

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, NOVEMBER 10, 1999
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA**

In Chairman Emerson Delaney's absence, Vice Chairman Bill Tanke called the meeting to order at 6:10 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

Charles Agnew
Arlene Colvin
George Carlson
John Mroczkowski
Steve Davis
William Tanke
Bob Huffman
Curtis Vosti

Visitors:

Herb Read – Izaak Walton League
Denis Buksa - Munster IN
Kerry Keith – SEH, Inc.
Jim Flora – R.W. Armstrong Co.
Dale Gick - IDNR
Jomary Crary - IDNR

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

Chuck Agnew made a motion to approve the minutes of the October 7th meeting; motion seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report – Vice Chairman Bill Tanke discussed the trip to Richmond VA. that the Commission went to view their flood control project. They have constructed massive floodwalls and closure structures to prevent flooding from the James River. The city sits low and they receive water from the mountains coming down so they have constructed a flood control project similar to ours. Their project was authorized in 1986 and completed in 1994 acquiring a total of 139 properties (versus 1200 properties the Commission needs to acquire). They have incorporated a river walk along a canal which will spur economic development in the area. They made a van and about 5-6 people available to us for the entire day for discussion and touring. Commissioner George Carlson thought their presentation of the project was outstanding and felt that he learned a lot. Mr. Pokrajac added that they are sending us a set of their O&M manuals they received from the COE. Mr. Gardner added that he will be sending them a thank you letter for the time they took with us.

Executive Director's Report – Executive Director Dan Gardner reported that he has been communicating with the Congressman's Office, working with Mark Lopez, toward a dedication to be held on Friday, November 12th. The event will mark the half way point of construction funding. The request to hold the dedication came from the Congressman and the letter of invite will go out under his signature. All are invited and it will be held at Lake Etta in their community building.

Subsequent to the signing with Lake Erie Land Company, Mr. Gardner went to Indianapolis, as well as LEL officials, to meet with IDNR and IDEM chief policy people in regards to LEL's permit process. Ongoing discussion will take place with them.

Mr. Gardner referred to the draft Local Cooperation Agreement and Amendment to it that was given to all Board members for review. This agreement is for the Burr Street Betterment levee. The COE needs to have a separate LCA because it is a betterment cost. Attorney Casale added that he and the COE attorney have made amendments and modifications to the agreement and addendum and he feels it is acceptable in the form presented to the Board members this evening. Curt Vosti made a motion to approve the agreement as presented; motion seconded by Arlene Colvin; motion passed unanimously. Mr. Casale stated that it will now be sent to the Washington COE office for their approval. If they approve, signatures will follow.

Land Acquisition Committee – Committee Chairman Chuck Agnew made a motion ratifying the contract with Kelly Hall for \$4,000 to perform the levee mowing; motion seconded by Arlene Colvin; motion passed unanimously.

Mr. Agnew further reported that he and Mr. Gardner met with Don Ewoldt of LEL regarding discussion on the handicapped park proposed for Lake Station. A discussion was also held with Lake County Park Dept. for their possible management of the park once it is developed.

Mr. Agnew talked on the COE designating the year 2000 as the "Year of the Little Cal". Pressure is on to make sure we acquire all the lands necessary to keep up with the aggressive Federal schedule of construction. Over \$10 million in contracts must be awarded in the next several years and land acquisition is crucial to the plan.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He stated that Jim Pokrajac had attended a meeting in Chicago on Oct. 29th to discuss different formliner options which could be incorporated into the west reach plans where there is high visability. Mr. Huffman also reported that construction has started in the east reach remediation area. All clearing and grubbing and inspection trench is completed; construction will stop when cold weather comes and project construction completion is September 2000. Mr. Huffman also reported that a field review and discussion of Stage VII (Northcote to Columbia) will take place on November 23rd with the COE and Earth Tech Environmental (COE's engineering firm). A pre-bid meeting was held on Stage IV Phase 1 North on October 13th. A meeting was also held with Woodmar Country Club and the COE on November 4th to discuss how the future levee construction of the golf course will impact the golf season. Future meetings will be held. A technical review meeting was held in Chicago on 11/9.

