

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

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Six (6) 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

**Visitors:**

Sandy O'Brien - Hobart  
Jomary Crary - IDNR  
Mark Lopez – Cong. Visclosky's office  
Phil Gralik – R.W.Armstrong Co.  
Imad Samara - COE  
Steve Enger – Munster resident

**Staff:**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Jim Pokrajac  
Judy Vamos

A motion to approve the minutes of September 6 was made by Bob Huffman; motion seconded by Steve Davis; motion passed unanimously.

**Chairperson's Report** – Chairperson Arlene Colvin reported that the Gary Council met on September 7 and approved the \$1.4 million for the city to finance the Burr Street levee Phase 2 (Gary portion). Imad added that he was sending out the plans and specifications tomorrow to Gary for their comments and a plan review meeting will be scheduled in a couple of weeks after that

**Executive Director's Report** – Mr. Gardner reported that we met with the Hammond city engineer, Hammond Parks, and Hammond Sanitary District and it was agreed upon to go through the same process as Highland did in order to get the maximum credit value for the easements. Hammond will make the easements available to us while we go through the “friendly condemnation” process.

- Mr. Gardner referred to the e-mail we received from the budget analyst at the State Budget Agency in regards to the remaining appropriated \$2 million. We had sent a letter requesting that the \$2 million be allocated for our use so that we could continue to meet the COE schedule to obtain the properties for Stages VI-1N and VI-2, as well as the mitigation properties needed for the IDNR permit in those respective stages. We were informed, through the e-mail, that the \$2 had been reverted back to the Budget Agency dated June 2003. Evidently, even when we met with the Budget Committee in August 2003 and requested the drawdown of the \$5 million, the remaining \$2 million had already been reverted. We only found this out October 5, 2004. The problem now is that, although we have enough money to cover the offers in Stage VI-N and VI-2, we do not have enough money if the offer is not accepted and we have to condemn and rely upon court awards.

With the existing re-assessment problem in Lake County, the court awards are coming in much higher than our offers to the landowner. Mr. Gardner expressed his concern that our ability to acquire the property to meet the federal construction dollars would be at risk: (1) Burr Street 25% portion of our money would not be available; (2) Hobart Marsh area – options are out and we need to pursue the acquisition to be able to proceed any further in the west reach; and (3) properties in the west reach needed are coming in higher and the \$2 million is needed to cover the additional purchase price of these properties. Lengthy discussion was held. An Executive Session will be scheduled to discuss any options we may have.

**Finance Committee** – Treasurer Bob Huffman presented the financial report and the claim sheet. He proceeded to make a motion to approve the financial claim sheet and the claims for September totaling \$394,471.79; motion seconded by Bob Marszalek; motion passed unanimously.

- Mr. Huffman then made a motion to approve the O&M claims of \$293.14; motion seconded by Bob Marszalek; motion passed unanimously.

**Land Acquisition/Land Management Committee** – Committee Chairperson Arlene Colvin gave the Land Acquisition report. She informed the members that a “friendly condemnation” with the city of Hammond will proceed. They are taking the same option as the town of Highland, whereas the court will establish a “fair market value” of the properties. This will ensure a higher credit value.

- Ms. Colvin reported that we have advertised a second time for the house at 3120 Gerry Street. Bid opening is October 27.
- View Outdoor is in the process of pursuing permits from the city of Gary for the construction of billboard signs at the southwest intersection of I-65 and I-80/94.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman reported that final inspections were held on the sluice gates operation. About half of the sluice gates have been tested. Some of them do require repair. A second inspection to complete the remaining sluice gates will be scheduled. Mr. Huffman also reported three days were spent on levee inspection. Mr. Huffman attended the inspections (in Jim Pokrajac’s absence). Several problems were found on the levees, i.e. trees growing into toe of levee, rodent burrows, access problems, guard rail interference with sand bag placement, etc. Jim Pokrajac added that he has contacted Reric Witowski who will put together a punch list of items that need to be addressed. Mr. Witowski said that no other inspections will take place until additional funding is put in place for that purpose. He will give us a report as to what is completed to date. Jim Pokrajac will try to work with Imad Amara to complete the inspections because this is an issue with Gary and we want to continue to pursue O&M with them.

- Mr. Huffman stated that the Corps design used in Stage III using “Geoweb” and gravel in area of discharge by the pump station failed. In doing inspections, the same procedure was being used for Marshalltown. Mr. Pokrajac stated the design is being re-engineered.
- The instructional video for the closure panel installation for the Chase Street and 35<sup>th</sup> Street is completed and is being reviewed by appropriate parties.

