

LA PORTE COUNTY BOARD OF COMMISSIONERS

ORDINANCE NO. 2025-

ESTABLISHING LA PORTE COUNTY STORMWATER MANAGEMENT DEPARTMENT MANAGED BY A BOARD OF DIRECTORS

WHEREAS, as the owner of a municipal separate storm sewer system (MS4), La Porte County is required by federal and state law to manage and control surface water runoff within the unincorporated areas and certain small municipalities in the County pursuant to the County's NPDES Permit number INR040107; and

WHEREAS, as a tool for enforcing compliance with those requirements, the Indiana Department of Environmental Management has required and approved La Porte County's participation in the Indiana MS4 Stormwater General Permit, NPDES Permit number INR040000, (hereinafter referred to as "Permit") which contains detailed descriptions of the actions La Porte County must take to comply with all of the requirements of that Permit; and

WHEREAS, in compliance with the Permit's requirements, La Porte County has adopted and implemented a stormwater management program, including a Stormwater Management Ordinance, including processes and procedures for approving and monitoring compliance with stormwater management and control requirements for construction projects resulting in one (1) acre or more of land disturbance; and

WHEREAS, the County has hired a qualified professional to be the MS4 Stormwater Director to manage and implement the County's stormwater management program, including compliance with the terms and conditions of the Permit; and

WHEREAS, the MS4 Stormwater Director and professional consultants have advised the Board that the County's Permit compliance efforts would be more effective and efficient if the County had a more formal program management structure in the form of a Stormwater Management Department, governed by a Board of Directors appointed by the Board, with the MS4 Stormwater Director as its top administrative employee, and to be funded by revenues generated by the Department; and

WHEREAS, based on all of the information and professional advice it has received, the Board finds that, for the reasons stated above, it is in the best interest of La Porte County and its citizens to establish the La Porte County Stormwater Management Department.

NOW, THEREFORE, be it ordained by the Board of Commissioners of La Porte County that:

1. The La Porte County Stormwater Management Department is hereby established as an executive department of the County under the jurisdiction of the Board of Commissioners.
2. The Department is to be under the supervision of a Board of Directors consisting of Three members appointed by the Board of Commissioners, one being the Commission's President or designee, one being the County Council President or designee, and one being the elected Chair of the Board of Supervisors of the Soil and Water Conservation District or designee. The members will not be paid for their membership but may be reimbursed for expenses they incur in the course of carrying out their duties. The members of the Board of Directors shall be residents of La Porte County, serve 4-year terms from the date of their appointment, may be reappointed to additional terms, and may be removed by the Board of Commissioners for cause. Officers of the Board of Directors will be elected annually by the members at the first meeting of the calendar year and shall consist of the president, vice-president, and secretary.
3. The Board of Directors shall meet for public meetings, in full compliance with the Indiana Open Door Act, at least quarterly on a schedule pre-approved by the Board and also when a properly noticed meeting is called by the Board President.

4. The Department is to be funded with the revenues resulting from the operations of the Department in implementing the County's stormwater management program in compliance with all applicable rules and regulations, including, but not limited to, those in the IDEM NPDES Stormwater General Permit and the County's Stormwater Management Ordinance, and any other revenues approved by the Board of Commissioners and, as necessary, the County Council.
5. The MS4 Stormwater Director of the Department shall be appointed by the Board of Commissioners and shall manage the day- to- day operations of the Department and also fulfill all of the duties of the MS4 Coordinator. The MS4 Stormwater Director shall report to the Board of Directors, assist the Board in arranging meetings and agendas, make recommendations as to the Department budget, Department expenditures and contracting, make monthly written reports to the Board regarding the Department's operations, and attend all meetings of the Board unless excused from doing so by the Board President.
6. The Board of Directors will hire any additional employees, part time or full time, recommended by the Executive Director and for whom sufficient funding is available. The Board of Directors will retain professional consultants as they deem necessary to properly fulfill the Department's duties and responsibilities and to the extent that the Department has funding budgeted and available to pay for their services.
7. The annual budget for the Department shall be prepared in the format of the budget attached hereto as Exhibit A, shall be approved by the Board of Directors, reviewed and approved by the Board of Commissioners, and, thereafter, be included in the Commissioners' budget to be approved by the County Council, and shall allocate funding for staff wages and benefits, supplies, consultant services, and any other expenditures deemed reasonable and necessary by the Board of Directors and approved by the Board of Commissioners. All expenditures of Department funds must be approved by the Board of Directors and otherwise follow and comply with all of the County's regular billing and accounting procedures.
8. The Stormwater Operating Fund is hereby created to allow for revenues, receipts from stormwater fees, charges, penalties and miscellaneous revenues to be posted and for expenditures related to Stormwater operations and MS-4 expenses to be charged to this fund. The County Auditor shall be responsible for accounting for the activities of this fund.

APPROVED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS, LA PORTE COUNTY, INDIANA this 21st day of May, 2025.

COMMISSIONER, President

COMMISSIONER, Vice-President

COMMISSIONER Member

ATTEST BY:

Mark W. DeCoss
COUNTY AUDITOR

1st Reading May 07, 25
2nd Reading May 21, 25

ORIGINAL

EXHIBIT A

LA PORTE COUNTY STORM WATER MANAGEMENT BUDGET Storm Water Operating Fund

1. MS4 Stormwater Director	\$ _____
2. Administrative Services Coordinator	\$ _____
3. Professional Consultants	\$ _____
4. Supplies and Materials	\$ _____
5. Miscellaneous Reimbursements	\$ _____
Total	\$ _____