

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, SEPTEMBER 2, 2009**

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

Chairman Dan Dernulc called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. A roll call vote confirmed all 5 members were present. Chairman Dernulc deviated from the agenda for the purpose of appointing a new attorney to the Commission. Bill Baker made a motion to approve the appointment of a new attorney; Tom Wichlinski seconded the motion; motion passed by a 5-0 roll call vote. Tom Wichlinski proceeded to make a motion appointing David E. Wickland as the new counsel to the Commission; Bill Baker seconded the motion. Commissioner Kent Gurley stated that he had wanted to look at a firm that had substantial resources within the firm itself, technical representation as well as legal. That was not done in this case. A roll call vote declared 4 in favor of appointing Mr. Wickland as attorney; 1 nay vote was cast by Mr. Gurley; motion passed. Chairman Dernulc offered some background information on Mr. Wickland; Mr. Wickland stated that he looks forward to working with the Commission.

Development Commissioners:

Dan Dernulc
William Baker
Kent Gurley
Tom Wichlinski
Ron McAhrn

Staff:

Jim Pokrajac
Sandy Mordus
Judy Vamos

Attorney:

David Wickland

Visitors:

Bret Temple – Munster
Fred Ritchie – Munster
Bill Petrites – Highland
Tina Kutkoski - Hammond
Tom DeGiulio – Town of Munster
Mike Echterling – LCF&G/Highland
Leon/Alice Kozlowski - Munster

Visitors:

Dave Nellans – Town of Munster
Jeff Burton – The Times
Doug Anderson - USACE
Sheldon Edd - USACE
John Beckman – Lake Co. Fish & Game
Ruth Mores – Southmoor Rd, Hammond
John Harrigan - Hammond
Vanessa Villarreal - USACOE
Clarence/Jesie Seagraves - Munster
Ronald Albin – Munster
Patricia Piekarczyk - Munster
Sylvia Vucich - Munster
Jim/Elaine Cala - Munster
Mark Lopez – Congressman's Office
Chuck Rice - Hammond
Scott M. Bont – Post Tribune
Laura Michalski - Schererville
Bob Olson - Munster
John Mogle - Munster
Jerry Iwachiw - Munster
Robert Farag – Griffith Golf Center
James Dedelow – Munster
Rob Mangus – Town of Munster
Marc Campagna - Munster
Mike Zarantonello – Southmoor Rd, Hmd
Steve Caco - Munster
Fred Baginski - Hammond

A roll call vote approved the minutes from the August 3 meeting; they stand as posted.

Chairman's Report – Chairman Dernulc stated that an Executive Session was held on August 19 for the purpose of appointing an attorney. He also stated that the Commission has received \$250,000 from the RDA, as requested by the Commission.

- Chairman Dernulc asked Army Corps representative Sheldon Edd to give a report on the status of Stage VII. Mr. Edd reported that the contractor, CERES Environmental, is ready to move along with the fencing and survey work. They have sub-contractors lined up. Fencing is going up tomorrow and survey work should start tomorrow. Lines of protection for Stage VII should be completed by end of 2010.
- Regarding Stage VIII, Mr. Edd reported that Walsh Construction is presently doing pre-construction submittals. Their submittals will then be approved and they will be ready to go. Projected starting date should be within 1 month.
- Mr. Baker asked Mr. Edd what the residents could expect to see in the next couple of months. He replied that the fencing will be going up, surveyors will be out staking, and within 2-4 weeks, tree clearing will begin.

Action Required – Treasurer Kent Gurley presented items for action. Mr. Gurley proceeded to make a motion to approve the claims payable for September at a total of \$312,182.71; motion seconded by Ron McAhron; motion passed with a roll call vote of 5-0.

- Mr. Gurley made a motion to approve the O&M claims for September in the amount of \$4,307.45; motion seconded by Bill Baker; motion passed with a roll call vote of 5-0. Claims were for the engineer cell phone and mowing services. Mr. Gurley added that mowing must be done before inspections can be done as part of the O&M guidelines; it will be an ongoing item.

Finance Committee – Treasurer Kent Gurley referred to the Financial Statement for the period ending July 31, 2009.

- Mr. Gurley referred to the invoice from NIRPC for the month of July. He stated that a new contract from NIRPC will be received toward the end of the year. He asked the other Commission members to keep that in mind as he will want comments on it as we go forward.
- Mr. Gurley referred to the Army Corps letter, again requesting the need for \$226,000, which is 7% cost share for Federal stimulus money they received. Their first request letter was received May 6, 2009.
- Mr. Gurley then referred to the Army Corps letter informing us that they were withdrawing \$800,000 from the Corps construction account.
- Also received from the Army Corps was the Projected Federal and Non-Federal Funding through FY2012. This chart outlines the Commission's 7% cost cash share through project end.

Land Acquisition/Land Management Committee – Commissioner Bill Baker stated there was no report.

Engineering Committee – Commissioner Kent Gurley referred to the Army Corps Construction Progress Report through the end of August that was distributed to all Commissioners. The Army Corps provides these construction status reports to us monthly

and they list the current status of all ongoing contracts. He inquired about the Pump Station 2A contract on Forest Avenue in Hammond and whether it would be completed this year. Doug Anderson replied that it is scheduled to be completed in November. It would only be longer if extended work had to be done. He asked Jim Pokrajac for an update on utilities. Mr. Pokrajac reported that he has been attending bi-weekly progress meetings for Stage V-2. The sheet piling is driven, backfilling is done, concrete work remains to be completed on the pipeline corridor, and that is scheduled to be completed within the next 1-2 months. Work then needs to start on the NSRR right-of-way. The contractor is hoping to schedule the railroad work for as early as the end of this month. Both lines of protection are done in the remaining portions of the V-2 contract.