**Environmental Committee** – In Committee Chairman Mark Reshkin’s absence, Mr. Gardner stated that we are having ongoing discussions with TPL. We will be picking up some of the hard costs for them, i.e. title work, appraisal cost, survey costs. We do have a problem now that the \$2 million is not available. We will not be able to pursue some of the acquisitions in Hobart Marsh until funding is available.

**Legislative Committee** – Committee Chairman George Carlson referred to the letter from Representative John Aguilera offering his assistance for the new legislative session starting in January.

- Mr. Gardner had already discussed the \$2 million being reverted back to the state budget. Everyone has received a copy of the request letter that was mailed to the State Budget Agency.
- Mr. Gardner stated that he has spoken with Representative Earl Harris and will meet with him in the near future.

**Project Engineering Committee** – Committee Chairman Bob Huffman reported that the bids were opened for Stage VI-1 South (Liable to Kennedy south of the river) on September 22. Low bidder was Illinois Constructors Corporation from St. Charles IL. Mr. Huffman asked Jim Pokrajac about the government estimate without profit; the bid was within 10% so it is considered reasonable. Imad said that the company has done work for the Corps before. Commissioner

Charlie Ray asked Imad if the bid exceeded the government estimate, would the Corps have to re-bid. Imad stated that if the bid is over 25% higher, they have to re-bid; if it is within the 25%, they can negotiate.

- Mr. Huffman asked Imad about Gary's concern about water quality as part of the Corps design. Imad is investigating further into the matter.
- Comments were submitted to the COE regarding Stage VI Phase 2 design (Liable to Cline, south of the river). Anticipated construction start is the fall of 2005, if all real estate requirements are met.
- Discussion ensued on the issue of Gary wanting a pump station put in between Grant and Broadway. Gary has a concern that flooding could occur on I-80/94, based upon INDOT hydrology information.
- Phil Gralik talked about the section of combined sewers in Gary between Broadway and Grant north of I-80/94. Gary is planning to separate it. They want to take advantage of INDOT construction on I-80/94 to install culverts under the pavement to allow drainage to flow to the Little Calumet River. Once separated, the storm water will have no place to go when the river level is up and the flap gates are closed. If separated, the additional storm water could cause flooding problems on I-80/94 based upon INDOT hydrology information. A meeting needs to be held with all involved parties to determine who has what financial responsibilities. According to Gary, with our levee in place, the water cannot reach the river and is causing the problem. Mr. Gardner replied that we understand the issue; we will pursue a resolution.
- Mr. Huffman reported that a meeting is scheduled with Munster, North Township, and residents on October 13 to review and discuss the construction west of Hart Ditch.

**Recreation Committee** – Committee Chairman Bob Huffman reported that when doing the levee inspections, they also looked at the trail system. Some of the trails have degraded; a lot of rutting exists on the trails; some are overgrown. Jim Pokrajac added that he has talked to Dave Orrison from NSRR (they will be meeting with him on October 8 at the Chicago Corps office) and Mr. Orrison indicated that the company will not allow an at-grade crossing at the railroad.

**Marina Committee** – Committee Chairman Charlie Ray stated that the committee is currently working with Dan Gardner and Lou Casale and talking with the city of Portage to come up with some options in regard to the marina build-out.

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

**Public Relations Committee** – Committee Chairman Bob Marszalek reported that the sign for the Charles Agnew Handicapped Park will be delivered on October 15<sup>th</sup>. A date that is being considered for the dedication is November 5. Commissioners will be notified if the dedication is on that date.

**Other Issues** – Mr. Gardner referred to a request letter from USGS for our participation in partial payment of the Hart Ditch gaging system for a cost of \$5,470. The monies would come out of the O&M fund (LEL monies). Bob Marszalek made a motion to approve this funding for fiscal year 2005; motion seconded by Charlie Ray; motion passed unanimously.

- Mr. Gardner referred to the news article about the flooding in Richmond VA. This was the flood control project that was viewed in Richmond several years back. The system itself did not fail; the operation of the system failed.
- A current listing of the Commission appointments with dates was distributed to all members.

**Statements from the Floor** - There were none.

There being no further business, the next meeting was scheduled for **6:00 p.m. Wednesday, November 3, 2004.**