

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, MARCH 4, 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 six (6) 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

Staff:

Jim Pokrajac
Sandy Mordus
Lou Casale
Judy Vamos
Lorraine Kray

Visitors:

Bill Petrites – Highland
Bob Gauger – White Oak
Patricia Piekarczyk – Munster
Pat Huber – Munster
Ruth Mores – Southmoor Rd, Hmd
Tina Kutkoski – Hmd
Mike Zarantonello – Southmoor Rd, Hmd
Duane Dedelow – Southmoor, Hammond
Steve Caco – River Dr, Munster
Halina Hnatusko – Northcote, Munster
Beatrice Plunard – Howard Ave, Munster
Greg Starrett - Crestwood, Munster
John Harrigan – Northcote, Hmd
Barbara Whitaker - Munster
Bernie Mashura - Monroe, Munster
Don/Rose Taylor - Tapper
Craig/Beatrice Hanusin – Howard Ave
Jayson Reeves – 21st Ave., Gary
David Fehlberg - Tapper
Mike Wood - Munster

Visitors:

Bob Griffin – Madison St.
LuAnn Franklin – The Times
Karen Lorenz – Southmoor Rd, Hmd
Jon/Diane Gleason, Munster
Maria/Niall McShane - Munster
Lynne Whelan - USACOE
Vanessa Villarreal - USACOE
Julian Robinson – Calumet Avenue
Bridget Bodefeld - Crestwood
Steve Enger - Munster
John Mullssa - Jefferson
Dean Button – SEH
Irene Behling - Munster
Thomas Hayes – River Drive
James/Kalliope Dedelow - Munster
James Peterman – Lincoln, Munster
John Beckman – Lake Cty Fish & Game
Leon/Alice Kozlowski – Oakwood, Munster
John Mogle – Baring, Munster
Kathy Coleman – Catalpa, Hammond
Robert Farag – Griffith Golf Center
Marc Campagna - Crestwood, Munster
Gail Magsaysay - Oakwood, Munster
Ronnie Smith - Munster
Roy Deda - USACE
Imad Samara - USACE
Paulson's – Northcote, Munster
Elizabeth Johnson – Congressman's Office
Dave Nellans – Munster Town Council
Paul/MaryLou Daniels-Castle Dr, Munster

Arlene Colvin made a motion to approve the minutes of the February 4 meeting; motion seconded by William Baker; motion passed by a roll call vote of 6-0.

Chairman's Report – Chairman Dan Dernulc introduced Rudolf (Rudy) Sutton, an appointment of the Porter County Commissioners.

- Chairman Dernulc talked about the officers meeting with Colonel Quarles and other Corps representatives on January 28. The meeting was an opportunity for the members to meet the Colonel and learn a little of the history of the flood control project. It is hoped that these meetings will continue on a regular basis.
- A Work Study Session was also held on February 18. Notes from the meeting are contained in the agenda packet.

Action Required – Treasurer Kent Gurley presented items for action.

- Mr. Gurley acknowledged the replacement monthly budget sheet distributed to the members and explained how the budget sheet is always at least a month behind the current date. The figures are always reflected for the end of the preceding month. He referred to the unallocated budgeted balance at being \$393,013.78. He expressed concern that there are invoice commitments coming in that are not accounted for in the 90-day budget that will have to be addressed. Staff is tracking all line items.
- Mr. Gurley referred to the revised claims payable for the March meeting at a total of \$418,626.82 and made a motion to approve the claims; motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.
- Mr. Gurley made a motion to approve the O&M claims in the amount of \$76.14; motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.
- Mr. Gurley referred to a proposal for the creation of a web site for the Development Commission. Although the Commission is listed on the Army Corps web site, this would be a separate web site just for the Commission. He tabled the approval of the proposal at this time because there is no funding in place for this type of activity.
- Mr. Gurley referred to Chairman Dernulc for the status report on the RDA response letter. He reported that we are in the process of finalizing the letter; it will be discussed at the Work Study Session in two weeks.
- Land Management Action – Bill Baker referred to the breakdown sheet of farm bids received for about 300 acres of property that is owned by the State of Indiana and controlled by the Development Commission. Mr. Baker made a motion to approve the highest bids received which were:

Area #1 – about 140 acres	<u>Plum Grove Farm</u>	\$116/acre
(Second bid received was for \$100/acre)		
Area #2 – did not bid due to water problems on property		
Area #3 – about 86 acres)	<u>Tim & Ed Bult</u>	\$62/acre
(Second bid received was for \$5/acre)		
Area #4 – about 52 acres	<u>Jerry Ewen</u>	\$75/acre
(Second bid received was for \$62/acre)		

motion seconded by Kent Gurley; motion passed with a roll call vote of 6-0.

