

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, MAY 11, 2011

Held at
Munster Town Hall,
1005 Ridge Road, Munster, IN

Chairman William Baker called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. An Executive Session and Work Study Session was held prior to the public meeting. All four Board members were present (one vacancy exists). Quorum was declared.

Development Commissioners:

William Baker, Chairman
Anthony Broadnax, Treasurer
Tom Wichlinski, Secretary
Ron McAhrn

Executive Director:

Dan Repay

Staff:

Sandy Mordus

Attorney:

Dave Wickland

Visitors:

Rob Mangus – Munster Town Councilman
Steve Caco - Munster
Mike Echterling–Lake Cty Fish & Game
Judy Knapp – Forest Ave. Hammond
Leon Kozlowski – Munster
Stephen Jadrnak – Forest, Hammond
Craig/Bea Hanusin – Munster
Dorothy Pazanin – River Dr. Munster
Bill Emerson Sr. - Hammond
Barbara Whitaker - Munster
Susan Severtson – City of Gary
George Janiec - Hammond
Karen Lorenz – Southmoor, Hammond
Elizabeth Johnson – Congressman’s Office

Visitors:

Bill Coomes - Munster
Fred Baginski - Hammond
Ronald Albin - Munster
Dave Nellans – Munster Town Councilman
Imad Samara – Army Corps
Lynne Whelan – Army Corps
Ruth Mores – Southmoor, Hammond
Lisa Miller – Forest Ave., Hammond
Jim Dedelow - Munster
Joe Simonetto - Munster
John/Laurie Czulno – Forest Ave, Hammond
Bob Paulson - Munster
Andy Koultourides - Munster
M/M Plusch - Munster
Senator Frank Mrvan
LuAnn Franklin – The Times
John Mogle - Munster
Kenny/Bonnie Vavrek - Hammond
Col. Vincent Quarles – Army Corps
Tina Kutkoski – Southmoor, Hammond
Mike Zarantonello – Southmoor, Hmd
Larry Blue - Hammond
Peter Yackanich - Hammond
T. Ahearn - Hammond
Representative Mara Candelaria Reardon
Don Parker - Wanatah
Arnold Schmidt – Hammond
Kristen Hill - Hammond
Kathleen Hill – Hammond
Trudy Wasik – Southmoor, Hammond

Minutes of the April 13, 2011 meeting were approved after acknowledgement of several small changes by a motion from Anthony Broadnax; motion seconded by Tom Wichlinski; motion passed by a 4-0 roll call vote.

Chairman's Report – Chairman Bill Baker referred to the major flood event we had in October 2008 and stated that it is the reason we are here. Every time he looks at the flooding pictures, he reminds himself that is why he is sitting in this seat. It has been a real challenge trying to get funds for O&M. There are more politics involved than we would like but the issue of funds for O&M must remain in front of everyone until a resolution can be found. We will try our best to make the remaining funds we have last through the completion of V-2, VII, and VIII. All of it needs to work as an entire system. Although it has been a tough month, we need to keep looking forward and moving forward.

Commissioner McAhron added that we had hoped that a funding stream for maintenance would be identified; that didn't happen. The flood protection provided now is at least at the 100' level. With not receiving any additional funding, we will be going back and looking at areas and re-prioritizing. We cannot just not do any needed maintenance because additional funds were not given. The Army Corps will also look at prioritizing and cost effectiveness. By May 25, we will respond to the Corps regarding funding. If things are not resolved by then, another public meeting may be scheduled. Given the situation, we cannot tell residents tonight when contractors will return to work to complete the segments. The Colonel added that he is looking forward to working with the Commission and residents and hopes to continue moving forward.

Executive Director's Report – Mr. Repay reported on several items:

- Mr. Repay thanked the town of Munster for removing several large trees that got stuck in a diverter during the Good Friday weekend.
- Issues still exist at Chase Street. The city of Gary administration has not gotten back to the Commission yet on replacing the culverts there.
- The Purdue Cal students will give Mr. Repay an updated presentation tomorrow. They are now doing the hydrology at Deep River. Once finalized, they will again present what they have assembled to the Commission.
- The area of Martin Luther King Drive and Georgia is not draining as well as it should. Mr. Repay is working with NIPSCO to open up the area. The road under NIPSCO's transmission lines is under water. They took a helicopter ride over the river to see blockage and are working toward a solution.

