

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, APRIL 4, 2002
6100 SOUTHPORT ROAD
PORTAGE, INDIANA**

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

Development Commissioners:

George Carlson
Curt Vosti
Mark Reshkin
William Tanke
Steve Davis
Bob Huffman
Arlene Colvin
Emerson Delaney
Bob Marszalek
Marion Williams

Visitors:

Bill Petrites – Highland resident
JoMary Crary, IDNR, Div. of Water
Don Ewoldt – Lake Erie Land
Imad Samara - ACOE
Sandy O'Brien - Hobart
Jim Flora – R.W. ARMSTRONG CO.
Mark Lopez – Congressman Visclosky's office
Deb Lawrence - IDNR
Sean Fahey - IDNR

Staff:

Dan Gardner
Sandy Mordus
Jim Pokrajac
Judy Vamos
Lou Casale

Commissioner Curt Vosti made a motion to approve the minutes of the special session meeting held on February 4, 2002; motion seconded by Steve Davis; motion passed unanimously. Mr. Vosti then proceeded to make a motion to approve the minutes of the March 7, 2002 Board meeting as amended; motion seconded by Steve Davis; motion passed unanimously.

Chairman's Report –Chairman Tanke referred to the Press Release contained in the agenda packet that was sent to the media from the last meeting. Chairman Tanke referred to the committee structure. Committees are in process of choosing their individual committee chairmen.

Executive Director's Report - Executive Director Dan Gardner referred to the news article about the cleaning of the log jam that was impeding the flow of the river at the Hammond/Munster border near the NICTD bridge. This was a cooperative effort between the town of Munster and the city of Hammond, with Curt Vosti (Hammond Parks administrator) spearheading the cooperation.

- Mr. Gardner further stated that he has presented an update of the flood control project to several organizations, including the Lions Club and the Rotary Club. He is also hosting a half hour TV show "On the Trail" on Region Watch. The show will feature Carlson OxBow Park in Hammond with interviewees being Commissioners George Carlson and Curt Vosti. Mayor Dedelow will be interviewed in the studio. Staff will let all Board members know when it will be aired.

- Mr. Gardner stated that crediting of dollars spent on the project is ongoing with the COE office. He is also continuing to pursue the highway bridge credit issue with the FHWA.
- Mr. Gardner referred to the handout distributed to members where we have listed out the acquisition schedule for the Hobart Marsh area. He felt that this was a reasonable schedule and will get us on our way to start acquiring properties.
- Mr. Gardner referred to a meeting scheduled with the Lake County Surveyor's Office in regard to the 75' drainage easement and that it was the Surveyor's Office who determines where this line is.
- Mr. Gardner then referred to a letter received from the ACOE's Deputy for Project Management, Ray Coughenour, regarding the Burr Street levee. A lengthy discussion ensued. The letter will be shared with Mayor King in a meeting that we need to schedule with him regarding Burr Street construction build-out. Imad Samara emphasized that we will not be able to receive a DNR permit for the west reach if the remaining east reach construction is not complete – that being Burr Street Phase 2. At the time when the Commission supported the 3A plan, Ms. Colvin stated that we thought we had the money to build it. We supported full protection for that area, as did the City and as did the Congressman and Senators' offices. Curt Vosti stated several times that we are being pulled in 3 different directions – (1) the Corps is telling us that the Burr Street Phase 2 construction needs to happen now so residents will be protected, especially since the areas further east have already been built; (2) the Congressman is telling us to spend down our money and get the east reach construction done so we are able to move to the west reach as soon as possible; and (3) the State is telling us we can't spend any money that is not creditable. He emphasized that we need help here. Imad emphasized that it was the 3B plan that was the COE's authorized plan; that is, providing only non-structural protection to that area; environmental justice could not be made.

Old Business – Regarding the drainage ditch area that lies between Colfax and Calhoun, north of the Norfolk Southern RR, Jim Pokrajac stated that he has the COE looking into erosion, washouts, and re-seeding. Judy Vamos is working with the COE Real Estate Dept. in trying to obtain a letter issuing credit if we decide to purchase the uneconomic remnant in order that we would be able to maintain it. The ditch will be cleaned out in the spring.

