

**TIPPECANOE COUNTY STEERING COMMITTEE  
NPDES Phase II SWQMP**

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**SUMMARY OF STEERING COMMITTEE MEETING**

DATE: March 15, 2004  
TO: Project File  
COPY: Steering Committee Members/ CBBEL  
FROM: Rachele Baker, CBBEL  
SUBJECT: Summary of Steering Committee Meeting  
Tippecanoe County Building  
January 15, 2004 10:00 a.m. – 12:00 p.m.

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**ATTENDEES**

Steering Committee

Bob Bowman -	Dayton Town Board Member
David Downey -	City of West Lafayette
Linda Eastman -	Soil and Water Conservation District
Sallie Fahey -	Area Plan Commission
Sue Gerlach -	IDNR, Div. of Soil Conservation
Pat Jarboe -	Lafayette Citizen Representative (for Dave Ayala)
Brian Keene	Builders Association
Opal Kuhl -	City of Lafayette
Ken Larson -	Ivy Tech
Steve Murray -	Tippecanoe County
David Renicker -	Contractor Representative
Dana Smith -	Chamber of Commerce
Kerry Smith -	Town of Battle Ground
Mike Spencer -	City of Lafayette
Jim Knapp -	Purdue University
Siavash Beik -	CBBEL
Rachele Baker -	CBBEL

Additional Attendees

Josh Andrew -	City of West Lafayette
Greg Lindsey -	Financial Consultant
Jamie Palmer -	Financial Consultant
Bob McCormick -	Purdue Planning with Power

**MEETING AGENDA**

- I. Review of Agenda
- II. Review of Minutes from Nov 20, 2003 Meeting
- III. Discussion of Funding Report
- IV. Discussion on Chapters 4 of Model Ordinance
- V. Preparation for Next Meeting



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**MEETING MINUTES**

1. Since Greg and Jamie needed to leave a little early, the meeting was started off by immediately jumping into their presentation of the funding report. Greg stated that there was no new information to report but rather a summary of their findings and conclusions. He again reviewed the process used to develop numbers and the report.
2. Greg listed some of the major findings of the report, which include the following:
  - Stormwater management is already being funded at \$6.2 million/year
  - This funding covers mostly capital improvement projects
  - CBBEL estimates \$3.2 million to fund Phase II compliance activities
  - Most people would be alright with paying \$2 to \$4/month for a utility, although some people will oppose any charge
  - Charges are most commonly based on impervious surface area
  - Impervious area calculations would involve a standard estimate for residential properties, and a multiple of that standard estimate for commercial and industrial properties
  - Using census data and satellite imagery to estimate residential properties and impervious surface area for businesses, approximately \$2.4 million could be generated
3. Greg went on to state that the \$2.4 million estimate could be further refined but that would be useless until local officials decide to move forward with a utility. If not, funding will have to rely on something like a property tax.
4. Greg summed up the next steps to be taken if the decision is made to move forward with a stormwater utility. Better data would be needed on impervious surface areas and residential units. A database would need to be established to track billing practices. A base rate would need to be set, decisions made on how credits can be applied, and discussion of how Purdue properties will be handled.
5. Greg concluded his presentation by pointing out that the general public needs to be informed of why a new stormwater utility is being charged and where the money will be spent. He then asked if anyone had comments or questions.
6. Most everyone said they hadn't had a chance to read the final report, so Steve Murray suggested any comments people might have after reading the report could be submitted to the Project Team (Steve Murray, Jim Knapp, Opal Kuhl, Dave Downey, Kerry Smith, Bob Bowman).



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7. Steve stated that the Project Team feels the utility is the best way to go for funding Phase II programs. Siavash noted that it takes 18 to 24 months to create a stormwater utility.
8. Jim Knapp asked if there is a “Phase III” coming.
- Answer: Rachele replied that “Total Maximum Daily Loads (TMDLs)” are being established for impaired waters and that Rule 5 will have to be changed again in about 5 years.
- Answer: Greg chimed in that the NPDES has been a progressive program, first targeting point sources, then larger cities with Phase I, then medium cities with Phase II, and next TMDL.
9. Sue was concerned about the lack of education to the public about the utility and the reasons for it.
- Answer: Opal noted that we wanted to get a handle on the expected utility charge and what the local program would include before getting the word out.
- Answer: Steve noted that there will be 2 public hearing and some newspaper articles in the next year.
10. Dana was concerned that a lot of money has been spent on detention ponds within the county but that there has been no talk of giving credits (in the context of industry).
- Answer: Steve assured that no one has ruled out the use of credits, but that some Phase I communities got into trouble using credits. Despite that, he expects credits will be allowed.
11. Greg felt the next step is to think about credits and how to apply them. The project team would like to have the base utility charge the same across jurisdictions. He stressed that if the steering committee endorses the idea of a utility charge and use of credits, it will make it easier for political officials to support the idea. Finally, if credits are to be allowed, we will need to figure out how to develop data regarding qualifying infrastructure (i.e. detention ponds) on specific properties.
12. Linda asked what the boundary for the utility will look like.
- Answer: Steve stated that the utility boundary will be the same as the MS4 boundary, and that each entity will set up a utility within their own

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area. They all will try to be consistent in their charges across jurisdictions. The decision was made not to include the whole county in the utility/MS4 boundary, but 4 sections were added in based on known future growth.

