

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:00 P.M. THURSDAY, JULY 9, 2002  
6100 SOUTHPORT ROAD  
PORTAGE, INDIANA**

Chairman William Tanke called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

**Development Commissioners:**

William Tanke  
George Carlson  
Mark Reshkin  
Bob Marszalek  
Steve Davis  
Emerson Delaney  
Robert Huffman

**Visitors:**

Liz McCloskey, Fish & Wildlife, IDNR  
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

**Staff:**

Dan Gardner  
Sandy Mordus  
Jim Pokrajac  
Judy Vamos  
Lou Casale

The minutes of the June 6<sup>th</sup> meeting were approved by a motion from Bob Marszalek; motion seconded by Steve Davis; motion passed unanimously.

**Chairman's Report** – Chairman Tanke referred to the retreat meeting held last Friday where discussion centered on target spending for remaining state dollars available to us; discussion of the Burr Street Betterment levee; the upcoming meeting scheduled with Mayor King; project mitigation process; west reach public communications; O&M; Portage Public Marina; etc.

• Mr. Tanke also mentioned that a meeting is scheduled tomorrow (July 10<sup>th</sup>) with Bank One to discuss Commission financing with revenue bonding for the build-out of the marina.

**Executive Director's Report** - Executive Director Dan Gardner reported that a half-hour meeting is scheduled with Mayor King at 11:00 Friday, July 19<sup>th</sup>. He referred to a map identifying differences in flooding area before and after the Burr Street Phase 2 project is complete. The COE will be present. The Commission does not have the funds to build Phase 2 at Burr Street due to Burr Street costs not being creditable and the \$2.5 million that was recalled to fund the State deficit.

• Discussion was held on the in-project mitigation contract. Imad informed the Board members that the contract has to be re-bid. Advance notice went out a week ago last Monday. Bids probably will be in by July 18-19.

• Mr. Gardner referred to the letter dated July 9, 2002 from Jay DuMontelle from FHWA regarding highway credit. He is still pursuing it and said he needed about 3 more weeks. Hopefully, we will hear something before the next Commission meeting.

- After a discussion on the mowing of the levees, Bob Marszalek made a motion for staff to obtain 3 quotes and come back to the Board at the August meeting for selection of a contractor to do the mowing; motion seconded by Bob Huffman; motion passed unanimously. Emerson Delaney asked whether staff could go ahead and contract with the lowest and best price before the next meeting and then have it ratified at the meeting; attorney Casale said that it should come back before the Board.
- Property leases were discussed. Regarding the Village Shopping Center, the attorney has been in contact with the new owners who have requested proof of ownership from us. Lou will follow up. The leases will be discussed at the upcoming Land Acquisition/Management meeting.

**Project Engineering Committee** – Committee Chairman Bob Huffman gave the engineering report. He reported that the attorney is continuing efforts with the Lake County Surveyor's Office and Lake County Attorney John Dull in an effort for them to establish a 75' drainage easement in certain areas needed for the project. A replacement has been hired for Larry McClelland and it appears that the Surveyor's office has stated that they will do the drainage easement survey for us. We will pursue trying to get this done as soon as possible.

- Mr. Huffman reported that union concerns have been addressed and picketing has ceased for the pump station 1B project in Highland.
- Discussion ensued on the Project Business Process Tracking Plan. Staff has made some modifications and additions. It is not in final form yet but the agenda packet contains the latest version. We will work with the COE to finalize.
- Mr. Huffman referred to the minutes of the Gary Sanitary District meeting held on June 6<sup>th</sup>.
- Mr. Huffman referred to the Utility Coordination meetings held on June 12 and June 25 and indicated that procedures were finalized.

