

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, DECEMBER 7, 2005
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:10 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

George Carlson
Charlie Ray
Robert Huffman
William Biller
Steve Davis
Mark Reshkin
Arlene Colvin
Robert Marszalek
R. Kent Gurley

Visitors:

Imad Samara – Corps of Engineers
Josh Reasoner – R. W. Armstrong Company

Staff:

Dan Gardner
Lou Casale
Jim Pokrajac
Judy Vamos
Sandy Mordus

A motion to approve the November 9, 2005 minutes was made by Bob Huffman; motion was seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report – Chairman Biller introduced and welcomed a new Commissioner, R. Kent Gurley, who replaces Sam Dimopoulos on the Commission. Mr. Gurley is a Lake County Commissioners appointment and his term will run through December 2009.

- Mr. Biller proceeded to announce the Nominating Committee who will consist of George Carlson, Steve Davis, and Bob Marszalek, with Mr. Marszalek acting as Chairman. The committee will present a slate of officers for 2006 at the next meeting.
- Mr. Biller announced the re-appointment of Steve Davis to the Commission. Mr. Davis is an IDNR appointment and will serve a term through December 2008. Mr. Gardner added that Mr. Davis has served as a Board member for over 15 years.
- Mr. Biller referred to pages 13-18 in the agenda packet that was the Commission's response to the Governor's Indiana Government Efficiency Commission's request. The request was a questionnaire that would provide them with in-depth information about our Board. They are investigating over 300 government organizations of the State in order to recommend to the Governor whether such entities should be eliminated, reorganized, or combined. Mr. Marszalek commented that he felt the report was well written; it took a lot of work but feels that it portrays that the Commission does have an important ongoing function and needs to stay viable. Mr. Gardner added that we sent substantial supporting documentation.

Executive Director's Report – Mr. Gardner referred to a schedule of commitments for land acquisition with available dollars that meets the aggressive schedule. He commented that staff has done an excellent job of securing the title work, surveys, and engineering work needed before easement offers can be sent out. Currently, we can start sending out offers for Stage V-Phase 2 (Kennedy to Northcote). Several suggestions were made for clarification purposes. Staff will fine-tune it and it will be a discussion item at the Finance committee meeting.

- Burr Street II – Gary portion (Colfax to Burr Street) – Mr. Gardner reported that the Gary Board of Public Works is in the process of authorizing advertisement of bids that will lead to a January letting. It will be an open competitive bidding process. Chairman Biller asked whether we've entered into an agreement with Gary yet. Attorney Casale answered that we presented the city of Gary with a proposed agreement and, although it was acceptable to their attorney, the Public Works Board questioned what responsibilities the Gary Stormwater Management Group had. LCRBDC indicated that whatever modifications needed to be done would be done quickly, and then re-submitted. Mr. Casale stated that the agreement says no bid will be awarded if it is in excess of the amount of money LCRBDC has appropriated. We are hopeful they will receive bids within budget.
- Burr Street II – Little Cal portion – Mr. Gardner reported that we are working through the problem with NSRR. One prime item of discussion was that during a major flood event, who would authorize the closure (if it ever would have to be closed). Mr. Gardner stated that the current Army Corps flood warning/preparedness plan indicated that the Mayor of that municipality would be the one to formally request the closure; and that the railroad's engineer would be informed.

Outstanding Issues – Mr. Gardner informed the members that he and a few Commissioners met earlier to discuss the proposal received from Lawson-Fisher to complete a Phase I inspection and determine the current Griffith levee requirements to be certified, and accepted by FEMA, for a not-to-exceed cost of \$9,700. Staff will talk with Lawson-Fisher to see if we can get a lower cost. Mark Reshkin stated that we first need a negotiating session with them to define their proposal. After the scope of work has been determined, Imad indicated that he COE could review these items and provide a cost estimate. Mark Reshkin proceeded to make a motion to approve having staff discuss with Lawson-Fisher in a negotiating session before entering into a contract with them for an amount not to exceed \$9,700; motion seconded by Bob Marszalek; motion passed unanimously.

Finance Committee – Treasurer Arlene Colvin referred to the Financial Statement for November. She proceeded to make a motion to approve the transfer of \$1,000 from Administrative Budget Line Item 5821 to Administrative budget Line Item 5824, in order to cover telephone expenses; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin made a motion to approve the claims for November in the amount of \$70,053.19, motion seconded by Bob Huffman; motion passed unanimously.
- Ms. Colvin then presented the O&M claims for approval in the amount of \$2,227.31 and made a motion for approval; motion seconded by Bob Huffman; motion passed unanimously.
- A Finance Committee meeting needs to be scheduled. Members will be contacted this week.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek gave the report. There is one condemnation. Mr. Marszalek made a motion authorizing the attorney to file condemnation proceedings on DC128; motion seconded by Bob Huffman; motion passed unanimously. We need a flowage easement on DC128 where the property owner is a dissolved Indiana corporation and we cannot find any representatives of the company.

