

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, AUGUST 10, 2011**

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

Chairman William Baker called the meeting to order at 6:10 p.m. Pledge of Allegiance was recited. An Executive Session and Work Study Session was held prior to the public meeting. Four Board members were present (one vacancy exists). Quorum was declared.

Development Commissioners:

**William Baker, Chairman
Anthony Broadnax, Treasurer
Tom Wichlinski, Secretary
Ron McAhron**

Executive Director:

Dan Repay

Attorney:

Dave Wickland

Staff:

Sandy Mordus

Visitors:

**Bill/Bev Coomes - Munster
Elizabeth Johnson - Congressman's Office
Deborah Lynn Fritz - Dyer
Dave Nellans - Munster Town Councilman
Bob Paulson - Munster
Kim Poland - Hammond Councilwoman
Dan Spitale - Hammond Councilman
Ruth Mores - Southmoor, Hammond
Fred Baginski - Hammond
Trudy Wasik - Hammond
Mike McPhillips - INDOT, LaPorte District
Joe Simonetto - Candidate for Munster
Town Council
Robert Leary - Munster
John/Laurie Czulno - Forest Ave, Hammond
Mike Echterling - Lake Co. Fish & Game
Elaine Fay - Munster
T. Cholipski - Munster
Joan Zacok - Munster
LuAnn Franklin - The Times
Bridget Bodefeld - Munster
Kalliope/James Dedelow - Munster
Steve Caco - Munster
Col. Frederic Drummond - Army Corps
Roy Deda - Army Corps
Bill Rochford - Army Corps
Vanessa Villarreal - Army Corps
Lynne Whelan - Army Corps
Jim McLean - Army Corps
Leon/Alice Kozlowski - Munster
Stephen Jadrnak - Forest, Hammond
Craig/Bea Hanusin - Munster
Dorothy Pazanin - River Dr. Munster
T. Ahearn - Hammond
John Mulesa - Munster
George Janiec - Hammond**

Minutes of the July 13, 2011 meeting were approved by a motion from Tom Wichlinski; motion seconded by Ron McAhron; motion passed by a 4-0 roll call vote.

Chairman's Report – Chairman Bill Baker referred to the major flood event we had in September 2008 and stated that it is the reason we are here. The Commission is charged with maintaining a man-made structure and making sure that it works to Army Corps specs. Maintenance of this project is our priority, which includes preventative maintenance as well. He thanked everyone for supporting us and attending the meetings. The Commission is doing the best that it can for the public good. We will always try to answer any questions the public may have.

Executive Director's Report – Mr. Repay reported on several items:

- Mr. Repay reported that we have submitted a plan for Forest Avenue to the Army Corps for their review. They have asked for some changes, which we will make. Once the plan is approved, we can proceed once we have all the property rights.
- Army Corps annual inspections of the levee system have been going on since the last meeting. Inspections include Highland, Hammond and Marshalltown. We expect a draft report from the Corps within a few weeks that we will be able to comment on and then a final report will be issued, hopefully for the next meeting.
- The State Board of Accounts have just completed the Commission's audit of years 2008, 2009 and 2010. Exit interview is scheduled for tomorrow. Their final report should be available for the next meeting.
- The grates on Chase Street were replaced/repared at a cost of about \$4,000; unfortunately, they have been stolen again. We are looking at different alternatives to see what can be done. Not replacing the grates could damage cars in the area.
- To date, we have not heard from the city of Gary in regard to Chase Street culvert replacement/street closing. Commissioner Wichlinski inquired when we had contacted the city. Mr. Repay replied he thought the end of July; a report/letter was sent to them; he has since sent email follow-ups.
- Mr. Repay has been working with the attorney in developing an RFP for tree removal. It will be advertised in the paper for a cost to remove those trees as soon as it is finalized.

Army Corps Report - Commissioner Baker introduced the new colonel, Colonel Frederic Drummond. The Colonel thanked the Commissioners for having him. He also referred to the pictures of the 2008 flooding in our area and vowed to work to the best of his ability to make sure that never happens again. He will look at the facts and make the best decisions based on the data in front of him. He said that the #1 thing that Colonel Quarles told him was to go to Little Cal and get it right. He is committed to do just that. Working with his professional staff and engineers, he has become familiar with the project over these last 3 weeks. With the lines of protection in, he is confident that if we had the same rainfall today as we had in 2008, we would not see that flooding situation. With that, he introduced Roy Deda, who proceeded with a status report on the remaining stages.

• Roy Deda reported that Walsh Construction returned in mid-July to the job site in Stage VIII. They are doing general clean-up work, top soil placement, etc. Corps also on site. In Stage VII, the contractor has not started working yet. They have committed to start next week. If not, Colonel Drummond will find out why not. They are going to hire a sub-contractor. Corps will make sure any sub-contractor has a common understanding of the project and what needs to be done.

