

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, FEBRUARY 4, 2014**

President Barbara Ghoston called the February 4, 2014 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:31 p.m. The other members in attendance were Leonard White and Curtis Luna. The pledge of allegiance was said. A roll call was taken. Staff present was Executive Director Matt Lake, Compliance Officer Joe Fish, Attorney James Meyer, Ron Wiedeman from Robinson Engineering and Secretary Liz Bushemi. Others present were Councilman Tom Goralczyk, Councilman Richard Hardaway, Town Manager Bruce Spires and Planning & Building Director Dorinda Gregor.

Mrs. Ghoston welcomed the new member, Curtis Luna, who made brief remarks. Mr. Luna said he is a lifelong Lake County resident, who is 46 and has lived in Merrillville for eight years, currently living at the Tempe Lake Condominium Assn. in the Sedona subdivision. He said he attended Lake Central High School and attended Indiana University. He said he has worked with different companies and ran for Town Council in 2011 and is currently a committeeman. He said he is glad to be a board member.

Included in the agenda packet was a copy of the minutes from the January 7, 2014, monthly SWMB meeting. Barbara Ghoston made a motion to approve the minutes from the January 7 meeting, and it was seconded by Curtis Luna; there were no questions or corrections, and the motion was approved and unanimously carried.

Also included in the agenda packet were copies of the accounts payable registers from January 14 and January 28, 2014. Barbara Ghoston made a motion to approve the accounts payable registers from January 14 and January 28, 2014, and it was seconded by Leonard White. Mr. White said he did not have time to review the agenda packet that was delivered and emailed to him and he questioned the accounts payable register from January 28, 2014 since there was a "void" written on it; Liz Bushemi explained that a reservation at the Hilton Garden Inn had been made for Matt for his attendance at LTAP Road School, and after the reservation was made, Bruce Spires told Matt there already was a reservation made for Matt, and therefore, the expenditure and check were voided by the clerk-treasurer; the claims register was marked "void" accordingly. Mr. Luna said he feels he should not vote on this matter since he is a new member. A vote was taken, and Barbara Ghoston voted yes, and Leonard White and Curtis Luna abstained.

OLD BUSINESS

Included in the members' packets was a copy the final Pangere pay request #5 in the amount of \$70,864.00, which was recommended by Skillman Corporation to pay. Mrs. Ghoston called for a motion to approve, and Leonard White said he has not had time to review the pay request. Liz said the final pay request was based on the bid amount and change orders already approved by the Board. Mr. White questioned the partial waiver of lien in the pay request, and Attorney Meyer explained what a partial waiver of lien is and said Skillman recommended the payment since the Stormwater Resource Center is complete. Leonard White made a motion to pay The Pangere Corporation their final pay request #5 in the amount of \$70,864.00, and it was seconded by Barbara Ghoston. A voice vote was taken; Barbara Ghoston and Leonard White voted yes, and Curtis Luna abstained.

Regarding the Joint Interlocal Cooperation Agreement with the Town of Winfield, Matt said he delivered the agreements to their clerk-treasurer, and as soon as it is signed by all parties there, they will return a signed copy. He said the insurance company has not yet responded about the agreement.

Due to the severe cold weather conditions, Matt said Blade Cutters has not yet began the work on Madison Ditch. A letter was sent to all landowners adjacent to the property to inform them about the work that will be done. He will keep everyone advised.

Matt said the Northwest Indiana Stormwater Advisory Group (NISWAG) recently sent a letter to the Indiana Department of Environmental Management (IDEM) regarding rule changes to take place as they relate to stormwater, and a clarification has been requested since IDEM is the state permitting authority for stormwater; they have not received a response. A copy of the letter was given to all members.

Regarding the Southmoor Park subdivision project, Ron Wiedeman from Robinson Engineering said the plans are now 80% complete. He now expects the project to be bid in the spring. He will set up a meeting for a discussion regarding the Merrillville Conservancy District (MCD) annexation of the MCD service area.

NEW BUSINESS

Matt said the Northwestern Indiana Regional Planning Commission (NIRPC) has again provided their annual agreement for public education and outreach. The annual partnership program fees are \$4,396.00, but \$4,196.00 if it is paid by April 17, 2014. He said the amount has gone down over the past several years because of the NISWAG activities, which are local, as opposed to NIRPC, which is regional. Mrs. Ghoston tabled a vote on the agreement until March in order to give Mr. White and Mr. Luna a chance to review the document.

A meeting was held on January 21st regarding the Deep River Watershed which Matt attended. He said there may be money available for various projects in the watershed. He will request to serve as a member on the 12-person committee, whose goal is to look at best management practices (BMPs) to reduce pollution in stormwater. He said since IDEM is looking at maximum allowable limits, everything will change. A discussion was held with Matt and Leonard White regarding e-coli counts and their sources. Matt said agriculturally, we can use our town ordinance to enforce illicit discharges, which is the purpose of the Clean Water Act. He said Northwest Indiana is a test area to lead the charge, and we need to make sure we are in compliance. Jim Meyer said farmers need to be told what they need to do as far as regulating agricultural areas. Curt Luna asked about detention ponds and erosion control for homeowner associations (HOAs); Jim Meyer asked if it overflows into a water body, and Matt said post-construction rules are in place for HOAs. Matt said a lot of pond parcels end up on tax sales.

