

**St. Joseph County Drainage Board Meeting
July 10, 2023 – 4th floor Chambers - County-City Building**

St. Joseph County Drainage Board Meeting

The St. Joseph County Drainage Board Meeting was called to order by Mr. Thomas Schlarb at 8:30 a.m., with the following members present:

**Thomas Schlarb
Randall Matthys
John Summers**

**Derek D. Dieter, Commissioner Representative
Robert L. Kruszynski Jr., Ex-Officio Member
Marcel Lebbin, Attorney
Morgan Ealy, Administrative Assistant**

APPROVAL OF JUNE 5, 2023, MINUTES

(Audio Position 00:00:00)

Mr. John Summers made a motion to approve the June 5, 2023, minutes, being seconded by Mr. Randall Matthys and carried unanimously, 4-0.

SURVEYORS REPORT

(Audio Position 00:00:49)

A. Payment to Contractors

Mr. John Summers made a motion to approve the June payment to contractors, being seconded by Mr. Randall Matthys and carried unanimously, 4-0.

B. Change of Assessments

(Audio Position 00:05:14)

Mr. Randall Matthys made a motion to approve the January through June change of assessments, being seconded by Mr. John Summers and carried unanimously, 4-0.

PETITION FOR REDUCTION OF DRAINAGE EASEMENT

(Audio Position 00:06:01)

Mr. Randall Matthys made a motion to table the petition for Reduction of Drainage Easement, being seconded by Mr. John Summers and carried unanimously, 4-0.

PRIVILEGE OF THE FLOOR

(Audio Position 00:13:31)

Brent Burkis: I think that everyone is aware that there was a big chemical discharge out of the Ethanol Plant that we are dealing with. I would like to let you know what happened that I know of and that is on the 4th of July in the evening, I received a phone call from a friend of mine who was walking his dog on the property and said that there is a problem in the river. I said I would check it out and the next morning I went out there and the river was black. The entire Dixon Place Ditch was completely black exceeding past the bridge at Crumstown. At that point I called DNR and made a report to them and they (inaudible) me to IDEM. I went downtown and met

with Mr. Law and we talked about the situation and we kind of agreed to circle back around together and share information. I was going to go up to the city to see if they had any sewage discharge over the weekend. They did not. After that I went over to the Ethanol Plant and within about 10 minutes of me arriving at the Ethanol Plant, myself, the Environmental Coordinator and the Senior Manager were in pickup trucks checking the ditches and they found the problem. It appeared to be some sort of discharge there. I guess I'd like to know what the drain board can do with its investigative powers to find out happened. If you would have seen the magnitude of what we saw the last week you'd be shocked. My question is when can the land owners expect some kind of formal report from IDEM and the board? We would appreciate it if you guys would drive this with IDEM and the Ethanol Plant because us calling we don't get that far. With the Drain Board calling and pushing this we at least need to know what happened and what was put in the river and why. We would appreciate your assistance with that. On a side note, I'll say that when this initially happened everybody's immediate actions to control this tragedy were really good. Within a couple of hours the Ethanol Plant was on it, IDEM was on it, Mr. Law and I were talking back and forth and trying to get a handle on this together. Everybody's immediate actions and response to this has been good. But I guess the question is where do we go from here and how do we protect the property from this happening again?

Chantel Snyder: Aruther Snyder Farms 57537 Mayflower Rd. I would just like to follow up with Brent's comments. I don't know how much the drainage board can push back on the Ethanol Plant and as Brent said manage the situation but I just feel that there has been a lot of conflicting information, I think the land owners should have been notified more quickly. There were comments that the Ethanol Plant opened a valve that they didn't know they had which is ludicrous. I'm worried about the environmental impact. As Brent said the response when they finally did....when were finally in contact with the Ethanol Plant and IDEM, the responses were good. I feel that there was a lag in communication that there was a lot of rear end covering instead of transparency. We are all the neighboring farmers that are especially concerned about the water quality. Only by the grace of God were we not irrigating out of those ditches. There is culvert that goes from the ditch in question the Kankakee River, it backflows and goes under the railroad tracks and the fall is not correct, so it actually backflows into my private ditches on my farm. I'm concerned about the Ethanol Plant not only taking responsibility for the Kankakee but for the private ditches that were affected by this spill and my farm in particular. I would like to have some testing done and if there is clean up that needs to be done there it should be covered under this as well. I'm calling for the drainage board to help put that pressure on the Ethanol Plant to be responsible and take responsibility for this environmental damage. If we hadn't had all the rains recently, Snyder Farms would have been watering out of that ditch. That could have potentially damaged you know a few hundred acres of corn. That would have been a huge financial hit for my tenant and its just alarming the Ethanol Plant didn't have proper knowledge of this release valve and they have been trying to cover their own behinds instead of being transparent with their neighbors. I know that there a lot of fabrication with the new media for sensationalism but there is a least one report on WSBT where the reporter said that according to the Ethanol Plant no farmers were irrigating out of that ditch. Well only because there was rain its not because we don't regularly irrigate when weather requires it. So I think that there was a lot of spin put on this to try and make them look better. I am calling on drainage board to please dig into this and put the necessary pressure on them to do testing and a full clean up on all

affected ditches not just the Kankakee but the ditches that feed into that may have been affected as well.

Audience talking (Audio Position 00:022.01)

Brian Bailey:

Jim Lopez:

ADJOURNMENT

(Audio Position 00 58:34)

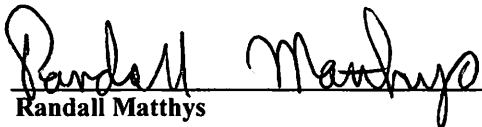
Mr. Randall Matthys made a motion to adjourn the meeting at 9:29 a.m., being seconded by Mr. Derek Dieter, and the motion was unanimously carried, 4-0.

St. Joseph County Drainage Board



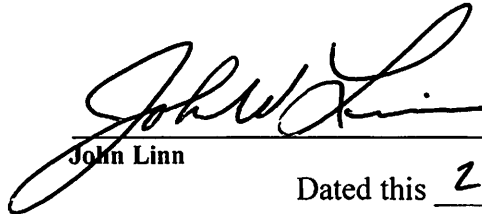
Thomas Schlarb, President

John Summers



Randall Matthys

Derek D. Dieter, County Commissioner



John Linn

Dated this 2nd day of October, 2023.