

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, DECEMBER 13, 2000
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA**

Chairman Emerson Delaney called the meeting to order at 6:20 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson
Charles Agnew
Emerson DeLaney
William Tanke
Curt Vosti
Bob Huffman
Arlene Colvin
Steve Davis

Visitors:

Don Ewoldt – Lake Erie Land Company
Sandy O'Brien - Sierra Club
Mark Lopez – Congressman Visclosky's Office
Jim Flora - R.W. Armstrong Company
Debi DeLaney

Staff

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

Commissioner Bill Tanke made a motion to approve the minutes of November 8, 2000; motion seconded by Bob Huffman; motion passed unanimously.

Chairman's Report – Chairman DeLaney talked about the touring of Commission lands on November 18th. Finished, and ongoing, project construction was viewed. Finished levee segments look very good and all Board members were glad to have the opportunity to view.

Mr. DeLaney referred to attendance records for the years 1999 and 2000 for the Board members. If anyone is interested in seeing them, see staff. Mr. DeLaney also stated that he had received the committee preference sheets. The Nominating Committee will report at the January meeting.

Executive Director's Report - Mr. Gardner updated the Board members with the project wetland mitigation report. He indicated that we had received the matrix of the mitigation lands from the Corps. There was no one present from the COE to explain the matrix at the meeting. Jomary from IDNR stated that after Greg Moore did the matrix, he did send it to IDNR environmental staff for their review.

Mr. Vosti made a motion to suspend the order of the meeting to allow the audience to speak. Motion seconded by Bob Huffman; motion passed unanimously.

Don Ewoldt questioned some of the information contained in the matrix. He asked whether this is the result of all the entities involved or just Greg Moore. Mr. Vosti stressed the need for a work session specifically for the discussion of this matrix because of all the questions that need addressing. Attorney Casale added that the matrix appears to be the cost of development and not the cost of the property. Sandy O'Brien added that the matrix appears to not cover all the lands that would be available for mitigation. It covers only the LEL lands and the Shirley Heinze lands. She stressed that there was still land available in the Hobart Marsh that is not a part of either of these two comparisons. Steve Davis added that when he went on the tour of the Hobart Marsh lands, they looked at just lands submitted in the RFP. Additional lands were included so we would have a clear viewing of all of the land besides just Shirley Heinze and LEL lands. Mr. Ewoldt added that even if all the lands in the matrix were included, there still would not be enough lands. It would meet DNR requirements but not IDEM's requirements. Mr. Gardner says the team (consisting of IDEM IDNR, Fish & Wildlife, and the COE) did a good job and now we need to keep moving forward. Mr. Vosti made a motion to continue with the order of business; motion seconded by Bob Huffman; motion passed unanimously.

Mr. Gardner stated that a public meeting was held on November 14th at the Highland Town Hall for residents affected by the Stage V-2 and Stage VI project construction. There is a Times article in the agenda packet. Mr. Huffman added that in spite of the project being around for so many years, some of the residents still did not know about the project. Chairman DeLaney added that the meeting was well attended. After the public notice had gone out, the office probably received about 30 inquiry calls. Mr. Huffman stated that a couple of the maps did not reflect the latest project changes and they should be updated.

Land Acquisition/Management Committee – Committee Chairman Chuck Agnew announced that there were no increased offers or condemnations this month. Mr. Agnew informed the Board members that staff has updated our income status. We currently receive about \$58,750 and with the anticipated additional installation of 4 LAMAR signs, the income would increase about \$10,000 annually.

Mr. Agnew announced that we had received a check for \$6,250 on November 29th from the Bult brothers for farming the land between Chase & Grant. The amount was based on our agreement to receive \$62.50 per acre of tillable land. Since Mr. Tanke originally questioned how this figure was arrived at and whether it was based on a survey, Mr. Vosti asked him whether he was satisfied and he replied he was.

Mr. Agnew also reported that the COE is anxious for us to take over the O&M responsibilities for completed levee segments. We agreed to initially inspect and accept responsibility on an individual basis in order to relieve the contractor of his obligations. We still need a procedure to mutually sign off with the COE to be able to accept O&M. COE Real Estate meetings were held on November 14th and December 5th.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that meeting was held with INDOT on 11/29/00 to review future design, scheduling and construction along the I-80/94 corridor. It appears that, although a fourth driving lane in both directions will be added from State Line to Cline, INDOT can work within the existing right-of-way and will not need any property from us.

A utility coordination meeting was held on 11/16/00 for Stage V-2 to discuss construction on both sides of the river for the 17 pipelines on the NIPSCO R/W.

A pre-bid meeting is scheduled for the North 5th Street pump station on 12/20/00.

A pre-construction meeting was held on 11/27/00 for Pump Station 1A contract (Overstreet Construction). Scheduled starts are Baring Avenue in July 2001; Hohman/Munster in August 2001; South Kennedy in September 2001; and Walnut Avenue in September 2001. Completion of contract is anticipated in October 2002.

Review of Stage VII plans and specs was completed on 12/8/00. Review included a letter from Commissioner Reshkin regarding concern of impact to adjacent structures during the sheet pile installation.

