

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 P.M. WEDNESDAY, July 7, 2004**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

John Mroczkowski  
Bob Marszalek  
Robert Huffman  
Mark Reshkin  
George Carlson  
Bill Biller  
Steve Davis  
Charlie Ray

**Visitors:**

Jomary Crary – IDNR, Div. of Water  
Kelsee Waggoner – Congressman Visclosky's office  
Imad Samara - COE  
Sandy O'Brien - Hobart  
Chris Buono – Munster citizen

**Staff:**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Jim Pokrajac  
Judy Vamos

A motion to approve the minutes of June 2 was made by Bill Biller; motion seconded by Steve Davis – during discussion, Treasurer Bob Huffman made a correction to the minutes of the June 2 meeting. The minutes did not reflect the approval of the financial statement or the claims sheet. They were indeed approved by a motion from Bill Biller and seconded by John Mroczkowski and passed unanimously. Treasurer Bob Huffman proceeded to amend the motion reflecting the change; motion seconded by Mark Reshkin; motion passed unanimously.

**Chairperson's Report** – In Chairperson Arlene Colvin's absence, Mr. Gardner reported that a meeting with Gary was held on June 28 in which Jim Pokrajac, Lou Casale, Bob Huffman and Arlene Colvin attended. The meeting was relative to coming to an agreement for the finalization of construction and operation & maintenance within the city. A lengthy discussion ensued on a proposed resolution whereas the Commission commits to donating at no cost to the city, approximately 359 acres of surplus property, as shown on a map presented to the city. After discussing the clause where the Commission states it will address remaining capital items required to bring the project to "as built" condition before turning it over to Gary, the resolution was tabled for one month until some hard costs are known. At this point in time, until the inspection is completed, the costs of any deficiencies are not known. We need to get the inspection scheduled so we can move quickly.

- Mark Reshkin stated that when we begin to work with Hammond, Highland and Munster, they will also be required to do a SM4 as well. It is an additional responsibility that not only deals with the flow of water but the quality of that water. It is for all areas that have a concentrated population. He asked if we need any discussions with those communities beforehand. Mr. Gardner said that was an excellent suggestion and he will communicate with appropriate parties within its respective community. The advantage we have in the west reach is that the existing pump stations were upgraded and have already been maintained. Charlie Ray stated he has found a web site with information regarding SM4; he will send it to Bob Huffman.
- Vice Chairman Bob Marszalek referred to a revised Commissioners' phone list. If there are any changes, please get them to Sandy for correction.

**Executive Director's Report** – Mr. Gardner reported that staff will attend the Highland Town Council meeting on July 12 where it is anticipated that the easements needed for the flood control project will be approved. At the Highland Parks & Recreation meeting on July 15, it is anticipated that those easements needed from the Park & Recreation Dept. will be approved. We should be able to sign the right-of-entry for Stage VI-1 South (Kennedy to Liabe, south of the river) on July 16 so that the COE can advertise.

- Mr. Gardner reported that he has contacted Councilman Dan Repay and has asked him to facilitate a meeting with the Mayor and other appropriate parties within the city. The Mayor has already expressed his desire to be able to remove residents from the floodplain as levee construction segments are completed. Hammond easements are needed from the city, the parks department, and the Sanitary District. It is anticipated that Hammond will follow the same procedure that Highland did; that is, enter into a "friendly condemnation" to set a fair market value by independent appraisers. Our deadline acquisition date for this stage, Stage VI-1North, is November 2004. We will also solicit a support letter from the Mayor for our 2005/07 budget request.

- Mr. Gardner referred to the information in the agenda packet relative to notice of a prehearing conference filed with the Natural Resources Commission by Steve Enger, a Munster resident concerned about preserving the greenbelt area along the west side of Hart Ditch and the Little Calumet River in Munster. The hearing is scheduled for July 16 at the Michigan City DNR office. The town of Munster invited us to their Town meeting on July 12 to address their residents' concerns but the LCRBDC had already scheduled a meeting with the town of Highland. We offered to attend any other time. James Mandon, town engineer, shared a list of questions with us that we will answer and get to him prior to the meeting. Mr. Gardner reiterated that the project is progressing toward Munster but in reality, it is probably three to four years at best before construction begins. There is time to work with the residents and the COE to insure everyone's satisfaction to preserve the greenbelt as much as we possibly can. Mr. Gardner acknowledged Mr. Chris Buono from Munster, who stated that Mr. Enger had shared information and mapping he received from staff with the other residents in that area. Jim Pokrajac mentioned that LCRBDC staff would be willing to meet with residents any time they have any questions.

**Outstanding Issues** – Mr. Gardner referred to an e-mail from Siavash Biek. His firm, Christopher Burke Engineering, has been retained by the city of Hammond to pursue getting sections of Hammond out of the floodplain as construction is completed, proving the railroad embankment of the old Optimist Park is stable and has the structural integrity to provide a tieback levee for both the north levee in Hammond and the south levee in Highland. Mr. Carlson added that he has talked to city engineer Stan Dostatni about the Commission meeting with Mr. Biek, and although Mr. Dostatni is agreeable to that, he wants to wait until Mr. Biek is in the area and not have him make a special trip from Indianapolis.

