

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, FEBRUARY 3, 2010**

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

Chairman Dan Dernulc called the meeting to order at 6:05 p.m. Pledge of Allegiance was recited. Work Study Session was held prior to the public meeting. A roll call vote confirmed three members present, with Ron McAhron and Tom Wichlinski absent with notice. There were no corrections to the minutes of January 13th; they stand as posted.

Development Commissioners:

Dan Dernulc
William Baker
Kent Gurley

Executive Director:

Dan Repay

Staff:

Jim Pokrajac
Sandy Mordus
Judy Vamos
Lorraine Kray

Attorney:

Dave Wickland

Visitors:

Leon/Alice Kozlowski – Munster
James Dedelow - Munster
Fred Baginski - Hammond
John Mogle - Munster
Bill Howard - Munster
Bernie/Kaaren Mashura - Munster
Jayson Reeves – Gary
T. Cholipski – Munster
Paul/Mary Lou Daniels – Munster
R. Piliar – Munster
Ted/Martha Muta – Munster
Senator Frank Mrvan

Visitors:

Dave Nellans – Munster Councilman
Jeff Burton – The Times
Rick Ackerson - USACE
Sheldon Edd - USACE
Imad Samara - USACE
Douglas Anderson - USACE
Craig/Beatrice Hanusin - Munster
Michael Rakoczy – Chicago IL
Mike Echterling – Lake Cty Fish & Game
George Janiec - Hammond
Michael Opinker - Hammond
Peter Yackanich - Hammond
Mike Zarantonello - Southmoor
Tina Kutkoski - Hammond
Bill Petrites - Highland
Fred Baginski - Hammond
Geoff Grant - Hammond
Karen Lorenz – Hammond
John Mulesa - Munster
Tom DeGiulio – Munster
John Beckman – Lake County Fish & Game
Bob Paulson - Munster
John Harrigan – Hammond
Bridget Bodefled – Munster
John Mulesa - Munster
John/Laurie Czulno - Hammond
Bert Woess – Munster
Linda Crook – Griffith
Joe Levy - Gary

Chairman's Report – Chairman Dernulc reported that an Executive Session was held on January 13 and again today prior to the 5:30 Work Study Session.

• Chairman Dernulc introduced the new Executive Director, Dan Repay. Mr. Repay is finishing up his duties at the Lake County Auditor's Office and will be starting his new job with the Commission next week. Mr. Repay thanked the Commissioners for this opportunity. He understands that the new direction of the Commission is O&M and long term funding is the priority; he looks forward to working with the Commission, the Army Corps, and the communities.

- Chairman Dernulc announced that the Army Corps will make a presentation at the end of the meeting on the Corps early warning system and proceeded to ask the Corps to give a report on the status of construction contracts.
- SV-2 – Contractor has begun Baring Avenue pump station outlet work.
- SVII – Contractor is driving sheet pile from Northcote going west on both sides of the river.

Completed to the Walnut pump station. Stage VII wall is different than floodwall in Stage VIII. Concrete formwork and pouring will be done later.

Commissioner Bill Baker asked if there was any update with AT&T with the severed line. Mr. Edd replied that the temporary cable is still on the ground; they are working independent of the Corps. The line is well below all of the Corps flood control features. Contractor is responsible to put utility locations on the plans.

- VIII – Contractor is working in multiple areas. He has started the outlet at Columbia Avenue working westward on the Hammond side between Columbia and Calumet (Riverside Park).
- Pump Station contract 1A, 2A, 2B - Mr. Edd reported that there are different levels of completion on the pump stations and all nine stations are scheduled to be completed by summer 2010.

Action Required – Treasurer Kent Gurley presented items for action.