Action Required – The claims for May were presented in the amount of \$53,871.07. Commissioner McAhron made a motion to approve the claims; motion seconded by Anthony Broadnax; motion passed with a roll call vote of 4-0.

- Discussion was held on the O&M claims. Mr. Repay stated that several of the claims were from areas that were cleaned that were identified as pinch points. They were previously authorized by the Commission. Commissioner Broadnax inquired as to how many man hours for Austgen to do the pump station inspections. Mr. Repay replied that Austgen originally gave us a better price than several other companies we checked with; we have a contract with Austgen thru June of this year to perform the monthly inspections. Several Commissioners thought staff should check prices from other firms to do the inspections.
- Commissioner McAhron proceeded to make a motion to approve the O&M claims in the total amount of \$19,596.64. Commissioner Broadnax seconded the motion; motion passed with a roll call vote of 4-0.

Land Acquisition/Land Management – Mr. Repay stated that he and the attorney were working through details for agreements with the successful bidders for additional billboard locations. He also received a call from someone who is interested in building a cell tower on some property that we own.

- Mr. Repay also reported that we are moving forward on Forest Ave properties. Some additional offers have gone out. Several properties are in foreclosure; several will probably require condemnation. We are continuing to work with the homeowners.

Project Engineering and Operation & Maintenance –

- Discussion ensued on the North Burr Street pump station. There are 2 pumps located here. One was pulled to see what was wrong with it. To rebuild it, the cost is \$21,395 and would take about 6 weeks to fix; a new pump would cost \$85,000. Second motor is failing but is still temporarily working. On an as-needed basis, a portable pump needs to be brought in and operated manually to keep retention pond from overflowing. After a lengthy discussion on the pumps, a motion was made by Commissioner Broadnax to approve the cost of rebuilding the first pump, approval to pull the second pump at a cost of around \$5,000 to obtain a diagnosis and see what a repair cost would be, and approval to lease a temporary pump to use on an as-needed basis to prevent flooding. Motion was seconded by Tom Wichlinski; motion passed with a 4-0 roll call vote. Commissioner Broadnax stated he would research other companies to compare cost of rebuilding a motor.

- Mr. Repay stated that he has monthly meetings with the municipalities. He met today; a representative from Lake Station is now attending the meetings. Also being represented is Munster, Highland, Hammond, Griffith, Gary and INDOT. Usually it is their public works department, fire department, police department, etc. that attends the meeting. It is a good opportunity to share ideas on emergency response and see what works in their individual community or doesn't work. Commissioner McAhron stated that it was a very positive thing that the communities have monthly meetings to discuss emergency actions.

Legislative Committee – Commissioner McAhron reiterated that the Commission was not successful in identifying a source of funding for O&M. He said this was not unusual on contentious items; we can try again next year and do a better job the next time. Chairman Baker added that since lines of protection are in, residents are in a better place than they were before 2008. We do have some remaining dollars; we will prioritize where to spend it. We will not ignore maintenance just because we did not get a funding source. As we move forward, we will do what we can, with the funds we have. Commissioner McAhron added that monies spent on O&M are not creditable to the project and spending monies on O&M will deplete remaining dollars that are earmarked for other projects. We will have to prioritize.

Other Issues/New Business – Attorney Dave Wickland presented a Memorandum of Understanding between the Commission and the Indiana Attorney General for legal services performed pertaining to ongoing contract negotiations with the Army Corps regarding in-kind work and crediting issues at a cost of \$75 per hour. Commissioner Broadnax made a motion to approve entering into the contract with the AG; motion seconded by Commissioner Wichlinski; motion passed with a 4-0 roll call vote.

