

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 P.M. THURSDAY, OCTOBER 3, 2002**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairman William Tanke called the meeting to order at 6:00 p.m. Ten (10) commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

**Development Commissioners:**

William Tanke  
Robert Huffman  
Mark Reshkin  
George Carlson  
Steve Davis  
Arlene Colvin  
Robert Marszalek  
Curt Vosti  
John Mroczkowski  
Emerson Delaney

**Visitors:**

Jim Flora – R.W.Armstrong Company  
Sandy O'Brien - Hobart  
Don Ewoldt – Lake Erie Land Company  
Imad Samara - COE  
Sean Fahey - IDNR  
Jomary Crary - IDNR  
Jody Melton – KRBC  
Frank Gaweda – Metropolitan Water Reclamation  
District of Greater Chicago

**Staff:**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Judy Vamos

The minutes of the September 5 meeting were approved by a motion from Bob Huffman; motion seconded by Arlene Colvin; motion passed unanimously.

**Chairman's Report** – Chairman Bill Tanke and Bob Marszalek attended the NAFSMA conference in New Orleans held September 9-13. Mr. Marszalek commented that he thoroughly enjoyed the conference. There were many important speakers such as representatives from FEMA, USEPA, USACOE, State Water Pollution Control Boards, House Water Resources Committee, National Wildlife Federation, Nature Conservancy and the Metropolitan Water Reclamation District of Greater Chicago who gave presentations on a wide variety of topics that included floodplain mapping, mitigation process, local planning, stormwater issues regarding TMDLs, waste water, emergency issues, streams and banks water quality, legal permits, water retention ponding, etc. He attended each session each day of the conference.

- Chairman Tanke added that some of the presentations were repeated ones from previous conferences, although some of the information was updated. He expanded on FEMA floodplain mapping, saying that they need more money to complete remapping; they need \$800 million and have only gotten \$300 million. It appears that environmental issues are on the bottom of the list right now, with Homeland Security getting all the money. The subjects of "betterments" and wetland restoration were interesting.

- Chairman Tanke named several subjects that he feels are of great importance to the Commission that warrant a special meeting for discussion. Subjects included: future of Commission, funding vs. no funding, a plan to take employees into consideration, how do we maintain what we have with no funding mechanism in place yet, relationship with the COE, and the need for a written plan. He asked other Board members to be thinking about these issues.

**Executive Director's Report** – Executive Director Dan Gardner informed the Board that a meeting was just held at the Lake County Surveyor's Office relative to the remapping of Lake County floodplain maps. We would like to show Gary being out of the floodplain on the new mapping. With a commitment in place for funding from the City (and 50% of construction completed), the new mapping would be able to show floodplain removal status for the city. Mr. Gardner showed the Board members the old FEMA maps compared to new sample FEMA maps. FEMA has hired a consulting firm to produce the mapping. It probably will take 2 years to complete the process.

- Mr. Gardner introduced Frank Gaweda from the Metropolitan Water Reclamation District of Greater Chicago who gave a slide presentation of the flood control efforts across the state line using the Thornton Quarry as a flood reservoir. The Illinois and Indiana projects were both federally constructed by the Corps of Engineers, and both projects need each other to protect their respective residents. The presentation was very informative.
- Mr. Gardner continued on with informing the Board members that the attorney has drafted an agreement for us to sign with the IDNR so that we can proceed with buying land in Hobart Marsh. Attorney Casale explained the agreement, pointing out that an amendment will be added to the agreement once deed restoration language is worked out with the COE. After explaining the language, Curt Vosti made a motion to accept the agreement as presented knowing the amendment will be forthcoming; motion seconded by Mark Reshkin; motion passed unanimously.

**Old Business** – Attorney Lou Casale referred to a letter he wrote to the Attorney General's Office regarding whether the Commission qualifies for insurance coverage under the IN Tort Claims Fund. He has not received a response yet. Commissioner Vosti suggested that since this issue has been talked about for a while now, that it be referred to the Finance Committee to revisit it when a letter is received from the Attorney General's Office.

- Mr. Gardner talked about the agreement that USGS wants the Commission to sign, making us responsible for payment of two gauge stations for a cost of about \$17,000. Since the cost is not creditable to the Commission, we cannot draw the money from the State. Mr. Gardner has explained the situation to USGS and has been talking to them and IDNR and the COE to try to reach a solution. We can (1) seek a waiver from the State on the crediting status; (2) not pay it or (3) if it is extremely necessary, then we need to find some money elsewhere. Commissioner Reshkin added that the gauge station probably gives vital information relative to TMDL's. Imad also pointed out that the information is used for our flood warning system. Dr. Reshkin recommended that we pursue cost sharing with EPA. Sean Fahey suggested we try to talk to the communities where the stations are located. A motion was made by Mark Reshkin to ask the other communities to be responsible; motion seconded by Steve Davis; motion passed unanimously.

**Land Acquisition/Land Management Committee** – Committee Chairman Arlene Colvin gave the report. She reported that we have been evaluating our leases and surplus properties. The properties include Berkheimer and Chase Street Produce leases, and they have been appraised for current market value. Based on the information we have received, it appears it would be better to sell the Berkheimer property (about 6.45 acres). The attorney stated that it must comply with State regulations and go through the Property Disposal Act. A motion was made by Arlene Colvin directing the attorney to start the process so we can advertise it for sale; motion seconded by Mark Reshkin; motion passed unanimously.

