

**MONROE COUNTY  
STORMWATER MANAGEMENT BOARD  
PUBLIC HEARING & MEETING  
3:00 PM, WEDNESDAY, DECEMBER 9, 2020  
Conducted via Zoom Meeting Platform**

**Members Present:** Lee Jones, Trohn Enright-Randolph, Penny Githens, Julie Thomas

**Members Absent:** None

**Staff:** Connie Griffin, Terry Quillman, Lisa Ridge, David Schilling

**Others:** Sandi Taylor, Cheryl Munson, James Farmer, Donald Giroux, Chris Hill, Phil Campbell, Todd Schnatzmeyer

**CALL TO ORDER**

Lee Jones said Julie Thomas would be a little bit late. She called the meeting to order at 3:02 pm

**APPROVAL OF MINUTES FOR OCTOBER 14, 2020 AND NOVEMBER 10, 2020**

**Penny Githens motioned for approval. Trohn seconded.** Jones asked if there were any comments or corrections. **Hearing none, the roll was called for approval of the October 14 meeting minutes. Vote: Lee Jones YES, Trohn Enright-Randolph YES, Penny Githens YES. Motion carried and October 14, 2020 meeting minutes approved. Vote by roll call for approval of November 10 meeting minutes: Lee Jones YES, Trohn Enright-Randolph YES, Penny Githens, YES. November 10, 2020 meeting minutes approved.**

**OLD BUSINESS**

**Ordinance to amend Chapter 766 Stormwater System Fee and Fund**

Trohn Enright-Randolph said I would request if we could adjust the agenda and move first to New Business. **He said I would make a motion that we amend today's agenda so that Item 3 becomes Item 4 and Item 4 becomes Item 3. Githens seconded. Vote by Roll Call: Lee Jones YES, Trohn Enright-Randolph YES, Penny Githens YES. Meeting agenda amended.**

**NEW BUSINESS**

**Stormwater Expenditure Report–November 2020**

Terry Quillman said nothing here stands out. He went through the expenditures briefly. He said we rented a mini excavator and a tree limb fell and broke the windshield and we had to replace that. He said with Baby Creek we are moving into the right of way purchase phase.

Trohn said just to jump in here quickly, since we have many people here in attendance, will you clarify where this is in a certain phase so people don't misconstrue that a project is completely final or completed construction. Quillman said we have finalized the design drawings and at this point we are moving into right of way purchases.

He noted the three active jobs at the bottom of the report. He said Baby Creek is nearly complete. He said Stipp Road/Moores Creek is nearly complete; we are waiting on word from the Army Corps. He said with the Highway Garage, which is nearly complete, the Year to Date has changed because I had incorrectly not put in encumbered expenses but it is corrected now. He asked if there were any questions.

Githens said the Garage is the actual construction, not the planning. Quillman said this is for the site requirement that we committed to do as part of our IDEM audit back in 2019 and it is a structure with three phases in it.

Jones asked if there were any other questions. There were no further questions.

**Email from Chris Hill addressing ordinance amendment**

**Email from James Farmer addressing ordinance amendment**

**Email and letter from Phil Schonoff addressing ordinance amendment**

Quillman said I sent the agenda out and then we received these emails and then several more letters have come in. He said I sent out emails to everyone who has shown interest. He said there were maybe half a dozen that did not make it onto the agenda because it had already been prepared and sent out.

Jones asked Githens and Trohn if they were able to read the emails commenting on the proposed rate changes. Githens said yes. Trohn said yes, and Terry was very thorough with sending follow up letters. He remarked that the cursive was a little difficult to read on one of the letters but he was able to get through it. Jones said I did receive the email with the letters today and had a chance to read them. Trohn said Julie Thomas just joined us and I am curious about how the board would like to proceed. He said I don't think we're going to read these out loud. He asked was that intent or do we want to move to public comment.

David Schilling said this is all relating to the hearing that you are conducting today on the amendment of the stormwater fee. He said so if you want to commence the hearing and then hear Terry's report and then you can decide whether you want to read the letters into the record or just acknowledge them and have Terry summarize their substance and then take public comment.

Julie Thomas spoke. She said I would prefer if we could go ahead and have the short presentation from Terry and then we can talk about it and then open it up for comment. Jones asked if that sounded agreeable to Githens and Trohn. They each said yes.

