

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, November 7, 2002
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Tanke called the meeting to order at 6:10 p.m. Five (5) commissioners were present. Pledge of Allegiance was recited. Guests were recognized. Since there was not a quorum, action items would be suspended at this time. Reports of the committees would be given and votes would be taken once a quorum was achieved.

Development Commissioners:

William Tanke
Robert Huffman
Mark Reshkin
George Carlson
Steve Davis

Visitors:

Jim Flora – R.W.Armstrong Company
Kelsee Waggoner – Congressman Visclosky's Office
Imad Samara - COE
Paul Ehret - IDNR
Dale Gick - IDNR
Jomary Crary - IDNR
Bill Petrites – Highland resident

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

The minutes of the October 3 meeting could not be approved at this time because of lack of quorum.

Chairman's Report – Chairman Bill Tanke referred to the Special Commission meeting that was held on October 16. The meeting allowed the opportunity for Board members to discuss quite a few important issues.

- The selection of a Nominating Committee was also on hold due to lack of quorum.

Executive Director's Report – Executive Director Dan Gardner reported that we have been in communication with DNR to make sure the public notice that goes out to the residents in the west reach covers all that it should. The mailing will go out early next week to about 800 affected/adjacent property owners from Cline Avenue to State line. The certified mailing cost is about \$4.50 per household.

- Mr. Gardner referred to the sample letter addressed to Mayor Dedelow. There will be a similar letter sent to Highland and Munster as well, making the communities aware of the public notice going out to their residents. They may receive phone calls and questions so they need to be ready to address any concerns or be able to refer them to our office. The letter also asks for the scheduling of a meeting with the Development Commission to discuss the funding issue and how the communities can help. Mr. Carlson suggested the letter go to Council members, especially the Council President. Mr. Gardner said he would send the letter to the Council President. He also stressed the importance of keeping the area legislators informed. He shared the district map with the Board members.

- Mr. Gardner also discussed that he is working with Commissioner Arlene Colvin toward securing city commitment for the build-out of Burr Street Phase 2 levee project. Ms. Colvin will be drafting a request for Council. Approval to commit the \$2.3 million from casino funds. Mr. Gardner explained further how important this is and what it will do for the city when it is able to come out of the floodplain.

- Mr. Gardner proceeded to inform members that he and Jim Pokrajac attended the Hartsdale Pond ceremony held October 18 at the Hartsdale Pond. The new pumps will move water from the Hartsdale Pond into Spring Street Ditch, which will flow into the Little Calumet River. With the Pond being able to hold over 300 acre feet of storm water after proposed excavation, it will avoid future flooding problems for Schererville, Highland, and Griffith. The material taken from the Pond will serve as clay material for future west reach levee construction. Commissioner Reshkin asked Imad Samara if the COE has done testing to determine that the clay meets Federal standards, and Imad replied that testing has been done and although the clay is very wet, it will be OK to use. He will forward the results of that testing to Mr. Reshkin.

Land Acquisition/Land Management Committee – In Committee Chairperson Arlene Colvin's absence, Steve Davis gave the report. He reported that there were no increased offers or condemnations.

- Regarding the Berkheimer property, the property disposal process has begun. After notifying other state agencies with a 30 day waiting period, we can then proceed with offering the property for sale, if no objections are raised.
- There was a technical meeting held earlier today with IDNR, COE, and TPL in attendance. The main focus of the meeting was to clarify exactly what portions of the Hobart Marsh properties needed to be acquired for mitigation. Also, the same property owners that are identified by the COE need to be the same that the DNR has identified. The COE will send us a letter listing out the same property owners as DNR to avoid any future question of properties. Land-locked properties were also discussed and a procedure was established for the process of purchasing these lands.
- It was reported that the appraisal on DC-M-01 (Kim property) has been completed for the Hobart Marsh area but the COE reviewer identified some changes that the appraiser has to make. As soon as those changes are made, he will review it as quickly as possible so the offer can be sent for the identified appraised price.
- Regarding the Charles Agnew Handicapped Park, a draft copy of the proposed signage was shared with the Board members. It was discussed whether Lake Erie Land Company's name should appear on the sign. Playworld is doing the sign but changes/corrections will be made before it is final.
- After discussion, it seemed to be the general consensus of the Board members that a new O&M committee will be formed consisting of 3-4 members only. After that committee is formed, a meeting will be scheduled within the next few weeks to discuss the manual distributed to Commissioners.

Environmental Committee – Committee Chairman Mark Reshkin reported that the status on the Hobart Marsh area has already been discussed.

- Regarding the project mitigation land lease with have with LEL, there was a conference call meeting held on October 21 with IDNR and LEL. It was determined that LEL really is not a mitigation bank but rather a mitigation project. They are proposing that we would continue to be the owners; we would apply for and hold the permit; and they would be the contractor. The issue is very complicated and further discussion will take place.