Legislative Committee – Committee Chairman George Carlson gave the report. He referred to the meeting held with the Congressman back in August. At that meeting, the Congressman made a commitment to talk to the Governor regarding our \$12 million budget request. Through the Congressman's office, we have learned that he indeed did talk to the Governor. The Governor could not commit the State to provide this request but the conversation was well received and it is hopeful that the Governor has a better understanding of our needs to keep up with the COE schedule and complete this construction. Mr. Gardner has talked on several occasions to legislators and the Commission's resolution declaring a funding crisis has been shared with them. Mr. Gardner thanked Mark Lopez, Projects and Grants Manager, for attending several meetings with him and for accompanying him and Curt Vosti to Indianapolis to meet with the Ways & Means staff. Mr. Gardner continued to state that he is trying to set up a meeting with the editorial boards. With the upcoming holidays, he may not be able to schedule anything until the new year. He will let the Board members know.

Recreational Development Committee – Committee Chairman Curt Vosti stated that the trail alignment has been an ongoing issue. Gas City originally opposed the trail alignment at Grant Street. A meeting will be scheduled with them in mid January 2001 and Commissioners Vosti and Huffman requested to attend the meeting. The company may have changed their minds and will not oppose the current alignment. There is a Times article in the agenda packet talking about recreation trails and funding and how all of the local trails could tie together. A meeting was held on 11/17/00 with the COE, city of Hammond, and the town of Highland to discuss the west reach recreation features. Mr. Vosti requested Jim Pokrajac send minutes of this meeting to he and Huffman. Mr. Vosti also stated that North Township does not have a problem with relocating the trail from between the golf

courses to the existing trail along the east and south boundaries but they are awaiting information from INDOT for impacts to Indianapolis Blvd. R/W which would cause their existing trail to be relocated.

Mr. Vosti commented that he was glad to be able to view the project construction, and especially the finished trail segments, on the van tour of the properties.

Marina Committee – Committee Chairman Bill Tanke reported that Mayor Olson called Mr. Gardner and brought to his attention some bank sloughing into the waterway was caused by several big storms.

Finance Committee – Committee Chairperson Arlene Colvin gave the finance report. She referred to the monthly financial status sheet and claims in the amount of \$118,938.42 and proceeded to make a motion approving the claims; motion seconded by Curt Vosti; motion passed unanimously. She reported that a Finance Committee meeting was held on December 7th. She presented the agreement between the Commission and NIRPC for the year 2001 and explained the changes contained therein. She then proceeded to make a motion approving the agreement; motion seconded by George Carlson; motion passed unanimously. She then proceeded to make a motion authorizing an hourly increase for legal services for Lou Casale from \$80 per hour to \$85 per hour; motion seconded by Curt Vosti; motion passed unanimously. Ms. Colvin then made a motion approving an hourly increase in the independent contractors' agreements – James Pokrajac's hourly would increase from \$42 to \$46 per hour; motion seconded by George Carlson; motion passed unanimously. She then made a motion approving Judy Vamos' s hourly from \$30 to \$33 per hour; motion seconded by George Carlson; motion passed unanimously. A motion was then made by Curt Vosti to increase the hourly on a renewed contract with Lorraine Kray for crediting services from \$15 to \$16.50; motion seconded by Chuck Agnew; motion passed unanimously.

A discussion was then held on staff's increases. With the current NIRPC personnel/policy system, it locks an employee in at a certain rate with just a small step increase. The Commission does not have the authority to offer an increase for their staff and the only way they can be able to extend any additional money to them is through a bonus. The bonus extended to staff would remain the same as last year. Ms. Colvin proceeded to make a motion to approve a bonus payment to Executive Director Dan Gardner in the amount of \$5,500 and to Business Coordinator Sandy Mordus in the amount of \$4,000; motion seconded by George Carlson; motion passed unanimously. These bonuses are for the year 2000 and are based upon merit and performance and are not an automatic increase. Mr. Vosti added that, as a relatively new member, he appreciated having NIRPC pay system explained to him for his understanding. He did not like the word "bonus" and the committee will meet before next year to discuss this.

Ms. Colvin presented the proposed 2001 Operating Budget. Mr. Gardner explained that, in light of limited funds and not knowing what we will receive from the General Assembly, the budget is based on a 6 month budget (instead of a 1-year budget). After we know what we will receive, the budget will be amended to reflect the entire year. Ms. Colvin made a motion to approve the 6 month Administrative Budget in the amount of

\$191,000 and the 6 month Land Acquisition/Project Development Budget in the amount of \$1,241,122; motion seconded by Chuck Agnew; motion passed unanimously. Attorney Casale added that there is no clause in our legislation that prohibits us from doing this.

Minority Contracting Committee – There was no report. Jim Pokrajac said that Tom Deja, construction representative for the COE, will provide an updated summary for minority participation for next meeting.

Other Business – Curt Vosti shared some photographs from that he had taken at the NAFSMA conference. Mr. Gardner proceeded to read a letter from the COE commending staff for the amount of crediting they have been turning into the COE. Jim Pokrajac added that he would obtain a list from Tom Deja of expenditures for completed levee segments, ongoing segments, and upcoming segments, for the next meeting.

Statements to the Board – There were none.

There being no further business, the next regular Commission meeting was scheduled for **5:00 p .m. for a Work Study session and 6:00 for the regular Board meeting on Wednesday, January 10, 2001. Please note that this date is a change from the first Thursday of the month.**

/sjm