

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT  
COMMISSION  
HELD AT 6:00 P.M. THURSDAY, FEBRUARY 4, 1999  
AT THE COMMISSION OFFICE  
6100 SOUTHPORT ROAD  
HIGHLAND, INDIANA**

Chairman Emerson Delaney called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

**Development Commissioners:**

Emerson Delaney  
Charles Agnew  
William Tanke  
George Carlson  
Robert Huffman  
Marion Williams  
Steve Davis

**Visitors:**

Jim Flora – R.W. Armstrong Co.  
Pete Zak – South Shore Marina  
Mary Jane Zak - “ “  
David Nance – Div. of Water, DNR  
Jomary Crary – Div. of Water, DNR

**Staff:**

Dan Gardner  
Lou Casale  
Sandy Mordus  
Jim Pokrajac  
Judy Vamos

The minutes of the January 7th, 1999 meeting were approved by a motion from George Carlson; motion was seconded by William Tanke; motion passed unanimously.

**Chairman's Report** – Chairman Emerson Delaney distributed a Committee Selection Sheet appointing board members to respective committees. Mr. Carlson made a motion to accept the committee appointments as presented; motion seconded by Bill Tanke; motion passed unanimously. Discussion ensued. Mr. Carlson reminded the board members that we had previously voted to try to have all officers and committee chairmen different members and that has not been done. Chairman Delaney added that he had talked to all members and two members had declined taking a chairmanship; therefore, making a duplication a necessity. A vacancy still exists on the Commission so we only have ten members to work from. Mr. Gardner stated that he did bring that to the attention of the Governor's Office just recently. The mayor of Hammond had inquired about the vacancy and Mr. Gardner followed up again with sending the information to Robin Roberts, Special Assistant for Governor Appointments. We will keep Commission informed of any progress.

Chairman Delaney stated that a meeting to discuss operation and maintenance of the levees was held on January 28<sup>th</sup> in which he, Steve Davis and Bob Huffman attended. Jim Pokrajac explained on the meeting details, including how closely the COE manual has to be followed, agreements that would be needed with affected communities, levee inspections to be made,

upkeep of pumping stations, mowing, cleaning of sluice gates/flap gates, trail and recreational facilities maintenance, and of course, the funding issue. Discussion ensued. There are quite a few pumping stations (both new ones and ones to be reconditioned) and we will definitely need to enter into agreements with Gary Sanitary District and Hammond Sanitary District for maintenance of them. It was discussed that maybe some monetary consideration could be given in the purchasing of equipment for maintenance and then have the respective community responsible for maintaining their portion of levees. The COE is pressuring us about taking over responsibility for the completed segments. IDNR has just given us some of their comments regarding this issue also. Coordination is needed. The COE estimate of maintenance for the entire project is about \$850,000 annually. Jim Flora from R.W. Armstrong concurred that this cost probably was in the ballpark. Commissioner Marion Williams inquired about those cost estimates. Staff will get him those estimated figures from the COE. Mr. Gardner added that we probably need to have a "brain storming" session with key legislators to get their thoughts on this.

**Executive Director's Report** – Executive Director Mr. Gardner spoke on the PAC situation. He is in the final stage of putting together a letter to go back to David Sanford, COE in Washington. We need to take the best approach to insure success. The letter will state several things; those being that we are still disappointed of not being given the opportunity to appear before them when we requested it and we will be focusing our disagreement with the takings issue. We understand that there was no technical analysis done and by law, it appears that there should have been. A letter will also be going out to the Congressman's office requesting an "administrative review" of the decision by the Assistant Secretary of the Army for Public Works.

Mr. Gardner stated that while we are going through the process of getting the flowage easements approved for credit with Washington, the Chicago COE says we need to amend the LCA with Supplement No. 1 so the east reach remediation (ERR) area can be put into the project limits. Staff distributed a copy to Board members. Attorney Casale went over the Supplement agreement. It basically expands the scope of the project to include this ERR area. He and the COE attorney have been working out details together. Slight changes were made but the main change was including an amendment to Article VII. Mr. Gardner and Mr. Casale both feel comfortable with the wording in the agreement, as presented. Mr. Huffman made a motion to approve the modified Supplement No. 1 as presented; motion seconded by Chuck Agnew; motion passed unanimously.

Mr. Gardner also informed Board members that District Engineer Richard Carlson from the Chicago COE office is retiring. He will write a congratulation letter to him on behalf of the Commission.

**Land Acquisition Committee** – Committee Chairman Chuck Agnew reported that we have received a letter from Professor Cortwright of I.U. Northwest (who is creating a prairie area near the levee behind I.U.) transmitting his 1999 plan to reduce the contractor's amount of seeding in the 2 respective areas so he can plant his own prairie seeding. Mr. Agnew made a motion to approve his planting plan and for staff to write a letter addressing the seeding issue as requested; motion seconded by George Carlson; motion passed unanimously.

Staff is continuing to follow up on information on handicapped accessible park equipment in pursuance of possibly establishing a park in Lake Station on some property the Commission owns. Also, Judy Vamos said the video of the project area should be completed and be ready to show the Board members at our next meeting.

**Project Engineering Committee** – Committee Chairman Bob Huffman made a motion to accept Cole Associates (lowest bidder) to do survey work for Stage IV P1 in the amount of \$11,600; motion seconded by Chuck Agnew; motion passed unanimously. Mr. Huffman then made a motion to accept Cole Associates to do survey work for Stage VI in the amount of \$12,000; motion seconded by George Carlson; motion passed unanimously. Mr. Huffman then made a motion to enter into an agreement with the Norfolk Southern R.R. to do soil borings on their right-of-way; motion seconded by Chuck Agnew; motion passed unanimously.

**Legislative Committee** – In Committee Chairperson Arlene Colvin's absence, Mr. Gardner gave the report. He stated that the House budget markups are being done now. He is trying to get in touch with Earl Harris. He spoke on his 1/13/99 briefing with Chris Saffert and John McNutt from the Congressman's Office in Washington.

**Marina Committee** – Committee Chairman Bill Tanke informed the Board that there is not much going on right now. Staff needs to follow up with setting up a meeting with the city to tie up some loose ends regarding marina issues. Staff will pursue.

**Finance Committee** – In Committee Chairman Arlene Colvin's absence, Mr. Gardner presented the financial status report and claims for approval. Mr. Carlson made a motion to accept the financial report and approve claims; motion seconded by Chuck Agnew; motion passed unanimously.

LCRBDC Minutes

February 4, 1999

Page 4

**Recreational Development Committee** – Emerson Delaney deferred to Jim Pokrajac for a recreation report. Mr. Pokrajac stated we have received an overall recreational map from the COE. He has reviewed it and is recommending some changes be made. When a final is produced, it will be shared with the Board. He also stated that he has sent a letter to the COE regarding concerns with the recreational trail. Commissioner Bob Huffman inquired about realignment of some of the trails as was discussed on the walk-through. Jim Pokrajac said the COE's intention is that we accept the recreation in stages and we will then address individual concerns and changes that are needed for that particular stage. Mr. Gardner gave Mr. Pokrajac credit for finding a locksmith able to provide us with some really good weatherproof locks for securing some of our property that are all keyed the same..

**Minority Contracting Committee** – Committee Chairman Marion Williams stated that we now have our members in place to oversee this committee and we should be scheduling a meeting shortly.

**Other Business** – There were none.

**Statements to the Board** – There were none.

There being no further business, the next regular Commission meeting was scheduled for **6:00 p.m. Thursday, March 4, 1999.**