- Mr. Gurley made a motion to approve granting an easement to the IN American Water Company for the construction of a water line on Commission property. He referred to the letter from the Army Corps saying it will be in compliance with Army Corps design and construction recommendations for the flood control project. Motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.

Search Committee – Ron McAhron reported that the Commission will table the hiring of an engineering firm. At the time the RFP was sent out, it was considering worthwhile. Since then, it has been reconsidered and given that we are almost done with all acquisition and the Army Corps is responsible for the engineering coordination, construction award, and construction oversight, it does not seem feasible to hire a firm. He added that each staff member has been assigned to a Commission member for reporting. Chairman Dernule added that it was reported in the paper that the Commission is leaderless. He said that is not true. Each staff member is reporting directly to a Commissioner.

Finance Committee – Treasurer Kent Gurley referred to the Financial Statement for the month ending January 31, 2009. He pointed out that the Statement is about six weeks behind. On the financial sheet, it states that \$47,893 is remaining down state. As of today, there is \$44,974.60 remaining down state.

- Discussion ensued on the continuing concern for funding to complete the project to the state line. Mr. McAhron asked the USACE if the Commission is currently funded with the Corps for the 7% cost share. Imad Samara replied that, at this point, the Commission is currently funded. However, if the Army Corps receives an additional \$16 million of Federal money (they have already received \$8 million for this fiscal year), he will be sending a letter to the Commission requesting the 7% cost share for the additional money, which would be about \$1.2 million. There would be 60 days to provide that additional funding. That would satisfy the Army Corps' non-federal share to October 09. Mr. McAhron stated that the cost share does not just fund one construction contract; it is used for all ongoing contracts, design cost, recreation costs, mitigation costs, etc.

Land Acquisition/Land Management Committee – Commissioner Arlene Colvin deferred to attorney Casale for an update on Stage VIII. He reported that we now have either condemnation orders or started easement agreements on all properties east of the east railroad r/w lines westward to Hohman Avenue, which includes Southmoor Road in Stage VIII. He has requested the Army Corps to consider advertising Stage VIII with an option for the Southmoor residents and the two railroads (CSX and NICTD). That would give him enough time to complete the easement acquisition of the railroads and Southmoor. Several properties are contested so we will be back in court with them but we have the right to take at this point.

Engineering Committee – Commissioner Kent Gurley reported that he accompanied Jim Pokrajac to inspect some of the construction activities on the V-2 pipeline corridor. Work seems to be progressing. Activities will be accelerating very quickly with the pipeline relocation work. That area is on schedule; we are looking at a completion date by early to mid-April. Once the pipeline work is completed, Dyer Construction can do the sheet piling.

- All utility agreements in Stage VII are signed. The Stage VII BP utility relocation work may start as soon as their work is completed in Stage V-2. Mr. Gurley asked Imad Samara for an update on Stage VII. He replied that it is out for bids, with the bid opening being on March 24. A pre-bid meeting was held on March 3 for interested contractors. The bid award should be by the end of March with the Notice-to-Proceed to the selected contractor by April 15.

- Jim Pokrajac stated that the pump station contracts for 1A, 2B, and 2A are ongoing. It encompasses 9 pump stations. Pump Station 2A should be completed by end of 2009. Pump

Station contracts 1A and 2B have a September 09 completion date. The total of all pump station contracts is over \$26 million.

- Jim Pokrajac stated that he attended a meeting with the Lake County Highway Department on February 27. They will be meeting on an as needed basis to discuss the raising of some of the bridges in Lake County. Preliminary engineering studies have begun to determine estimated costs and design. They will seek funding after the study and report have been completed.
- Jim Pokrajac referred to the maps in the packet depicting the design overflow sections that have been identified by the Army Corps.

Operation & Maintenance Committee – Jim Pokrajac informed the Board members that a closure structure exercise on Chase Street took place on February 27. It took one hour and 10 minutes to close off the street; exercise went very well. This is usually the first area that floods in Gary. The exercise was part of the emergency response procedure. Mr. Pokrajac added that the Commission will have an agreement put in place with Dyer Construction to do this closing and the closing at 35th Street in the event of a flooding situation.

- Jim Pokrajac reported that the five items identified by the Army Corps as part of O&M, have been completed and the procedure for the closure installation is being written and will be the basis for the agreement with the installer. The grounding was replaced at the Burr Street Pump Station and the Marshalltown pump station was reactivated. Megger testing for all six pump stations is ongoing right now. We have met the deadline date of February 27 to have those five items completed. He will forward copies to Mr. Gurley.
- It was also reported that we should be receiving a 75% portion of the total costs incurred as part of emergency response during the September flooding. Staff has been working with FEMA to obtain this reimbursement.

