

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 P.M. WEDNESDAY, November 3, 2004**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairperson Arlene Colvin called the meeting to order at 6:15 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

Arlene Colvin  
Robert Marszalek  
Robert Huffman  
Charlie Ray  
George Carlson  
Steve Davis  
William Biller  
Mark Reshkin

**Visitors:**

Sandy O'Brien - Hobart  
Jomary Crary - IDNR

**Staff:**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Jim Pokrajac  
Judy Vamos  
Lorraine Kray

After a correction to the October 6<sup>th</sup> minutes was made by Bob Huffman (Page 1 in the Executive Director's Report, it should read that the \$2 million had been reverted back to the Budget Agency and not the \$2); motion was seconded by George Carlson; motion passed unanimously.

**Chairperson's Report** – Chairperson Arlene Colvin reported that the Board members met in Executive Session prior to tonight's meeting to discuss real estate issues. Dan Gardner, attorney Lou Casale, Board members Arlene Colvin and Mark Reshkin met with the Congressman to discuss the \$2 million appropriated to the Commission that was reverted back to the State Budget Agency. It was established that with our remaining monies, we would target completing land acquisition for Stage VI-1N and Stage VI-2. This would utilize the federal dollars so that these contracts could be let next year. The Congressman stressed his desire to move this project forward to completion as soon as possible and using any locally derived income the Commission has to supplement any shortfalls to insure west reach progress.

- Arlene Colvin referred to the selection of a Nominating Committee needed for the election of 2005 officers. Abiding by the bylaws, each commission member will select three names of the full Board and a tally of those names will be announced at the end of the meeting. The top three vote getters will serve as the Nominating Committee.

**Executive Director's Report** – Mr. Gardner referred to an October 13<sup>th</sup> meeting held with Munster town officials, North Township Trustee Greg Cvitkovich, and some area Munster residents in regard to future project construction adjacent to Hart Ditch. This meeting was held as a follow-up to a previous town meeting requested by resident Steve Enger. Mr. Cvitkovich stated his willingness to work with us, the Corps, and the residents but feels he has already moved the levee as far east as possible on North Township property and cannot move the levee line any further east without impacting several golf holes. The Commission committed to keeping the town updated as we move the project forward. The Commission committed to working with the Corps to keep as many trees as possible and keep as much greenway as possible.

- Mr. Gardner also reported that a pre-hearing conference with the Natural Resources Committee on October 19 was dismissed. The Commission has received a Final Order of Dismissal. The Commission has agreed to provide project information every six months to the town of Munster and Munster residents.

**Finance Committee** – Treasurer Bob Huffman presented the financial report and the claim sheet. He made a correction to the claim sheet in Budget code 5861 from Vendor name of TPL to the correct name of Lake County Clerk. With that correction, he proceeded to make a motion to approve the financial claim sheet and the claims for October totaling \$214,662.67; motion seconded by Bill Biller; motion passed unanimously.

- Mr. Huffman then presented three O&M claims for approval. He made a motion to approve the O&M claims of \$1,129.65; motion seconded by Bob Marszalek; motion passed unanimously.

**Land Acquisition/Land Management Committee** – Committee Chairperson Arlene Colvin gave the Land Acquisition report. She reported that there were two condemnations. Because the landowner is not satisfied with the offer which included the maximum allowable 15% increase (\$16,560), Arlene Colvin made a motion to start eminent domain procedures on DC1002; motion seconded by Bill Biller; motion passed unanimously. She then proceeded to make a motion to start eminent domain procedures on DC1009 after a consensus could not be reached upon our offer and a 15% increase to the property owner (\$46,000); motion seconded by George Carlson; motion passed unanimously.

- Arlene referred to Judy Vamos who reported that an author of the book Along the Calumet River (author Cynthia Ogorek) has asked us to do a book review on the newly published book and she will also be sending us a complimentary copy of the book.
- Arlene reported that only one bid was received on 3120 Gerry Street. A motion was made by Arlene Colvin to accept the bid price of \$7,502; motion seconded by Bob Huffman; motion passed unanimously. Attorney Casale will expedite the procedure with the Governor's Office (must be approved by the Governor because bid was less than 90% of the appraised price). Staff is anxious to dispose of the property before winter to minimize added expenses.
- Arlene referred to Jim Pokrajac who reported that View Outdoor was meeting with the Gary Board of Zoning on November 9 to pursue approval of the city permits needed to construct three (3) signs in Gary (on Commission property). Mr. Pokrajac asked whether we should authorize entering into an agreement with them at this meeting (if they obtain all the permits they need) or wait until they present us with an agreement. Attorney Casale stated we will wait until we have an agreement from them to present to the Board for approval. Allowing the company to construct the three billboards on Commission property will generate much needed revenue for us.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman reported that some levee inspections were held but not on all completed levees. We received notice from the Corps that inspections would resume once funding for the team was available. Jim Pokrajac added that he will work with Imad Samara to stress the importance of finishing up the inspections to aid us in working out an agreement with the city of Gary to take over O&M on completed levees. Any deficiencies found will have to be corrected before turnover and acceptance by Gary. The Corps will share their inspection results with us once their report is completed.