Question: Sally asked if the boundary can be changed

Answer: Siavash said it can be changed for the next permit term which is in less than five years.

Question: Pat Jarboe asked why a larger area wasn't included in the MS4 area now rather than having to expand it later.

Answer: Jamie noted that a growth model of the area shows the MS4 boundary is still close to the urban area in 5 years.

13. Dave R. wanted to know how agricultural land and golf courses would be handled.

Answer: Steve noted that agricultural land is exempt from Rule 13 and that many golf courses are municipally owned. He also noted the possible need to create a sub-committee to deal with this matter.

Answer: Greg stated that we can have different calculation methods for known pervious areas such as golf courses, but it makes calculating charges much more complex and expensive to administer, but it would be more "fair."

14. Sue wondered where the numbers reported as current expenses came from.

Answer: Greg answered that the expenses reflect a quick audit of stormwater spending in each jurisdiction.

Answer: Opal stated that each entity pulled out specific line items related to stormwater.

Comment: Jamie noted that some of the total \$6.5 million is Phase II related but most is capital improvement.

15. Pat Jarboe asked if attempts to base the utility on permeable and semi-permeable surfaces had driven people to develop new technology.

Answer: Greg explained that some semi-permeable techniques are being used but its not to get credits because the savings isn't worth the cost.



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Comment: Pat replied that education might result in people using these measures just to do the right thing.

16. Steve asked that further questions and comments on the funding report be directed to the Project Team within the next 2 weeks.

17. The group then moved on to discuss Chapter 4 of the Stormwater Ordinance.

Section 1: Discussion of Section 1 picked up where we left off in the last meetings, with concerns over individual lot development within a larger development.

Brian voiced his concern with holding the permit applicant of the overall development responsible for the compliance of builders working on individual lots. He stated that once a lot is sold, it should become the responsibility of the new owner

Sue felt bonding could be used to hold builders accountable.

Brian suggested that if individual lot owners are not in compliance with the developers permit, that the locals withhold building inspections.

Linda suggested that even though Rule 13 does not require individual lot owners get a permit, the local ordinance could be more restrictive and require it. She also suggested that permits not be granted to builders who have not received training.

Sue noted that her inspections go well early on in a development when the developer is still in control but things fall apart when individual lots are developed.

Siavash asked how the jurisdictions felt about holding individual lot developers responsible for their own erosion and sediment control, and each jurisdiction seemed to be in favor. The decision was then made to revise the ordinance to hold individual lot developers responsible via some building permit and inspection mechanism.

Section 2: Sue requested that the last sentence in item B be revised to include the words "and maintained" after the word implemented.

In item D, Sue felt there should be some discussion of acceptable velocities. Siavash noted that calculations of acceptable velocities would be included in the technical standards.



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In item E, Sue asked that “sediment laden” be defined either here or in the glossary.

Sue also requested that an item “J” be added that discusses a maintenance log.

Section 3: No one had any comments on this section.

Section 4: Brian felt the self monitoring interval required in the second paragraph was more stringent than Rule 5 requirements. Rachele said she would revise the paragraph if it is inconsistent with Rule 5.

Someone pointed out that the phrase “rain event” should not be used and should be changed to “storm event” to be consistent with the rest of the document.

Dave R. asked who would be responsible for the maintenance log.

Answer: Rachele stated that the site owner would be responsible and would need to produce the complete and organized log within 48 of the local entity requesting it.

Comment: Brian noted that the last paragraph of this section says the log should be kept on-site but there isn't always a construction trailer or other permanent on-site fixture. The group agreed to strike the phrase “on site and” from the first sentence of the last paragraph.

18. There were no other comments on Chapter 4. Siavash stated that we need to finalize the ordinance in the next few months to allow the attorney time to review and still have it ready by November.
19. Steve stated his desire to form a technical subcommittee to review the technical standards portion of the ordinance concurrent to the steering committee reviewing the remainder of the ordinance.
20. Siavash then concluded the meeting with the reminder that the next meeting would be March 18<sup>th</sup>.



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**NEXT MEETING:**

Thursday, March 18, 2004  
County Building  
10:00 am – 12:00 pm

file: Minutes01-15-04

