

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 p.m., WEDNESDAY, AUGUST 17, 2022**  
**Location: Munster Town Hall**

Chairman Baker presided and called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. There were six (6) Commission members present at roll call. Quorum was declared.

**Commissioners Present:**

William Baker, Chairman  
Tom Wichlinski, Vice-Chairman\*  
Tom Gozdecki, Treasurer  
Levon Whittaker, Secretary (via zoom)  
David Castellanos  
Anthony Broadnax (via zoom)  
Derek Nimetz

\*Arrived after meeting started

**Commissioners Absent:**

Ron Ware  
Robert Ochi

**Executive Director:**

Dan Repay

**Attorney:**

David Wickland

**Staff:**

Jodi Lambert

**Visitors:**

Paul Daniels – CC x PD LLC  
Doreen Carey – Gary  
Jennifer Rudderham – Gary  
Dave Taborski – Gary  
Harry Kuttner – The Wetlands Initiative  
Daniel Suzrez – Audubon Great Lakes  
Gary Lee – Gary  
Craig Zandstra – Lake County Parks  
Becky Hanson – Gary  
Brenda Scott-Henry – City of Gary  
Lin Kaatz Chary – Gary  
Rev. John Jackson – GARD  
Maya Etiene – Gary Food Council  
Alma Wilkes – Gary Food Council  
Kwabena Rasnli – UAM/Black Lives Matter  
R. Ceacer – Gary  
Alice Bush – Gary  
Dylan Hollingsworth – Save the Dunes  
Jansa Mauldin  
Carolyn McCrady (via zoom)  
Christopher Harris (via zoom)  
Luke Sherry (via zoom)  
Carrie Napoleon (via zoom)  
Jacqueline Harris (via zoom)  
Laurie Czulno (via zoom)  
Stephen Gunty (via zoom)  
Stephone Addison (via zoom)

**Approval of Minutes -**

Commissioner Nimetz made a motion to approve the minutes from July 20, 2022, as presented; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 6-0.

**Chairman's Report –**

Chairman Baker welcomed everyone to the meeting and stated that Commission is tasked with the ongoing and deferred maintenance of this \$275 million man-made flood control project. The yellowing pictures of the 2008 flood event shown at every meeting are a reminder of what can happen if maintenance is neglected. While the Commission's work is ongoing, we are far better prepared than we have been in the past.

**Finance –**

Chairman Baker referred to the August 2022 claims in the amount of \$1,115,585.04. Commissioner Castellanos made a motion to approve the claims as presented; motion seconded by Commissioner Nimetz.

Mr. Repay explained a few of the claims starting with payment to Christopher Burke Engineering in the amount of \$ 56,501.75 for continued work on the Griffith Levee Rehabilitation and Interior Drainage Project. This project is currently out for bid with bid opening at our October 19<sup>th</sup> meeting. Wessler Engineering submitted a claim in the amount of \$10,062.50 for continued work on the Beaver Dam Ditch Study. They presented their findings at our July meeting. The presentation is available on our website. \$29,500.00 was paid to Wiltjer Excavating for clearing of Deep River. This project will continue into the fall as water conditions allow. The Town of Dyer was paid \$396,863.48 for the Hart Ditch Two Stage Ditch Watershed Project. This payment completes our \$600,000.00 commitment to the project. The City of Hammond was paid \$500,000.00 for the Calumet Avenue Pedestrian Bridge Watershed Project. This is the final payment of our \$1,000,000.00 commitment to the project. Finally, The Town of Schererville participated in our tree program and was reimbursed in the amount of \$10,276.00.

Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 6-0.

**Executive Director's Report –**

Mr. Repay gave an update on several of the projects:

- The monitoring period for the Calhoun Seepage Study has been extended due to the low water flow in the river. We hope to have some rain events soon so we can get some good data as to whether any issues exist within that part of the system.
- The Northcote Bridge Flood Control Barrier project is expected to begin in within the next few weeks and should take about 5 weeks to complete. The bridge will be closed during the time of construction.
- I have been in contact with INDOT regarding the Grant Street Pump Station Easement required by the USACE. We have not received any additional updates from the USACE regarding any additional real estate acquisition approvals.
- Plans for the Griffith Levee Rehabilitation and Interior Drainage Improvements Project are out for bid and available to any interested contractors. Bids on the project will be opened at the October meeting.
- Plans for the Cady Marsh Ditch Intake Screen Raker Replacement Project are also out for bid and available to any interested contractors. Bids on this project will be opened at the September meeting.
- The Town of Dyer has submitted their final claim on the Hart Ditch Two Stage Ditch Project. The LCRBDC committed \$600,000.00 to the project. I recently toured the site to see the progress.
- The Sauerman Woods Watershed Project was awarded by the City of Crown Point for \$2.36 million dollars. Crown Point has divided the project into two phases. The first phase is primarily flood control. Crown Point has assured us that they are committed to completing both phases of the project. The LCRBDC has committed funds up to \$2.6 million dollars.

