

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**

**HELD AT 6:00p.m., THURSDAY, FEBRUARY 15, 2018**

**Location: MUNSTER TOWN HALL, Munster, IN**

Chairman Baker called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. An Executive Session/Work Study Session was held prior to the public meeting. There were eight (8) Commission members present at roll call. Quorum was declared.

**Commissioners:**

William Baker, Chairman  
Tom Wichlinski, Vice-Chairman  
Dave Castellanos  
Tom Gozdecki  
Derek Nimetz  
Levon Whittaker  
Ron Ware  
Anthony Broadnax

**Executive Director:**

Dan Repay

**Attorney:**

Dave Wickland

**Staff:**

Jodi Lambert

**Visitors:**

Laurie Czulno – Hammond  
Pam Eanes – Munster  
John Garcia – Garcia Consulting Engineers  
Stephen Gunty – Town of Munster  
David Nellans – Munster Town Council  
Chris Spolnik – Town of Munster  
Fred Baginski – Friends of the Little Cal  
Tim Werner – Ciorba Group  
Linda Anguiano  
Shannon Pollard – HNTB Corp.  
Craig Hendrix – S.E.H. of Indiana  
Sandy O'Brien – Hobart  
Maeve Cucolotto – Garcia Consulting Engineer

**Election of Officers –**

Commissioner Broadnax made a motion to elect the following slate of officers for 2018: William Baker for Chairman, Tom Wichlinski for Vice-Chairman, Tom Gozdecki for Treasurer and Levon Whittaker for Secretary; motion seconded by Commissioner Ware. Motion passed with 8 aye votes.

**Approval of Minutes -**

Commissioner Wichlinski made a motion to approve the minutes as modified (adding Commissioner Ware to the listing of Commissioners present); motion seconded by Commissioner Castellanos; motion passed with 8 aye votes.

**Chairman's Report –**

It has been 10 years since the devastating flood event of 2008. The yellowing pictures we show at every meeting serve as a reminder of what can happen if maintenance on a man-made flood control project is neglected. The Commission is tasked with the ongoing and deferred maintenance of this \$275 million man-made flood project and we are far better prepared now than we have been in the past. However, we are still dealing with Mother Nature and 10 gallons of water in a 5 gallon bucket will cause problems. The Commission continues the practice of meeting with the communities in the Watershed on a monthly basis. Chairman Baker further thanked his fellow board members for the vote of confidence in once again electing him Chairman.

**Finance –**

Chairman Baker referred to the February claims in the amount of \$660,332.58. Commissioner Castellanos made a motion to approve the claims as presented; motion seconded by Commissioner

Wichlinski. Chairman Baker called for discussion on the motion. Mr. Repay stated that several communities have submitted reimbursement requests on their approved Watershed Applications. Payment of \$100,000.00 was made to the Lake County Highway Department for two projects, Bridge 260 and Bridge 264. The Town of Munster was reimbursed \$50,000.00 for their SCADA Watershed Application. Lake County Parks was reimbursed \$11,625.00 for the Curtis/Costakis land acquisition and \$82,250.00 for the Tsirtsis land acquisition. An additional parcel was purchased in Lake Station in the amount of \$72,723.91. ATC Group Services submitted a claim for \$11,950.00 to conduct soil borings for the Chase Street Pedestrian Bridge Project. Walsh & Kelly was paid \$36,798.46 as final payment on the Gary North Levee Paving Project and \$15,692.80 as final payment on the Hammond Levee Paving Project. \$33,985.00 was paid to USGS for regular operation and maintenance, and the installation of several new streamgages along the system. The new gauges will be added to our website as they come online along the system. S.E.H. Engineering submitted a claim in the amount of \$24,283.00 for work on the Lake Station Flood Mitigation Study. Final Payment was made to Aerial Solutions in the amount of \$19,250.00 for the drone survey of the river from State Line to I-65. Patrick Engineering was paid \$22,115.00 for continues work on the G&W/CF&E Railroad Study.

Commissioner Broadnax requested information regarding payment to the Town of Munster in the amount of \$17,730.00. Mr. Repay stated that the Commission partnered with the Town to upgrade some of the technology equipment used during our meetings.

Commissioner Broadnax also asked on the status of the contract with our crediting consultant, Dawson & Associates. Mr. Repay stated that we are still working with them on easement language for over 14 million dollars in INDOT credits. Additionally, there are still a few discrepancies in the credit spreadsheet amounts that are under review. Once those items are resolved, the rest of the crediting items can be done in house without the assistance of Dawson & Associates. Mr. Repay estimates that we will have them under contract for approximately another month.

Commissioner Broadnax asked why Patrick Engineering did not research whether the G&W/CF&E Railroad Bridge was a historical structure. Mr. Repay said that the bridge is not historical according to DNR, but documentation was requested by DNR to confirm.

Commissioner Gozdecki asked if Garcia Consulting Engineers was finished with the engineering on the 35<sup>th</sup> & Chase Project. Mr. Repay stated that the project has been designed and awarded to Dyer Construction. This billing was for review of the bid documents.

Commissioner Gozdecki stated that the invoice from Patrick Engineering indicates that additional work was necessary for permitting, was a cost estimate given for the additional work? Mr. Repay stated that during pre-planning with IDEM, a regional general permit was all that was required. Since then, IDEM has stated that an individual permit was needed with different public hearing and comment periods. Additionally, the USACE is now requiring documentation from DRN regarding the historical status. Commissioner Broadnax stated that it appears the work has already been completed without an estimate of cost. Commissioner Gozdecki asked Mr. Repay to get an updated cost from Patrick Engineering.

Chairman Baker asked if there were any further questions and called for a roll call vote. Motion passed 8-0.

