

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, AUGUST 6, 2003
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:05 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

Arlene Colvin
Robert Huffman
Mark Reshkin
George Carlson
John Mroczkowski
Charlie Ray
Bob Marszalek
Curt Vosti
Mark Lopez

Visitors:

Jomary Crary – IDNR, Div. of Water
Kelsee Waggoner – Congressman's Office
Imad Samara - COE
Bill Petrites – Highland resident
Sandy O'Brien - Hobart
Jim Flora – R. W. Armstrong Company
Don Ewoldt - LEL
Paul Ehret – IDNR, Div. of Water
Ken Smith – IDNR, Div. of Water
Dan Rieden – Lake County parks Dept.
Phil Gralik – R. W. Armstrong Company
Spike Peller – Gary SWMD
Steve Enger – Munster resident

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

The minutes of the July 2, 2003 meeting were approved by a motion from George Carlson; motion seconded by Bob Huffman; motion passed unanimously. Bob Huffman added that, for clarification, it was stated in the minutes that the Marquette Trail in Chesterton was a paved trail and it is not paved. In reality, it is limestone (like our project trails), but it is adequately maintained, making it easier to travel on than our trails, which are in need of maintenance.

Chairperson's Report – Chairperson Arlene Colvin asked the Board members to sign their new I.D. cards and return to Sandy. She will have them laminated and return them.

- Ms. Colvin reported on the Executive Session recently held on July 24. Land acquisition items were discussed and a plan of action to purchase those lands was discussed. With the city of Gary committing to funding for Burr Street betterment levee Phase 2, she felt good about the meeting and feels we have really made progress. Curt Vosti added that items discussed at the Executive Session were only statutory items that could be discussed in a closed door session.
- Ms. Colvin added that Gary E. Johnston, the new Chicago District COE Colonel, will be here on September 3.

Executive Director's Report – Executive Director Dan Gardner reported that he and Jim Pokrajac accompanied Paul Ehret, Ken Smith and Jomary Crary from IDNR on a field visit in the afternoon. They first reviewed maps and documentation and then visited the upcoming west reach project area. They saw Kennedy Industrial Park, some of the completed pump stations, viewed recreational features including Carlson OxBow Park, Riverside Park, Lake Etta Park, and Homestead Park. Wicker Park and Woodmar Country Club were also visited. Anticipated problems with some of these areas were pointed out to them and they left with a better understanding of the problems we are, or will be, incurring. Mr. Ehret thanked Dan and Jim for the informative tour. He can see that the project is very complex.

- Mr. Gardner continued on to talk about the upcoming State Budget Committee meeting to be held August 13-15, with the actual meeting taking place on the 15th. He has been working with Amy McFadden, budget analyst, in coordinating the State Budget committee's schedule to visit our office to talk about the project. Staff has developed an updated Construction Progress Report that will be distributed to the Budget members. They will also be shown the video we have of the levee construction. Mr. Gardner stated there is not enough time allotted to actually show them the project area but Amy McFadden will point out the levees to them as they are traveling by bus to our office. Mr. Gardner stated

that John Bacone and Jomary Crary from IDNR will be here for the Budget members, as well as Kelsee Waggonner, Tim Sanders, Imad Samara and Representative Earl Harris. They are scheduled to be here at 2:45 p.m. on August 14 and all Commissioners are invited.

