

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, JANUARY 13, 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 four members present, with Kent Gurley absent with notice. There were no corrections to the minutes of December 1st; they stand as posted.

Development Commissioners:

Dan Dernulc
William Baker
Ron McAhron
Tom Wichlinski

Staff:

Jim Pokrajac
Sandy Mordus
Judy Vamos
Lorraine Kray

Attorney:

Dave Wickland

Visitors:

Leon/Alice Kozlowski – Munster
Ronald Albin - Munster
Holly Cummings - Munster
John Mogle - Munster
Bill Howard - Munster
James/Kalliope Dedelow - Munster
Elizabeth Johnson – Congressman's Of.
T. Chulipski – Munster
Paul Daniels – Munster

Visitors:

Dave Nellans – Munster Councilman
LuAnn Franklin – The Times
Gary Anderson - USACE
Sheldon Edd - USACE
Douglas Anderson - USACE
Ruth Mores – Southmoor Rd, Hammond
Michael Rakoczy – Chicago IL
Imad Samara - USACE
Margaret Callahan - Munster
John Sabo – Lake County resident
MaryLou/Paul Daniels - Munster
Mike Zarantonello - Southmoor
Tina Kutkoski - Hammond
Bill Petrites - Highland
Fred Baginski - Hammond
Tula Kavadias - Munster
Karen Lorenz – Hammond
John Mulesa - Munster
Tom DeGiulio – Munster
John Beckman – Lake County Fish & Game
Bob Paulson - Munster
Craig/Beatrice Hanusin – Munster
Bridget Bodefled – Munster
John Mulesa - Munster

Chairman's Report – Chairman Dernulc reported that an Executive Session was held on December 8, 2009 in which three candidates were interviewed for the position of Executive Director. There was also an Executive Session held prior to this evening's meeting to talk about pending litigation.

• Chairman Dernulc asked Army Corps representative Sheldon Edd to give a report on the status of construction contracts.

SV-2 – Contractor has moved into Wicker Park to do last outlet, then will do Baring floodwall and pump station outlet to finish up. When weather is better, they will do top soil and seed. Completion will be adjusted thru end of month; completion should be spring of 2010.

SVII – Contractor is driving sheet pile from Northcote going west on both sides of the river. Afterwards, then they will do the concrete portion of sheetpiling. AT&T lines was severed; repaired as quickly as they could. Two cables were cut; still on schedule around 9-24-10.

SVIII – Contractor has driven sheetpiling for floodwall around Tapper pump station. Clearing is done between Columbia and Calumet. Clearing started west of Calumet to old NICTD RR tracks. Lines of protection scheduled for completion by Dec. 2010.

Action Required – In Treasurer Kent Gurley's absence, Chairman Dernulc presented items for action.

- He presented monthly claims for approval in the amount of \$666,269.92. Ron McAhron made a motion to approve the claims; seconded by Tom Wichlinski; motion passed with a roll call vote of 4-0.
- Chairman Dernulc then presented the O&M claims in the amount of \$57.24. tom Wichlinski made a motion to approve the O&M claim; seconded by Bill Baker; motion passed with a roll call vote of 4-0.
- Chairman Dernulc asked if there were any nominations for Executive Director. Commissioner Bill Baker nominated Dan Repay. There were no other nominations. Motion to close nominations was made by Tom Wichlinski; seconded by Bill Baker; motion passed to close nominations for Executive Director by a 4-0 roll call vote.
- Bill Baker proceeded to make a motion to enter into an agreement for position of Executive Director with Dan Repay; motion seconded by Tom Wichlinski; motion passed with a roll call vote 4-0. Chairman Dernulc added that about 30 resumes were received; all Board members had an hour interview with three of them at an Executive Session on December 8 and all agreed on the same candidate. Bill Baker added that the job comes with a lot of responsibility and the biggest focus will be to secure O&M funding.
- Commissioner Ron McAhron made a motion to repeal the existing bylaws because they do not fit with what we have now with the new structure and are obsolete; motion seconded by Bill Baker; motion passed with a 4-0 roll call vote.

Finance – In Mr. Gurley's absence, Chairman Dernulc deferred any action on a 2010 budget to the next meeting.

Land Acquisition/Land Management – No report.

Engineering - Chairman Dernulc referred to Jim Pokrajac for a report.

- Jim Pokrajac reported that AT&T and Comcast at 177th in Stage VIII between Columbia & Hohman are scheduled to start this week; should be completed within 7-10 days; the contractor is not being held up.
- Regarding the sewer work on DC1302, permits were obtained and contractor will be starting that work within a day or two. Contractor knows the importance of getting the work done quickly so the Corps contractor will not be held up.