- Mr. Huffman reported that we received an e-mail from the Corps transmitting a letter to us from the Gary Storm Water Management District who requested a logjam be cleared west of MLK Drive. After reviewing the agreement we had signed with Conrail (logjam is blocking flowage to the culverts under the railroad), it appears we do have to maintain. Staff will pursue obtaining some quotes on what it would cost to clear and haul away.
- Mr. Huffman talked about getting an inverter mounded in a truck as opposed to hauling a generator when the sluice gates needed to be opened. It would be easier and cheaper. Jim Pokrajac added that would be a good suggestion to Gary once they take over O&M. The only reason a portable generator was used at this point in time was because it was the only electrical option available to operate the gates.

**Environmental Committee** – Committee Chairman Mark Reshkin reported that our focus to purchase mitigation land is still Hobart Marsh. Unfortunately, we do not have the funds available now for a timely completion of acquisition of these lands. We have completed the purchase of 309 acres but still need about 128 acres toward the 437 acres to have the permit modified to complete levee real estate acquisition in the west reach. Although the surveys will be completed for several parcels TPL will not pursue acquisition until the Commission receives new money in the next biennium. With the \$2 million reverted back to the State Budget Agency from the last biennium, no funds are available to pursue mitigation land at this time.

**Legislative Committee** – Committee Chairman George Carlson referred to the letter from the Corps that gave information as to what Federal and non-Federal funding requirements will be needed for FY 2005, 2006, and 2007, along with the breakdown of segments to be constructed and current schedule. Mr. Gardner stated he will try to have project manager Imad Samara at the next meeting. Mr. Carlson also stated he would like to meet with Imad.

- Mr. Gardner referred to the letter he sent to area legislators regarding the \$2 million that was reverted back to the State Budget Agency. He also sent copies to the town councils and mayor, as well as the Congressman's office.

**Project Engineering Committee** – Committee Chairman Bob Huffman reported that a meeting is being scheduled with the city of Gary, the Corps, INDOT and the Commission to discuss the necessity of building of a pump station adjacent to I-80/94 to handle excess storm water if Gary separates the combined sewers north of I-80/94 between Grant and Broadway. Jim Pokrajac explained that this additional water would be induced into an area on the landward side of the levee, and that it is the responsibility of that party to remediate the problem.

- Mr. Huffman reported that a meeting with FEMA is scheduled for November 16 to discuss Lake County floodplain mapping. The current maps will be presented, and all parties will have the opportunity to review, comment, and correct.
- Discussion was held on the Pump Station 1A contract and the possibility of the contract being terminated with the contractor, Overstreet. The Corps has sent Overstreet a letter giving them 10 days to respond or they will be in default and the contract will be terminated. Mr. Pokrajac referred to a news article that the sub-contractor, Viking Engineering, has filed bankruptcy.

**Recreation Committee** – Committee Chairman Bob Huffman stated staff is working with Dennis Cobb to help us out in securing a trail crossing at the NIPSCO right-of-way at Cline Avenue instead of Highway Avenue. Originally, INDOT said we could not cross at the light north of Highway Avenue, but we are hoping they will allow us to use the original plan. Mr. Huffman added that he thought crossing at Highway Avenue was more dangerous.

- The recreational trail ramp west of Grant will be done in 2005. There will be a separate contract to address items that need to be completed in the East Reach prior to Gary accepting O&M responsibility. This includes trail repair and tie-ins at Grant Street and Broadway.
- We need to meet with the railroad to discuss a crossing by Kennedy Avenue. Mr. Pokrajac added that currently there is a crossing at Grand Blvd. We could use an existing at-grade crossing and then tie in at Indianapolis Blvd. The NSRR indicated that they would not allow any new at-grade crossings due to liability issues.

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

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

**Public Relations Committee** – Committee Chairman Bob Marszalek reported the dedication for the Charles Agnew Handicapped Park is scheduled for 12:30 p.m. Friday, November 5. The new sign has been installed. There will be a brief ceremony.

*Other Issues* - Bob Huffman stated that he would like to post the new project map on the web site. He will work with Jim Pokrajac and get permission from the Corps to assure accuracy.

- Chairperson Arlene Colvin announced the results of the ballots for the selection of a Nominating Committee. George Carlson was selected. There was a three way tie for the other two members. They were Arlene, Steve Davis and Charlie Ray. That being said, Arlene withdrew her name, leaving the other two members to serve on the Nominating Committee. They will meet, select a Nominating chairman, and report back.
- Discussion was held about coming back to the Board with a selection in December instead of January. With the new officers being elected in December, they will take over in January .
- Bill Biller inquired whether anything has been done regarding the two vacancies we have on the Board. Mr. Gardner answered that we have heard nothing. In regard to the Governor's appointment, it probably will not be made until after the new Governor takes over in 2005. Staff will inquire about the Lake County Commissioners' appointment.

*Statements from the Floor* - There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, December 1, 2004