- Ms. Colvin continued to say that the Commission would fare better keeping the lease on Chase Street Produce property. There have been no increases to the lessee since 1997. Ms. Colvin then made a motion to increase the monthly rental from \$1700 to \$2100 (based upon the Consumer Price Index) and we will add an escalation clause to the new lease beginning January 2003 with an annual CPI increase built in; motion seconded by Bob Marszalek; motion passed unanimously.
- Ms. Colvin continued to make a motion approving payment to the appraiser for the two properties for a total of \$3,000 to be paid out of LEL funds; motion seconded by Bob Huffman; motion passed unanimously.
- It was reported that the appraisal on DC-M-01 (Kim property) has been completed for the Hobart Marsh area. Ms. Colvin made a motion to make an offer on this property based on the appraisal price of \$224,000 (approx. 63 acres); motion seconded by Mark Reshkin; motion passed unanimously.

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

- Regarding the in-project mitigation contract, the contract award has gone to Renewable Resources from Georgia as the low bidder at a cost of \$921,103. Imad Samara added that this is below the COE's estimate.
- Regarding the project mitigation land lease with have with LEL, that discussion will be postponed because it is still under review. A meeting will be pursued to discuss legal, permitting, and natural resource management issues.

**Legislative Committee** – Committee Chairman George Carlson gave the legislative report. He reported that the budget request has been submitted to the Budget Agency, and that we now need to start meeting with area legislators to gain their support.

- Mr. Carlson referred to the news release from the Congressman's office approving congressional committee funding authorization increase in the Water Resources Development Act for 2002 for the flood control project to \$186,300,000. The action now goes before the House for passage. It was pointed out that this shows the strong commitment by Congressman Visclosky to the project, but also carries with it an increase in the non-federal cost share.

**Project Engineering Committee** – Committee Chairman Bob Huffman gave the engineering report. He reported that the Stage III remediation contract has gone to Dyer Construction as the lowest bidder at a cost of \$1,231,845. The bid was under the COE's estimate. It is anticipated that construction start will be in the spring of 2003.

- Mr. Huffman reported that final inspection took place for the auxiliary power for the North Burr Street pump station with the COE and WREP on September 13. Staff has received the O&M manuals but no segments or pump stations can be accepted for O&M until GSD issues are resolved.

- Mr. Huffman also announced that a meeting was scheduled for October 7 with the COE, INDOT, town of Highland and North Township to review the proposed drainage plans at the Indianapolis Bridge in Highland.

**Recreation Committee** – Committee Chairman Emerson Delaney reported that we should be receiving a letter from North Township soon in response to our letter to them requesting written confirmation that we can tie our trail into the existing Wicker Park trail, thus saving quite a bit of money. Imad Samara also stated that the recreational trail will be part of the Burr Street Phase 2 levee construction project and not a separate recreational contract.

**Marina Committee** – Committee Chairman Bill Tanke reported that the city has received the marina financial information they have had reviewed by their consultant, Crowe Chizek. Dan Gardner has talked with John Smolnar from the Portage Port Authority and they are reviewing the figures now. Once that is complete, a meeting now can be scheduled with Bank One to talk about revenue bonding for the build-out of the marina. Mr. Tanke asked attorney Casale to check with Greg Sobkowski, City of Portage attorney, within a week to get the meeting date set.

**Finance Committee** – Committee Chairman Curt Vosti referred to the financial statement and the claim sheet. Mr. Vosti proceeded to make a motion approving the claim sheet for September with total claims being \$84,911.47; motion seconded by Bob Marszalek; motion passed unanimously.

- Mr. Vosti added that a Finance committee meeting is scheduled for Thursday, October 10. The committee members will be notified where the meeting will take place. Financial status and 2003 budget preparation will be covered.

**Policy Committee** – Committee Chairman George Carlson stated that the issue of travel has been discussed at earlier meetings. If any other question regarding future travel comes up again, it will be handled at that time.

**Public Relations Committee** – Committee Chairman Bob Marszalek stated that he has already reported on the NAFSMA conference.

**Other Issues** – Mr. Gardner thanked Judy Vamos for the extra effort she has put in regarding the Hobart Marsh appraisals and with her contacts with Trust for Public Land. We have received a letter from TPL and they are looking forward to working with us. Mark Reshkin appreciated the fact that they recognize our need for quick action and was happy they are complying. Mr. Gardner added that he has talked to Tom Anderson from Save the Dunes, and they are willing to work with us regarding property they are acquiring in the Hobart Marsh area.

Bob Huffman reported that the Hohman Avenue bridge reconstruction is completed. He asked about the status of the four houses west of Hohman along River Drive. Mark Reshkin added that we need to meet with the town of Munster for this discussion. Mr. Huffman suggested we put this item under Old Business to be followed up on later.

**New Business** - Chairman Tanke stated he wanted the Board members to be considering his topics that he presented at the beginning of the meeting and proceeded to set a special meeting on October 16 for further discussion. Staff will notify Board members of time.

**Statements to the Board** - There were none.

There being no further business, the next meeting was scheduled for Thursday, November 7, 2002. (It was also determined that the December meeting would be scheduled for Wednesday, December 11 instead of our normal date of the first Thursday of the month.)

/sjm