- We are reviewing options to purchase storage trailers for the 220,000 sandbags we have for the project. Our current location where we store the sandbags is no longer available to us. The cost of the storage trailers is approximately \$12,240.00.

Chairman Baker asked how long we can keep the sandbags in storage before they become unusable. Mr. Repay stated that filled sandbags will deteriorate over a shorter period of time. These empty sandbags are in crates and would be stored at the Public Work facility in Munster. Communities throughout the watershed do have a supply of sandbags in their possession.

Commissioner Gozdecki asked if Christopher Burke Engineering finished with the Griffith Levee Design. Mr. Repay stated that the design is complete, and the project is out for bid.

Commissioner Broadnax asked for an update on USACE crediting. Mr. Repay stated that nothing has changed since the last meeting. We are waiting for the USACE to approve some tax sale and municipal acquisitions. We continue to work with the USACE on the Town of Griffith flowage easement and the additional paperwork that they require.

Chairman Baker stated that no action would take place on the Maya Energy LLC license. Per the license agreement, Maya Energy LLC has 90 days after notification of default to correct the issue. Notification of default was sent to Maya Energy LLC in early July.

Commissioner Gozdecki asked about the progress of the Spring Park Project as there wasn't an invoice from the contractor on this month's claim sheet. Mr. Repay stated that the contractor is working but the project is progressing slowly.

#### **Presentation –**

Craig Zandstra from Lake County Parks, Harry Kuttner of The Wetlands Initiative and Daniel Suarez from Audubon Great Lakes gave a presentation on the Lake County Parks Conservation Collaborative. The complete presentation and follow-up discussion can be found on our website at [www.littlecalriverbasin.org](http://www.littlecalriverbasin.org) or at the following link: <https://youtu.be/LXA1j02i0oM>

#### **Other Issues/New Business –**

Commissioner Nimetz made a motion to approve an Addendum to an Interlocal Agreement with the Lake County Drainage Board for the Hart Ditch Stabilization Project. The Addendum will extend the project area by approximately 1,000 feet to the north and include an additional \$1,000,000.00 in funding, subject to final draft of the Addendum and approval by attorney, Executive Director and Chairman; motion seconded by Commissioner Castellanos. Mr. Repay stated that we have already approved one segment of the project this year. It was decided to extend the project area by 1,000 feet to the north while we already had the contractors on site. The project site will extend to a bridge that Lake County will replace next year.

Chairman Baker asked if there were any further questions and called for a roll-call vote. Motion passed 7-0.

**Statements to the Board –**

Doreen Carey, Gary, stated that she sent a letter to the Commission on behalf of GARD stating their opposition to the Maya Energy license agreement. She asked that at the end of the 90-day period, the Commission revoke the license with Maya Energy. She further asked that the Commission not approve the transfer of the license to Calabria Capital. She asked the Commission to consider the environmental justice concerns of Gary when making development decisions. Finally, she requested that the Commission, residents and officials participate in public input session to held in the City of Gary on future uses for Commission owned property.

Jennifer Rudderham, Gary, requested community input on development decisions. She referenced an EPA tool called EJScreen which allows anyone to screen for environmental concerns. She further stated that the EPA raised environmental justice concerns regarding the location of Maya Energy. She asked that the Commission use the EPA EJScreen tool in future proposed property development.

Regan Hatcher, Indiana State Representative, District 3 stated that she appreciates the support the Commission gives to Hatcher Park. As a representative of Gary, Lake Station, Hobart and East Chicago, she requests the contract with Maya Energy not be renewed. She further stated that the City of Gary should not have any other industrial pollution industries within the city. Projects such as Maya Energy and Fulcrum hurt the health and wellbeing of the residents of Gary.

