St. Joseph River Basin Commission, Jon Roberts called for a motion to adjourn the meeting.

DARAGH DEEGAN MOVED TO ADJOURN THE SJRBC MEETING. DONA HUNTER SECONDED. ALL IN FAVOR. THE MOTION CARRIED.

Martin Franke, SJRBC Chair