- Bob Marszalek made a motion for authorization to enter into an agreement with the Gary Fire Department for the property formally known as Chase Street Farm Stand once an agreement is completed by our attorney and agreed to by the city's attorney; motion seconded by Arlene Colvin; motion passed unanimously.
- Chairman Biller asked whether the drainage ditch between Chase and Grant has regular maintenance. Jim Pokrajac replied that it has been an ongoing problem and requires annual cleaning at a minimum. Also that Gary has been contacted and they are reviewing this. He thinks it is on their right-of-way and we are hoping they will take care of any blockages from now on.

Project Engineering Committee – Committee Chairman Bob Huffman reported that the Corps has officially combined Stage V-2 (Kennedy to Northcote) and Stage V-3 (Cabelas' Retail) into one project and it will be advertised in one contract. A preliminary walk-thru for site familiarization will be held mid-January. Mr. Huffman also stated that the Corps will pursue an agreement with the Lake County Highway Department for the installation of the Little Cal flood control and recreation features as part of our project.

- Mr. Huffman stated that we sent the letter, as submitted by the residents, which requested some engineering modifications which are currently proposed for Stage V-2 along the west side of Hart Ditch, in order that the Corps would review and comment.

Operation & Maintenance Committee – Committee Chairman Bob Huffman made a motion authorizing approval to enter into an agreement with Gary for them to take over the O&M of the Stage III Remediation pump stations and allow the attorney to negotiate any items not acceptable; motion seconded by Steve Davis; motion passed unanimously. The LCRBDC attorney is working on a memo of understanding.

- Mr. Carlson inquired about the current flood control work going on adjacent to Kennedy Avenue. He thought the I-wall there was very plain and does not have a decorative facing like the I-wall at Liable Road. He felt visibility was much greater on Kennedy Avenue and that it should have a decorative facing. Imad explained that the reason the I-wall has a decorative facing on Liable is because it is behind residents' homes and they have to look at it all the time, whereas the traffic on Kennedy drives by quickly. The concern for aesthetics was more important for the residents. Imad was requested to work up an approximate cost comparison between using a "fin-type" finish and the new decorative formliner that could be discussed at a later date.
- The current list for the scope of work has been completed for the four pump stations (Grant, Broadway, Ironwood, and Burr) and will be forwarded to Gary by the end of the week for final review.
- The LCRBDC attorney is working on the agreement for the pump station O&M and on the two Stage III Remediation pump stations (Marshalltown and 32nd and Cleveland).
- Mr. Huffman reported that the sluice gates and flap gates will be released as a separate contract by the Commission. Also, fencing and rusting issues will be released as a separate contract by the Commission in order to save money.
- R. W. Armstrong Company is reviewing the O&M manual. We have the manual that we received from the Corps for Gary. Mr. Pokrajac added that it needs to be updated. Imad agreed. The manual addresses only completed segments. Burr Street Phase I is included but not Burr Street Phase II. An updating needs to be done quickly; R. W. Armstrong is summarizing outstanding issues, questions, additions, and clarifications. We hope to schedule an O&M Committee meeting before the end of the year.
- Mr. Gardner added that Steve Davis and Jomary Baller of IDNR are identifying a list of items that need to be done as part of the west reach permit; we need to make sure we are in compliance. There is a concern with renewing the permit for Hart Ditch since no work has started; only preliminary engineering has been completed and that may not be enough.

Environmental Committee – There was no report.

Legislative Committee – Committee Chairman George Carlson commented on the package we submitted to the Governor's committee. Mr. Gardner added that we received the request on November 14 and it had to be submitted no later than November 30. Out of the 300 boards and commissions, we are unique in the size and type of ongoing construction.

Recreation Committee – Imad asked if we could schedule a meeting to talk about the comprehensive plan for the recreational trails. Although recreational features will not be included in upcoming contracts, the trail alignment needs to be finalized and that land could be obtained later. Mr. Huffman asked that Charlie Ray be included in that meeting because his firm has recreational experience in layouts. Mr. Huffman also indicated that new committee members need to be added.

Marina Committee – Mr. Gardner reported that the inter-local agreement has been approved in form by the Attorney General's Office. The Mayor has already signed and we will sign it tonight and then Lou will mail it out to the A.G.'s office for their signature.

Policy Committee – There was no report.

Other Issues/New Business – Jim Pokrajac informed the members that we still have not gotten any approval from the State that we can sell the house on Gerry Street. Attorney Casale suggested that we list out what has been done up to date and submit it to the Attorney General's Office to see if they would work with us. We will be paying higher utility bills with the cold weather and we may want to consider demolition.

Statements from the Floor - There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, January 4, 2006.