

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, AUGUST 1, 2002
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Tanke called the meeting to order at 6:20 p.m. Nine (9) commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

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

Visitors:

Jim Flora – R.W.Armstrong Company
Sandy O'Brien - Hobart
Don Ewoldt – Lake Erie Land Company
Sean Fahey - IDNR
C. M. Bartholomew – Post Tribune
James Hensbrook (?) – The Times

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

The minutes of the July 9th meeting were approved by a motion from Mark Reshkin; motion seconded by Bob Huffman; motion passed unanimously.

Chairman's Report – Chairman Bill Tanke referred to the meeting on July 30th held in the office with Sean Fahey, Jeff Viohl and Beth Compton, all representing the Governor's Office, They reviewed the project status and toured some of the project area. Commissioners Tanke and Vosti, as well as Dan Gardner, met with them. Chairman Tanke thought the meeting went very well and welcomed their interest and ability to help us.

Executive Director's Report – Executive Director Dan Gardner referred to the article in the newspaper regarding status of project completion for the Burr Street Phase 2 levee. In order to get Gary out of the floodplain and in order to get the west reach permit, the Burr Street levee must be completed. He referred to the meeting with Mayor King held on July 19th in which the Mayor committed to helping out with funding for the levee completion. The Mayor had previously talked to Congressman Visclosky, who supports the need to obtain local funding to complete Gary. Mr. Gardner referred to the map showing how the floodplain area currently exists. Once the levee is completed, it will allow future development in areas that are now undevelopable and in the floodplain. Unless this section of levee is completed, Gary will not come out of the floodplain and we will not be able to obtain a permit for the remaining portions of construction in Hammond, Highland, and Munster. The Mayor identified 2 sources of possible funding – one being from empowerment zone money and the other coming out of the city's budget. Since that meeting, it has been determined that empowerment zone money cannot be used because Burr Street is not in the zone. The Mayor indicated he would pursue funding in the city's budget for next year. There is about a \pm \$2.3 million shortage to complete the total projected project cost. With the City contributing money for the levee, it will show that they are participating on a local level. Curt Vosti stated that it was a positive step toward equality for the west reach communities. The State is looking for local contributions and it is not very fair if only the west reach communities are asked to donate, while Gary does not. Mark Reshkin stated that as the areas come out of the floodplain and can develop, it will increase the tax base also.

Marion Williams asked how this affected the master plan along Grant Street. Mr. Gardner replied that it is the INDOT project that will take place along Grant Street. With their project and our project, the area will be able to upgrade development.

- Mr. Gardner stated that mitigation is the second major issue that has to be addressed before a west reach permit is granted. He reported that the Federal award of the in-project lands for mitigation should be before September 30.
- We are pursuing the Hobart Marsh mitigation lands. Several appraisals are ongoing now. Offers will be made through the IDNR process. Mr. Gardner talked to Trust for Public Land and they will be sending us some information and plans will be made for them to meet with the Environmental Committee to see if they can assist in the process.

Old Business – Attorney Lou Casale talked about the property liability insurance. Since 9-11, insurance companies have really tightened up their companies and are not underwriting policies for large amounts. He is pursuing, and will continue to pursue, with our insurance agent to see if there are any companies who are willing. Mr. Casale is having the same problem with the Directors and Officers liability policy. He will continue to keep looking. He stated that some governmental agencies are not able to acquire any insurance at all. He suggested that we may want to put together a spec package and advertise next year. He will discuss it with the Finance Committee.

- Mr. Gardner referred to the letter from Jay DuMontelle from Federal Highway. Mr. DuMontelle had stated that he needed about 3 weeks to pursue identifying other projects (with documentation) that were able to use federal credit. Mr. Gardner has not heard back from him and will call him to pursue. He still thinks it is feasible and worth pursuing.

Land Acquisition/Land Management Committee – In Committee Chairman Arlene Colvin's absence, Mr. Marszalek gave the report. He made a motion to condemn DC1032 and 1041 for a temporary work area easement; motion seconded by Curt Vosti; motion passed unanimously.

- Mr. Marszalek reported that 2 quotes were received for mowing from Burr Street to MLK. Mr. Marszalek proceeded to make a motion approving C&H Mowing in the amount of \$6,000 to do the project; motion seconded by Curt Vosti; motion passed unanimously. Staff will pursue getting a reduced rate to do a late fall mowing this year and to pursue 2 mowings for next year at a possible lower rate.
- Mr. Marszalek made a motion to declare about 6.5 acres around Berkheimer as surplus property and order an appraisal to determine its value; motion seconded by Curt Vosti; motion passed unanimously. Attorney Casale informed the Board what the process was to declare it as surplus. Discussion ensued on the remaining land in that area but Mr. Gardner suggested we presently concentrate on just the approximate 6.5 acres that Berkheimer is interested in.
- Mr. Marszalek made a motion to approve signing of a resolution to enter into the agreement for the 2 pump stations in Highland; motion seconded by Bob Huffman; motion passed unanimously. With Highland maintaining the pump stations now, it will save the Commission about \$25,000 in O&M costs annually for each pump station.
- Staff will investigate to see if the City would allow the Village Shopping Center to tie into their lines or if they have any records of the Village Shopping Center tying into city lines in that area.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that INDOT responded to our letter regarding the installation of a pump station in the Tri-State area to address the additional increased water that is expected. INDOT has indicated that they do not want to wait 3-4 months and push the project back. This is an INDOT project and not the Commission's so it is their decision. Sean Fahey offered to pursue with INDOT getting a copy of the plans and specs for the area and submitting it to the LCRBDC and COE for review.