Legislative Committee – Commissioner Ron McAhron discussed HB1716, the restructuring of the Commission from 11 members to 5 members, all of which will be Governor's appointments. It did pass out of the House and has been assigned to a Natural Resource Committee today. No hearing date has been identified in the Senate. Mr. McAhron also stated that there is \$9 million identified in this year's biennial budget for the flood control project.

- One point that Commissioner McAhron wanted to make was that there had been a perception by many residents that the residents who live on Southmoor in Stage VIII were slowing the project down because of the ongoing condemnations. That is not true. He has talked to the Army Corps several times on this and their neighborhood is being treated as an option. Having that area as an option gives us the opportunity to give the right-of-entry to the Corps, they can advertise and start construction, and we will have one year to complete all the legal portion of the condemnations. Having the option does not hold up any construction activities so Mr. McAhron hopes the issue of blame and criticism toward the Southmoor residents can be put to rest.

Other Business – Mr. McAhron thanked the two ladies from Munster for setting up a neighborhood meeting in Munster to talk about the project. Mr. McAhron and Chairman Dan Dernulc attended and thought it went very well.

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 Beckman, Mike Wood, John Mogle, Steve Enger, Bob Farag, and Jayson Reeves,

- 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. Resolution is attached hereto as Exhibit A.

- Mike Wood commented that, considering we do not have an overseeing firm in place, the only reason the Commission has moved forward quickly is because of the pressure from the Munster residents. Commissioner McAhron replied that a management firm does not make sense at this point in time. We do not have a construction management role; only the Army Corps does. It would not be financially wise to hire an engineering firm now.

- John Mogle from Munster inquired about closure structures and the Lake County Highway Dept. considering raising of some the bridges. Jim Pokrajac informed him that the five bridges that are currently being looked at are the Northcote bridge, Kennedy Avenue bridge, and three bridges in Gary by Harrison, Calhoun, and Clark roads. They are doing a feasibility study now; a report will be forthcoming. Ron McAhron added that FEMA is presently doing remapping of Lake County where flood zones will be re-defined. Because the project is not completed yet, only minor remapping will be done in the project area. When the project construction is finished, there will be a map revision. If you are part of the project area, flood insurance rates will be re-evaluated. There will be a series of public meetings.

- Steve Enger – He and other engineering residents have formed the Wicker Park Neighborhood Association. He thanked the Congressman’s Office for setting up a meeting with them and the Army Corps where technical information was shared and a better understanding of the flood protection plan was shared. He said the Association is available to meet with the Commission if they can assist in any way.

- Bob Farag, owner of Griffith golf course, reiterated his dismay in working with the Commission over the years in trying to come to a suitable conclusion of what to do with his property. He was disappointed that, once we started working with him, the priority shifted and the Commission was only focusing on Stage VII and Stage VIII. After 20 years, Commissioner Ron McAhron was the only Commissioner who actually came out and met him on the property. Chairman Dernulc added that the Commission is moving in a productive direction and will continue to do so. They hope to work something out with Mr. Farag. Mr. McAhron added that he was glad to meet with him but he will not apologize for focusing on VII and VIII, based upon sheer numbers. There are several other areas that need attention, after Stage VIII is awarded, and Griffith levee is one of them. Mr. Farag’s situation will come to a closure; the Commission wants everything on this project finished by the end of 2010.

- Jayson Reeves, from Gary, stated he has an engineering background and proceeded to discuss the need for the Commission to regularly meet with the drainage boards, stormwater management entities, and highway officials to better coordinate project features.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, April 1, 2009 at the Munster Town Hall.



LAKE COUNTY FISH & GAME PROTECTIVE ASSOCIATION, INC.

P.O. BOX 1006 HAMMOND, INDIANA 46325

Whereas: The Little Calumet River Watershed has acute needs for water storage capacity in flood stage periods;

Whereas: there are open lands readily available that landowners are willing to volitionally provide for re-created wetlands on terms agreeable to all site specific stakeholders;

Whereas: neighboring and re-created wetlands have exceptional capacity for water storage at competitive costs for construction/maintenance;

Whereas: high quality wetlands present the bio-diversity where native species can thrive sustainably over long periods of time;

Whereas: high quality wetlands provide excellent filtering capacities, especially for sanitary discharges that occur when local sanitary districts' capacities are exceeded;

Therefore be it resolved: that Lake County Fish & Game Protective Association endorses this approach be included in "Best Management Practices" as the Little Calumet Watershed is re-examined for major improvements to reduce flooding.