

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
 HELD AT 6:30 P.M. THURSDAY, MAY 4, 1989  
 AT THE COMMISSION OFFICES  
 8149 KENNEDY AVENUE, HIGHLAND, INDIANA

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Chairman John DeMeo called the meeting to order at 6:35 p.m. There were ten (10) Commissioners present. Guests were recognized and quorum was declared.

Development Commissioners:

Dave Springman  
 George Carlson  
 Charles Agnew  
 Jack Swike  
 Doyle Niemeyer  
 Clyde Baughard  
 Jerry Pagac  
 John DeMeo  
 Arlene Colvin  
 William Tanke

Visitors:

Pete Zak - South Shore Marina  
 Harold Mauger - Gary  
 Dick Wawrzyniak - DNR, Div.  
 of Water  
 Stephen Davis - IN DNR  
 Robert Huffman - Basin Comm.  
 Sharon Bohling - The TIMES

Staff:

Dan Gardner  
 Lou Casale, Attorney  
 Sandy Mordus

A motion was made by Clyde Baughard to approve the minutes of the April 6th meeting; seconded by Arlene Colvin; motion passed unanimously.

Finance/Policy Committee - Treasurer Arlene Colvin presented the financial report for March as well as the claims. Ms. Colvin made a motion to approve the claims as presented; seconded by Clyde Baughard; motion passed unanimously.

Mr. Gardner stated that at the April 12th State Budget Committee hearing, the committee approved the remaining \$1.5 million from 1985-86 monies be released to the Development Commission for claim drawdown. There is still \$2 million in the budget from 1987-88 monies. Another \$2 million has just been approved in the recently adopted 1989-90 budget.

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Legislative Committee - Committee Chairman George Carlson referred to a letter contained in packet from Senator Dan Coats stating he has submitted written support of the Little Calumet River project to the Senate Appropriations Committee urging them to commit funds in the FY90 Energy and Water Appropriations bill (Corps is requesting \$2.4 million to complete engineering and begin construction).

Mr. Carlson stated a meeting was held with Corps personnel (Paul Benkowski and Dave Wallin) and attorney Casale, staff Dan Gardner and himself for the purpose of discussing the Local Cooperation Agreement. The LCA must be mutually agreed upon and signed before the project startup. Issues centered on the financial capability of the Commission; separable elements and separable elemental construction of the project; and concurrence by the Commission in construction contracts and modifications thereof.

Mr. Gardner stated that after the Commission receives a Corps schedule of the project, he will pursue obtaining a letter of support from the Governor's Office stating continued project backing.

Mr. Carlson stated that the Basin Commission was up for review by the Sunset Committee of the Legislature. Mr. Carlson made a motion that the Legislative Committee meet prior to the next regular meeting and review the state sunset report and advise the Basin Commission on their position; seconded by Clyde Baughard; motion passed unanimously.

Mr. Gardner announced that Col. Jess Franco, District Engineer for the U. S. Army Corps of Engineers will be at the next meeting (June 1) to give a special presentation of the construction schedule and project description of the Little Calumet River Project implementation. A special mailing will go out to Congressional staff, selected State offices, area legislators, elected city and town officials and others announcing the Corps presentation.

Land Acquisition/Management Committee - Committee Chairman Chuck Agnew reported property closing of DC 181. Mr. Agnew stated that a letter has been received from the Corps approving the real estate appraisers to do the selected project work.

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Attorney Casale read the resolutions prepared for the Tract 12 easement acquisition in Porter County. Appraisals have been received; respective appraisal value is \$1,650 for Conrail property and \$550 for South Shore RR property. The resolution directs pursuance of offer to be made; if offer is refused, attorney is authorized to commence proceedings to acquire said real estate under eminent domain laws. The other Tract 12 easement is owned by the State Highway Dept. and hopefully, the Commission can negotiate a satisfactory agreement with them. Committee Chairman Chuck Agnew made a motion to accept the resolutions as read; seconded by Clyde Baughard; motion passed unanimously.

Mr. Agnew reported that the attorney has sent the Uniform Land Acquisition Offer on the acquisition of the Erie RR bridge to owners and those who have an interest in the property. Notice was also placed in newspapers.

The land liability insurance policy has been received. Cost was contained at \$13,500 for the year 1989.

Mr. Agnew made a motion to settle with Maurice Curran on past monies due the Commission. Settlement price is \$1,500. Motion seconded by Clyde Baughard; motion passed unanimously.

It was announced that the Notice to Bidders has gone out and has been placed in newspapers for the construction of Lake Etta maintenance building. Bid Opening scheduled for 2 p.m. Wednesday, May 31st.

Interim Flood Control/Planning Committee - Committee Chairman Clyde Baughard reported that the Northcote Bridge reconstruction is almost complete and the road should be opened shortly.

Mr. Gardner referred to letter contained in packet on Grant Street engineering. He has passed on appropriate name and number of Corps personnel who can supply pertinent information to the engineering firm. Mr. Gardner added this is the first commitment from the state on replacing the Grant St. culverts.

Mr. Gardner informed the Commission of the progress thus far that has taken place on the Penn Central RR culvert replacement project. He stated that the Basin Commission has made this project a priority and recently authorized Ten Ech Engineering to meet with Conrail personnel in Philadelphia in order to work out problems and concerns with them. They are concerned about the soil stabilization under the railroad. The cost of replacement

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was originally estimated to be about \$150,000. Additional modifications that must be made will increase the cost about \$70,000. Attorney Casale will research drainage laws in regard to Conrail cost sharing the replacement.

Breakwaters/Marina Committee - Committee Chairman William Tanke reported that a committee meeting was held with Chuck Eckenstahler of ABONMARCHE to discuss engaging in a contract for consulting purposes in order to develop a workable marina plan and financial plan for marina development. Mr. Tanke made a motion to engage Mr. Eckenstahler as a project manager to prepare a Request for Proposals for selected engineering firms and provide other services as needed for marina development; motion seconded by Charles Agnew; motion passed unanimously.

Mr. Gardner informed the Commission that he has recently met with Mayor Maletta, John Shepherd and John Hannon of Portage and updated them on marina issues. The city will work with the Commission in obtaining the use of NIPSCO right of way. Clyde Baughard added that he and Mr. Gardner met with NIPSCO officials to reopen the pursuance of the NIPSCO lots.

Sand removal on the marina site was discussed. Johnson, Johnson & Roy is doing an analysis on the possibility of sandmining on the site. They will be contacting the Commission after inspecting the site and doing some borings there. Mr. Tanke made a motion to allow JJ&R to do the borings; seconded by Clyde Baughard; motion passed unanimously. Staff was directed to obtain a copy of the results of the borings from JJ&R.

Statements from the floor - Harold Mauger expressed concern that the river was still higher than normal.

The next meeting was scheduled for Thursday, June 1, 1989.

There being no further business, the meeting was adjourned.

/sjm