Legislative Committee – Committee Chairman George Carlson gave the legislative report. He reported that he thought the special Commission meeting held October 16 was premature. We cannot assume we are not going to receive any new monies for this biennium. Until that is known, we should not be addressing how to keep staff working. The current amount of funding will enable staff to continue through September and there is enough money to keep the Board and general administration in place, but to do any land acquisition and utility relocations will take new dollars. The session starts in January with the budget passing in the spring. Until that time, we will not know what money will be available to us. We are relying on our area legislators to fight for us; Congressman Visclosky plays a major role here also. He is frustrated that he can secure more federal dollars than we can obtain state dollars. He would like to get the project built so he can move on with projects he would like to support. Mr. Gardner added that now that the election is over, we will identify another date to meet with Representative Earl Harris. The west reach communities need to be supportive also.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that most of the items have been discussed in the Work Study Session. He did state that the engineering work on Stage VIII will be terminated at this time. With the way funding is, it appears that it will be too far in the future before this stage is constructed and the engineering will be too old and will have to be redone so it makes sense to suspend the engineering work now.

- Mr. Huffman also stated that after meeting on October 7, INDOT will reconsider a bigger pump station on the west side of Indianapolis Blvd. Both Highland and North Township have submitted hydrology data to INDOT to help with their design. A cost figure will be estimated and submitted to both, where in turn they will present it to their Boards to approve or disapprove their participation. It is conceivable that INDOT will reconsider with a pump station upgrade to assure increased drainage protection for the area.

- Mr. Huffman asked Imad for clarification of the Recreation Phase 2 contract. Imad replied that the recreation portion of Burr Street Phase 2 will be done as part of that project. However, the recreational costs will be handled separately and shared with the COE as a recreation feature. All other remaining east reach recreation features, including the Grant Street relocation and the Broadway relocation, will all be done as part of the Recreation Phase 2. The recreational portion of the Burr Street Phase 2 project will be a creditable item. This was not clear in the minutes and they will be changed accordingly.

Recreation Committee – In Committee Chairman Emerson Delaney's absence, Jim Pokrajac informed the Board members that we have received a letter from Greg Cvitkovich, North Township Trustee that stated they would not object with us tying our trail into theirs and then having a combined portion serving as the trail, thus saving a significant amount of money. Mr. Pokrajac also reported that the proposed recreation ramp at Liable Road and the NIPSCO R/W will be included as part of our VI-2 contract and Highland would be responsible to tie their trail into our ramp.

Marina Committee – Committee Chairman Bill Tanke reported that he and Dan, along with the city of Portage and the Portage Port Authority met with Bank One on October 31 to present the marina financial information that Portage had prepared. The meeting went very well and we should know within about 10 days the bank's decision.

Finance Committee – In Committee Chairman Curt Vosti's absence, Mr. Gardner gave the financial report. He referred to the financial statement and the claim sheet totaling \$60,165.99 but no motion for approval could be made due to lack of a quorum.

- Mr. Gardner stated that the Finance committee met on October 10 to begin discussions on year end financial matters. They will be meeting again very soon.

- Mr. Gardner talked about the USGS gage station. The amount on the Hart Ditch gage station has been reduced to \$5,470 and the other gage station in Gary has been eliminated in their request for payment. In years past, the Commission has paid for both gage stations at a cost of around \$17,000. In light of our budget situation, they have been able to get that amount reduced to the \$5,470. Mr. Gardner did contact the town of Munster to see if they had any funds that could pay for it but was told that the town does not use that gage station and would not pay for it. It was discussed whether the Lake County Emergency Management should pay it because they use it for their flood warning system. Mr. Gardner will pursue this in the future but will make a recommendation that we pay the \$5,470 out of LEL funds. Action will be taken when there is a quorum.

Policy Committee – Committee Chairman George Carlson informed the Board members that the Sunshine law prohibits secret ballots so the bylaws need to be amended. At the time of the next meeting, we can amend and change them, striking the words "secret ballot".

Public Relations Committee – In Committee Chairman Bob Marszalek absence, Mr. Gardner stated that we will be sending the DNR public notice to the west reach residents in the targeted areas.

Statements from the Floor – There were none.

Other Issues – Since a quorum of 6 members are needed for a quorum (there were only 5 members), a date of Wednesday, November 13 at 3:00 p.m. was identified for a meeting in order to legally make motions. Staff will guarantee a quorum.

Being that there was a lack of a quorum, a special meeting was scheduled for **3:00 p.m. Wednesday, November 13, 2002**. As a reminder, it was noted that the December meeting is scheduled for Wednesday, December 11 instead of our normal date of the first Thursday of the month.