Land Acquisition/Management Committee – Committee Chairperson Arlene Colvin made a motion to approve an increased offer on DC 719 (from an easement value of \$224 to fee acquisition of \$700); motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin then proceeded to make a motion on 2 condemnations. She made a motion to condemn DC742 & DC754 (owner cannot be located and owner recently deceased so it will be a friendly condemnation to avoid probate, respectively); motion seconded by Mark Reshkin; motion passed unanimously.
- Ms. Colvin then proceeded to make a motion to purchase pizza for Boy Scout Troop #280 for the scouts' annual "levee beautifying/clean-up project" between Columbia and Northcote in Hammond on June 1st; motion seconded by Curt Vosti; motion passed unanimously.
- Ms. Colvin reported that we received 2 farm bids for the area at 35th & Chase. They were \$62/acre and \$59/acre respectively. She then made a motion to award the farm bid to the Bult brothers for \$62/acre; motion seconded by bob Marszalek; motion passed unanimously.
- Discussion ensued about allowing Ken Finke access to Commission property to operate and maintain wood duck houses, mallard nests and goose platforms. We had received a request letter from him. After discussion, it was decided that Jim Pokrajac should seek information from the IDNR as to their position before we grant any permission.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that a brief Engineering committee meeting was held prior to tonight's meeting. He was chosen to be the Committee Chairman.

- He reported that an engineering/recreation coordination meeting was held with NICTD on March 11th in which the recreation trail was a topic. Although construction in this area is quite a ways off, the COE's existing design in that area stands as it is now.
- Mr. Huffman reported that the Lake County Surveyor's Office submitted a letter to the Commission dated March 15th indicating that they are presently installing a pump station at the Hartsdale pond. This is a first step by the County in making the clay useable for upcoming construction segments by making the clay dry. Mr. Reshkin requested a copy of the Soils Report.
- A pre-bid meeting for "in-project mitigation" was held on March 18th. The tentative bid opening is April 4th, award the end of May; and construction start in June, 2002.
- A right-of-entry for soil borings was given to INDOT for area we own at Georgia Street. INDOT will be removing the existing bridge and constructing a new bridge to accommodate the I-80/94 widening.
- A utility meeting is scheduled for April 15th to review utility coordination.
- A meeting is scheduled for May 2 with Gary Sanitary District and the COE to review ongoing concerns by the GSD regarding project impacts in Gary. It is hoped that all will come to a common resolution/understanding so that GSD will be able to take over some of the East Reach O&M.
- The COE summary of contractual costs overruns was distributed to the Engineering Committee. If anyone else would like a copy, they are available.
- Mr. Huffman stated that since the Minority Contracting Committee was now a part of the Engineering Committee, he has received the minority reporting data sheets from the COE and will review them.

Legislative Committee – Committee Chairman George Carlson reported that he has spoken to the other committee members and they have unanimously chosen him as committee chairman.

- He went on to report that the special session ended March 14 and ended in stalemate. No resolution to the tax problem or the state budget problem was found. It is not known whether the Governor will call a special session. Discussion was held on the state's financial crisis and how we are caught up in it because we receive Build Indiana Funds and not funds out of the Governor's budget. From the \$3 million originally received (partial funds from the \$5.5 million that was appropriated to the Commission), we have \$1.7 million remaining. Mr. Gardner distributed a draft letter addressed to Betty Cockrum, Director of the State Budget Agency regarding this issue. He asked for input from the Board members. Mr. Vosti had one change saying that he thought the letter should say "federal contractual obligation" as opposed to "Federal/State contractual obligation". With that change, Mr. Vosti made a motion to approve the letter and authorized sending it; motion seconded by Emerson Delaney; motion passed unanimously. Mr. Gardner added that Ray Coughenour from the COE is drafting a letter to accompany our letter expounding on the ramifications of not completing the project. Mr. Reshkin added that we have a responsibility to the public to make the statement that this is a State commitment. It was also discussed that we need to prioritize the remaining \$1.7 million so it will be best spent.