**Ordinance to Amend Chapter 766 Stormwater System Fee and Fund**

Lisa Ridge spoke. She said before Terry gives a presentation I just want to give a little bit of background on the stormwater utility. She said I will keep this as brief as possible. She said I know from reading a couple things that people do have a little bit of misunderstanding. She said this is not a \$40 per month increase. She said this is a \$35 per year increase. She said it has nothing to do with water bills. She said this is a stormwater fee that was begun in 2012 and it comes on the property tax bill and again it is \$35.16 right now for residential. She said this is not a monthly charge. She said we have a six-man crew. She said over the years the stormwater budget grew in 2016 right after I took over this portion of the department and the Stormwater Management Board (SWMB) passed a stormwater long range management plan. She said this is how we could prioritize our bigger projects that we are unable to do in-house with our crew. She said I think of lot of comments were made when I came on board about why aren't we getting projects completed so the first step that we did was we passed the long range plan. She said that was kind of our tool to begin prioritizing our bigger projects. She said Terry and I brought projects to the SWMB and we chose about four projects that we felt were important and had residential impact. She said we had people on one of the roads, a dead-end road with one way in and one way out for 12 residents, which gets extremely flooded and they can't leave their house for days. She said we had a resident in that area who last spring was unable to leave their home for three months. She said these were some of the reasons why we chose some of these bigger projects out of the long range plan. She said we didn't know the cost of these projects until we could get them designed. She said so those numbers started coming in and as you can see, what we have spent over the last two years on design fees is tremendously expensive. She said we do road projects out of different budgets every day. She said the cost of these projects and to correct some of these projects is extremely expensive. She said as we moved forward we were seeing the cost of these projects coming in that well exceeded what our budget could sustain. She said we have a Cartegraph program in-house that tackles all the requests that we take every day for stormwater and people who are flooded in their homes. She said people whose driveways are flooded out or it could be a number of reasons for requests. She said I can go over all those numbers with you about how many open requests we have. She said we realize that our crew is not large enough to keep up with the problems that are in Monroe County. She said I just wanted to try to give a little bit of background of why we got to where we're at today and we've been looking at this for the last year for what direction that we need to go. She said it would not be wise to design these projects and then throw the designs on a shelf and never see them to fruition. She said I think if we design a project we move forward, we try to see it to completion, and we find the ways to get that done. She said however, we could not do that until we saw what it

was going to cost to build these projects. She said now we are at an \$8 million price tag, which sounds like a lot – I completely understand that. She said but some of these are safety issues; it is like I said people being taken from their homes for months and months due to flooding roadways that we are trying to correct. She said I'll let Terry give his report; I just wanted to give everybody a brief background of stormwater. She said again, whatever the SWMB decides, it's their decision whether to move forward or to stop right here, but I just wanted to make sure everyone understands this is not a monthly charge that we are imposing and it has nothing to do with the water that you use in your home.

Quillman said I would like to add one thing. He said we're looking into an inspector position and the idea with the inspector is to improve construction standards. He said many of our calls are directed towards storm sewers that were put in improperly and are now failing. He said we've got to go back out and do maintenance on them. He said if we had an eye out there watching them, we could improve construction standards.

Githens asked about any numbers that might tell what kind of backlog the department is facing. Ridge said at this time, we have 150 open requests that we prioritize between high, medium, or low for urgency. She said to give you an example; in the month of November, we were busy working on a job that took a couple of weeks on Cherry Lane which is in our long range stormwater plan. She said we had actually contracted out part of the project with a contractor. She said due to the cost of that we are unable, according to Indiana code, to do that in-house. She said but for the remainder of that drainage issue down there, we have multiple driveway pipes and broken pipes that still need to be replaced so we're doing that, one by one, with our crew. She said we were there a lot in the month of November, so we were only able to close about 15 requests. She said we probably get eight to ten new requests every week. She said we don't foresee ever getting caught up at this rate. She said it also depends a lot on weather; if we get a lot of rains, we get a lot more requests.

Trohn said that is a good breakdown. He said he was going to ask Technical Services Department to copy and paste a link to a stormwater services transitions and business plan. He said for the people who came in late, we have links for all of that. He said within the report on page 7, it breaks it down to show to how the crew has been able to resolve about 448 of those calls and about 135 remain open. He said so that brings a little more context to that question. He said so it looks like there's 11 high priority projects out there. He asked would you say that these are all things that stormwater would assist on or are any of these just requests that stormwater may not act upon. Ridge said if we're not familiar with every request, then it gets investigated and that's how we know where to prioritize it. She said every one of these requests have to do with stormwater and then we keep everything that's bridge crew or our normal highway maintenance separate. She said that is a completely different category so we can keep keep stormwater completely contained to itself. Trohn said I wanted to comment on something you were speaking about. He said with some of the comments, stormwater does pertain to road conditions but some of them seem like they might think that it pertained to all road conditions in one of the public's letters and I just wanted to clarify that there are certain aspects to that which apply to stormwater.

Jones said we are going to have a chance to ask questions and make comments after Mr. Quillman has given his presentation. She asked would it be okay if he goes ahead with that right now and then we can ask all these questions later. Trohn said that's okay.

Quillman said I really don't have a formal presentation. He said what I would like to say is that the current fee is \$35.16 per year and we're proposing to move it to \$75 and some cents per year and that would parallel what the City of Bloomington has done and we're well below the average of other state MS4s. He said we have been working to bring this forward for quite some time before the issue with the virus and it seems to be that the best thing to do is move forward with it at this point because as I read through the letters I understand the people's feelings and I am empathetic but we're trying to run a department here and meet the needs of the county. He said also we're trying to meet some requirements that were put upon us. He said Lisa pretty well covered everything.