- Mr. Huffman reported that contracts were currently out for bids on the Stage III remediation and in-project mitigation. Both contracts should be awarded by the end of September.
- Mr. Huffman stated that the business process tracking plan is still an ongoing issue. Changes are being made by the Commission and the COE to reach a mutually satisfactory document.

- We anticipated final real estate for Stage VI-2 from the COE by August 25th and, at that point, we will have one final opportunity for comments on the engineering for the area Liable to Cline, south of the river.

Legislative Committee – Committee Chairman George Carlson gave the legislative report. He cited six areas to target as a legislative program sequence. They were (1) request Mayor King to cost participate in the Burr Street Phase 2 levee project, (2) work with the COE, the Congressman's Office, the Governor's Office to develop a State budget request, (3) meet with key area State legislators, (4) seek the support to get into the Governor's budget, (5) meet with the west reach communities to gain their support and begin lobbying and (6) go to the local papers/editorial boards for support. Mr. Carlson stated that he will be having a Legislative committee meeting before the next Board meeting.

Recreation Committee – Committee Chairman Emerson Delaney took the opportunity with the news media attending the meeting to mention how wonderful our recreational trails were and that they should go see them. There is no new construction at this time. He stated that on July 11, Jim Pokrajac drove all the levees to determine if any areas needed any maintenance. There were a few minor items (settlement gauges sticking up in the trail, overgrown weeds, weeds growing through existing trail system) which were addressed in a letter to the Griffith COE office.

Marina Committee – Committee Chairman Bill Tanke reported that he, Director Dan Gardner and Attorney Lou Casale, along with the Portage Port Authority, met with Bank One on July 10th to discuss our ability of pursuing revenue bonding to build out the Portage Public Marina. Bank One seemed receptive and asked the Port Authority for some additional figures/paperwork. A follow-up tentative meeting was set for the next Tuesday.

Finance Committee – Committee Chairman Curt Vosti referred to the financial statement and proceeded to make a motion approving the claim sheet for July with total claims being \$60,604.45; motion seconded by Bob Huffman; motion passed unanimously. Mr. Vosti inquired about the claim for Area Plumbing for \$3,742 and Jim Pokrajac replied that this was for work in removing Taborski's old concrete slab/driveway as we had said we would do as part of the agreement when he signed our easements and that the COE agreed this would be creditable.

- Chairman Tanke asked that the insurance item be referred to Finance Committee.

Environmental Committee – Committee Chairman Mark Reshkin stated that he will be scheduling a committee meeting, whether it is scheduled here or in Indianapolis, it needs to happen soon. Members will be notified as soon as it is scheduled.

Policy Committee – Committee Chairman George Carlson stated that at the last meeting, the Commission voted to send 2 people to the NAFSMA conference. That could either include themselves or a designated person. Mr. Carlson is now wondering whether that was in compliance with the bylaws. He referred to Item #3 in the bylaws, under Authorization to Travel, which refers to travel "as determined". He thinks that is too broad and it needs to be reviewed. He does not think it is a good idea for the Executive Director to have to choose a commissioner if he decides he is not going. Mr. Carlson thinks it should be a Commission decision only – not that of staff. Curt Vosti stated that this should have been said at the last meeting but since it was not, it should be decided under this committee since you would be changing the wording in the bylaws. Mark Reshkin made a motion to address this in committee; motion seconded by Emerson Delaney; motion passed unanimously.

Public Relations Committee – Committee Chairman Bob Marszalek thanked Judy Vamos for all her help. He referred to the news article in the Post Tribune and thanked the two reporters for coming to the meeting tonight.

Other Issues – George Carlson inquired about the possibility of purchasing a microphone system. He has a hard time hearing everything that is said in the meeting and thinks a microphone system would help. Mr. Gardner said that NIRPC had purchased a system not too long ago and we will look into it to see if it suit our needs. This item was referred to the Finance Committee for future discussion.

Statements to the Board – Bill Petrites, from Highland, expressed his concern about INDOT's unwillingness to delay their project to allow for an upgrade to a pump station. He inquired if the Commission has found out anything regarding whether INDOT would have to obtain an IDNR permit. Sean Fahey offered to look into it. The letter from INDOT was shared with Mr. Petrites.

There being no further business, the next meeting was scheduled for Thursday, September 5, 2002.

/sjm