

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

HELD AT 6:00 p.m., WEDNESDAY, JANUARY 9, 2019

Location: MUNSTER TOWN HALL, MUNSTER, IN

Chairman Baker called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. An Executive Session/Work Study Session was held prior to the public meeting. There were seven (7) Commission members present at roll call. Quorum was declared.

Commissioners:

William Baker, Chairman
Tom Wichlinski, Vice-Chairman
Tom Gozdecki
Dave Castellanos
Derek Nimetz
Ron Ware
Levon Whittaker

Executive Director:

Dan Repay

Attorney:

David Wickland

Staff:

Jodi Lambert

Visitors:

Natalie Mills – USACE
Pam Eanes – Munster
John Garcia – Garcia Consulting Engineers
Paul Daniels – Advisory Board
David Nellans – Munster Town Council
Charlie Svitko - Munster
Jamie Miller – DNR
Tim Werner – Ciorba Group
LuAnn Franklin – NWI Times
Paul Petrie – Lake County EMA
Doug Stuart – Dunnet Bay Construction
Laura Stuart – Dunnet Bay Construction
Erik Sprenne – NWIPA
Aaron Graham – Superior Construction
Barry Halgrimson – Munster
Terry Steagall - Highland
John Beckman – IWLA-PCC
James Schmidt

Approval of Minutes -

Commissioner Ware made a motion to approve the minutes from December 12, 2018 and December 19, 2018 as presented; motion seconded by Commissioner Castellanos; motion passed with 7 aye votes.

Chairman's Report –

Chairman Baker welcomed all to the meeting and thanked them for attending. The Commission is tasked with the ongoing and deferred maintenance of this \$275 million man-made flood project and we are far better prepared now than we have been in the past. It has been 10 years since the devastating flood event of 2008. The yellowing pictures we show at every meeting serve as a reminder of what can happen if maintenance on a man-made flood control project is neglected. The Commission continues the practice of meeting with the communities in the Watershed on a monthly basis to ensure we are ready in case of a flood event. The goal of this Commission is a true regional flood project.

Finance –

Chairman Baker referred to the January claims in the amount of \$206,275.00. Commissioner Gozdecki made a motion to approve the claims as presented; motion seconded by Commissioner Whittaker. Mr. Repay explained a few of the claims starting with payment to DLZ Engineering in the amount of \$23,610.00 for continued engineering design of the Kennedy Avenue Bridge. A special meeting was held on December 19th to open bids for the project. The bid results will be discussed later in this meeting. IHC Construction submitted a claim in the amount of \$62,420.71 for continued work on the CFER Bridge Project. Ellas Construction Co. was paid \$36,539.10 for work on the Harrison Street Bridge Project. This project has resumed after some delays due to utility relocation. Greater Indiana Title was paid \$6,483.00 for title work completed on properties needed for the Lake Station Levee Project. \$4,000.00 was paid to Vale Appraisal Group for an appraisal of the former Griffith Golf Center. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 7-0.

Executive Director's Report –

Mr. Repay gave updates on some of the projects:

- A table top exercise was held earlier today and was well attended by local municipalities, area contractors, Lake County and the USACE. This exercise will help us be better prepared to respond to any flood emergencies throughout the watershed.
- Because of the growing popularity of the Natural Spring, IDEM has requested that we have the water tested on a regular basis as required for public natural springs. The water was tested in November of 2017. The Commission will begin quarterly testing starting this year.
- Our current mitigation projects are currently slowing down due to the winter weather. Activity on the projects will increase as the weather improves.
- The Clark Road Grade Adjustment Project was completed just before Thanksgiving with the exception of grass planting that will happen this spring. This project will eliminate the need for a sandbag closure at this location.
- The CFER Railroad Bridge Project in Hobart was slightly delayed due to some surveying issues. The Commission participates in weekly status meetings to ensure we are up to date on the progress of the project
- The Harrison Street Bridge Project has been resumed after utility relocations delayed the project.
- We have signed an agreement with Patrick Engineering to design a levee, dam improvements and pedestrian bridge on Deep River in Lake Station. Construction on this project is slated to begin in 2020.
- Bids on the Kennedy Avenue Bridge Project have come in higher than anticipated. The bids will be addressed later during the meeting.
- The updated handbooks from the USACE are almost complete. The handbooks will be listed on our website once they are received from the USACE.

Update from the USACE –

Natalie Mills of the USACE gave the following updates:

Work on the Hobart Marsh Mitigation Project continues with selective clearing completed this month. Tree planting was completed at the In-Project Mitigation Site. Additional work will be completed once the winter weather clears.

