

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, APRIL 1, 2009

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

Chairman Dan Dernulc called the meeting to order at 6:00 p.m. Roll call of seven (7) Commissioners declared a quorum. Pledge of Allegiance was recited. Chairman Dernulc thanked the visitors for coming and asked them to please sign in.

Development Commissioners:

Rudy Sutton
Dan Dernulc
Arlene Colvin
William Baker
Ron McAhron
Kent Gurley
Mark Gordish

Staff:

Jim Pokrajac
Sandy Mordus
Lou Casale
Judy Vamos
Lorraine Kray

Visitors:

Bill Petrites – Highland
Carolyn Marsh – Sand Ridge Audubon
Patricia Piekarczyk – Munster
Pat Huber – Munster
Ruth Mores – Southmoor Rd, Hmd
Tina Kutkoski – Hmd
Mike Zarantonello – Southmoor Rd, Hmd
Sheldon Edd – USACE
A./C. Fogarty - Munster
Doug Anderson – USACE
Beatrice Plunard – Howard Ave, Munster
Greg Starrett - Crestwood, Munster
John Harrigan – Northcote, Hmd
Barbara Whitaker - Munster
Carol Goldman - Munster
David Rohentso - Munster
Craig/Beatrice Hanusin – Howard Ave
Jayson Reeves – 21st Ave., Gary
David Fehlberg - Tapper
Mike/Sue Wood - Munster

Visitors:

Ronald Albin - Munster
Sue Brown – The Times
Karen Lorenz – Southmoor Rd, Hmd
Adele Riemerts - Munster
Stan Slazyk - Munster
Lynne Whelan - USACOE
Vanessa Villarreal - USACOE
Michael Kroll - Munster
Bridget Bodefled - Crestwood
Ken Schmitt - Munster
Carol Malici - Munster
Bill Howard - Munster
Larry/Irene Behling - Munster
Tula Kavadias - Munster
James/Kalliope Dedelow - Munster
James Peterman – Lincoln, Munster
John Beckman – Lake Cty Fish & Game
Leon/Alice Kozlowski – Oakwood, Munster
John Mogle – Baring, Munster
Keely Bell - Munster
Robert Farag – Griffith Golf Center
Marc Campagna - Crestwood, Munster
Fred Connor - Munster
Ron Smith - Northcote, Munster
Jerry Iwachin – Crestwood, Munster
Elizabeth Howard - Munster
Christine Fus - Munster
Elizabeth Johnson – Congressman’s Office
Bob/Jennifer Grow – Northcote, Munster
Paul/MaryLou Daniels-Castle Dr, Munster
John Melessa - Munster

Chairman Dan Dernulc introduced Doug Anderson and Sheldon Edd from the Army Corps.

Minutes of the March 4 meeting were approved by a motion from Arlene Colvin; motion seconded by Kent Gurley; motion passed unanimously.

Chairman's Report – Chairman Dernulc talked about the meeting with the Army Corps on March 26. Mr. Gurley and Mr. McAhron also attended. Main topic of discussion was moving ahead on Stage VIII (Columbia Avenue to the state line, both sides of the river). It was decided that the Army Corps would start the solicitation process and the Stage VIII contract would be advertised to contractors. Bids would be opened on June 2. The Corps has asked the Commission to write a letter stating that we intend to have the two railroad acquisitions completed and have the next 7% cost share amount by May 29. The letter will say that if we do not have the money or the railroads completed, the Army Corps will not open the bids. The letter will request that we will exclude the Southmoor area as an option. The attorney will draft the letter for the Chairman's signature. Mr. Gurley made a motion for the authorization of the letter; seconded by Bill Baker. With a roll call vote, motion passed 7-0.

- Chairman Dernulc asked for an update on Stage VII (Northcote to Columbia, both sides of the river). Doug Anderson replied that the contracting officer has opened the bids; there is an apparent low bidder. The evaluation process is going on now. Once the administrative process is complete and the contractor has met all Corps criteria, an award will be made. It will take several weeks for the contractor to provide bonds and insurance required; it will be about 60-90 days before construction. Mr. Dernulc asked Doug Anderson to talk to Roy Deda and Imad Samara to urge them to see if there is anything they can do to speed up. All residents want construction started as soon as possible. Mr. Gurley asked if the low bid compared with the Corps estimated amount. Mr. Anderson said that the government estimate was about \$18 million; the low bid was under \$14 million. There were 10 bids received.