Ridge said I will add that if anybody has not seen the FSG report, the SWMB did hire a professional to go through our numbers, our projects, our priorities and there are different options and that report has been presented to the SWMB. She said one of the different avenues that we can go to is to add an inspector position to

get things right, to help the community with future development. She said additional crew is to help with in-house needs and then also how we can get those bigger projects done. She said we are very sympathetic with the pandemic. She said it has hit everybody in different ways. She said it doesn't change the fact that we could get five inches of rain tomorrow and somebody's not going to be able to get to their house for three months. She said it doesn't change what will be coming with spring rains and we have a whole road flooded so that 12 people can't exit their homes and we worry about emergency services, things like that. She said so the pandemic didn't take those concerns away from me. She said those kinds of things weight heavily Terry and me, personally really, so that's why we moved in this direction of trying to actually get things done. She said of course it's the SWMB's decision and we are just here to provide facts and information to the board.

Jones asked if there were any questions. Githens said when I look at the amount that we spent on planning and that's been budgeted, over three-quarters of a million dollars, I would hate to see that wasted because we didn't move forward so I think that's important to keep that in mind. She said we have to decide how much of this we are going to follow up with.

Trohn said I've been reviewing previous meeting minutes and you're right, we've spent some money to get preliminary phases done but some of those were brought to the board with community grant opportunities. He said Mount Tabor Ridge Road was proposed as a project with an 80/20 split and then we weren't able to get that grant. He said at that time, it's like we have a lot of projects and we need to move, you know, so we can focus on those. He said you know, we weren't able to get the Community Crossing portion for the project. He said it was in the minutes from 2018 where I made this comment. He said I will read myself in third person:

"Trohn said as we keep moving projects forward this amount is nice (I'm referring to another project). It's a low amount and we can get some engineering work done in a way that gets a lot of the cost, but we still have a lot of projects out there and I am still concerned about continuing to just pilot projects but they are urgent and needed."

Trohn said I go on to say that this is juggling act and Lisa does a tremendous job of trying to get those grants and shared partnerships as soon as they're available and I think that is tremendous and we shouldn't stop trying to do that because if we could get a cost sharing thing that's going to save a lot and that's why some of these projects are still out there. He said and we grew the staff and I made comments about that being a fixed cost and we need to make sure that we're really looking at our cash balance and moving slowly as we're expanding our staff so everything just keeps moving quite fast. He said I do know that we need to make some adjustments. He said I don't know what the best number is and also bonding needs to be almost a separate conversation. He said I know we're looking at increasing, but all the, it's like so much gets baked into the cake already. He said I would be wondering if we increase certain amounts, can we do a project in a couple of years and then move to the next one. He said I mean, if we bond out for these projects we're looking to pay out that obligation back for the next 10 years. He said what can we get done in the next 10 years if we just increase the fee and then use that money towards those projects. He said I completely agree with Terry's assessment of the need for an inspector. He said I am supportive of whatever needs to be done to get that inspector in place because that's going to improve a lot of what stormwater does and what other departments do. He said as of now, due to the fact it's tied into bonding, a lot of it is tied into four projects, I can't be supportive of the amount that we have it at. He said I am going to be a little hands off when it comes to increasing it so we can bond for all four of these projects. He said I think we could change that within 10 years. He said also I have other questions, since I'm not as familiar with bonding as my colleagues are. He asked does that then freeze us to a certain extent for the next 10 years so then we can't really take on another large project or are we going to have to go through bonding and more bonding and more bonding. He said that's not a position I am going to take. He said thank you.

Julie Thomas spoke. She said I don't really have any questions because I think we have gone over this quite a bit over the last several months and I do appreciate that. She said it's not like this has been a surprise. She said there's been a lot of work that's gone into preparing plans, but we couldn't predict Covid and that's part of the issue. She said we get caught having to do so many things as Commissioners, especially recent, that it's hard for us to always be pushing these issues and sometimes they come to us. She said as for the bond, I think bonding is