- Commissioner Broadnax thanked Chairman Baker and Commission McAhron for taking the high road relative to a disappointing legislative session. He expressed his frustration on how decisions are made and, without cause, certain elected officials have questioned this Commission's ability to manage funds. Some of those elected officials, who opposed the O&M funding bill, brought the situation to where it is today. It has been frustrating, especially being brought on by officials who should be supportive.
- Commission Wichlinski thanked Senator Mrvan and Representative Candelaria-Reardon, not only for their support but for attending Commission meetings. Some of those who are not supportive of our efforts, have never even been to a Commission meeting.
- Chairman Baker thanked Munster town council for allowing their staff to clear out some blockage in the river during this last rain event. He also thanked them for their help in this last legislative session, especially Councilman Mike Mellon, recognizing him for his extra effort. He thanked Representative Ed Soliday for all his efforts in drafting legislation for funding and then marshalling it through. Although bill passage was not successful, Representative Soliday took the initiative when he did not have to and he took a lot of hits because of it. Eventually, everyone will recognize this entire river system as a real asset to the communities. Chairman Baker also iterated that the first Little Calumet River Fest will be held May 21 (organized by the Lake County Fish & Game).

Statements from the Floor:

- Len Kozlowski from Munster asked where the contractor was. Commissioner McAhron replied that they will be returning soon; we are dealing with some funding issues with the Corps that should be resolved by May 25. Meanwhile, there is a system in place that will work. Although flood insurance relief is now probably at least a year off, the lines of protection are in. Colonel Quarles reiterated that residents shouldn't worry every time it rains; they are protected now where as the lines of protection did not exist during the 2008 flood. When asked if the Corps could help with extra pumps, the Colonel replied that they could not. The Commission is responsible for O&M; not the Corps. They might would be able to help in a severe flooding event if authorized by Congress but not under normal conditions.
- Laurie Czulno from Forest Ave in Hammond was unhappy to hear that work was not ready to begin on Forest Avenue yet. She is concerned that we will not have any funds left by the time we are ready to begin. Mrs. Czulno stated that the Commission should have been looking for O&M funds years ago. Commissioner McAhron stated we are in the process of securing the rights-of-way on Forest but have not obtained all of them. That levee has held up very well since the 80's, even without any maintenance on it. We have earmarked funds for Forest Ave in our budget so the funds will be there. In the event of a flood event, the city of Hammond will flood fight on State line.
- Karen Lorenz from Southmoor in Hammond questioned Col. Quarles' comment about stages VII and VIII being complete. Col. Quarles replied that he said the lines of risk reduction are in; he acknowledged that there is remaining work to be completed. Mrs. Lorenz proceeded to show pictures of drainage problems & ponding of water near Fairbanks and expressed concerned about residents' fear of flooding. Imad Samara confirmed that Southmoor is not complete; it was an option to the contract. Originally, we tried to work with residents for an alternate plan. It was further determined some protection was necessary. It will be completed.

- **Steve Jadrnak** from Forest Ave in Hammond stated that his comments from the last meeting were not put into the minutes. He asked if Forest Avenue would be bid out soon. Commissioner McAhron replied that plans are at 50%. We will not go out for bids until the funding issued is addressed. Colonel Quarles added that as we continue to work through the details of funding, the Corps engineering department will then start up again and complete the plans so we can begin the bidding process. Commissioner Broadnax added that the issue is a disagreement with the Corps on local match dollars and the Corps is limited to move forward until that issue is resolved. Commissioner McAhron added that we also need to talk to Hammond, maybe they can help out. The issue will be resolved soon. We owe the Colonel a response within a few weeks and we owe an explanation to the residents.
- **Bill Emerson** from Hammond stated he recently walked the 4th District in Hammond and inquired about the water level near the levee. In one area, the city had cut down a lot of old trees and questioned whether that was a good idea to do that away from the river. He noted that residents seemed concerned.
- **Mike Echterling** from Lake County Fish & Game reminded everyone about the Little Calumet River Festival taking place on May 21. He has been traveling the river and has saw a lot of new wildlife, i.e. wild turkey, otters, muskrats, beavers, a pair of bald eagles. Flyers for the event are available.

There being no further business, the meeting was adjourned. The next meeting was scheduled for the second Wednesday of the month, which will be Wednesday, June 8 at the Munster Town Hall at 6:00.