

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT  
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, OCTOBER 10, 2012**

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

Chairman William Baker called the meeting to order at 6:10 p.m. Pledge of Allegiance was recited. An Executive Session and Work Study Session was held prior to the public meeting. Five (5) Commission members were present at roll call. Quorum was declared.

**Commissioners:**

**William Baker, Chairman  
Tom Wichlinski  
Anthony Broadnax  
Colin Highlands  
Tom Gozdecki**

**Executive Director:**

**Dan Repay**

**Attorney:**

**Dave Wickland**

**Staff:**

**Sandy Mordus  
Judy Vamos**

**Visitors:**

**Craig/Bea Hanusin - Munster  
Steve Caco - River Drive, Munster  
Sylvia Vucich - River Drive, Munster  
LuAnn Franklin - The Times  
Col. Fred Drummond - Army Corps  
Natalie Mills - Army Corps  
Joe Simonetto - Munster Town Council  
William Emerson - Hammond Council  
Representative Mara Candelaria-Reardon**

**Visitors:**

**Charles Svitko - Hammond  
Ruth Mores - Southmoor, Hammond  
Judy Knapp - Forest Ave., Hammond  
Clarence/Josie Seagraves - Munster  
Rob Mangus - Munster  
B. - Munster  
Angela Larsen - Alliance for the Great Lakes  
Bill/Bev Coomes - Munster  
Sandy O'Brien - Hobart  
Janet Venecz - Hammond Council at Large  
Jeff Yatsko - Garcia Consulting Engineers  
Fred Baginski - Hammond  
Karen Lorenz - Southmoor - Hammond  
George Janiec - Hammond  
Steve Jadrnak - Forest Ave., Hammond  
Peter Yackavich - Forest Ave., Hammond  
Mike Echterling - Lake Co. Fish & Game  
Dorothy Pazanin - River Drive, Munster  
Leon/Alice Kozlowski - Oakwood, Munster  
Raymond Kasmark - Munster  
M/M Plusch - Munster  
T. Ahearn - Forest Ave., Hammond  
Elizabeth Johnson - Congressman's Office  
John Mulesa - Munster  
Trudy Wasik - Southmoor, Hammond**

A motion was made by Tom Wichlinski to approve the minutes from the September 12<sup>th</sup> meeting; motion seconded by Anthony Broadnax; motion passed with a 5-0 roll call vote.

**Chairman's Report** - Chairman Baker pointed out the flooding pictures of 2008. This is the reason we are here every month. That's what will happen when a \$250 million man-made asset isn't maintained. We have been working together doing everything we can to minimize the possibility of ever seeing flooding like that again. The levee system was designed by the Army Corps; built by the Army Corps; but it will maintained by the Commission. The end of the construction portion of the project will be soon. Deferred maintenance is ongoing; the design of the entire flood control levee project is to work as a system. He stated that he appreciates everyone's attention to this project.



**Executive Director's Report** – Mr. Repay presented the claims. Commissioner Broadnax made a motion to approve the claims as amended. Three additional claims were added on the Claims Payable, bringing the total to \$714,111.57. Mr. Repay explained a claim of \$488,690.24 for purchase of property needed near Indianapolis Blvd. The Commission has been in litigation on this property since 2005. Attorney Wickland added that this was a jury trial and it went all the way to Supreme Court.

Chairman Baker explained that as the project construction continues, easements need to be secured for the work and this was a part of that scenario. This property was on a tax sale at one point but the Commission decided to not pursue the purchase because it did not have the money and it was not a priority at that time. It is very unfortunate that the property was valued that high and the taxpayers have to spend money for this and not flood protection but this Commission played the hand it was dealt as best possible. Commissioner Broadnax agreed that it was a judgment call; maybe we could have paid less when it was on tax sale but without having the funds, the Commission hoped the value would have gone down. Unfortunately, that was not the case.

In addition to this claim, there were 2 other claims: one from the Times (\$595.00) and a second claim for a legal mediation (\$1,912.50) were added for approval. Motion was seconded by Commissioner Wichlinski; motion passed with a 5-0 roll call vote.

- Progress is ongoing at Marshalltown and Burr Street remediation projects. (Power point presentation will show progress).
- Contractors have been doing some seeding in VII and VIII. Some residents still have some concerns but we're confident they will ultimately be satisfied with the results.
- The Army Corps has finished the levee inspections. We have received a draft report which will be reviewed and comments given to the Corps.
- We have signed a contract with the contractor for the Forest Avenue rehabilitation project. Progress is already being seen in the area. The contractor has removed some fencing and is presently doing some tree removal.
- The gravel trail by Cabela's is currently under contract and is being paved. Hammond and Highland have jointly been approved for a Federal grant to pave the trail. The office has received several calls from concerned residents that the trail is higher. They were assured that the Army Corps and the Commission will have to approve its completion. It will be the same level at exactly the same height before the gravel was laid.
- Mr. Repay attended the State Budget Committee hearing held earlier today in Lafayette to obtain approval of the release of the remaining monies from the 2009/2011 biennium. He was successful in getting the remaining monies (\$1,084,294) approved.
- Chairman Baker asked for an explanation of the work being done on the diverter. Mr. Repay replied that the diverter has a cement pad but the path leading to it was made of gravel and was eroding away. Since Highland already had a contractor and equipment already on site, he asked Highland to pave the ramp in that vicinity. So there is now a paved ramp instead of gravel and access is greatly improved. The cost was about \$2,000 but was considerably less than it would have been because equipment was already mobilized.
- Chairman Baker referred to the new legislation passed in the last legislative session that now mandates a 9 member board. We are currently working with 5 members but an additional member from Hammond, a member from Gary, and 2 members from the Lake County Commissioners should be forthcoming. Although we are hoping that happens relatively soon, we continue to move forward with the current members.