**Finance Committee** – Treasurer Bob Huffman presented the financial report and the revised claim sheet. He stated that the three claims from appraiser Janet O'Toole that were pulled last month have been re-structured and are listed on the revised claim sheet. Mr. Huffman proceeded to make a motion to approve the claims as revised; motion seconded by Charlie Ray; motion passed unanimously.

**Land Acquisition/Land Management Committee** – In Committee Chairperson Arlene Colvin's absence, Mr. Gardner gave the Land Acquisition report. Mr. Gardner reported that the Highland easements came in at a value of \$116,700 awarded by the court. It is anticipated that the town will donate the easements to us for project use and the COE will credit the higher value of the easements to the Commission. Mr. Gardner also reported that we will wait to hear from the town in regards to meeting with them.

- Mr. Gardner stated that we are in the process of selling the property at 3120 Gerry Street.

- Mr. Marszalek made a motion to approve the low bidder, C&H Mowing, to mow all existing east reach levees at a bid of \$7,199.64; motion seconded by Bob Huffman; motion passed unanimously. Mr. Pokrajac added that there will only be one mowing this year because a herbicide treatment is being done as part of the Landscaping 2 contract.

- The new sign at the Charles Agnew Handicapped Accessible Park is in the process of being constructed. Once it is received, a dedication at the park site will be scheduled.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman stated that an inspection of the completed east reach flood control project will be scheduled with the COE in the later part of July, 2004. The inspection will include all flood control features; all pump stations, gates, closure structures, levee, etc. The COE will develop a punch list and how much it will cost to correct any deficiencies found. The COE will assume responsibility to correct those items that were due to engineering or construction deficiencies and the Commission will need to assure the remainder of the items will be repaired or replaced.

**Environmental Committee** – Mark Reshkin reported that a conference call was held with the COE, IDEM and the Commission to discuss IDEM mitigation requirements to obtain the 401 water quality certification. The Commission has agreed to make the 57 acres west of Chase Street and 196 acres between Chase and Grant available to fulfill the balance of the mitigation hydric soils requirements.

- Dr. Reshkin reported on the status of the properties being pursued by TPL. 173 acres have been acquired; there is another 24 acres under option; 50 acres as a possible donation; 73 acres has a “letter of intent to sell”; and 48 acres under appraisal to make an offer. Mr. Gardner added that TPL is continuing to work on it.

**Legislative Committee** – Committee Chairman George referred to a news article in which the Congressman has secured an additional \$6 million for the flood control project that was passed in a House bill; it still requires Senate approval. The Congressman has been instrumental in securing federal funding for the past 14 years.

- Mr. Gardner added that we have two budget activities coming up. He will contact the State Budget Committee to be placed on their August agenda for release of the appropriated \$2 million left from the 2003/05 budget. We have also received a packet from the State Budget Agency asking for the 2005/07 budget request to be submitted by August 16, 2004. The remaining money we have right now is obligated toward land acquisition and mitigation. Mr. Gardner distributed a draft budget expenditure chart. It will be finalized to send to the Budget Agency. The monies shown will take us to November 2004 and we will need new money to continue on after that point in time to cover the remaining obligations. It is important that we get a commitment from Gary for O&M; that will mean a lot to the state budget legislators. Mr. Gardner will pursue getting letters of local support.

**Project Engineering Committee** – Committee Chairman Bob Huffman reported that six bids were received for the Landscaping Phase 2 project. Imad Samara added that the contract has been awarded to the second lowest bidder. (The lowest bidder was not responsive) We will share the bidder list at the next meeting.

- Mr. Huffman reported that the COE will write a letter to INDOT acknowledging that they will pay for the Grant and Broadway INDOT interchanges and that credit will be given to the Commission for that incurred cost. Imad Samara acknowledged he will do this.
- Mr. Pokrajac added that several commissioners had expressed concern over the last few months about the extended time it was taking Overstreet Construction to finish up the Pump Station 1A contract and also liquidated damages that were assessed but then rescinded. A meeting is being scheduled with the COE and the Commission so questions can be asked and solutions can be found so this does not happen again with other contractors.

**Recreation Committee** – There was no report.

**Marina Committee** – Committee Chairman Charlie Ray asked to meet with Dan and Lou next week regarding marina issues.

**Policy Committee** – There was no report.

**Public Relations Committee** – The report on the Charles Agnew Handicapped Accessible Park sign was already discussed. When the sign is received, a park dedication will be scheduled.

- The Boy Scouts did a fine job again of cleaning up the trail portion by Riley School in Hammond. Attorney Lou Casale picked up the cost of pizza for the scouts.

- Commissioner Bob Huffman distributed a draft copy of the web site that he has created for the Development Commission. He was commended for doing a fine job. Staff will try to help out by providing him the latest up-to-date information to post. Some of the information that the COE has on their web site is outdated. Staff will also have to make sure that all information posted is accurate. Commissioner Reshkin added that it could be a valuable tool to share with legislators and communities for project support. Mr. Huffman stated that he will maintain the site. Commissioner Davis said that he thought all information, being posting, should be approved by staff.

*Other Issues* – After discussing the issue of changing the August meeting date to either August 3 or 5, it was decided to leave the meeting date at the first Wednesday, August 4.

*Statements from the Floor* - There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, August 4, 2004.