fine, but it depends on what you ask for as to how much of your tax revenue, you're going to lose that to bond payment and so you know there's only so much you can bond, but it works. She said I really see the need to increase our staff and to get some new equipment and we have real needs that cannot be denied. She said we have been scraping by, as it were, and getting a heck of a lot done on not very much money. She said there's discussion about what other counties pay, well, other counties don't have what we have in terms of the topography. She said in our terrain it is especially problematic but it has to be addressed, no matter what we're building or who's building what, but I really think that given Covid and given a lot of uncertainty about when we're going to emerge from that I think that we should postpone this, but not for long. She said so I would like us all to think about a January 2022 tax. She said in the meantime, I think what would be really useful is to have a conversation with Planning and to talk through a structured fee for stormwater inspectors so that a homeowner or developer for a single house would pay a nominal fee. She said these plans need to be checked; everything that we do on our property impacts our neighbors and rather than trying to clean up problems, it is so much better to be proactive as we've been trying to do but we don't have the money to have the staff to do that. She said then when you get to a large development, we've got a few of these that we're working through right now in Planning. She said those folks should be paying for that review, they should be required to have a significant stormwater review and an inspection ongoing during construction that is paid for by the developer, the person who is putting that project together. She said it shouldn't be a burden on the taxpayers. She said so I'd like to really work in the next couple months, if we can work with Planning and getting a fee in place and getting this moving forward as quickly as we can on that. She said Terry has been doing a great job, as has Lisa and the staff and the crews, but Terry is going to be retiring and I think it's going to be really hard. She said this is back to the calendar thing and why I am saying 2022. She said we're going to have somebody new coming on board and that person is already having to catch up on ongoing projects, ongoing issues, ongoing concerns and I think it would be an added pressure to have to spend this money wisely. She said I think that would give us a little more planning time. She said I'm still concerned about the vehicle but we can talk about that as well. She said with Covid and the economic uncertainty, just getting the vaccine out is a big step but that doesn't mean that the economy recovers the next day. She said there is a lot of uncertainty and that's the other reason that I want to wait. She said lastly, I would say that I don't even know that we could do this for January 2021 if we wanted to, at this moment, because it is December. She said it would have to go past Council and Commissioners and we have one meeting left this year, and I think that that time crunch is a bit much. She said we will get our new MS4 operator on board and we'll work through this issue together as we have, but having to set some priorities that may not be ideal in the short term, for a much better long term gain. She said so that is my opinion, thanks.

Trohn said I have one comment that goes to what Julie was saying about counties and MS4 communities with our terrain and topography. He said we don't have legal drains in Monroe County and a lot of counties in the state have legal drains that deal with issues like that, so we are somewhat unique in that regard.

Jones said I would like to say that I feel very much the same as Commissioner Thomas. She said this is so incredibly important and really does just cost more and more as we put things off. She said at the same time, people are really struggling right now and I know that for a number of people in the southwestern portion of the county, they are going to have their taxes raised quite a bit this year as other townships join the fire district that they are in so that's going to impact them a whole lot. She said to put this on top of that does seem pretty onerous to me. She said at the same time, I do believe that the inspector is critically important. She said we really have to stop these problems so that we can actually hope to get caught up and make things more reliable in the county. She said I would hope that we could hire an inspector for the beginning of the construction season in April. She said it is such a huge problem when people have their plans approved by the Planning department and then go and do something different and that often has big effects on drainage and usually not for the person who caused the problem. She said it's usually their neighbor and people downstream. She said I think getting someone out there to make sure that people are building what they said they would build, where they were approved to build, is vital.

Githens said I know that there are ongoing needs within the department and one of the things that has happened is that they have not, in the past, put into effect that 3% allowable increase. She said I did some calculations and had we done those 3% a year increases we would be at close to \$45 a year with our fee. She said so I am

wondering will we be doing any increase at all. She asked are Commissioner Thomas and Commissioner Jones proposing to table this recommendation or what are you actually saying that you want us to do at today's meeting.

Thomas said I would just say that we can address this in January or February and get some information, work with Planning on what it would take to do a stormwater inspection, see what that would take and make a determination early next year for 2022. She said that would be my proposal because even a 3% increase is tough right now, just with the timing of the calendar. Jones said I agree and I imagine since this is a public hearing that we can continue it until next month's meeting, which might be the easiest way to handle that.

Trohn asked about taking public comment since people showed up to the meeting.

Jones said if the Commissioners have asked all the questions they want to and made the comments they want to, we will open for public comment. She said please raise your hand if you have a comment to make. She said you will find that on the participants tab at the bottom of your screen and I will call on you as we are able to and there will be a three-minute limit for comment. Jones asked if anyone wanted to comment.

## **PUBLIC COMMENT**

Sandi Taylor spoke. She said I want to thank you for allowing us to be part of this and I feel much better. She said I think that a lot of us were under the impression that this was a monthly increase of \$35 which is a lot to some people and I think that maybe the way that it was worded in the *HT* was kind of part of that so I feel a lot better about the whole situation now that you have cleared up that factor. She said so that's my two cents. Lee Jones said thank you.

Cheryl Munson spoke. She said I thank you for your consideration of continuing that rate increase proposal and I don't have an argument to make since it can certainly wait until you discuss this again. She said in preparation for my first ever attendance at a SWMB Zoom meeting, I did go back and look at the question of what a 3% increase in the stormwater fee would have provided had this started out years ago and I only had information about your total fees starting 2014 but compounding that 3% over the years, brings us over \$650,000 that would have been added to your annual budget for work projects. She said so I want to urge you to deal with the issues that you have to deal with but also to consider having small increases that property owners can work into their budgets year to year and use this to take care of inflationary costs and certainly we have these long standing issues that you have to tackle but it certainly is something that I hope you will look at in the future. She said thank you.

