

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:00 P.M. THURSDAY, MARCH 1, 2001  
AT THE COMMISSION OFFICE  
6100 SOUTHPORT ROAD  
PORTAGE, INDIANA**

Chairman William Tanke called the meeting to order at 6:10 p.m. Eleven (11) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

**Development Commissioners:**

George Carlson  
Charles Agnew  
John Mroczkowski  
William Tanke  
Curt Vosti  
Bob Huffman  
Emerson Delaney  
Steve Davis  
Mark Reshkin  
Arlene Colvin  
Marion Williams

**Visitors:**

Bill Petrites – Highland resident  
Sandy O’Brien – Dunelands Sierra Club  
Jim Flora – R. W. ARMSTRONG CO.

**Staff**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Jim Pokrajac

Commissioner Chuck Agnew made a motion to approve the minutes of February 1, 2001; motion seconded by Arlene Colvin; motion passed unanimously.

**Chairman’s Report** – Mr. Tanke distributed a new phone list/committee list to fellow Board members. He asked that if there were any changes, please let Sandy know.

He went on to discuss the Retreat meeting recently held on February 6<sup>th</sup> in which funding was the main topic.

Chairman Tanke also discussed the meeting held on February 20<sup>th</sup> in Chicago with the Colonel, John Sirles and Imad Samara. Mark Lopez and Mark Savinski from the Congressman’s office also attended. The discussion centered on non-availability of funds to move as quickly as the COE would like us to move, where we are going with the project as far as prioritizing goes, scheduling, and funding issues in general. All in all, it was a good meeting.

He also referred to the Press Release that Judy Vamos prepared for the media.

**Executive Director’s Report** - Mr. Gardner updated the Board members with the project wetland mitigation report and implementation of the plan. On February 21<sup>st</sup>, he, attorney Casale, Mark Reshkin and Chuck Agnew met with Ron Trigg and Mryna Nugent from the Shirley Hines Environmental Foundation (SHEF). They had a

very productive meeting in which the matrix that the COE developed and the letter from the COE directing us how to proceed and what properties to pursue in Hobart Marsh were shared with SHEF. It was discussed that a legal document needs to be drafted that both parties can accept. SHEF stressed that although they have a limited budget, they have plenty of volunteer workers. If their properties could just be enhanced, to the satisfaction of IDNR and the COE, it would be to all of our advantage. IDNR has been kept in the loop on our discussions with SHEF. The delay in proceeding forward is, although the COE has the money for development of the enhancement mitigation, the Commission does not have the money for acquisition, at this point in time. They thought that IN Dunes Lakeshore would be an ideal organization to accept the mitigation properties and manage them. Attorney Casale added that since the Commission only has a one-mile jurisdiction, a third party would have to be contracted with in order to pursue acquiring the mitigation property. And although the COE letter identifies properties to pursue, it still does not allow for as much acreage that we would need to satisfy IDNR and IDEM.

Mr. Gardner referred to the COE letter from Imad Samara updating the spreadsheet of the federal funds and the non-federal matching funds required for the years 2001, 2002 and 2003. Although the COE had originally asked for \$671,410 to be placed in escrow, since we do not have the money, we are hoping to be able to give them partial money in order to keep the existing contracts working. If construction had to stop, it would cost much more to re-mobilize at a later date when funds are available.

**Land Acquisition/Management Committee** – Committee Chairman Chuck Agnew made a motion for staff to proceed with condemnation on DC497; motion seconded by Arlene Colvin; motion passed unanimously. Mr. Agnew stated that staff is going to talk to the COE once again about eliminating Lyles & Sons property from acquisition. Mr. Agnew also reported that appraiser Dale Kleszynski has been authorized to hire Nugent Associates as a sub-contractor to complete the Woodmar County Club appraisal. It was also reported that the Ewen acquisitions are ongoing and once complete, we will have acquired several new billboards. A lease agreement will then be pursued with LAMAR after the old lease agreements are updated. It was also reported that an order has been placed for 150 videos with Merging Pictures for a cost of \$639. Mr. Agnew stated that he would be calling a Land Acquisition Committee meeting very shortly to discuss the development of the handicapped park.

**Project Engineering Committee** – Committee Chairman Bob Huffman gave the engineering report. He reported that bids were opened for North 5<sup>th</sup> Street pump station on February 6<sup>th</sup> and the apparent low bidder was Overstreet who came in \$274,500 under the government estimate. It was reported that the utilities coordination meeting scheduled for February 27<sup>th</sup> was cancelled and will be rescheduled at a later date. The plan-in-hand mitigation review meeting scheduled for March 6<sup>th</sup> was also cancelled and will be rescheduled at a later date. A final utility plan review was held with the city of Gary on February 6<sup>th</sup> at which time the COE distributed 50% drawings for pump station review. Phase 1 will start in the spring of 2002. It was also stated that the pipeline relocations in Stage IV-2 is estimated to be over \$1,000,000.

