

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 p.m., WEDNESDAY, JANUARY 17, 2024
Location: Munster Town Hall, Munster, IN

Chairman Baker presided and called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. There were eight (8) Commission members present at roll call. Quorum was declared.

Commissioners Present:

William Baker, Chairman
Tom Wichlinski, Vice-Chairman
Levon Whittaker, Secretary
Anthony Broadnax (via zoom)
Dave Castellanos
Ron Ware
Robert Ochi
Derek Nimetz

Visitors:

Gary Lee – Gary
Dave Taborsky – Gary
Paul Daniels – CCxPD LLC
Luke Sherry – CBBEL
Doreen Carey – Gary (via zoom)
Carolyn McCrady – Gary (via zoom)

Commissioners Absent:

Tom Gozdecki, Treasurer

Executive Director:

Dan Repay

Attorney:

David Wickland

Staff:

Jodi Lambert

Approval of Minutes -

Commissioner Nimetz made a motion to approve the minutes from December 11, 2023, as presented; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 7-0 (Commissioner Broadnax abstained).

Chairman's Report –

Chairman Baker welcomed all to our first meeting of the new year. He stated that the Commission is tasked with the continued maintenance of a \$275 million man-made federal flood control project. There are numerous issues with the original design and decades of deferred maintenance that we are in the process of addressing. Despite this, the project has been constructed to manage Mother Nature and at some time there will be an issue when we get 10 gallons of water for our 5-gallon bucket – but we are better prepared today for that situation than we were before the flood of 2008. We are an economic development project as we put \$4 million back into the community every year by not requiring mandatory flood insurance.

Finance –

Chairman Baker referred to the January 2024 claims in the amount of \$267,908.94. Commissioner Ware made a motion to approve the claims as presented; motion seconded by Commissioner Ochi. Mr. Repay explained a few of the claims, starting with payment to Garcia Consulting Engineers in the amount of \$30,445.10 for engineering work on the MLK culverts. These culverts have been identified as in need of replacement. Our plan calls for doubling the capacity of these culverts to prevent overtopping of the road which happens during major rain events. \$10,146.73 was paid to Hasse Construction for gate repairs in Hammond. The repairs were necessary before the annual USACE Inspections which will occur this spring. VVP Enterprises, LLC submitted claims totaling \$43,900.00 for clearing of Schoon Ditch. This project is now complete. \$11,705.00 was paid to Abrahamson, Reed & Bilse for their continued work in acquiring over 100 tax sale properties from the Lake County Commissioners. Finally, we made a \$6,500.00 donation to the Wildlife Educational Exhibit of NWI.

Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 8-0.

Executive Director's Report –

Mr. Repay gave an update on several of the projects:

- We received notification from Colonel Rockwell that the LCRBDC has officially completed all the requirements for the federal flood control project. Moving forward, we will be working with the USACE solely for permits and annual inspections. We anticipate our \$1.2 million dollar refund payment from the USACE will be received by the end of the month.
- We have acquired 106 parcels from the county that have been on tax sale. For the most part, the properties are located in and around Deep River. This spring we will also be offered another opportunity to get deeds to properties that are delinquent in taxes. We will continue to look for parcels that are around our major tributaries to allow us access in the future.
- We have continued with the security patrols on the levee. The security patrols have encountered issues such as illegal hunting, drug use, stolen vehicles and dumping. We are working with NIPSCO to discuss ways to better secure the river.
- The next phase of the Hart Ditch Stabilization project was bid out by the Lake County Drainage Board. Austgen Equipment was the lowest bidder and was awarded the contract. Work is expected to begin sometime this spring.
- Plans have been submitted to the USACE for their comments and questions on the Sandbar Modification near Kennedy Avenue. We anticipate going for bid later this summer assuming there are no issues.
- We continue to move forward with our application for a Readi Grant on the Kennedy Avenue Bridge Project. We should find out this spring if our grant application was successful.
- Starting next month, communities will begin to present their Watershed Applications to the Board. We have 6 applications to consider at this time.
- Christopher Burke Engineering has started to model Beaver Dam Ditch and Turkey Creek using data from the 2008 flood and large rain even in 2018. They are also going to add the proposed Stinky Creek Diversion into the model so we can see the impacts.

- There is an issue with the Cady Marsh Screen Raker Project regarding the placement of a NIPSCO electrical box. The box is impeding the line of site for drivers. We hope to have the issue resolved soon.
- NIPSCO has received approval from the railroad to run the power over the tracks at the Natural Spring. The project is currently on NIPSCO's schedule, so we anticipate the power to be run to the site soon.