James Farmer spoke. He said I submitted a letter. He said I live in an area that floods often out here on North Shore Drive and we also have the contingency of dealing with one of the escape routes being in Brown County, which doesn't always handle the water as well on the back side of Lake Lemon and so I fully understand the aggravation as well as the safety concerns when the waters come up. He said I guess my challenge is at what point do we make decisions on the inherent risk living in rural areas and, obviously, the further out you live, the more risk that exists. He said we obviously cannot take away all the risks when one lives in a rural area. He said when I've lived in Brown County, we would get flooded in or out for a day or two and that was just part of the process of choosing where to live. He said so that is just something that I would point out, it is a rural area. He said do we stop the development of the area. He said I appreciate the thoughts and the comments and I understand well coming from different perspectives on this. He said thanks for inviting us here today. Jones said thank you.

Phil Campbell spoke. He said I live out on Stipp Road. He said I saw the chart about spending \$410,000 on Stipp Road and I have not seen anything happening on Stipp Road yet. He said I think I can speak for everybody that lives on Stipp Road once you get down the hill that we'll all support the \$35 fee. He said I know some people might say well, you should have thought about that before you moved out there. He said we moved out here in 2018, we spoke to people that live around here, and we said we hear this road floods and they said well, yeah, it

flooded in 2011. He said I've lived here 20 years and it's flooded where we couldn't get to the road twice. He said we moved here in 2018 and then right after we moved we were flooded in for four months. He said it depends on what year, obviously, if it was only once every 10 years or once every 20 years, OK we'll live with that but when it's happening every two, three years, that is a different story. He said I think everybody down here would say yeah, \$35, you spend more than that when you fill up your gas tank. He said but the second part of my question is about the \$410,000 that has already spent for Stipp Road that we have not seen.

Quillman said I can address that. He said that is \$410,000 in preliminary engineering fees, detailed engineering fees and permitting through the Corps of Engineers and IDEM permitting. He said all of that ground is owned by the Corps. He said permitting has been very complex and there was a lot put into determining what elevation to build the road so that it economically reduces your chance of flooding without over-constructing. He said there is a lot to go into defining the tasks and then designing and permitting. Phil Campbell said thank you.

Jones said I would like to point out that there may be people who live where there's flooding for years and years without it being a significant problem but as more development occurs, there's more impervious surfaces and the weather gets worse and worse and the flooding has gotten a lot worse.

Quillman said I think you made a good point, Lee. He said I'm relating to what people have asked about Baby Creek. He said Baby Creek is a situation where there is just a few people back there but Baby Creek crosses the creek four times and initially they drove through fording it and they didn't have any structures. He said back in the sixties, some small culverts and concrete aprons went over those culverts and they still forded them. He said they were designed to flood just about every rainfall and they have used those crossings since the 1960s and it's now to the point where those crossings are breaking down the concrete, and the pipes are no longer functioning. He said they are full and water is piping underneath the road between the pipes and it's to a point where I am concerned that somebody is going to drive across that one day and it may collapse. He said there is a safety factor there. He said it's not so much convenience. He said I am concerned that there would be an accident there if we don't do something.

Donald Giroux spoke. He said if a fee was approved and it could be impacted on next year's taxes and when the tax bill comes out for property taxes that would be included in there, we should not delay this at all. He said I thought I heard that and I about fell out of my chair. He said this is in the amount of increases very small; it's three and one-half dollars a month. He said that's a Happy Meal. He said it's not much when you look at Medicare Part B going up four dollars a month, so this is less than that. He said you've got to start this way; delaying it will do nothing but increase the cost down the road He said and to say we're rural versus urban, this is the opportunity that would make the county blend those two. He said you've got a company like Cook Medical and Baxter expanding. He said we have to keep these people here, we have to give them a reason to move here and stay here and delaying it really doesn't do much of anything except drive up the cost later. He said that increase is so small that the people who are in a situation, then they can get relief on their real estate taxes, not necessary this extra but their tax total, if they need it and they deserve it. He said for the folks that are, I feel for them, and maybe let's give them an avenue to avoid the increase, but don't delay. He said there is a safety issue from my own personal point of view. He said I'm afraid to ride my bike down the street. He said let's not delay this at all. He said thank you. Jones said thank you.

Chris Hill spoke. He said I live on Baby Creek. He said it's like what Terry said. He said originally we forded the stream straight through the water and the concrete culverts are deteriorating to the point where slabs are breaking apart and the neighbors have actually gone out with sacks of quikcrete to keep them a little bit out of disrepair so we can still go through them. He said I understand about living in the country; I've lived here my whole life. He said my family has owned this piece of property since 1934 and I have enough history on when this road used to flood when the lake wasn't available and it would flood for months at a time. He said now it's down to days at a time but it still does flood and it still is a nuisance and along with flooding like it does and everything carrying over the gravel that has built up in these culverts – that's what's causing an issue. He said the material can no longer flow through them. He said so there's no way to fix it other than tear it out and start over. He said I would just like to say that most of the residents here on Baby Creek are in favor of the increase and in favor of moving

forward as soon as possible. He said I appreciate the board and thanks for all your hard work, Terry and Lisa. Jones said thank you.