**Legislative Committee** – Committee Chairman George Carlson gave the report. He referred to the letter in the agenda packet that we wrote to Rep. Earl Harris regarding the budget request. He reported that the Legislative Committee met tonight prior to the Board meeting to discuss strategy on getting the 1 to 1 local match stipulation eliminated from the \$5.5 million budget amount. Mr. Carlson referred to the handout of the bill language. Requiring a local match would be impossible. Mr. Gardner added that this was totally unexpected and unrealistic. Evidently, it was inserted at the last minute. A newspaper article stated that from a 200 page budget, legislators had only 20 minutes for review before passage. The Congressman is aware of the language and has already spoken to the Governor. Mr. Gardner thanked Bill Tanke and Mark Reshkin for making some calls on our behalf. The COE office is very frustrated that are experiencing this setback, which, of course, delays moving forward to the west reach (Cline Ave. to State Line). This is not setting a very good example for the COE either. It could jeopardize any future projects that the State would want to undertake with the COE. They will not want to start any future projects if they think the State can stop funding in the middle of it. Mr. Carlson added that one of the main reasons we passed a Resolution declaring a funding crisis was to gain media coverage and alert citizens that the less money we obtain, the longer the project goes on, and higher the cost of overall project. He has called a newspaper reporter in hopes of obtaining more news coverage from the Times. Mr. Vosti added that maybe we should look at the positive side – we did get in the Governor’s general budget and we did get more than what was originally proposed. We really need to step up our efforts, though, to get this 1 to 1 local match option dropped from the language. This would probably only be done in committee conference. We will notify the mayor/town councils of the impact this would have on their cities/towns. Mr. Agnew added that he had the opportunity to talk to Rep. Earline Rogers and asked her to help us anyway she could. Emerson Delaney stated he had talked to Rep. Ralph Ayres also. John Mroczkowski had been in Indianapolis and talked with Rose Ann Antich. Mr. Gardner informed the Board members that the Lake Michigan Marina Development Comm. and the Kankakee River Commission did not get anything in the budget. The South Shore RR is listed for \$5 million but they are in a transportation category. They have no line item in the budget. Staff will keep Board members informed. Mr. Gardner urged the Board members to continue to contact their legislators and that every effort will be made to document the disastrous consequences if the “local match” language remained in the budget. The key will be the conference committee.

**Recreational Development Committee** – Committee Chairman Curt Vosti informed the Board members that a meeting will be scheduled shortly with the City of Gary and I.U. Northwest to discuss the trail relocation at Broadway and east of Grant. Mr. Vosti also reported that a letter was sent to the city of Gary to coordinate a meeting with them, Gas City, and us for the consideration of relocating our trail further east (near Gilroy Stadium) to avoid construction in a wetland. It was also reported that R. W. Armstrong Co. will make a presentation at our next meeting concerning the pedestrian walkway on the east side of the Kennedy Avenue bridge to allow our trail to be contiguous. We have kept Lake County Highway Dept. in the loop so they are aware that we have authorized the feasibility study.

**Marina Committee** – Committee Chairman Bill Tanke referred to Steve Davis. Mr. Davis reported that he has contacted John Smolar, Portage Port Authority, in regards to providing a “match” for dollars from the Indiana

Waters Grant to extend the Portage Public Marina's boat launch ramp length and water depth. He is pursuing checking into the DNR permit issuance status when the launch ramp was originally constructed. Some engineering work may be required first if local funds are found. The IN Water Grant provides 50-75% reimbursement for the cost of a project. Steve will keep us informed.

Commissioner Mark Reshkin informed Board members that an all day conference will be held in Chicago on March 30 regarding lake level changes. If anyone is interested, let him know.

**Finance Committee** – Committee Chairman Curt Vosti gave the finance report. He referred to the monthly financial status report in the agenda packet. He proceeded to make a motion to approve the financial status report; motion seconded by George Carlson; motion passed unanimously. He then referred to the monthly claim sheet totaling \$59,999.99 and a marina claim sheet for the April marina bond payment in the amount of \$28,643.84. He proceeded to make a motion approving the claim sheets for February; motion seconded by Bob Huffman; motion passed unanimously.

**Minority Contracting Committee** – Jim Pokrajac stated that contractor's minority participation sheets were distributed at the last meeting. If anyone still needs a copy, let him know and he will provide you with a copy. Mr. Gardner added that the 40% minority participation goal will be enforced in the entire west reach. Mr. Vosti asked if any minority firms bid on the pump stations and he was informed that there was not.

**Other Business** – Mr. Agnew made a motion for the Commission to officially adopt the Robert's Rules of Order format for our Board meetings; motion seconded by Curt Vosti; motion passed unanimously. Mr. Vosti and Mr. Carlson both added that common courtesy should still prevail at meetings. That the suspension of normal proceedings may still be necessary at times in order to allow an audience member to speak and that decision will be at the discretion of the Chairman.

Attorney Lou Casale referred to the letter of request from the COE for an escrow payment of \$671,410. We do not have the funds to forward this entire amount to them. At the meeting with the COE, and during this interim period before we find out the availability of the \$5.5 million, discussion ensued about putting \$250,000 into the escrow account so that it will keep the current construction contracts working. The COE felt this was the least amount that would keep them working. To stop the contracts will only cost us much more in the long run. Mr. Agnew made a motion to forward the \$250,000 escrow funds to the COE; motion seconded by George Carlson; motion passed unanimously.

**Statements to the Board** – Sandy O'Brien stated that she understands that funding is a big issue right now, but so is the mitigation. She asked why we just do not find another entity to purchase the Hobart Marsh lands because the longer we wait, the possibility of more of the land will be bought up. She was informed that we have thought of this and we are considering it; we realize that IDNR is looking for some action from us. Ms. O'Brien said that a nation-wide organization like Trust for Public Land buys up land for this purpose and then will hold it until we can purchase it. Mr. Gardner has talked to them already. Commissioner Reshkin added that Nature Conservancy is another organization to consider. Chairman Tanke stated that we will pursue. 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 Thursday, April 5, 2001.**