Legislative Committee – Committee Chairperson Arlene Colvin gave the report. She referred to the newspaper article indicating the Commission being earmarked for \$1.5 million from the Special Build IN capital fund. Although the Board was happy to receive the \$1.5 million, it expressed concern that it still would not be sufficient to keep to the Federal schedule. It is hoped that the Commission can still secure at least an additional \$1.5 million in the short session. We have received the budget forms to fill out in order to be able to draw down the money. Staff will complete those forms and return them. Mr. Gardner then referred to the COE letter requesting \$1 million to be placed in escrow estimated to be incurred through the end of the Federal government's fiscal year ending on September 30, 2000. Mr. Vosti questioned the federal funds needed versus non-federal funds. Mr. Gardner informed him that the figures do not include land acquisition costs or any utility relocation costs.

Recreational Development Committee – Committee Chairman George Carlson stated that Mr. Agnew had already covered the proposed handicapped park in his report. The Board members expressed satisfaction that it would be moving along and that LEL has consented to make it happen.

Mr. Carlson referred to the \$800,000 grant money that Hammond is receiving for completion of the trail system linking Hammond and Highland. Staff has sent a letter to the COE expressing the Board's desire to move up our portion of the project to accommodate the bridge link but the COE has indicated they need more time yet to make an evaluation.

Marina Committee – Committee Chairman Bill Tanke referred to the news article in the agenda packet in regards to the Ogden Dunes lawsuit. It appears that a proposed agreement has been reached that would provide some beach restoration to them. Attorney Casale added that we were originally named in the lawsuit (because of the breakwater and marina construction) and since we were dismissed from the lawsuit, he has not been party to any direct contact or meetings.

Mr. Tanke also indicated that the attorney has written a letter to the City of Portage asking for year end figures of the Portage Public Marina.

Finance Committee – Committee Chairperson Arlene Colvin made a motion to accept the financial report and approve the October claims totaling \$84,720.38; motion seconded by George Carlson; motion passed unanimously.

Ms. Colvin also reported that the Finance Committee met on 10/13 and proceeded to make the following motions. Ms. Colvin made a motion to accept the new rate schedule of R. W. Armstrong Company to bring them in line with other engineering professionals and also to increase the hourly rate for Attorney Casale to \$80/hour, which is still substantially lower than most legal firms; motion was seconded by George Carlson; motion passed unanimously.

Ms. Colvin then made a motion allowing additional hours, outside of regular business hours, to be charged by staff Sandy Mordus for the sole purpose of documentation of credit for the Corps of Engineers; motion seconded by George Carlson; motion passed unanimously.

Minority Contracting Committee – In Committee Chairman Marion Williams' absence, Jim Pokrajac reported that monthly minority reports by Dyer Construction who is doing the East Reach Remediation area, will be forthcoming. Hopefully, we will have received them by our December meeting.

Other Business – Mr. Tanke read a thank you note from Judy Vamos, who was sent flowers on the recent passing of her mother.

Commissioner Bob Huffman inquired about the Cady Marsh ditch project. Mr. Gardner informed him that he understands that the COE has completed their study and has forwarded it to the town of Griffith. The town will have to act as the local sponsor if they want the project to move forward. It is estimated to be about a \$17 million project and about 25% of that cost would be the local sponsor's. The town is interested but no formal commitment has been made.

Statements to the Board – Herb Read stated that he had attended the meeting in Ogden Dunes relative to the newspaper article. He sees the situation as the remedy to the shoreline restoration. Now is the chance for them to get their beach. Although some residents are opposed because they do not want a public parking lot near the Lakeshore, this compromise is the best that is being offered. The Congressman has been very active in these negotiations in trying to secure beach restoration and public access.

There being no further business, the next regular Commission meeting was scheduled for **6:00 p.m. Tuesday, December 7, 1999. Please note that this is a change from our regular first Thursday of the month meetings, which we try to schedule.**

/sjm