

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, DECEMBER 4, 2012**

President Bud Crist called the December 4, 2012 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:31 p.m. Members in attendance were Barbara Ghoston and Dorinda Gregor. Staff present was Executive Director Matt Lake, Compliance Officer Joe Fish, Attorney James Meyer, Jon Derwinski from Robinson Engineering, Karl Cender from Cender & Company and Secretary Liz Bushemi. Councilwoman Chrissy Barron, the Town Council liaison to Stormwater Utility, was also in attendance. Ron Wiedeman from Robinson Engineering and Karen Caffarini from the *Post-Tribune* were also present.

Included in the agenda packet was a copy of the minutes from the November 7, 2012 monthly SWMB meeting. Barbara Ghoston made a motion to approve the minutes from the November 7, 2012 meeting, and it was seconded by Dorinda Gregor; there were no questions or corrections, and the motion was approved and unanimously carried.

Also included in the agenda packet were the current appropriation reports and accounts payable registers. Barbara Ghoston made a motion to approve the accounts payable registers from November 13, 2012 and November 27, 2012, and it was seconded by Dorinda Gregor; there were no questions, and the motion was approved and unanimously carried. Mr. Crist also stated that included in the agenda packets were the current appropriation reports.

COMMENTS FROM THE PRESIDENT

Mr. Crist said he and Matt met today with Tom Churchard from FBI Buildings and discussions regarding the Stormwater Utility Resource Center are moving along.

OLD BUSINESS

The three Board members received a copy of the bill from Dyer Construction Company for pay request #4 for \$62,258.25, which is five percent (5%), or half the retainage release. Barbara Ghoston made a motion to approve payment to Dyer Construction Company in the amount of \$62,258.25, and it was seconded by Dorinda Gregor. A roll call vote was taken, and all three members voted yes, and the motion to pay Dyer Construction Company the sum of \$62,258.25 was unanimously approved.

Regarding the Taft Street Drainage Improvement Project, Matt Lake said the culvert installation will take place in the spring, and no roads will be in disrepair during the winter months. He said the Indiana Department of Transportation (INDOT) has a special voucher for payment of their contribution to the project, and Christopher Burke Engineering is itemizing amounts up to \$750,000 to secure amounts for the rest of the project. Matt said all utilities have been relocated, and they are working with Calumet Park Cemetery to resolve matters associated with Kaiser Ditch.

Matt said he is on a committee to streamline the memorandum of understanding (MOU) for the scope of services that the Northwestern Indiana Regional Planning Commission (NIRPC) provides. In years past, Stormwater has paid \$11,300 annually for its membership, and the new amount is expected to be \$4,734.78 for next year, with a savings of \$6,576.72. He said materials can be printed with those funds, and the Merrillville Stormwater logo can be used instead of NIRPC's logo.

He has been working with Lake County Soil and Water Conservation District (SWCD) regarding partnering with them to visit schools and address water quality issues with students; he said it's possible that Soil & Water could possibly hire an educator to provide education to the students. Another option is working with the Lake County Solid Waste Management District (LCSWMD) for having outreach materials and having a connection with them for working with the students.

Matt said that last week, he and other Lake, Porter and LaPorte County MS4 coordinators attended a meeting with the Indiana Department of Environmental Management (IDEM) MS4 Coordinator Reggie Korthals regarding audits and reports. Merrillville is in compliance, but some other communities are not. He said the IDEM Rule 13 is the reason we are regulated.

He said the Enbridge Pipeline project will begin next year. Their stormwater pollution plan was approved for the 2.3 linear miles that will run through Merrillville, where they will be replacing infrastructure.

The IDEM 2013 Annual MS4 Meeting will be held at the Marriott East in Indianapolis on May 30, 2013, and Matt is on the planning committee. IDEM wants the committee involved in planning the annual meeting, and he and Joe Fish will present on compliance.

Regarding the Meadowdale project, Matt said they are waiting for a response from the Army Corps of Engineers.

Jon Derwinski said two-thirds of the town-mapping has been completed, and they are working on Phase II of the project. Since there is a change of seasons and not enough money to finish the project now, Stormwater will meet with Robinson Engineering about finishing the project next year. He said some sections, including east of Mississippi Street in the "panhandle" area, there are no storm sewers. Ron Wiedeman from Robinson Engineering said a meeting will be held to see what else needs to be done in order to move forward, and he said 2,000 to 2,500 parcels are left to be mapped. He said more details will be included in their estimate for the final work, and it can be approved by the Board in phases or as a final project in order for them to start up in January. Matt said they will review the revised proposal and get back to Robinson Engineering.

Regarding other matters, Matt said Christopher Burke Engineering is continuing work on the Stormwater master plan. Matt is working on a master plan for Bon Air Lake in order to have a meeting with residents regarding issues of mutual concern. He said one resident contacted him asking for reimbursement of a wall she built near the lake, and Matt advised her that she built the wall on town property without the town's permission. He said signage is needed at the east end of the lake and near the school for liability purposes, and he and Attorney Jim Meyer will work on that. Matt also said that Jim Donohoe from Aquatic Weed Control can do a topo survey to get further background on depths, etc. of the lake. He also said they completed the stabilization project on the Pillow property and obtained an easement for that area.

Matt said Compliance Officer Joe Fish is proceeding on citations and court matters. He said a letter was sent to Town Council attorney John Bushemi indicating Stormwater's desire to have Attorney Jim Meyer attend any town court citation hearings in order to prosecute the case, but they have not heard back from him. Joe Fish said Stormwater needs an attorney at court who understands stormwater, and that when a citation is written for a violation, the violation needs to be corrected and the fine needs to be paid. Joe said we need to continue to be aggressive, especially in commercial cases, and fines imposed could be a deterrent for a company not to violate again. Matt said our enforcement of violations is swift, as opposed to having IDEM involved. Bud Crist said the smaller fines are being paid, but the larger ones are not. Joe said he would not write a citation and request a hearing if he could not prove the violation, and the violator should have to pay the fine and court costs.

OTHER BUSINESS

Bud said the town is considering Ordinance No. 12-72 requiring project labor agreements (PLAs) for town projects, and this will affect Stormwater projects. The matter was approved on first reading on November 27, 2012, and will be considered for second reading on December 11. A copy of the ordinance was passed out to members.

Other handouts to those present included 2013 schedule of Stormwater meetings, the Stormwater Board & staff contact list, a Stormwater acronyms list and the Stormwater communications flow chart.

Matt said Trinity Church off of U.S. 30 replaced outlet pipes as the result of an investigation. The stabilization was done by a landscape company.

ANNOUNCEMENTS

Mr. Crist said the next Stormwater Management Board meeting will be held on Wednesday, January 2, 2013, at 4:30 pm at the Town Hall.

Dorinda Gregor made a motion to adjourn, and it was seconded by Barbara Ghoston. The meeting was adjourned at 5:01 p.m.

Respectfully submitted,

Liz Bushemi
Secretary