The USACE received approval to complete the repairs on the levee wall that was found to be leaking during the February 2018 rain event. Work is expected to begin this spring and completed over the summer.

Commissioner Castellanos asked for information on the process used by the USACE to claim land that is needed for our project. Commissioner Castellanos stated that developers are interested in developing land owned by the LCRBDC and would benefit from understanding the position of the USACE. Mr. Repay added that the land in question is located south of the levee between Grant and Chase Streets. Ms. Mills stated that she believes all the real estate necessary for this project has already been acquired. Commissioner Whittaker asked how often the USACE reviews and evaluates the existing project. Ms. Mills replied that the project is re-assessed every five years to review how the project is performing and any events that may have happened during the evaluation period. Additional guidance may be given as a result of the five year reassessment. Mr. Repay added that the LCRBDC is already given direction by the USACE during our annual inspections based on events happening throughout the country. In the past, this has included items such as changes in setbacks. Ms. Mills stated that she would consult the USACE Real Estate Department to determine their process for eminent domain and share it with the Commission.

Other Issues/New Business –

Commissioner Gozdecki made a motion to reject all bids on Bridge No. 143 on Kennedy Avenue over the Little Calumet River. The bid package for the project will be modified and re-issued with new bids due to the LCRBDC office by 12pm on February 13, 2019; motion seconded by Commissioner Castellanos. Mr. Repay stated that the bids came in higher than anticipated. The Commission is work with the engineering firm to make the necessary changes and re-bid the project. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 7-0.

Commissioner Whittaker made a motion to approve a Memorandum of Understanding with the Indiana Department of Natural Resources for monitoring of the Hobart Marsh Mitigation Project for the period of July 1, 2019 to June 30, 2021; motion seconded by Commissioner Nimetz. This agreement will allow the INDR to monitor, manage and perform necessary maintenance of the 345 acre project. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 7-0.

Commissioner Wichlinski made a motion to extend the licensing agreement with Maya Energy, LLC for an additional 6 months, to June 9, 2019; motion seconded by

Commissioner Ware. Chairman Baker called for discussion on the motion. Commissioner Castellanos asked there was anyone present at the meeting that would be able to discuss the project on behalf of Maya Energy, LLC. Mr. Repay stated that we will still farm this land during the extension time period and that this is an extension of the original license agreement. This extension would give Maya Energy additional time to obtain all necessary permits and meet all requirements necessary for the project. Commissioner Whittaker reiterated his concerns that this is not the proper location for this type of facility. Commissioner Wichlinski further added that if Maya Energy is unable to acquire all the permits and requirements as outlined in the License Agreement, the project would not move forward. Chairman Baker asked if there were any further questions and called for a roll call vote. Motion passed 5-2 (Commissioners Castellanos and Whittaker Nay)

Statements from the Floor –

Pam Eanes, Munster spoke in opposition to the Maya Energy License Agreement. She stated that the agreement with Maya Energy has been extended for a year and a half, despite numerous citizens speaking against the project. She further said that projects such as this are not the mission of the LCRBDC.

Barry Halgrimson, Munster spoke against the Maya Energy Project. He stated the continued extensions are keeping other interested parties away from the property. He also requested an update on the Grant Street property that the Commission recently offered for licensing.

Terry Steagall, Highland asked the Commission to include an ADA compliant canoe launch with the Kennedy Avenue Bridge Project. He also expressed disappointment that the License Agreement with Maya Energy was extended. He questioned the financial ability of Maya Energy and said that they will be processing trash from Illinois.

Eric Sprenne, Highland thanked the Commission for clearing Deep River. He felt that Kennedy Avenue would not be the best area for a canoe launch due to the accumulating silt from Hart Ditch. He also asked for status on the Chase Street Bridge Pedestrian Project.

Doug Stuart, Dunnet Bay Construction, cautioned the Commission on re-bidding the Kennedy Avenue Bridge Project. He suggested instead an open meeting with the contractors.

Statements from the Board –

Commissioner Castellanos reminded everyone of the LCRBDC Radio Show on WLTH AM 1370 that is broadcast the 2nd Monday of every month at 9:00a.m. Commissioner Castellanos also added that he is working to schedule a forum for local contractors in the near future.

Commissioner Whittaker thanked all the Commissioners for their hard work. He stated that we have a lot of work ahead of us this year. Commissioner Whittaker said he would like to see a process in place to verify that contractors are meeting the minority participation goals of the LCRBDC.

Commissioner Wichlinski stated that the Chase Street Pedestrian Bridge Project was awarded late last year and will be completed this year.

Commissioner Gozdecki thanked everyone for their comments during the meeting.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, February 13, 2019, at the Munster Town Hall.