Matt said there is an LTAP Stormwater Drainage Conference next week in Lafayette and LTAP Road School in March, which staff will attend.

The Indiana MS4 Annual Meeting is scheduled for May 13th in Indianapolis, and members were given a copy of the flier and asked to advise Liz by mid-March if they plan to attend so she can make conference and hotel reservations. Matt will send everyone a final agenda as soon as it is available; he will be involved in a session on stormwater master planning.

Matt said they will be addressing a drainage concern on 73rd Avenue just west of Whitcomb Street, where there is ice buildup. Replacement of the infrastructure may have to take place in the spring for public safety. When he was there to view the problem, a school bus was letting children off the bus, and children had to carefully walk around ice.

Matt announced that on April 3rd, a noon workshop will be held at the Stormwater Resource Center on permeable hardscapes. It is being co-sponsored by D2 Land & Water Resource, and a free lunch will be provided. A copy of the flier was distributed.

OTHER BUSINESS

Mrs. Ghoston said that election of officers would be held in March since everyone is meeting Curtis Luna for the first time.

Mrs. Ghoston asked Joe Fish if he had a compliance report; he said not at this time.

Leonard White asked that election of officers be held tonight, and made a motion to hold the election of officers. Mrs. Ghoston said she has never met Curtis Luna before tonight, and last year, everyone had met Leonard prior to the February meeting. Curtis Luna seconded the motion. A voice vote was taken, and Leonard White and Curtis Luna voted yes, and Mrs. Ghoston voted no. The motion to hold election of officers was approved by a two to one vote.

Leonard White made a motion to nominate himself as president. Barbara Ghoston made a motion to nominate herself as president. A voice vote was taken, and Leonard White and Curtis Luna voted for Leonard White, and Barbara Ghoston voted for herself. Mr. White was voted as president by a two to one vote.

Leonard White made a motion to nominate Curtis Luna as vice president. Barbara Ghoston made a motion to nominate herself as vice president. A voice was taken, and Leonard White and Curtis Luna voted for Curtis Luna, and Barbara Ghoston voted for herself. Mr. Luna as was voted as vice president by a two to one vote.

Leonard White nominated Barbara Ghoston as secretary. All three members voted yes on the nomination, and Mrs. Ghoston was voted as secretary by a unanimous vote.

Leonard White made a motion to create a personnel committee, and it was seconded by Curtis Luna. Mrs. Ghoston asked why the Stormwater Board needs a personnel committee; Mr. White said to see what is what for a short-term review, says he has never received any by-laws and is not sure of the structure of the organization. He said he does not know how the staff is structured. Mr. Luna said that Matt had told him he wanted to hire a few more staff and said that is why Mr. White is asking. A voice vote was taken,

and Mr. White and Mr. Luna voted yes, and Mrs. Ghoston voted no. The motion to create a personnel committee was approved by a two to one vote.

Leonard White made a motion to create a finance committee for a short-term review, and it was seconded by Curtis Luna. Mrs. Ghoston questioned the need for a finance committee, saying all stormwater financial matters are approved by the Town Council. Liz said all budgets and claims registers are approved by the board and also by the Town Council, and that monthly reports are always included in the members' agenda packets. Attorney Meyer explained that the appropriation reports are the financial reports of Stormwater. Mr. Luna said the accounts payable registers are not sufficient. Attorney Meyer advised them that anything financial that members do requires a public meeting. Mr. White said all board members should have input; Mr. Meyer said that all members need to do is ask Matt what information they would like to see. Mrs. Ghoston asked what Mr. White meant about short-term, and Mr. White said the committee would be for 60-90 days. Mr. Luna suggested special meetings. Mr. Meyer said board members can at any time ask Matt and staff for information since it is all a matter of public record. Matt said the members can meet with Stormwater's financial advisor Karl Cender as well. Mr. White asked if the board needs a treasurer, and Mr. Lake said Gene Guernsey is the town's clerk-treasurer. A voice vote was taken, and Mr. White and Mr. Luna voted yes, and Mrs. Ghoston voted no. The motion to create a finance committee was approved by a two to one vote. Mr. Meyer reminded them that if any committees meet, that minutes of any meetings would have to be taken. Mrs. Ghoston said the monthly meetings address financial and personnel matters; Mr. White said he wants to try to get matters hammered out.

Mr. Luna made a motion to proceed on the NIRPC contract, and Leonard White seconded the motion. Mrs. Ghoston said she does not understand since Leonard White has just stated that he did not have time to review his agenda packet, and now he wants to vote on the contract. Mr. Luna said he feels the NIRPC contract has "big-time issues" and recommends that a vote be taken. A vote was taken, and the motion to approve the NIRPC contract was unanimously approved.

PUBLIC COMMENT: None.

ANNOUNCEMENTS

Mr. White said the next meeting is scheduled for Tuesday, March 4, 2014, at 4:30 p.m. at the Stormwater Resource Center.

Curtis Luna made a motion to adjourn, and it was seconded by Leonard White. The meeting was adjourned at 5:27 pm.

Mr. White then recognized Dorinda Gregor in the audience and congratulated her for her years of service to the Stormwater Management Board. Ms. Gregor said because of the board, everyone's paths have crossed, and she will continue to attend the meetings because of her job as the town's planning director.

Respectfully submitted,

Liz Bushemi
Staff Secretary