- He tabled approval of a 2010 budget. The budget is under development and should be ready for the March meeting.
- He presented the revised monthly claims for February for approval in the amount of \$582,911.84. He explained the three large utility relocation claims (totaling \$540,659.76). Mr. Gurley made a motion to approve the claims; seconded by Bill Baker; motion passed with a roll call vote of 3-0.
- Mr. Gurley then made a motion to approve the O&M claims in the amount of \$59.50; motion seconded by Bill Baker; motion passed with a roll call vote of 3-0.
- Mr. Gurley referred to the 2010 contract for administrative services with NIRPC. Mr. Baker, who has been working several months with NIRPC for an agreement acceptable to both parties, distributed copies to the members. Mr. Gurley made a motion to approve the contract as presented; motion seconded by Bill Baker; motion passed with a roll call vote of 3-0. Chairman Dernulc thanked Mr. Baker for the amount of time he has spent on this.
- Mr. Gurley referred to Resolution 2010-1, which was distributed to all members. The resolution asks the Army Corps to provide access to the river side of the lines of protection. He proceeded to make a motion approving the resolution; motion seconded by Bill Baker; motion passed with a roll call vote of 3-0.

Finance – Treasurer Kent Gurley referred to the year end December 2009 Financial Statement. He also referred to the December NIRPC invoice. He presented the Army Corps letter asking for a 7% cash cost project share, which he reported has already been paid to the Corps.

Land Acquisition/Land Management – Bill Baker reported that there are several issues regarding parcels that have been farmed. Some areas could not be tilled, due to access or wetness. We need to find the best use for these revenue generating parcels, whether it is for farm land, towers, billboards, etc.

Engineering - Kent Gurley referred to Jim Pokrajac for a report.

- Jim Pokrajac reported that AT&T and Comcast utility relocation in Stage VIII at 177th Street, west of Calumet Avenue have been completed.
- Regarding the sewer work on DC1302, the work is about 75% complete. Should be totally complete in about two weeks, pending weather delays. It is not holding up the Stage VIII contractor.
- The INDOT storm water installation contract, including the addition of a pump station, is still being planned for the area west of Indianapolis from Ridge Road to the river. INDOT is working with the Corps relative to levee penetration. Mr. Pokrajac has gotten no direct answer for the time schedule until permits are obtained.

Operation & Maintenance – Jim Pokrajac reported that pump station/levee inspections have been ongoing. At the end of 2009, the Commission engaged a firm to do regular inspection of pump station facilities in Gary. After inspections are completed, reports are sent to the Commissioners.

- Mr. Pokrajac reported that the clean-up work at Hart Ditch has not been done yet. It is being delayed because of weather issues with the ground being too soft. It is the intent that the cost for the debris removal will be shared with the town of Munster, city of Hammond, North Township, and the Commission. Chairman Dernulc asked town manager Tom DeGiulio for his opinion. Mr. DeGiulio stated that the town did obtain several prices from contractors. They did get a good price of \$18,500 but that was just for removal; the price did not include any cost if the levee and area within the work limits had to be repaired. Everyone is frustrated that it is taking so long but the ground needs to be frozen before the work can be done or the 4 parties divide the additional cost to repair the damages. It does show that the O&M process needs to be stream-lined, especially in an emergency situation, when you cannot wait for “ideal” weather conditions. Also, some municipalities may not have the proper equipment for them to do any O&M themselves; they may have to contract it out. Once the Corps builds ramps on the river-side of the lines of protection, it will be a tremendous help for access to the river. It was agreed that the Commission will wait for Munster to take the lead on this project and make the determination of when it can be done. Discussion ensued on where access would be placed. Imad Samara stated they will work with the communities for best locations.

Legislative – No report.

Rick Ackerson, hydrologist from the Army Corps, gave a 15 minutes power point presentation of the early warning system; a lot of the information is on the Corps website.

Other Business – Again, the Commission welcomed the new Executive Director, Dan Repay. Mr. Baker emphasized that the O&M plan needs to be done asap.