Lin Kaatz Chary, Gary, urged the Commission to reconsider the approval of the Maya Energy contract. As a resident of the City of Gary, she asks the Commission to hold meeting in Gary as many decisions are made by the Commission which effect the community and meetings held in Munster are not always accessible to the residents of Gary. She stated that the Commission should hold their meetings in various locations throughout Lake County to encourage public participation.

Charlie Brown, Lake County Councilman, stated that prior to this he spent 36 years in the Indiana General Assembly. He asked why this meeting is not being held in the City of Gary so that the Commission can hear from more residents regarding their opposition to Maya Energy. He stated that many businesspeople consider Gary a dumping ground. He stated that it is unfair to the residents of Gary to consider moving forward with this project. He asked if the Commission has heard from any residents or elected officials of the City of Gary that are in support of Maya Energy.

Brenda Scott-Henry, Director of the Department of Sustainability and Environment Affairs for the City of Gary, stated that Mayor Prince is opposed to Maya Energy. She further stated that the citizens of Gary have great concerns with bringing this facility to Gary. She added that she pays her fee to the LCRBDC for flood control projects, not the development of facilities such as Maya Energy.

Rev. John Jackson, Gary, stated he supports GARD and is apposed to Maya Energy. He further stated that Maya Energy is like a phragmite, an invasive species, in the City of Gary. He asked that at the end of the 90-day period, the Commission revoke the contract with Maya Energy.

Alice Bush, Gary, stated that she has spent her entire adult life in Gary. The citizens care about making the community better and free from garbage. She stated that people from out of town dump their garbage in the City of Gary. She urged the Commission to help the citizens of Gary by saying no to Maya Energy.

Becky Hanstrom, Gary, asked that the Commission to hold some of their meetings in Gary. She further stated that Maya Energy has not kept their promises and has not been a responsible partner to the Commission. She further stated that Maya Energy poses health issues to the citizens of Gary.

Paul Mazzone, Gary, stated that he was at a Gary Council meeting when students from Steel City Academy voiced their opposition to the Maya Energy Project. There are health consequences for residents if Maya Energy proceeds. He also asked if the Commission has the authority to terminate the Maya Energy contract.

Christopher Harris, Hammond, stated he is a former resident of the Marshalltown neighborhood in Gary. He stated he is grateful for the positive things that the Commission is doing for the city. He feels that it would all be for naught if Maya Energy is allowed to operate in Gary. The citizens of Gary and their elected officials do not want this development. Gary is an environmental justice community that does not need the added pollution. He stated that the meeting is not accessible to the citizens of the City of Gary. He further stated that the board does not reflect the community. He asked the Commission to reconsider their position on Maya Energy.

**Statements from the Board –**

Commissioner Wichlinski thanked everyone for attending the meeting and appreciated the presentation by Lake County Parks, Audubon Great Lakes and The Wetlands Initiative. He feels the Commission is moving in the right direction.

Commissioner Gozdecki thanked everyone for attending the meeting and appreciated the presentation from Lake County Parks, Audubon Great Lakes and the Wetlands Initiative.

Commissioner Nimetz thanked Lake County Parks, The Wetlands Initiative and Audubon Great Lakes for their presentation and appreciated all the comments from the public.

Commissioner Broadnax thanked the public for their comments. He further stated that the Board of the Commission is diverse. He stated that there are 3 Gary natives or current residents on the Board. He added that the City of Gary is not neglected, and the Commission views the system as a whole. He understands that this is a sensitive issue, and the Commission is aware of this. The Commission has held several meetings in the City of Gary in the past.

Commissioner Whittaker thanked everyone for their comments. He understands the concerns regarding Maya Energy. The citizens of Gary have expressed their views on Maya Energy being located within the city. He thanked the presenters for their very informative presentation. He further added that the Commission has held monthly meetings in the City of Gary and we hope to hold meeting within the watershed in the future.

Commissioner Castellanos stated it was an honor to have so many public officials and representatives at the meeting. He thanked the public for their comments. He further stated that he has always been opposed to Maya Energy and does not want to see this type of development in Gary. We are making improvements in Gary, such as the Artesian Spring, and Maya Energy does not fit with these types of projects. He also thanked the presenters from Lake County Parks, Audubon Great Lakes and The Wetlands Initiative for their presentation.

There being no further business, the next regular meeting was scheduled for 6:00 p.m. Wednesday, September 21, 2022.

DRAFT