**Legislative Committee** – Committee Chairman George Carlson reported that he felt the immediate budget crisis was over now that the Governor and the legislators have reached a compromise. Mr. Carlson went on to highlight some of the tax increases that would take effect offset by the reduction in local real estate and property taxes. Mr. Gardner added that he called the State Budget Agency about the return of the \$2.5 million that was rescinded from the last biennium. He talked to Mike Landwer, Deputy Budget Director, who informed him that the Build IN funds will be used to meet the General Budget shortfall and although it would not be returned, it will "stay on the books". New BIF money would be needed to be deducted to replenish the fund.

- Mr. Gardner referred to the chart on the update of total monies spent in regard to the "budget" staff had developed for priority spending with the remaining funds on hand. We will continue to track expenditures by category and update it each month for the meeting. When asked whether our funds will take us through to the next biennium, Mr. Gardner stated that he thought they would if we stick to the plan. A budget request will be sent out in mid August, which is several months later than in the past. Mark Reshkin inquired whether we had the ability to obtain funds from the Governor's budget and not out of Build IN funds. Discussion ensued on whether we should pursue this with Representative Earl Harris. Chairman Bill Tanke asked Legislative committee chairman George Carlson if his committee could meet and devise a strategy for a legislative approach before the next session.

**Recreational Development Committee** – Committee Chairman Emerson Delaney stated that there are no recreation contracts at this time.

- Jim Pokrajac added that he had sent an email to Imad regarding the cantilevered walkway at Kennedy Avenue in Highland. R. W. Armstrong had done a feasibility study for us a while back. Emerson Delaney

**Other Issues** – Chairman Bill Tanke initiated a discussion on whether the Commission should attend the NAFSMA (National Association of Flood and Storm Water Management Agency) to be held September 10-13 this year. George Carlson made a motion that 1 person be sent; motion seconded by Bob Huffman; motion died for lack of majority vote. Chairman Tanke felt the conference is a valuable working tool to interact with other agencies with the same problems we have and recommended that all members plus the Executive Director be given the opportunity to attend (additional staff and contract employees would have to be voted on separately by the Board). Emerson Delaney recommended that maybe just the officers should attend. Bob Marszalek suggested that perhaps the Commission member could pay part of the expense out of his own pocket. Several Commissioners stated that they would not plan to attend anyway. After a lengthy discussion, Bob Huffman made a motion to send a total of 2 people, with the Chairman and Executive Director each choosing 1; it could be themselves or they could designate 1 other; motion was seconded by Emerson Delaney; motion passed with 5 yes and 2 opposed (opposing votes were Steve Davis and Bob Marszalek).

**New Business** - Mr. Gardner referred to the letter dated May 31, 2002 from the COE addressed to Don Vonnahme, Director of Water Resources, IL Dept. of Natural Resources, regarding their concern about the relationship between their agency and the Development Commission in the timing of the flood control projects. After discussion, it was stated that Dan Gardner would coordinate with Imad Samara to meet with the state of Illinois to discuss the coordination at the State line.

**Statements to the Board** – Sandy O'Brien expressed concern over the acquiring of properties for mitigation and suggested we meet with Trust for Public Lands, an agency who has money to purchase lands at appraised value and then hold them in their name until we would have the funds to purchase the property from them for the appraised value. As a member of the public, she requested that we at least look into it and address the request in a letter to the Chairman. The Chairman asked staff to look into it and report back.

- Don Ewoldt questioned the COE's solicitation for the in-project mitigation contract. He says they are advertising lands that LEL has an option on and they do not have a right-of-entry from LEL to do that. Staff will check with the COE to make sure they are advertising lands that are covered in the ROE. Mr. Ewoldt added that he has not seen anything signed by IDNR or IDEM as to their approval with the mitigation plan. Mark Reshkin invited Mr. Ewoldt to the mitigation meeting when it is scheduled.
- Liz McCloskey, IDNR Fish & Wildlife, commented that she has followed this project on and off since 1978 when the river flowed west. Mr. Delaney added that the river flows east and west once it receives more than 1" of water.

The next meeting was scheduled for Thursday, August 1<sup>st</sup> at 6:00 p.m.

/sjm