

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, June 2, 2004
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

Arlene Colvin
Bob Marszalek
Robert Huffman
Mark Reshkin
George Carlson
Bill Biller
Steve Davis

Visitors:

Jomary Crary – IDNR, Div. of Water
Mark Lopez – Congressman Visclosky's office
Don Ewoldt - LEL
Sandy O'Brien - Hobart
Spike Peller – GSD/GSWMD
Steve Enger – Munster citizen
Imad Samara - COE

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

A motion to approve the minutes of the May 5, 2004 meeting was made by Bob Marszalek; motion seconded by Bill Biller; motion passed.

Chairperson's Report – Chairperson Arlene Colvin read the resignation letter from Mark Lopez. Mark is resigning from the Development Commission board because he has taken a position with Congressman Visclosky's area office as District Director. As Mark held the office as treasurer for the Commission, his resignation causes a vacancy in the offices. After a brief discussion, George Carlson nominated Bob Huffman to fill out the term as treasurer; motion seconded by Bill Biller; motion passed unanimously.

Executive Director's Report – Mr. Gardner reported that the court hearing for the "friendly condemnation" with the town of Highland was held on May 26. The purpose is to establish fair value of the public lands for crediting purposes. Attorney Casale reported that three appraisers were appointed and will be sworn in tomorrow; it is hoped that they can complete their appraisals and set a value quicker than the normal 30 day allowed period; the official deadline date for the appraisers to submit their value is July 2. . The deadline date for signing the right-of-entry for Stage VI-1S is July 15 so staff is trying to meet that date.

- Mr. Gardner stated that we will be meeting with the city of Hammond on the easements that are needed from them for the Stage VI-1N segment. They will most likely wish to proceed the same way as the town of Highland has; that is, entering into a "friendly condemnation" in order for the court to set a truer value of the public lands. Mr. Gardner will talk with Dan Repay, councilman for Hammond, and coordinate with him.

- A meeting has not been scheduled yet with the city of Gary, the Gary Sanitary District, and the COE. There are issues remaining that need to be resolved; it is getting critical that this be done. There are features that need to be brought up to par; and cost is a factor. We had previously sent a letter to the Mayor regarding FEMA saying that Gary has to accept O&M before they can be removed from the floodplain. The Commission has also offered to work with the City for the transfer of Commission surplus property to the city in exchange for their commitment to do O&M.

- Spike Peller, Gary Sanitary District, asked whether the Commission has appraisals on the surplus properties. Attorney Casale replied that we did not have an appraisal but an appraisal could be done as part of the Indiana Disposal of Property Act, which the Commission will need to follow.

- Commissioner Bob Huffman expressed his frustration with the lengthy appraisal process, especially with the COE reviewer. Mr. Gardner added that the COE will not review the appraisal on the 179 acres; it is already credited and we only have to follow the State disposal of property procedure.

Finance Committee – Treasurer Bob Huffman presented the financial report. Mr. Huffman questioned the three appraisal claims from Janet O’Toole on DC85, DC92 and DC1174 for \$5,250 each. Judy Vamos stated that the appraisals were started, stopped, then started again and that they were for crediting purposes. After attorney Casale stated he will check into the amounts invoiced to us, the three claims were pulled from the claim sheet.

- Bob Marszalek made a motion to approve the payment of \$260 to Superior Sign Service for two project signs in Gary; motion seconded by Bill Biller; motion passed unanimously.
- Mr. Huffman referred to the audit report for years 2002 and 2003 that was distributed for review. Mr. Gardner added that it was a clean audit with only a couple of minor bookkeeping procedure changes that were recommended.
- Discussion ensued on the Commission’s CDs in regard to the interest rate being paid on them. NIRPC Bookkeeping personally contacts various local banks and is quoted their current interest rate for that particular CD. The bank that can offer the highest interest rate secures the CD for the Commission. This procedure was previously approved by the Commission members and it has been our adopted method to secure the highest rate. Commissioner George Carlson questioned whether we secured the highest rate we could. He personally was able to secure a higher rate as an individual and thought we could do the same. It was explained that there are different rates for an individual versus a government rate. We were assured that the rate we received was indeed the highest rate we could secure. Staff will double-check with the bank to be sure.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin gave the Land Acquisition report. Ms. Colvin reported that there were no increased offers or condemnations this month. In regard to the Highland properties “friendly condemnation”, court appraisers will be sworn in the first week of June and return with their findings 30 days later. It is anticipated that Hammond will probably follow the same procedure (a “friendly condemnation”) as Highland is doing in order to establish a true value. The Hammond properties are needed for Stage VI-1N segment.