Jones asked if there was more public comment. No one spoke. She said let me come back to the board and see if anyone has any final comments to make. Thomas said I don't have anything to add. Githens said I actually only slightly lean toward moving ahead with this, in part because bond rates are so very low right now that we could do more with the money that we could get. She said we don't know what bond rates will be next year. Trohn said I'm reviewing the report and the dollar amounts we're asking for and our obligation to repay it kind of makes sense. He said then there was a comment saying that we can only bond for a certain amount. He asked are these the amounts on the report that we would be anticipating to bond for. He asked are we looking at bonding smaller amounts where we can pay it back in a faster manner than 10 years. He said my real point is, if we move forward and this is the intent, to go for bonding – I'm not against that. He said I just have to understand it a bit more before I can really get behind it. He said also a lot of the reasons that all these projects piled up was to try to get matching funds or to watch some of the costs so I hate that to be a driving force of why we have projects that had built up because it kind of catches me off guard. He said there's a lot of safety concerns and I would really love to see more strategic approach of how we're going to assist ratepayers with issues that might be raised on their private property with stormwater impacts. He said then also how we're going to have monitoring stations out there so we can start seeing about water quality and the strategic plan addresses some of these but you know without all of that more outlined it's really hard for me to want to support a significant increase. He said to Council Member Munson's point I would be very supportive to kind of retro at the 3% increase and get to the amount that we should be at currently that would bring in additional half a million annually and then try to make sure that we have a long term plan moving forward. He said you know where in two years, I'm not looking at 115% increase to finish projects that were intended to get some type of cost sharing measure on. He said I would rather be able to defer to our strategy and our plan that we set forth and make sure that it meets that whenever we look back. He said I understand the need for getting these done but that's just my position. He said thank you.

Jones asked Mr. Quillman if he would like to address the bonding questions. Quillman said I think there's a good point here in that we're not necessarily thinking of taking the entire budget and putting it into a bond. He said once we agree on an increase, we still have to allocate that toward improving our service and updating equipment, getting the inspector. He said there's multiple things in there and just a portion of any increase would go toward an allocation toward a bond so I think the appearance that seems we're going to take all that money and put it into a bond is not necessary.

Ridge said I think one of the other questions was about the length of the bond and Trohn had made a comment earlier about if you do a 10-year bond then we can't do any other projects due to paying that yearly bond payment. She said that is something that Terry and I have discussed. She said I think we got the options from the FSG report to give us guidance and then once we realize where we're at, whatever the board decides or if it makes it through all the final stages of passing whatever the increase is, then I think at that time we decide. She said we definitely want a stormwater inspector as a number one priority. She said our Vac-truck is shot and we bought a used one years ago and new ones are half a million dollars. She asked do we maybe do a lease/purchase or maybe try to put that as a wish list request in a future Commissioners bond. She said there's different avenues that we can look at. She said I'm not comfortable with adding anything to our budget, not even a position, until we know what direction we're taking. She said we're not going to take the whole budget and put it into a bond; that's definitely not our goal. Trohn said thank you for clarifying that; I was just going off the report.

Ridge said I think the report was good guidance for us on how a bond can work and can play into the overall bigger picture for us and give us options. She said there are grants out there; we've looked into some grant options. She said it was \$100,000, I believe \$90,000 up front, to be able to hire a consultant who is familiar with those grants to write those grants and then we didn't want to jeopardize spending that kind of money because there is not a guarantee. She said so we're learning as we go that there's options out there but there's also consequences to some of those options. She said why would we want to do alone when we could maybe bond a little bit more and do two projects versus just one. She said we know we couldn't go forward without some type of increase. Jones said thank you and asked if there were any other comments from the board.



Julie Thomas spoke. She said I don't want us to get bogged down today. She said I think we have a long list of options and priorities and I would be afraid to get bogged down into how many bonds and what years and all of that right now because that's not on the table and so if I could try to refocus us back, I have two questions related to what we've heard and what we've talked about. She said the first one is for Dave Schilling about the process of increasing the stormwater fee and what happens next and if it's possible to do it in a half year instead of in one year. She said my second question is for Lisa and Terry about taking a half step and whether having the people who are doing the development pay for a portion of a good amount of the stormwater inspector program.