- In Stage V-2, they are continuing to close out that contract.
- At the last Commission meeting, several questions were raised that required an answer from the Corps. One question raised by Commissioner McAhron was the future cost involved with re-certification of the levee system. Other projects similar to ours incurred costs as high as \$500,000. Roy Deda and Bill Rochford explained that after the initial certification by the Corps, the project will require a re-certification every 10 years, based on individual reports of the project, for a total cost of approx. \$200,000. Commissioner Baker questioned what a report consists of so we have an idea of costs in future years. Bill Rochford replied that there is an individual report for each of about 5-7 systems within the levee project system, usually costing about \$25,000 a report.
- Also discussed was wetland mitigation areas, most likely between Clark & Chase, other than the Hobart Marsh area.
- Also, a question from the public was raised at last month's meeting about the diverter at Hart Ditch and that it didn't seem like it was really doing what it was designed to do. Commissioner McAhron asked Bill Rochford to report back at the next meeting.

Action Required – Mr. Repay presented the claims for August in the amount of \$29,618.77. Commissioner Broadnax made a motion to approve the claims; motion seconded by Ron McAhron; motion passed with a 4-0 roll call vote.

- Mr. Repay then presented the claims for Operation & Maintenance in the amount of \$41,769.03. Cost of mowing was questioned and Mr. Repay explained that this amount was for the first mowing of the entire levee system, including V-2 and Highland section. The levees will have to be mowed again in the fall. Commissioner Broadnax made a motion to approve the O&M claims; motion seconded by Tom Wichlinski; motion passed with a 4-0 roll call vote.
- Commissioner Broadnax asked about the RFP for tree removal. Chairman Baker stated that it has been drafted; not finalized yet. It is separated into 3 sections so bidding can be given in separate amounts. Mr. Repay stated he would make it available to all Commissioners before submitting to papers for publication.

Land Acquisition/Land Management Report – Mr. Repay reported that billboard leases have been signed with View Outdoor and they are proceeding with the approval process with the municipalities. The billboard lease for Lamar is still proceeding. In regard to interest in Commission lands for a new cell tower, nothing has been formally submitted.

- The Commission continues to work on obtaining the last 2 parcels needed in the Forest Avenue area. Commissioner McAhron asked where the parcels were in the condemnation process. Attorney Wickland stated they were ready for filing and will be filed by next month's meeting.
- Commissioner McAhron asked about receiving a defined update of the status of additional easements that are needed by the Commission, whether they are in condemnation, ready to go to condemnation, or not yet begun the process of acquisition.

Operation & Maintenance Report - Mr. Repay reported that he received a proposal from Austgen Electric for entering into a 6 month contract for normal inspection and testing of the pumps. The previous contract expired at the end of June.

- Commissioner McAhron reported that he joined Mr. Repay at a monthly O&M/flood preparedness meeting with the municipalities and INDOT. They will be doing a table top

exercise about a scenario that could happen. They had also planned to do a simulation exercise in Highland where they would only have one lane open. They have since found out that they cannot close any lanes at Kennedy Ave. because Indianapolis Blvd. will have only one lane open in each direction because of road/bridge construction.

- Discussion was held on the failed pump at Burr Street. Last month, the Commission deferred the repair on this pump. Mr. Repay explained that there are 2 pumps at Burr Street. The first pump has already been repaired at a cost of \$26,000; this is the second pump that needs repair. The repair cost is about \$24,000. In a flood event where no pumping was done, the retention pond would fill up and flood the area. It was discussed to get costs and bring in a portable pump if needed. Commissioner McAhron proceeded to make a motion authorizing Dan Repay that, while the second pump is down, he could go ahead and get a portable system pump on site, if a need arises. He will inform Commissioners what the cost would be to have a portable pump brought in; motion seconded by Commissioner Broadnax; motion passed with a 4-0 roll call vote.

Legislative Report – Ron McAhron informed Board members that the summer legislative session has just started that will run through the end of October. No further report.

Other Issues/New Business – Commissioner Wichlinski asked Mr. Repay about the Austgen inspections. Proposed agreement would authorize Austgen to continue with monthly inspection reports in Gary through the end of the year. Bill Rochford added that the inspections are called for by the Corps. Ron McAhron asked that Mr. Repay to look at the O&M Manual for frequency to do these inspections so we know for next year. It is worth knowing that information and an important record keeping component. Tom Wichlinski made a motion authorizing Austgen Electric Company to continue the monthly inspections through the end of December 2011; motion seconded by Anthony Broadnax; motion passed with a 4-0 roll call vote. Commissioner Broadnax added that we need to look at competitive companies next year.