- Staff is continuing acquisition on the few remaining properties in Burr Street Betterment Levee P2 – LCRBDC portion.
- The rental house at 3120 Gerry has been cleaned up and disinfected and is ready for staff to advertise for sale.
- Staff will advertise for mowing of the levees to be done mid-July.
- Boy Scout Troop #280 will clean debris and repair trails for the fifth year between Columbia and Northcote in Hammond. They have asked us to provide pizzas for their lunch as we have done in prior years. Attorney Casale kindly offered to pick up the cost of the pizzas this year.

Operation & Maintenance Committee – Committee Chairman Bob Huffman stated that an O&M committee meeting was held on May 25. Discussed was the letter from the COE which states that FEMA needs a commitment from the city of Gary to operate and maintain the system for the flood plain remapping process to continue. It is critical that we meet with the city so progress can continue.

- Mr. Huffman informed the members that staff has been contacted by the COE to schedule an inspection of all completed flood control features. The COE is anxious to turn over the O&M but a complete inspection needs to be done first to determine the current condition of the project. Jim Pokrajac has recommended that the inspection be delayed until mid-July until the levee mowing has been completed. Communication with the COE to coordinate a date will be needed.
- Demolition of barn in east reach remediation area has been completed.
- Jim Pokrajac added that there have been Burr Street pump station problems with high water. The COE/LCRBDC have been currently operating the pumps manually to keep level of detention pond down.

Environmental Committee – Mark Reshkin reported that TPL has updated its list of remaining properties to be acquired with existing Commission funds. We need 411 acres of which 25% must be restoration. To date, we have acquired 173 acres. TPL has a possible 130 acres they are hoping to acquire. We will be meeting with Save the Dunes Foundation to discuss a possible 60 acre acquisition that could be used for mitigation.

- Dr. Reshkin reported that the house we purchased on the 173 acre site has deemed to be a historical landmark (which means it cannot be demolished). IDNR has decided to sell the property as is.
- Dr. Reshkin and Dan Gardner both talked about the watershed conference that was recently held. Mr. Gardner is participating as a speaker about the Little Calumet River project, as well as NW Indiana development impact. Originally, some tours were planned but they have since been cancelled.

Legislative Committee – Committee Chairman George Carlson stated that he has been in contact with Stan Dostatni to inquire about any progress update with the city meeting with Christopher Burke Engineering Company. This is the firm that the town of Highland retained to help the Wicker Park Manor Sub-division come out of the flood plain. He was informed that the city did enter into an agreement with the engineering firm. We have requested that we also meet with the city and the engineering firm so there is some coordination. Hammond was meeting with the firm on June 4 but the Commission was not included in this meeting. Mr. Carlson referred to a news article about portions of Hammond coming out of the floodplain that contained inaccurate dates. It is important to keep the public informed with correct information.

Project Engineering Committee – Committee Chairman Bob Huffman referred to the meeting held on May 14 with the Lake County Highway Dept. regarding Kennedy Avenue Bridge. The bridge deck will be re-built next year. Costs will be identified that will be incurred to include flood control features into their project. The Coe will coordinate with the lake County Highway Dept. to compensate their contractor for doing our work. It would save money now to incorporate some earthwork, a wider walkway, and concrete closure structures while the County is rebuilding. The contract is currently scheduled to start in early 2005.

- Mr. Huffman referred to the INDOT letter from Richard Whitney stating they would request that INDOT pay for the work to be done at Grant Street and Broadway in Gary. They would intend to pay for the work with 100% state funds and ask that the full amount of state funds paid on the contract be credited toward the Commission.
- The in-project mitigation inspection was held on May 12. The contractor will perform O&M on the project for three years to assure all plantings are established.
- Mr. Pokrajac added that only one (1) mowing of the levees will be done this year. The Landscaping II contract has an herbicide application scheduled for this fall, so a second mowing is not necessary.

Recreation Committee – There was no report.

Marina Committee – There was no report.

Policy Committee – There was no report.

Public Relations Committee – There was no report.

Other Issues – Mr. Gardner stated that, once construction is underway in Hammond and Highland, we will investigate the possibility of holding monthly Commission meetings in the respective areas so that residents will have more of an opportunity to attend and express their concerns.

Statements from the Floor – Don Ewoldt, LEL, asked if final payment on the in-project mitigation area had been made. Imad Samara answered that money was held back for the contractor to perform O&M for the three year period. Steve Enger, resident of Munster, informed the members that he walked River Drive and Hawthorne along Hart Ditch and talked to residents. Most of the people were not aware of plans adjacent to Hart Ditch. He asked if he could have

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some time at the next meeting for discussion of the Hart Ditch area. He is meeting with some neighborhood residents next week and he would like to bring their concerns to the Board. Mr. Gardner offered that the LCRBDC could attend any neighborhood meetings they would have to explain the project to them. Mr. Enger stated that would be fine for later on but felt the residents needed to get organized with each other first.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, July 7, 2004.