



Policy Committee Meeting Minutes
May 9, 2014 Council Chambers 115, City Hall

Policy Committee minutes are transcribed in a summarized outline manner.

Policy Committee: Kent McDaniel (BT), Michelle Allen (FHWA), Jason Banach (IU Real Estate), Dan Swafford (Town of Ellettsville), Jack Baker (City Plan Commission), Laurel Cornell (CAC), Iris Kiesling (County Plan Commission), Tony McClellan (INDOT), Scott Wells (Plan Commission), Tom Micuda,

Others: Janelle Lemon (INDOT—Section 4 office), Sandra Flum (INDOT—Section 5 office), M. Reschke (H-T), Jeremy Kieffner (Bernardin Lochmueller), Sarah Ryterband (CAC), Mark Stoops (IN State Senate), and Tom Tokarski (citizen).

MPO Staff: Josh Desmond, Anna Dragovich, and Jane Weiser

- I. **Call to Order**---Mr. McDaniel called the meeting to order.
- II. **Approval of Minutes**
 - a. **April 11, 2014**—Mr. Baker moved approval, Ms. Cornell seconded. The minutes were approved by unanimous voice vote.
- III. **Communications from the Chair** ---- Mr. McDaniel said that he would miss the next PC meeting and Mr. Baker would chair the meeting.
- IV. **Reports from Officers and/or Committees**
 - a. **Citizens Advisory Committee** – Ms. Cornell presented the report. They had a report on the City Civil Streets initiative. This was funded through a grant from the Indiana Criminal Justice Institute.
 - b. **Technical Advisory Committee** – Mr. Micuda reported. The TAC agenda was essentially the same as today’s agenda without the erosion control program. The TAC enthusiastically endorsed the UPWP.
- V. **Reports from the MPO Staff**
 - a. **MTP Task Force** – Mr. Desmond reported. There was no meeting last month. The next meeting is scheduled for May 19th. We will focus on reviewing future land use and growth expectations.
 - b. **Administrative Amendment to the TIP** – Ms. Dragovich reported on the one administrative amendment to the TIP. This amendment moved money from FY 2014 to FY 2015 for the Heritage Trail in Ellettsville.
- VI. **Old Business**
 - a. **Fiscal Years 2015-2016 UPWP***--Mr. McDaniel noted that this is an action item so there will be public comment. Mr. Desmond highlighted the UPWP. Once this gets adopted, we will make necessary edits and submit it to INDOT to start receiving reimbursement. The TAC and the CAC endorsed this UPWP. There was no public comment. ***Ms. Cornell moved approval. Mr. Baker seconded. The motion was approved by unanimous voice vote.
- VII. **New Business**
 - a. **I-69 Section 4 Erosion Control Presentation**—Mr. McDaniel noted that the PC has had some discussions about I-69 Section 4 erosion control issues. Ms. Lemon from INDOT came to the last meeting and offered to accept written questions from the PC and the public. We have some questions. We have agreed that this will be responses to the written questions. There won’t be back and forth discussion today. Ms. Lemon explained that she would be presented a portion of the video that was

presented at Road School. Jeremy Kieffner of Bernardin Lochmueller will present the film. Erosion creates sediment. The terms aren't interchangeable. You need control of both. Erosion control is 90-95% effective. Once sediment is moving it can only be controlled by about 50%. Transportation projects are challenging. Construction should occur on one side at a time to minimize erosion. He presented various methods of sediment control. Silt fences are for flat areas. Wood chips berms work better than silt fences. He reported on construction entrances. He discussed several kinds of sediment traps. All these features need to be maintained. Federally certified professionals take oaths of honesty, responsibility and providing quality work.

Mr. McDaniel said that the ban on questions on the presentations was really meant for some of the contentious questions that had been submitted to her. Would she agree to questions about the video presentation?

Ms. Lemon said she objected to questions at this time. She received the questions but had not had time to answer them yet. She will bring answers to the June meeting. She apologized for the delay.