Other Issues/New Business –

Commissioner Nimetz made a motion to approve a proposal with Encap Incorporated for annual maintenance of the Chase Street and Black Oak Mitigation sites in an amount not to exceed \$90,000.00, pending legal review; motion seconded by Commissioner Castellanos. Mr. Repay stated that these mitigation sites were part of the federal project, and we are required to maintain the sites for 5 years. Commissioner Whittaker inquired if there were any local contractors qualified to do the work suggested delaying the vote until that was determined. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 7-0 (Commissioner Whittaker abstained).

Commissioner Ochi made a motion to authorize the Executive Director to enter into a lease for Commission office space pending legal review; motion seconded by Commissioner Ware. Mr. Repay stated that the plan is to centralize our operations to include emergency response, day-to-day office management and monthly meetings all in one location. Commissioner Whittaker asked if this move would affect any contractors who do work for us. Mr. Repay stated that we have various subcontractors that we utilize throughout the system and that aspect will stay the same. This move to a new location would centralize things on an administrative level and allow us to create a true emergency response center that would be beneficial to the entire watershed. Commissioner Castellanos asked if other locations were considered during this process. Discussion was held regarding the different locations that were taken into account and why they were not ultimately chosen for the Commission office space. Chairman Baker asked if there were any further questions and called for a roll-call vote. Motion passed 7-1 (Commissioner Castellanos voted nay).

Commissioner Whittaker made a motion to authorize the Executive Director to seek bids for the paving and fencing of three parking lots located within the Hobart Mitigation Area; motion seconded by Commissioner Wichlinski. Mr. Repay stated that as part of our agreement with DNR, the LCRBDC is required to pave the parking lots and erect a fence to protect the mitigation site. Chairman Baker added that we also need to have an agreement in place with DNR stating who is responsible for the maintenance of the parking lots. Commissioner Nimetz stated that as the DNR Representative to the Board, he will recuse himself from voting on this motion. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 7-0 (Commissioner Nimetz recused).

Commissioner Wichlinski made a motion to authorize the Executive Director to seek bids for the sealcoating of various trails along the levee system; motion seconded by Commissioner Nimetz. Mr. Repay stated that some of the earliest paved levee tops need some maintenance and this motion gives authorization to bid out the various

segments for sealcoating. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 8-0.

Statements to the Board –

Doreen Carey, Gary, stated that she wrote a letter to the Commissioners but also wanted to speak at the meeting. Ms. Carey said that she was concerned that the office was being moved further from the river and the people most impacted. She also added that it would be more convenient for people to attend the meetings if the office location was further east. Further, if the Commission is interested in developing the area in a sustainable way, a place such as Gary would make more sense for an office location.

Carolyn McCrady, Gary, stated that having our office in Munster may make it harder for people trying to attend the meetings. She added that she is happy to see that we are doing work in Gary after a long hiatus but is concerned that moving further south will affect the community's representation. Ms. McCrady asked if the Commission would make a commitment to hold quarterly meetings in the City of Gary. She also asked which Real Estate Broker the Commission used to consider locations within the City of Gary.

Gary Lee, Gary, asked if part of our due diligence did the Commission research the possibility of building a building and if so, why was it ruled out.

Statements from the Board –

Commissioner Whittaker thanked the public for attending our meetings and continuing to voice their concerns as they did this evening with regards to real estate. He also noted that the Commission does not hold traditional committee meetings, so there are times when the communication and discussion take a little longer. He further added that there were things the Commission could have done better in the process. He said that there will be no disruption in maintenance, regardless of where our office is located, as we have third party contractors in place throughout the system. He further stated that it is important that the Commission continues to take our meetings on the road to engage with all the communities within the watershed.

Commissioner Wichlinski thanked the public for voicing their opinions. He further added that we have had many discussions with the staff and Commission members about our office location and the new space will allow us to have a flexible space for meetings.

Commissioner Ochi thanked those who sent letters regarding the office space. He added that due diligence was given when determining a space for the office. There are issues and constraints with the current office space and the new office will give us the necessary space needed for the Commission.

Commissioner Broadnax thanked the public for voicing their opinions regarding the office space and said their concerns have been heard. He stated that there are many challenges with our current office, and it does not have the space for our monthly

meetings, advisory board meetings or to be used as an emergency operations center. The new space will give us the ability to hold effective meetings.

Commissioner Castellanos stated that he was disappointed that the new office space would not be in the City of Gary. Stating that he felt there were good options in the City of Gary that would work for office space. He added that Gary was on the rise and the LOMR application will help the city with economic development like it helped Hammond, Munster and Highland, this is a bright spot for the City of Gary.

There being no further business, the next regular meeting was scheduled for 6:00 p.m. Wednesday, February 21, 2024.