- Mr. Gardner reported that INDOT has sent us a package for review of dollars spent on several bridges/interchanges. The problem with it is that it doesn't appear to break out any clearly identified flood control costs. He will talk to Imad and see what the next step would be. Regarding administrative credit for project work, Mr. Gardner is continuing to work with NIRPC Accounting Dept. to break down salary costs that would be creditable.
- Mr. Gardner stated that he attended a meeting on July 16 regarding Gary Green Link Corridor project that proposes to connect the Grand Calumet River, the Little Calumet River and the Lake Michigan shoreline within the city of Gary. The LCRBDC has been invited to participate with several consultants hired by the city of Gary to explore and develop a plan to meet these objectives. Mr. Vosti questioned what role the Commission would play in this and Mr. Gardner answered that we were to provide information to the consultants and later, comment on the plan that they develop. He indicated that our plan would be incorporated into their plan as is. Mr. Vosti inquired whether this was connected with watershed storm water management plan requirements. Mark Reshkin asked if there was a local initiative on the storm water but didn't think that this was part of it. Mr. Gardner concurred that this was a discretionary grant and not part of municipal storm water requirements. Spike Peller from the Gary Sanitary District, indicated the District was doing a comprehensive study in Black Oak regarding flooding and storm water as well as the SM4 to meet Federal and State requirements. Mr. Vosti expressed concern that these projects would be coordinated. He asked whether the Black Oak improvement project would impact our project or ours impact theirs. Spike Peller indicated that this was part of what would be addressed in the study. Spike Peller added that they're looking at how the city could improve drainage in Black Oak. Imad Samara then said there was a master plan for Black Oak at one time and he would look for it. Jim Pokrajac stated that the IV-1N drainage project was completed and had previously been coordinated with the city of Gary and could be available for additional storm drainage for Black Oak. Mr. Gardner indicated that he would continue to communicate with the city regarding both of these projects.
- Mr. Gardner informed the Board members that he and Jim Pokrajac were attending a meeting tomorrow at the Lake County Surveyor's Office with FEMA. Now that the commitment for the Burr Street Phase 2 levee project is in place by the city of Gary, efforts need to be started to remove the city from the floodplain, thus eliminating flood insurance and open up areas for economic development. Jomary Crary added that FEMA's prime interest now is digitizing the entire floodplain mapping. Mr. Gardner added that he feels we play a very important role in helping to speed the remapping of Gary out of the floodplain.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin gave the report. She proceeded to make a motion to approve a 15% increase (if needed) on properties in the East Reach, which have previously been on hold. To save time in coming back to the Board for additional approval for the 15%, she requested that it be approved prior to offering the appraised price. Those that reject the appraisal price would be offered a 15% increase (the maximum amount that the COE will credit). The properties are: DC209 (from \$880 appraisal value to a 15% increase of \$1012); DC210 (from \$590 appraisal value to a 15% increase of \$678.50); DC211 (from \$590 appraisal value to a 15% increase of \$678.50); DC212 (from \$880 appraisal value to a 15% increase of \$1012); DC213 (from \$930 appraisal value to a 15% increase of \$1069.50); DC213-A (from \$920 appraisal value to a 15% increase of \$1058). The motion was seconded by Bob Huffman; motion passed unanimously.

- Mr. Vosti questioned whether it was good practice to approve an increase before the offer is even made to an individual. It was discussed whether it should just be a standard policy to be able to increase the offer when the original appraised value was denied. Attorney Casale said that it would probably be better doing them on a case per case basis. He and Mr. Vosti will talk it over to see if there is a cleaner way of doing this.

Operation & Maintenance Committee – Committee Chairman Bob Huffman gave the O&M report. He reported that it was discussed in the Work Study Session that a date needs to be scheduled for an O&M meeting. That meeting will be scheduled for the week of the 18th.

- Mr. Huffman also stated that the observation deck between Grant & Harrison has been repaired satisfactorily.

Environmental Committee – Committee Chairman Mark Reshkin was happy to report that the Commission is making progress in the Hobart Marsh area, and stated that we are closer to achieving 2/3 of the acreage required by IDNR. If our budget request allocation is approved, we will have a total of about \$1.9 million to spend for the mitigation land.

- Dr. Reshkin reported that a meeting was held on July 10 with LEL in terms of mitigation wetland work they are considering doing within the basin. It was agreed by all to set up a working group of staff, selected board members and LEL to work out details of a continuing contractual relationship with them. Dr. Reshkin stressed that our relationship with LEL is a separate activity from mitigation efforts in the Hobart Marsh area.
- Dr. Reshkin referred to a letter staff sent to Greg Moore regarding the COE's statement that the 89 acres at Carlson-OxBow Park was unsuitable for mitigation. We are awaiting a letter from them giving us the reasons why it is not suitable. An e-mail to us today stated that the COE will revisit the Park to make their determination and get back to us. Mr. Vosti asked to be informed of when Greg Moore makes his field trip there; he would like to be present.