Recreational Development Committee – Emerson Delaney stated that he would be meeting with his committee members to choose a Chairman. There are no recreation contracts at this time.

Marina Committee – Committee Chairman Bill Tanke stated that a marina committee meeting is scheduled with the Portage Port Authority on April 16th. Discussion will be on the build-out of the marina

and financing it. Mr. Tanke referred to the letter addressed to Attorney Casale from Lonnie Therber (municipal finance consultants) regarding the current interest rate we are now paying on the marina bond and stating that it is not feasible to refinance the marina bond. The interest rate at present is 4.75%.

- Chairman Tanke asked for the Marina Committee to get together for a few minutes after the meeting.

Finance/Policy Committee – Treasurer Curt Vosti gave the Finance report. Mr. Vosti made a motion to approve the financial sheet and the April claims; motion seconded by Arlene Colvin; motion passed unanimously.

- Mr. Vosti reported that the exit interview with the State Board of Accounts took place on March 20th. Although there were a few housekeeping items (using State Board of Accounts-approved forms, etc.) that need to be addressed, the exit interview went very well. Chairman Tanke added that he felt the exit interview went well also and that all money is properly accounted for.

- Mr. Vosti stated that the Finance Committee met yesterday to discuss several issues. Items discussed were the State's ability to fully understand who we are and what we are about. They have asked for a list of surplus properties and we have provided them that list, which only consists of 3 different areas. Mr. Vosti asked staff to list out the property with a description in an easier form to understand. Also discussed was the need to list our sources of revenue. A list of the current leases was distributed to members. Also, Mr. Vosti stated that he would like to see the financial statement laid out differently for easier reading. Also discussed was the need to prioritize the remaining monies we have.

Environmental Committee – Committee Chairman Mark Reshkin gave the Environmental Report. He reported that he has been chosen by fellow committee members as the Chairman. He proceeded to say that his committee met prior to tonight's meeting and decided on several issues that the committee should focus on. Those issues would be (1) mitigation, (2) storm water aspects and water quality of future construction that would be appropriate, (3) storm water management (which is a responsibility of the municipalities; we may only have a minor role, and (4) wildlife management (which is before us at the present time).

Policy Committee – Committee Chairman George Carlson gave the Policy Report. He said that at the last meeting, a question arose on whether or not the Chairman has a right to vote at the meeting. Mr. Carlson checked into the Roberts Rules of Order and stated that this commission most closely resembles the section referred to as "Boards" in which it states that the Chairman does vote. He cited several sections of the book, which was officially adopted at a Board meeting, that was pertinent to this Commission. He has also checked the Commission's Enabling Act and it further states the Chairman has a right to vote. He will be making a motion at a future meeting to officially approve the Chairman voting. Mr. Carlson went on to say that he feels by-laws should be written and adopted by the Commission. His committee will focus on that. Mr. Vosti questioned whether some kind of policy should be set in regard to signage on Commission property and if that should be looked at by the Policy Committee.

Public Relations Committee – Committee Chairman Bob Marszalek asked fellow commission members what they thought this committee should focus on. Chairman Tanke reiterated his opinion from his prior minutes; that is "we need to reach out to the public. We have had no reporters at our meetings for some time now. A press release of the meeting could be sent to the news media after every meeting. This was done for a short while but not continued. Do we need an updated video? Do we need a newsletter to the legislators? Years ago, the Commission put out a newsletter – why not revive it?" Commissioner Vosti agreed that the committee needs to work with staff and an effort made to reach the media and try to get

coverage at our meetings. Chairman Tanke added that he thought Judy Vamos should play a big role in this committee.

Mr. Gardner referred to Deb Lawrence leaving the department and taking a new position. Ms. Lawrence introduced Sean Fahey, who will be her replacement and will be attending our Commission meetings. Mr. Gardner offered to meet with him and brief him anytime to give him a little background history on us.

New Business – There was none.

Statements to the Board – There were none.

The next meeting was scheduled for Thursday, May 2nd at 6:00 p.m.

/sjm