Operation & Maintenance – Jim Pokrajac reported that pump station levee inspection reports and utility updates have been distributed to Commissioners. Inspections of levee are being done regularly.

- Mr. Pokrajac reported that he met with contractor on January 6 regarding Hart Ditch debris removal. There is a problem with having the contractor assume responsibility for

repairing features from the ongoing V-2 contract. That includes access over the levees and the low area on the river side that is in the V-2 work limits. The ground is wet and rutting will occur. They will re-visit the site within a couple of weeks hoping it is frozen by then. Cost of debris removal will be shared with the town of Munster, city of Hammond, North Township, and the Commission. Chairman Dernule went on record to say that he thanked the entities and appreciated them working with us in getting this debris removed.

- After discussion on accessibility to the river on the river side (and a request from the town of Munster), Ron McAhrn made a motion to send a resolution and request to the Army Corps asking them to incorporate access on the river side when they do a final clean-up contract of the river from Cline to the state line and to be able to access the river for O&M in the future; motion seconded by Bill Baker; motion passed 4-0 with a roll call vote.

- Ron McAhrn reported that there was a meeting with residents from Southmoor a few weeks back. There have been several issues that have come up since.

Bill Timmer, from the town Highland, set up a meeting on February 4 with representatives of the communities and us to do an initial coordination and discussion on community responsibilities and coordinate with the Army Corps for their participation. Concern is that everyone needs to be ready if another flooding event would hit us. A plan needs to be put in place, quickly, that is responsive.

The Army Corps will have a power point presentation next month for early warning system. People need to understand what gage reading means and when roads should be closed. He added that we need to explain things better to the public.

Legislative – Ron McAhrn reported that this is a short legislative session but a House bill has been introduced to sunset certain boards/commissions at the end of 2013. The Commission is listed as one of those commissions to be terminated.

Other Business – Commissioner Tom Wichlinski asked whether or not the city of Gary responded back to our request to close off Chase Street. Commissioner Ron McAhrn stated that he met with the city and they have consented to closing Chase Street. INDOT has a consultant who is preparing plans to modify the closure structure at Chase. INDOT will do the modification there at their cost. The city is not abandoning Chase St; just closing it off to residential traffic.

- Commissioner Tom Wichlinski commended Bill Baker for the many hours he has spent in the last three weeks in working out a contract with NIRPC.

- Attorney Dave Wickland informed the Board that he will obtain another MIA appraisal on the Murphy matter.

Statements from the Floor -

- Tula Kavadias from Munster expressed her disappointment that the Executive Director would not be a woman. She asked what the terms of the contract would be and salary. She also asked that the public be notified of any future stakeholder meetings. Commissioner Bill Baker answered that the candidate has not officially accepted the position but would be paid between \$90-100,000 yearly salary. Commissioner Ron McAhrn added that this candidate will have to present a plan for future O&M to the legislative body by the end of 2011. He will be charged with an important role to play.

- Paul Daniels from Munster expressed concern about the vulnerability that the homeowners may face if the temporary levees that Munster built were taken away to build

the new Corps levees. Sheldon Edd from the Army Corps answered by saying that all the contractors are required to maintain the level of protection during the contract duration. Mr. Daniels asked whether any routine inspections are going on right now. Jim Pokrajac answered that he has been doing weekly inspections of levees and surrounding areas and is reporting that back to Commission. The Army Corps inspections are annually and any deficiencies are noted and reported to Commission. Everyone agreed that yearly inspections were not sufficient. Commissioner McAhrn added that is why securing O&M funding is so important; why accessibility to the river side is important. The Commission will work with municipalities and residents to see how we can maintain these levees. Mr. Daniels suggested that the residents keep an eye on their own areas also.

- Tom DeGiulio, Munster Town Manager, stated that the town has removed debris from Hart Ditch and river regularly in the past. When someone notifies the town, they have made every effort to clean up the area in question. Munster has jointly worked with the city of Hammond on several occasions, as well as working with the town of Highland on Hart Ditch. Most of the time, specialized equipment is needed and North Township does not have the equipment. The County has the responsibility for the bridges and they periodically check them. Mr. DeGiulio stated that is why accessibility to the river is important. Commissioner Ron McAhrn added that as we move forward, it will be the Commission's responsibility to see these efforts be coordinated and continue on. This is part of the plan that the new Executive Director will put together. The Commission will be held accountable. Commissioner Bill Baker added that we have discussed O&M from the beginning; it is not being ignored until construction is complete. Overall, the Army Corps does have to approve an O&M plan and they have given us information to work from.