- Stage VII utilities are completed. The contractor can begin work in that area now. He plans to work on both sides of the river at the same time. They will be working east to west.
- Stage VIII utilities – Mr. Pokrajac reported that, weather pending, the 10 relocations by NIPSCO should be completed by the end of October. All utility relocation work will be done by the time the contractor will be in this area.
- Pump Stations contracts – Mr. Pokrajac reported that all 3 pump station contracts are ongoing. Pump Station 1A (that has 4 pump stations) is almost complete. Pump Station 2A (2 pump stations) will be completed by mid fall. Pump Station 2B (3 pump stations) should be completed by April 2010. Once completed, the pump stations will improve landward side of drainage.

Mr. Gurley added that Stages VII and VIII utility relocation work was approved last spring prior to the actual construction work so that the utility work could be completed before the contractor was in that area.

Operation & Maintenance Committee – Mr. Gurley stated that the remainder of this year and beginning of next year, the Commission will be talking about comprehensive work; clean up work. Some O&M work will be done as we go forward. The Army Corps is in the process of updating their O&M manuals and they will be getting those to us as they are revised. The Army Corps will give us the guidelines; the Commission will detail it out. Mr. Gurley added that inspections are scheduled for September 14-30.

Legislative Committee – Commissioner Ron McAhrn stated that he will be going to the September State Budget Committee meeting with a request. He stated that the request will need to carry us through to the next April. He added that the RDA, and Mr. Bill Hanna as their Director, have bridged the funds, which has been a tremendous help to us for interim financing

- Mr. McAhrn referred to the chart of the projected non-federal cost shares. He understands that they are estimates and asked Imad Samara that the Commission would need about 60 days to turn a request around once a formal request was made to us.

Other Business – There was none.

Statements from the Floor –

- Bob Farag from Griffith Golf Course stated that it was great to see that Stages VII and VIII are being pushed along but what about the other stages that have already been completed. He stated that Cline Avenue almost flooded in the last event and the town of Griffith could not even get to their pump station because the access road was flooded out.

He did not feel that the levee system that was developed does not eliminate the problem.

There is no continuous line of protection there and therefore cannot be certified. He said that all the pump stations on the levee system need to be addressed. He doesn't want sympathy; he wants action. Imad Samara stated that, in the authorized project, that area is a non-structural area. Mark Lopez, representing the Congressman's office, said the Griffith levee is a betterment; done at the request of the local municipality and not part of the project. He suggested that Mr. Farag take his concern to the Griffith Town Council. Mr. Farag reiterated that not all the levee there is a betterment. Mr. Lopez stated that he would research the history and get back to him.

- Tom Giulio, Munster Town Manager, informed the Commission members that 3 of the 4 homes west of Hohman Avenue have been purchased by the town and they are in final discussions with the last homeowner. In the fall, they will be installing 2 additional monitoring devices that will indicate water levels by Baring pump station, and also south of Hart Ditch. The readings will be available on their web site and will provide updated information to all. Mr. Gurley complimented the town on their impressive web base system.

- Steve Enger, a Munster resident, expressed his opinion in that the goal of the Commission is not just completing the levee project; the goal is to be taken out of the flood plain. He stated that all the Federal money that has gone into this project was based on a cost benefit ratio to be taken out of the flood plain. For next month, he asked that he wants a concrete, definitive plan that the Corps, FEMA and LCRBDC has developed with a schedule for coming out of the flood plain. There are about 1,000 homes in Munster that continue to pay flood insurance until they can come out. That should be the goal. There are many steps to be taken with FEMA to come out of the flood plain and it is their process, not ours. Discussion also ensued on the proposed sandbagging at Northcote bridge. Sandbagging is acceptable to FEMA. If the town wants to modify the closure, they can do something else upon Corps review and concurrence. Mr. Enger again asked for a schedule from the Corps. The Commission has asked the Corps to set up a meeting with FEMA so that we can understand the process as well. Mr. Gurley added that O&M also has to be done before levee certification. The Commission is moving on that and will continue to move forward quickly. All 5 communities have to be on board with a regional O&M plan/acceptance.

- John Beckman, Lake County Fish & Game, understands the focus on the levee completion but just as important is a need for upland flood storage. They have asked the Corps how to justify this and asked for a written response.

- Marc Campagna from Munster asked if the members of the Commission would cease to exist or will it go into an O&M mode, after construction is complete. Commissioner Gurley said this Commission will maintain the levee system. O&M communities need to work on the segments within the project under the guidelines of this Commission.

- John Harrigan from Hammond inquired if the contractor will be replacing the existing dikes between Northcote and Columbia. Mr. Edd stated that it is the contractor's responsibility for maintaining the existing level of protection while the new lines of protection are being installed. He expressed concern about not carrying flood insurance. Mr. McAhron stated that the State of Indiana is encouraging residents to keep flood insurance; it will be at a much lower rate but considering this is still a uniquely-built structure system and weather is unpredictable, it would be advised to not eliminate it totally.

- Rob Mangus, Munster Town Council, stated that he is glad to hear that the Commission is responsible for O&M and asked whether or not we have talked to Illinois. Mr. McAhron stated that Illinois has been taken into account. Imad added that they continue to provide monitoring in Illinois that is used in Indiana. This Commission has not had discussions with Illinois as far as O&M or funding is considered. That may happen at some point in time.

There being no further business, the meeting was adjourned. The next meeting was scheduled for Wednesday, October 7, 2009 at the Munster Town Hall at 6:00.