**Executive Director's Report –**

Mr. Repay gave updates on some of the projects:

- The G&W/CF&E Railroad Bridge Project is in the permitting phase. As discussed earlier, several permits are in process. It was also necessary to seek proposals on tree clearing necessary for the project. The tree clearing was initially to be part of the contract award, but it will now be a separate contract due to the Indiana Bat tree clearing restrictions. We are seeking proposals from 3 vendors that have the proper clearance and permits to work near the railroad. The bids on the tree clearing are due by noon tomorrow.
- The 35<sup>th</sup> & Chase Grade Adjustment Project is moving forward with the contract awarded to Dyer Construction at our last meeting.
- The Harrison Avenue Bridge Project is under design and in the permitting phase. This project will eliminate another closure within the City of Gary.
- Soils borings were completed on the Chase Street Pedestrian Bridge Project. This bridge will be the link between the north and south sections of the levee at Chase Street. It is anticipated that the project will be ready to bid this summer and be completed in the fall.
- The engineering is in progress for the Clark Road Grade Modification Project. This will be similar to the Georgia Street Grade Adjustment Project completed previously.
- The new SCADA System is up and running. The system will warn our contractor
- Several new gauges were installed along the system by USGS. Once the gauges come online, they will be added to our website.

Commissioner Wichlinski requested that DLZ Engineering attend an upcoming meeting to give an update on the Harrison Avenue Bridge and Kennedy Avenue Bridge Projects.

**Other Issues/New Business –**

Commissioner Whitaker made a motion to approve Resolution 2018-01, revising the Commission's Per Diem Policy; motion seconded by Commissioner Broadnax. Mr. Wickland stated that the current policy needed to be modified due to changes in the law. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 8-0.

Commissioner Nimetz made a motion to deny the City of Hobart's Stinky Creek Watershed application; motion seconded by Commissioner Gozdecki. Mr. Repay stated that the City of Hobart appeared before the Commission at a previous meeting seeking \$500,000 a year over 10 years for the Stinky Creek Project. This denial would not preclude them from coming back to the Commission with an alternate proposal. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 8-0.

Commissioner Broadnax made a motion to deny the Teibel's Pond Restoration Project Watershed application submitted by the Lake County Surveyor's Office and Town of Schererville; motion seconded by Commissioner Whitaker. Mr. Repay stated that the pond in question had been almost completely filled in with sediment over the years. The total project cost was estimated at \$8,320,000.00. Commissioner Broadnax further added that the Commission looks at each watershed application on an individual basis. This project did not meet our criteria and did not help the system as a whole. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 8-0.

**Presentation –**

Craig Hendrix from S.E.H. Construction, and Stephen Gunty, Chris Spolnik and Dave Nellans from the Town of Munster gave a presentation on the Hart Ditch Bank Stabilization Watershed Applications. The Town of Munster is requesting \$110,052.00 for the Hart Ditch Bank Stabilization Watershed Application and from \$500,000.00-\$550,000.00 for the Hart Ditch Bank Stabilization at Camelia Watershed Application. Discussion was held regarding the applications and the effect of south Lake County

development on Hart Ditch. Further discussion was held regarding any participation by communities south of Munster. The complete audio and corresponding PowerPoint slides of the presentation can be found on our website at [www.littlecalumetriverbasin.org](http://www.littlecalumetriverbasin.org).

**Statements from the Floor –**

Pam Eanes, Munster, inquired about a newspaper article that stated the Commission leases land to private companies. Chairman Baker stated that the Commission licenses land for billboards, a cellular tower, farming and has a contingent license for an area near 35<sup>th</sup> & Chase in Gary. Most of the lease agreements have been in place since the project started. Chairman Baker stated that the Commission agreed to entertain a contingent license agreement with Maya Energy as long as they complied with the regulations of the USACE and all federal, state and local guidelines. Ms. Eanes further asked if Maya Energy stated what they intended to do with the leased property. Mr. Repay stated that there is a license agreement with Maya Energy, contingent on receiving all necessary permits and approvals and that Maya Energy stated the intended use was recycling building and construction materials. Ms. Eanes inquired if the Commission intended to lease land to the City of Gary for a dump. Chairman Baker stated that the news article in question was inaccurate and no one from the City of Gary has approached the Commission regarding leasing land for a dump. Mr. Repay added that the land discussed in the article was inside the river and all flowage easements specifically prohibit landfills. The Maya Energy licensed property in question is outside the levee and not adjacent to the river. Ms. Eanes asked for further clarification on the 35<sup>th</sup> & Chase Project mentioned in the Executive Director's report. Mr. Repay stated that project will raise the level of the intersection to eliminate a post and panel closure in the City of Gary. The Maya Energy License Agreement and 35<sup>th</sup> & Chase Project are two separate projects. Ms. Eanes asked if the proper procedure for private companies desiring to lease land is to make inquiries with the Commission. Chairman Baker replied that was correct and several private entities have already inquired.

Sandy O'Brien, Hobart, thanked the Commission for voting against the Stinky Creek Watershed Application.

Commissioner Castellanos stated that he had Col. Reisenger as a guest on the past WLTH AM1370 radio program.

Commissioner Broadnax thanked the residents that continue to attend the meetings and support the work that the Commission is doing. He appreciates the residents keeping us accountable and the Commission takes its charge seriously.

Commissioner Whitaker thanked the community for coming out to the meetings. He further stated that while not against economic development, such as the Maya Energy License Agreement, he has reservations about straying from our charge of watershed management. Municipalities have the responsibility for their own economic development and have plans in place. The Commission should be diligent of our charter which is flood control and watershed management.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, March 14<sup>th</sup>, at the Munster Town Hall.