- Commissioner Broadnax added that we will probably continue to have these discussions on upkeep/repair costs as we watch our funds dwindle down. We have spent money within the city of Gary because that's where it is needed and it is the weak point in the system also. Chairman Baker added that we have spent more money in Gary than any other community. Everything has gotten done when needed. We have continued to treat the entire levee system as a whole; we've been consistent with that.

- Commissioner Wichlinski inquired about the mowing cost and whether we cost out segments of the levee so we have a better idea of what dollars are being spent where. Dan Repay replied that we are doing that. We have a separate dollar amount for what we have control over and what we don't. We'll also look into competitive companies next year.

- Chairman Baker thanked Col. Drummond for attending the meeting and we look forward to working with him.

Statements from the Floor:

- John Mulesa from Munster expressed concern about Chase Street culverts being blocked and therefore, diverters in Munster would not work properly during a rain event. Discussion ensued if anything could be done in the interim until the city responds back to us. Bill Rochford will check on their modeling to see what impact there would be. Mr.

Repay stated that we have several individuals who have been checking those culverts, at least on a weekly

basis. We continue to clean them out. Mr. Repay will also check on actual use of the bladder vs. sandbags in the June rain event.

- Dorothy Pazanin from Munster expressed complaints about the weeds growing up behind her house. This is in Stage VII and Ceres has not mowed them yet. Some mowing was done, possibly done by BP because they have a pipeline there or the town mowed, but it was not the contractor. Roy Deda said he would follow up with the contractor.

- Joe Simonetto from Munster inquired on how to get to the Marshalltown area in Gary. Mr. Repay gave him directions.

- Laurie Czulno from Hammond questioned the two remaining properties on Forest that have not been filed with the court yet; we had previously said that they were filed.

Ron McAhron stated that we have paid the Corps our cost share to allow the contractors to finish up their contracts. Roy Deda added that they have not paid the contractors yet.

He also stated that we would not get credit from the Corps for early tree removal because we would be taking the tree removal out of sequence. It is not known if we will do the removal; from the RFP, we are only seeking a cost to consider. We will post it online once the RFP is finalized.

- Dave Nellans, Munster Town Councilman, also voiced a complaint about the unsightly condition of how the properties are overgrown with weeds. He asked the Corps if they could please do something. In Stage VII, there is a separate contract for the backyard drainage issue. Roy Deda offered to see what he could find out about it. Councilman Nellans stated that he is not in favor of the Burns Conservancy District. He suggested having a meeting with involved parties, including the municipalities, to devise an action plan. Commissioner McAhron went on to say that he attended an emergency preparedness meeting today with all communities represented. He said that the flood fighting program is organized much better than before. What is lacking is just a funding source. It is a fact that the residents are the ones who will eventually fund this system. An exact number is not known; estimates from the Army Corps have been given to the legislature. Although the entire system is not 100% complete, it is functioning very well. He reiterated that the system is not a flood elimination; this is a flood reduction, as emphasized by the Army Corps. He knows that residents still worry. The railroad trestle areas remain to be addressed by the railroads for cleaning.

- George Janiec from Hammond agreed that funding is the issue to be addressed. He suggested a closer working relationship with the legislators.

- John Czulno from Hammond expressed dismay that it is taking so long, after our local cash share was given to the Corps, for the contractor to return to the site. Roy Deda stated that when they were notified to return, Ceres already had workers on other jobs. They are scheduled to be back on site next week.

- Joe Simonetto, Munster, encouraged the Commissioners to keep after the city of Gary to resolve the Chase Street culvert issue. Mr. Repay added that when they met with the Mayor, they said they would approve the agreement. They wanted some additional information on impact downstream, which was provided to them. They probably just don't realize the importance of the issue to us; they probably have other priorities. He will keep pursuing it.

- Mike Echterling from Lake County Fish & Game consistently checks on the culverts. He said if river comes up, it will flow over culverts. He stated that a proposed resolution was given to the Commission for consideration/support of upland remediation. He also said this

is the first time the Little Calumet River has had an eagle nest since 1890. There are 2 adults and 2 offspring.

- Bill Coomes from Munster inquired about wet/dry conditions at the culvert. Mr. Repay added that we are also working with NIPSCO to get their easement cleared. Mr. Coomes asked why the town couldn't cite the contractor for the unsightly conditions.**
- Fred Baginski of Hammond stated that he also consistently checks on culverts, as well as other areas of concern.**

There being no further business, the meeting was adjourned. The next meeting was scheduled for the second Wednesday of the month, which will be Wednesday, September 14th at the Munster Town Hall at 6:00.