David Schilling said I'll answer that first one. He said procedurally you are required to have one hearing on a rate increase and so this rate increase was advertised as 75 bucks. He said so as long as the rate increase is equal to or less than that, you do not have to hold an additional hearing so you can close this hearing and you can withhold action until you're ready on it, until next year or whenever you decide if you wanted to adopt any kind of increase. He said you could do it anytime next year. He said you would just have to – if it's not associated with the tax collection time, then you would have to send out bills on your own. He said that's why it's always been collected with taxes because it's more convenient. He said I don't know when the treasurer mails out the notices, probably sometime in April and so they are probably prepared early April. He said sometime in there any increase you might decide to implement could be collected, then at the first taxing or you can wait till the second one, but so there's no limitation on that and you can do it anytime you want. He said it is not a tax, it's a fee, and so there's no year wait for it to be collected or anything like that. He said the 3% increase that was an arbitrarily selected limitation that the county imposed and it is not related to state law or anything under the stormwater ordinance. He said that can be changed at any time by the county commissioners and, again, to remind everyone, any fee that is recommended has to also be approved by the county council so there's another step in the process.

Terry Quillman said to Jones, I have a fellow who is trying to get into make a comment. He said he is on the phone and he's not able to get through. He said I'd like to give him a chance to speak.

Jones said to Quillman, Terry, do you want to answer Julie's question first. Thomas said the question is whether a sort of middle ground/half increase instead of \$35, for example, on the fee--would that be helpful in terms of personnel and equipment in the short term and then we can look at another step for 2022. She asked how does that sit with you all.

Ridge said I think it's definitely a step in the right direction and would address the equipment need and because then you can look at options, whether it might be a lease purchase agreement or what we would need to do. She said then again it depends on what the increase would be and what the additional revenue would be before you say, yes, this is what we can do with it. Quillman said I would like to see an increase that would allow the next person that's going to sit in my chair to see plans out for three or four years so that they're not going through this and we can show them direction rather than a quick fix. He said that's just my personal opinion.

Todd Schnatzmeyer spoke. He said I'm director of Indiana Limestone Institute and have been following this for the last couple of years now since this discussion started. He said I appreciate that clarification that you all put forth today. He said the one thing I wanted to understand clearly is we're at this juncture only talking about an increase in the ERU number and no other language in the ordinance at this time. He asked is that correct.

Quillman said I'm familiar with the issue in our conversations with the industry and I'm trying to do this a step at a time so at this time we are talking about the ERU. Schnatzmeyer said I appreciate that very much, Terry, and I think you have added good clarity to how the funds are managed and used. He said I appreciate your time.

Trohn said I have one further comment. He said I'm in the position to agree with Commissioner Githens that we need to move forward and as far as timing goes with sending it out with our tax bill I'm curious if we're able to do that in a timely manner if we bring this discussion up in January. He said it does cost quite a bit to send out individual bills so if we wait until our January meeting to make a decision about this, it would still have to go to

the county commissioners and the council to be approved. Jones asked Schilling if he could give an estimate on what amount of time it would take. Schilling said I would say as long as that was pinned down by March that would be okay. He said I'll confirm that with the treasurer.

Thomas said I guess I'd like to hear what my colleagues think about proceeding with a partial increase now and then looking at the rest next year. There was a discussion about making a decision in January and the timeline. Jones said she would be more inclined to wait until January but would be willing to vote today if that's what her colleagues would prefer. Jones said I guess I need a motion. Ridge said if you do table this until January what information would you be wanting us to gather at that time. She said if we're going to have to reach out to somebody like FSG or something to get more number crunches, I'm not sure we can make that happen. She said I'm not sure what else you would be wanting or how in depth. She said if we can get it before that January meeting we'd be happy to, if we can.

Quillman said he had a question. He said if SWMB approves half or it or the lesser amount are they going to prioritize how that would be spent toward bonding for a project or developing the department to provide a better service. He said if we don't go for what we projected we are not going to be able to do both. He said we would have to compromise somewhere. Jones said actually what I had in mind was, hopefully, that you would tell us what can or can't be accomplished with that amount of money. She said at the same time, I really don't want to risk not going forward so I am willing to take a vote today. Quillman said I can generate a priority list.

Thomas said I think I want to, at least initially, explore the option of adding an inspection fee for developments and I think we could have some initial conversations in thinking about what it could mean in terms of cost and revenue and, given 2020 numbers, what we might be able to do because actually completing that process of assessing a fee takes time to go through the steps, but also because we don't actually have someone to do it right now. She said it is very preliminary but I don't think there's anything else you can do. She said let's have a conversation with Planning and I'll raise this and see if they can come up with some ideas and I can send those to both of you to incorporate into your spec. She said I think that's a good idea to have that list of what if it's 20, what if it's 30, what if it's 35, what if it's 25, what if it's 15. She said that would be a useful document for the public to see as well as for SWMB. **She said so if we seem to have come to a consensus, let me throw out a motion that we continue this item to our January meeting once we close the public hearing. Jones asked if there was a second.**

Schilling said you could close the public hearing and then continue your consideration of this item till your next meeting. Jones said thank you. She said is that what your motion is encompassing. **Thomas said yes, you would be the one who closes the public hearing but my motion is to continue this item to January. Jones asked if a separate motion to close the hearing was needed. Schilling said yes, I think you need a separate motion.**

Trohn said I know that we have a motion and a second, are we bringing about any further comment. Thomas said I didn't hear a second. **Githens said I second.** Thomas said good, thank you.