Action Required – Treasurer Kent Gurley presented items for action.

- Mr. Gurley referred to the revised claims payable for the April meeting at a total of \$114,939.90 and made a motion to approve the claims; motion seconded by Arlene Colvin;. Bill Baker inquired about the insurance claim for \$46,381.25. This is for the annual policy on commercial general liability insurance on the lands that in the Commission's name. Motion passed with a roll call vote of 7-0.
- Mr. Gurley made a motion to approve the O&M claims in the amount of \$76.14; motion seconded by Bill Baker; motion passed with a roll call vote of 7-0. Jim Pokrajac added that he has reduced the minutes on the T-Mobile phone, thus the monthly amount will be less.
- Mr. Gurley referred to the revised monthly budget report. The balance remaining from RDA funds is \$234,144.14. The unallocated budgeted balance for both Administrative budget and Land Acquisition/Project Development budget is \$292,498.13.
- Mr. Gurley referred to NIRPC's invoice for the month of February.
- Mr. Gurley referred to the Army Corps letter informing us that they are withdrawing \$600,000 from the escrow account.

Finance Committee – Treasurer Kent Gurley referred to the Financial Statement for the month ending February 28, 2009.

Land Acquisition/Land Management Committee – Commissioner Arlene Colvin deferred to attorney Casale for an update on Stage VIII. He reported that easement acquisition is completed in Stage VIII except for 2 remaining parcels that are outstanding in the Southmoor area. The court is in the process of settlements, finalizing closings or finalizing condemnations; money is being paid into court. The 2 remaining active acquisitions are NICTD and CSX railroads. Intensive negotiations are ongoing and we are confident that we can agree on terms. That is why we have asked the Corps to go ahead with advertising Stage VIII. One issue with NICTD is the trail alignment that includes an “at grade” crossing on their right-of-way. We requested that the Corps remove all recreation features west of Calumet Avenue for Stage VIII at this time. Ms. Colvin thanked the town of Munster and the city of Hammond for sending support letters to NICTD on the Commission’s behalf.

Engineering Committee – Commissioner Kent Gurley asked for a V-2 construction update. Sheldon Edd from the Army Corps informed the Board members that Dyer Construction is starting to ramp back up for the season. Site conditions are still a little wet to do earth work but they will soon be starting with remaining construction for the floodwall and sheet pile driving. When asked what their completion date is, Mr. Edd replied around June 2010. Work is about 50% done. The only remaining sheet piling is on and adjacent to the utility corridor. When asked how much remaining was sheet piling and how much was dirt, he replied only a portion with sheet piling is for the utility corridor; rest of the area is dirt. Chairman Dernulc requested that he would like a more detailed breakdown at the next meeting.

- Jim Pokrajac reported that he has been attending weekly progress meetings which includes status on the pipeline corridor for V-2. The work is winding down and should be completed within the next couple of weeks. As soon as the last pipeline work is completed, Dyer will begin driving sheet piling across the NIPSCO corridor. They will start on the north side first. The pipeline work has been well monitored for safety; there have no incidents.
- Jim Pokrajac reported that BP Amoco, the town of Munster, and the city of Hammond had a meeting on April 6 to inform the residents in attendance prior to BP Amoco starting their relocation work in Stage VII.

Operation & Maintenance Committee – Jim Pokrajac informed the Board members that when heavy rains came again in the middle of March, we had Dyer Construction officially close down Chase Street, using concrete blocks and heavy plastic as closure structures to eliminate any flooding.

Legislative Committee – Commissioner Ron McAhron stated that the Natural Resources Commission met on Monday and considered the amendment that was added to HB 1716. The amendment broadened the area for membership for the restructured Commission to be drawn from, and including, the entire river basin. The amendment passed 9-1. It will become law effective July 1, 2009. Regarding HB 1001, there is \$9 million appropriated in the House budget for a one year budget. The Senate is working on a two year budget. They should release it next week. It probably will not be finalized until the end of the session which is April 29. There is a lot of legislative support for the project. Mr. McAhron added

that NIRPC had also sent a resolution to the legislators in support of the funding for completion.

Other Business – Ron McAhron thanked the Army Corps for meeting with the Commission. The meetings were positive and cooperative. Chairman Dernulc added that, at the Commission's request, the Army Corps will reduce the number of contract days in the Stage VII contract to 500 days from 700 days as originally stated.