Statements from the Floor -

- John Beckman, Lake County Fish & Game, looks forward to working for watershed management to be stored upland in various ways once project is complete.
- Senator Frank Mrvan congratulated Dan Repay on his new position. He asked whose responsibility it is to track all the gage readings. Mr. Dernulc answered that it is part of O&M; it will be in the final O&M plan. He stated that Jim Pokrajac is doing a weekly levee and pump station inspection but it will be more defined and detailed in the O&M plan. Mr.

Baker added that they have reached out to all municipalities for help until final agreements for O&M are put in place. The Senator expressed his concern about us being prepared at the time of another flood event.

- Michael Opinker from Hammond questioned Mr. Repay about his resignation from the Lake County Auditor's Office and from the Hammond Council position. Mr. Repay replied that he will officially be employed by the Commission next week. This is his last week at the Auditor's Office and Council. He is not collecting a salary from the Commission at this point.

- Mike Zarantonello from Hammond expressed his concern about whether or not all the easements were obtained in the Southmoor Road area; he asked if the condemnations were only pending regarding to a money settlement; he thought the Commission was going to be trying to settle monies without actually going to court so the project will not be delayed; still opposes the flood wall in his area; asked why the Corps has changed the term "flood control" to "flood reduction" and how that would affect paying flood insurance. Attorney Dave Wickland stated that the pending condemnations should not be discussed publicly.

- Paul Daniels from Munster, stated that he attended the last Munster town meeting in which there was a discussion on their proposed closure method for bridges, which is called a water bladder. He inquired whether or not the Commission or the Army Corps has reviewed this procedure. He was informed that it is in the process of being reviewed.

Mr. Daniels also expressed concern that adequate inspections of "pinch points" in the river are not happening. Although Jim Pokrajac stated he has been doing weekly drive-bys, and riding the levees, as weather permits, the municipalities are engaged to check areas in their respective city/town, there is still no one approved O&M procedure identified at this point in time.

- John Zorns (sp?) from Hammond, wants status of from state line to Calumet; he feels he is not getting a direct answer. Attorney Wickland stated that they are actively talking to the Corps and should know something soon.

- Jayson Reeves from Gary expressed a concern about the large accumulation of storm water that is a real problem in Gary, especially by Colfax and Chase.

- John Mulesa from Munster stated that the Army Corps provided answers on their website to his questions he had at the last meeting. He expressed concern about an area west of Calumet where you have concrete floodwall, then earthen levee, then back to floodwall. He feels the soil conditions are very poor and continued to express concern about the number of sand bags that would be needed and only one sand bag machine available.

- Ted Muta from Munster expressed concern that once levee construction starts behind his business, his property would become a funnel and he would be flooded. He has never had water on his property before; if he were to get water, who's responsible? Imad Samara stated that during construction, the contractor is required to maintain the same level of protection that currently exists and the contractor is also required to have insurance to cover liability issues. Imad stated that when the contractor begins work in Mr. Muta's area, they will relate Mr. Muta's concerns to the contractor.

- Joe Levey, Director of Emergency Management with the city of Gary, expressed concerns about bringing the levees within his city back up to Corps standards to classify them as acceptable; also expressed concern about standing water near Georgia and Colfax; he has to close off roads which costs over time and causes problems. Chairman Dernulc said it is an O&M issue. He asked that he meet with the Mr. Repay to discuss this issue.

- Karen Lorenz from Hammond stated that she was disappointed that Mr. Dernulc and Mr. Baker said on WJOB that the Southmoor residents were delaying the project. Chairman

Dernulc retorted that it was never said; he reiterated several times that these lines of protection will be done by the end of 2010, as per the Army Corps schedule.

- Laurie Zollno (sp?) asked whether there are 9500 homes that will be protected, as per the Corps website. Chairman Dernulc also confirmed that the contractor is holding to the completion dates.

There being no further business, the meeting was adjourned. The next meeting was scheduled for Wednesday, March 3, 2010 at the Munster Town Hall at 6:00.