Trohn said on page 21 of the FSG report is an alternative showing a 56% increase, which is roughly around \$18 and it also shows that can handle the expansion of two field crews and in 2022 it shows that we can get them better as well as fleet replacement and additional costs and then even debt services covers about 25% if we did increase like that with the financial breakdown so when you look at the long range strategic plan there is a nice chart on page 19 where it shows where costs are and where we potentially go if we encompass all of the options below and it looks like we definitely need to tackle those first three options and then they have bond options highlighted separately. He said I'm not against bonds, I just want everyone to know that I'm in a learning process and I will definitely defer to other's people's experience in that area. He said I was fully supportive of acting on an increase that would support the inspector and the crew and the equipment. He said I know we have a motion but if it fails and we add that that's something I would be able to support acting on today. He said it's a 56% increase, which probably still isn't great but it's another option that I wanted to address. He said thank you.

Jones said I think we should focus on the motion that's on the floor right now. **She asked Quillman to call the roll. Vote by roll call: Trohn Enright-Randolph YES, Lee Jones YES, Penny Githens YES, Julie Thomas YES. Motion to continue the item to January approved.**

Trohn said I thank everyone at SWMB and stormwater staff and legal and everyone else that took time to come today and express their concerns.

**Jones said thank you to everyone and definitely this is very worthwhile and it was good to hear from so many of the public and at this time I believe I need a motion to close the public hearing. Thomas said so moved. Vote by roll call: Lee Jones YES, Trohn Enright-Randolph YES, Penny Githens YES, Julie Thomas YES. Motion carried unanimously.**

Schilling asked if he could make a report. He said I just wanted to give you a little update on the stormwater management ordinance. He said I've had some time lately and so I've done revisions to Chapter 6, which is the current ordinance and those revisions involved taking what might be regarded as zoning ordinance provisions out and keeping the focus solely on the stormwater concerns. He said we don't want anyone to accuse us of adopting a zoning ordinance under the guise of a stormwater management ordinance. He said I've separated those out and for those karst provisions that have been removed, we'll need to be sure that they appear in the new zoning ordinance that we're putting together. He said I went through the definition section. He said I went through the ordinance provisions and the technical standards to see if those definitions actually appeared in the text and 82 of those definitions appeared in neither the ordinance nor the standards. He said I've moved or I got those marked off to remove, I've added new definitions that address some concerns that have arisen recently and I've revised others for the same reason. He said if I can get a copy from Terry of the technical standards with the definitions in a Word format I can make those changes and get that for review because I only have a PDF of that document. He said once this is put together, we would send it back to Christopher Burke for a final review to make sure that the engineering matches up with the requirements of the ordinance and then we need to have a list of the studies that were relied upon to make the findings in the Chapter. He said Christopher Burke was going to be working on those. He said we need to have a list of the best management practices identified and then we just need to check the inspection and permit forms to make sure that they sync with the new permitting software that the county has purchased. He said after we do those things, I think it would be ready for public consumption.

Quillman asked how does our conversation about charging review fees in the form of permit fees was addressed. Schilling said that's covered in here as far as the stormwater ordinance. He said we can look at those and talk about them and make sure that they sync up with Planning when the county adopts a new zoning ordinance to see whether there's a need for anything else in the Planning ordinance as well. Quillman said the main thing was just setting the fee amount and there was a question earlier about what is an appropriate amount of the time spent on it and I'll be looking into that so we need to give you input on that amount. Schilling said I guess the clarification of the scope of what that process involves because there's the option of having the county do the review or there's the option of having the homeowner or developer hire the engineer to have that done and then you review those plans as well so I think that needs to be talked about to see how specific you want to get. Quillman said thank you, Dave.

Jones said thank you. She said it doesn't sound like there is any action we need to take on this today. Schilling said no, that was just an update.

## **ADJOURNMENT**

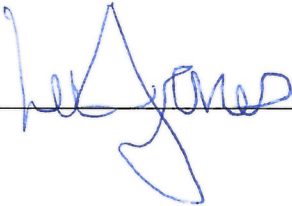
Ridge said I want to say thank you for the discussion. She said thank you for looking at the different options and supporting the department and working with us on direction. Quillman said yes, thank you. Jones said thank you, too; we would never have gotten here without you. She said at this time I believe I can entertain that this meeting is adjourned. Trohn said Happy Holidays to everyone. Meeting adjourned at 4:41 pm.

Minutes approved: 1-13-2021

Signed:

Secretary:

Chair

A handwritten signature in blue ink, appearing to be "H. Jones", written over a horizontal line.

Donna Barbrick  
Donna Barbrick