- Chairman Dernulc added that he does not know who the new 5-member board will be in July but he is sure they will perform in the project's best interest. He proceeded to thank Munster residents who took the time to travel to the State house and talk to legislators about the funding and completion of this project.

Statements from the Floor – Chairman Dan Dernulc asked that statements be kept to a "polite" 3-minute time period. Statements were received from the floor by John Harrigan, John Beckman, Jayson Reeves, Bill Howard, Steve Enger, Tula Kavadias, John Melessa, Bob Farag, and Bill Petrites.

- John Harrigan from Hammond commended the town of Munster for their handling of the flooding situation and what they have done to raise the elevation of the existing dikes to prevent flooding to the residents. Even though it is at a high cost to the town, the residents can feel more secure and confident knowing the dike has been raised. He also commented that he thinks it is a disgrace that the cost of the levee project is so high. He added that he does not support closing the Northcote bridge.

- John Beckman represented the Lake County Fish & Game Protective Assoc. He distributed a resolution declaring that the Association endorses using open lands for water storage capacity in flood events. He understands that the Commission has limited authority but would appreciate anything that the Commission can do to help enforce their cause.

- Jayson Reeves from Gary expressed his concern about engineering/geological issues with the river. He expressed concern at Harrison and Chase Streets. He hopes we are evaluating the entire basin; O&M needs to be addressed. Chairman Dernulc informed him that the County is looking at raising some of the bridges in Gary. The city of Gary is looking at the possibility of closing Chase Street. The Commission is aware of the amount of flooding in that area and that it is the lowest area in Gary.

- Bill Howard from Munster thanked the Commission members for all working together and appreciates the cooperation of the Army Corps as well. He asked about the low bidder for SVII. He was informed that the low bid was \$14 million and the firm is from Minnesota. However, there is no award yet. The contract will be awarded based upon the lowest and best bid and assurance by the Corps that the apparent low bidder is in compliance with all Corps bidding requirements. Based upon the projected starting date for Stage VII, Mr. Howard expressed concern about losing valuable summer weather time for construction. He also added that it is not the Commission's job as to how the Northcote bridge should be handled.

- Steve Enger from Munster inquired when landscaping would be done along the west side of Hart Ditch. The Commission will check with the Corps. Mr. Enger also asked the Commission to ask the Corps for a more positive plan to provide closure, other than sandbagging, for the Northcote bridge.

- Tula Kavadias thanked the Board members, especially Mr. McAhron, for the commitment they have shown to this project. She also expressed a concern that the residents did not want to delay construction to allow the Corps to modify tie-ins for the Northcote bridge.

She feels the bridge does remain a source of vulnerability and it has been the neighbors who do the sandbagging when needed and feels sandbagging is not the best method for closure. Chairman Dernulc said we will discuss this with the Corps.

Discussion took place on O&M. It was stated that the main focus at present is to complete the lines of protection. In the meantime, short term preventative maintenance has been done by the town of Munster. At this time, it is not known how long term O&M will be funded.

- John Melessa thanked everyone for expediting Stage VIII. He commented on the log jams that occurred prior to and during the flooding in September. He currently has concerns with log jams downstream and how they could affect water levels in Munster. Chairman Dernulc responded that the O&M is not a current issue at this point and we will address this in the future with funding. Mr. Gurley commented that we will be having more discussions with the communities in the future regarding long term and short term O&M.

- Bob Farag, owner of Griffith golf course, stated he was glad to see the public finally come together in support of the project; there was little public support prior to the flood. He asked what the transition would be when new Board members came in July. Chairman Dernulc feels, and he thinks he is speaking for all current members, that they will do everything they can to help for a smooth transition. Mr. Farag wants to keep the positive momentum going. He was assured that the Commission members want the same thing.

Ron McAhron added that he thinks the focus of the new Board will be more on O&M and not construction and that the DNR will be active and participate in the future.

- Bill Petrites from Highland inquired about the INDOT project which includes constructing a pump station on Indianapolis Blvd. He has had an interest in this project for a long time because it is near his home and business, which has flooded in the past. At this point, INDOT has not even secured the land for the pump station. He feels there has been no progress for several years. In the meantime, Wicker Park Manor is at risk as well as the closing of Indianapolis Blvd if we had another flood event. Jim Pokrajac has asked INDOT's engineering firm for an update. He will pursue. Ron McAhron asked for the contact info; he will also see what he can find out.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, May 6, 2009 at the Munster Town Hall.