- John Mogle from Munster stated that the contractor in both Munster and Hammond has been working on the control structure the last few days and it looks like it is coming together. Mr. Mogle also asked about the benefits that would be offered to the Executive Director. Bill Baker replied that he will have benefits, health insurance, but no car. The job has a lot of responsibility and they feel it is not a lot of money for the responsibility he will be charged with. A compensation package has been put together after researching it.

- Bill Howard from Munster, asked about receiving the Commission's financial information so the public knows what we are talking about when approving claims. He would like to see overall budget information. He added that we should be getting some money from other communities that lie in the basin. Chairman Dernulc said that is our goal. Commissioner Wichlinski added that right now the exact O&M figure is unidentified. Mr. Howard added that the residents could help if they are brought into the picture. Commissioner Baker added that the Commission will want everyone's help. This is an important year with the lines of protection being put in place and we will have a developed plan for O&M.

- Bridget Bodefeld from Munster requested that public be notified of all future stakeholder meetings. Chairman Dernulc assured her that residents would be notified if the Commission has future meetings of this type.

- Craig Hussin from Munster, asked whether the Lake County Surveyor's Office is responsible for cleaning debris from Hart Ditch. Commissioner McAhrn answered that the Surveyor's Office is not legally responsible. They are responsible for legal drains; the river and Hart Ditch are not legal drains. At this point, there is no entity truly responsible. Chairman Dernulc emphasized that he saw the Hart Ditch debris as being a major problem that required quick action and took it upon himself to call the other parties (Munster, Hammond, North Township) and ask for their help in cleaning it out. When entire project is completed and Corps turns it over to us, we will have that total responsibility.

Mr. Hussin then asked what happened with the AT&T cables being cut by the contractor. Residents felt it was a huge inconvenience for several days with no telephone service. Army Corps Imad Samara answered that 2 AT&T cables were cut by the contractor. The contractor did call the locate company and they marked the line into the contract drawings to the bottom of sheetpiling. The contractor thought it was deeper than it was and they were in a different location. AT&T, the locator company, and the contractor will have to figure it out how to handle the cost repair. Everyone did what they were suppose to do but it just happened. Chairman Dernulc said he would talk to the AT&T area manager and see what can be done going forward so this doesn't happen again.

- Karen Lorenz from Hammond disagreed that Munster has always cleared out debris when called. She said there were times when the homeowners themselves went into the river to clean it out; O&M is not coming fast enough.

- John Mulesa from Munster inquired about Chase Street closing. Ron McAhron answered that an agreement will be between INDOT and the city of Gary to close Chase Street on a long term temporary basis; the road will not be abandoned. The Corps had designed a post and panel design, which the Commission found unsatisfactory.

Mr. Mulesa expressed concern with the 3 culverts at Chase Street. Two culverts are blocked off and the other one is close to collapse. He said they were backing up the river and appears to be a real problem. Ron McAhron answered him that we would like to pull those culverts and open it up but access for NIPSCO needs to be there; trails are also there; it would be an expensive proposition. Only the utility will use it; the problem area is contained in the system.

Mr. Mulesa then asked what the design would be of the new levees that will replace the temporary levees that Munster built. Army Corps Sheldon Edd replied that the design in that area will either put in floodwalls or new levee. They will not rely on the existing levee, even though it is the new one recently built. The contractor will try to salvage the material that is in the levee now. They will move it off and compact it. Protection from the river will be maintained during construction of the new levees. He offered to residents that they can come in to the Griffith office to view plans.

Mr. Mulesa inquired about the flow restrictor at Northcote. Imad Samara stated that the water will go over the restrictor in a flooding event. Under normal flow, water is not restricted; it will only restrict higher events.

Mr. Mulesa distributed a list of questions he would like answered at the next meeting.

- Bill Petrites from Highland, asked for an update on the proposed pump station to be built by INDOT on Indianapolis Blvd. The last he knew was that a contract was suppose to be let in early December; he's heard nothing since or seen anything in the paper. Jim Pokrajac answered that as far as he knew, the work should be starting within the next couple of months. He does not know if a contract has been awarded. Imad Samara stated that the Army Corps has not approved any plans for this work. Jim Pokrajac will check. Mr. Petrites asked whether this item could be added on the agenda for a monthly update.

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