Legislative Committee – Committee Chairman George Carlson referred to the letter in the agenda packet to State budget director Marilyn Schultz. The letter requests the allocation of \$5 million and shows the breakdown of how that money will be spent. Mr. Gardner added that he thinks the letter addresses the State's concerns and that we have adequately answered their questions. He will go into detail with them at the presentation on August 14. We have worked with the COE and have stressed that we want to take the least amount of easement as possible from the residents. Some closings have been done in Stage VI-1 but none in the Kennedy Industrial Park area. It is expected that those costs will be significantly higher than originally anticipated.

- Mr. Carlson referred to the letter from Mayor King committing the city of Gary to the \$1.4 million that will complete the construction of Phase 2 for the Burr Street betterment levee. Mr. Gardner added that this is critical to obtaining the IDNR permit and moving forward into the west reach. Mr. Gardner stated that the Mayor expressed concern about local city ordinances in regard to minority participation within the city. Discussion ensued about the forming of a committee consisting of LCRBDC, COE and a city designee to see how they want to proceed. Mark Lopez complimented Mr. Gardner and Commissioner Colvin in securing the Mayor's commitment for the \$1.4 million funding and expressed the importance of using local firms. Curt Vosti expressed concern as to what happens if the estimated cost of Phase 2 goes beyond the monies allotted. Imad said the Federal regulations may restrict this. Mr. Gardner stated that he has expressed the same concern to the COE. Mark Reshkin suggested that this be a discussion item when the Colonel comes to our office on September 3. Mark Lopez asked about having a meeting to make minority contractors aware of the project. Jim Pokrajac replied that the COE/LCRBDC have always had a pre-bid meeting in which contractors (and some sub-contractors) were notified and allowed to participate.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that the construction progress report is being updated and will be distributed to the State Budget Committee at our next Commission meeting.

- Mr. Huffman reported that a meeting will be scheduled with Lake County Highway Dept. relative to their reconstruction of the Kennedy Avenue bridge. Although the County Highway's current plan is to only rebuild the existing bridge deck to include 6' sidewalks, we would need a 10' sidewalk to use for a recreation trail tie-in. Mr. Huffman also mentioned that we could raise the bridge deck to eliminate the need for concrete closure slabs and sandbagging during a flood event. Mr. Vosti questioned why the Lake County Highway Dept. couldn't be asked to consider doing a 10' instead of a 6' walkway.
- Mr. Huffman reported that both the town of Highland and the North Township office have responded to INDOT that they would pay their fair share of the cost incurred for the group lift station near Tri-State.
- Mr. Huffman stated that staff has contracted out for utility relocation coordination work for Stage VI-1.

Recreation Committee – There was no report.

Marina Committee – There was no report.

Finance Committee – Committee Chairman Curt Vosti gave the financial report. He referred to and made a motion to approve the financial status sheet and the claims for the month of July totaling \$116,202.25; motion seconded by Bob Marszalek; motion passed unanimously.

• Mr. Vosti stated that, after the State Budget Committee meeting on August 15 where we will know whether our request for \$5 million allocation is approved, a Finance Committee meeting will be scheduled.

Policy Committee – There was no report.

Public Relations Committee – There was no report.

Statements from the Floor – Don Ewoldt asked if we were being held hostage by the COE/IDNR to pay the increased value price for the Hobart Marsh properties. He understands that the appraised price now is \$6,000/acre and when it was appraised as agriculture land, it was only \$1,700/acre. Why the difference? Mr. Gardner replied that, although we have not actually bought any land yet, there is an option on the Bailey property. The COE is currently reviewing some appraisals now. Mr. Gardner stated that without the purchase of mitigation land and without an IDNR permit, no construction can begin in the west reach. Burr Street Phase 2 levee construction is the other critical issue. As far as the appraisal price of the Hobart Marsh lands, it is what it is. We are not appraisers. Trust for Public Land is using qualified independent appraisers in their process. If the COE concurs with an appraisal price, then that is what we will offer. We are following all the rules and regulations, both state and federal.

• Steve Enger brought it the Board's attention that there appears to be some dumping of fill east of Hart Ditch in Wicker Park. Mr. Gardner stated that he had also noticed it and staff will check with Greg Cvitkovich.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, September 3, 200