Scott Wells thanked Mr. McDaniel for giving him the opportunity to speak. The Monroe County Plan Commission has had 2 complaints. He said he couldn't find the Nov. 8, 2013 meeting minutes or record of meeting. He discussed transparency and said he appreciated that INDOT will listen to our concerns. He has been working on erosion control problems for about a year. The County Plan Commission received so many complaints from residents in the Section 4 area that they sent their first complaint to INDOT. INDOT responded 2 months later and said our concerns were caused by catastrophic rain events. The presentation today was nice but why aren't we doing this? He noted that they submitted a second complaint to INDOT and FWHA on March 20. He presented pictures of muddy slopes with no erosion control in place. One picture showed how silt runoff goes into a spring and people's wells. We were upset with the highway coming through but we accepted that it was coming. All they ask is to please do it right. These pictures were normal rainfall events.

Mr. Ruff presented photographs of water levels on limestone. The pictures showed erosion. Residents in the area are seeing more sediment and muddy water coming from springs than ever before. He appreciated Jeremy's presentation but disagreed with the phrase "water becoming discolored." It should be "water becoming polluted." Sediment smothers animals that live in the water damaging that part of the food chain. We were promised that the stream resources would be protected. The law stipulates that these resources must be protected. The frustration is that it is possible to do this right. It takes time and it costs money. The fast-tracking and on-the-cheap construction policy under Governor Daniels is largely responsible for these problems that we are seeing.

Mr. Wells said he wondered why there is no public comment. He would think the agencies would want to protect their good name by fixing what they did wrong. If the erosion and sediment controls were installed correctly. The second letter that they mailed to Mr. Marquis was sent by 8 different boards and commissions from Monroe County signed the letter. There were 50 different signatures, as well. There was a 1-page response on April 14 by Mr. Marquis. The complaint showed 3 major design flaws. He referred to the Sediment Loading Report that discussed 19 different sites in Section that all have serious problems with the loading factor in the streams. There were problems with choice of erosion control techniques, materials or timing of installation. He wished Mr. Marquis had attended this meeting. He asked if the erosion and sediment controls were designed right, installed correctly, and working properly, how, Mr. Marquis, could you write in your response to our I-69 complaint that "sediment controls remain a high priority on the project" when we are still recording from these lapses very high sediment loading of our waterways in the construction of Section 4 over one year later?

Ms. Allen said she would take the comments back to Mr. Marquis. FHWA does take this issue as a high priority and have been working a lot with INDOT. Some of the pictures were actually showing sediment



basins. She has visited the site during rain events and seen the measures while it is raining. Sometimes cloudy water leaves the basins. She relies on experts. IDEM goes out there very often.

Ms. Munson said she has still been taking pictures of different locations. Her pictures are on her Facebook page. In one picture there was sediment in a stream after a one-inch rain. She has heard repeated claims that some of the silt is coming from agricultural disturbance. She said we do no-till farming in Monroe County so agriculture can't be blamed for creating erosion. She saw stagnant water that could not drain. Who will be responsible after I-69 is built to fix impacts on private property? She will keep monitoring Section 4. There are still problems that need action.

Mr. Ruff said the streams will have their capacities diminished with the addition of silt.

VIII. Communications from Committee Members (*non-agenda items*)

- a. **Topic Suggestions for Future Agendas**

IX. Upcoming Meetings

- a. **Technical Advisory Committee – May 21, 2014 at 10:00 a.m. (McCloskey Room)**
- b. **Citizens Advisory Committee – May 21, 2014 at 6:30 p.m. (McCloskey Room)**
- c. **Policy Committee – June 13, 2014 at 1:30 p.m. (Council Chambers)**

Adjournment

**Action Requested / Public comment prior to vote (limited to five minutes per speaker)*

These minutes were adopted by the Policy Committee at their meeting held on _