Army Corps Report – Project Manager Natalie Mills reported:

- Stage VII – Ceres is on site doing some seeding. They still have some more work they are completing. They have until November to execute the work on punch list items. They will re-seed until the turf meets the Corps specifications.
- Stage VIII – Walsh Construction has been on site since early October and will continue to be on site this week. They are placing sod where the previous seeding did not establish. The Corps asked Mr. Repay to ask Hammond and Highland maintenance crews to not drive on the area until sod is established. Some areas behind residence's houses will also be addressed. Once again, remaining monies will be withheld until all work is done to Corps specs.
- V-2 Railroad closure – The A/E Contractor hired a different contractor to make the repairs (at no additional cost). They are negotiating the contract and the earliest start date for repair is October 15 with an expected finish date by November 5. Corps is confirming those dates with the A/E Contractor.
- Corps met with Commission's engineering representative, Christopher Burke Eng., to talk about their design for Southmoor area and tiebacks. Corps comments were given to Commission's engineer. Corps still stands by their design; their design of Southmoor area is ready and would just have to be packaged up and officially submitted to us. Mr. Repay added that the Commission is trying to meet everyone's needs with a design plan that works.
- A meeting was held at the Congressman's Office with the Commission and Bose, McKinney, & Evans (law firm reviewing crediting issue with INDOT) on September 28. Documentation was distributed and discussion is ongoing.
- The Corps has provided some oversight on the rehabilitation work going on at Marshalltown and Burr Street to bring those areas up to "acceptable" status.
- Mr. Repay informed the Corps that he has met several times with the residents on Forest Avenue.
- Chairman Baker inquired about the as-builts. The Commission has received the CD as-builts for Stage VIII but not for Stage VII. Ms. Mills replied that VII is not ready yet. There is a computer glitch between the Corps program and the contractor's program that needs to be worked out. The Commission should be receiving them shortly.
- Colonel Drummond stated the fact that he tries to make each monthly meeting but that isn't always possible but he emphasized his commitment to the Commission and the residents to do the right thing.
- A lengthy discussion was held on the Corps proposed design of Southmoor area versus the proposed design by Christopher Burke (Commission's engineering firm). Although the Colonel will keep an open mind with the Commission's design, he firmly believes that the Corps design is the correct design to implement. Both designs have pros and cons and the Corps' engineers will work with our engineering firm to deliver the best product.
- Discussion also took place on the Stateline design. Stateline is a difficult situation because of the sensitivity of the politics involved with it being between Illinois and Indiana.
- Colonel Drummond added that before a design plan is implemented, it has to be reviewed by an independent external review committee. He reiterated that he is committed to the best design for the residents' protection.

New Business – Chairman Baker announced that WJOB is filming tonight's meeting. Mr. Repay proceeded with a power point presentation showing the rehabilitation of the levees in Marshalltown and Burr Street.

Statements from the floor:

- Peter Yackanich from Forest Ave in Munster questioned the Corps design for State line. He found it hard to believe that there is no other area in the U.S. that has this design and this will be the first. The Colonel proceeded with describing how the blocks would work. Mr. Yackanich expressed his disappointment that no firm decision has been made and this issue needed to be resolved.
- John Mulesa from Munster expressed disappointment that the cleaning out of the river channel and the ramps are not done yet. Mr. Repay stated that permanent funding is not in place yet and this will take new funding. Chairman Baker added that we have been concentrating our efforts on the deferred maintenance in the areas where there is heavy population. Additional monies are needed to finish up the entire system. We are trying to prioritize those areas to maximize the work needed. He added that the Southmoor area and the Forest Avenue area will not all be done and completed within the next 8 months.
- Sandy O'Brien from Hobart asked how much public input will be in the watershed program and she encouraged upland water storage. Mr. Repay replied that the contract for a watershed plan has not yet been signed but we are in the process of working out details. There will be at least 2 public meetings and other entities, such as IDNR, Lake County Surveyor's Office, Drainage Board, the Army Corps, all the municipalities, NIRPC, IDEM, etc, will have opportunity for a voice. Chairman Baker added that the focus will be on the impact to the area and needed work will be prioritized. Ms. O'Brien asked the Corps on the status of the Hobart mitigation plan. Ms. Mills answered that we are not working on Hobart mitigation at this time. The Colonel added that priority has been given to do the design of the tiebacks. More dollars from the Commission are needed before additional work can be done.
- Representative Mara Candelaria Reardon asked the Commission what can be done in the area between River Drive and Kooy in the area behind Hammond Clinic to secure the area more. Residents have complained of trespassing in their yards where people should not be using the levee trail for recreation. Mr. Repay said there is currently a lapse of security in that area. We are going to have bollards installed to protect the area from Lyman to Columbia. We'll add more signage so people will be aware. Residents can put in fencing also, as long as it is 15' from the levee toe. He agreed that it is not clearly marked at present. Our office has also received resident complaints.

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, November 14<sup>th</sup> at the Munster Town Hall at 6:00.

4

