

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 P.M. WEDNESDAY, MAY 4, 2005**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairman William Biller called the meeting to order at 6:05 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

Charlie Ray  
Arlene Colvin  
Robert Huffman  
William Biller  
John Mroczkowski  
Steve Davis  
Mark Reshkin

**Visitors:**

Sandy O'Brien - Hobart  
Elizabeth Johnson – Congressman's Office  
Imad Samara – Army Corps  
Eloise Gentry – Urban League of NW IN

**Staff:**

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

After a correction to the minutes reflecting that there were seven (not eight) Commissioners present at the April meeting, a motion to approve the April 6, 2005 minutes was made by Arlene Colvin; motion was seconded by Steve Davis; motion passed unanimously.

**Chairman's Report** – Chairman Bill Biller thanked the board members and staff for the get-well wishes extended to him during his recent hospital stay.

- Chairman Biller announced that the Dedication Ceremony for Hobart Marsh will be held this Saturday May 7 at 1:30 at Robinson Park in Hobart. The Congressman will be present, as well as Army Corps Colonel Johnston. Commissioners are invited.

**Executive Director's Report** – Mr. Gardner reported that we have signed the right-of-entry for Stage VI Phase 2 (Liable to Cline, south of the river). We have also obtained all the property for the Stage VI Phase 1 North segment and requested a right-of-entry form from the Corps so we can proceed with the signing of that segment.

- Mr. Gardner stated that we have saved the project approximately \$800,000 with donations of properties from the town of Highland and the city of Hammond. He then referred to the chart with projected costs by stage/phase to complete the project within the next four years. The Corps had asked us to develop a time and money schedule so they could incorporate it with their schedule which will then be submitted to the Congressman, as per his request. The chart addresses the anticipated dollar amount without a funding mechanism which would allow us to acquire the properties within this four year period. If the Congressman wants project completion by the end of 2009, that means the properties need to be acquired by December 2007 in order to allow for construction of the final stage). There are about 230 parcels that need to be acquired between Kennedy and the State Line to complete acquisition. In addition, there are approximately 31 flowage acquisitions in the East Reach to meet requirements for the rest of the west reach permit. We have about 1350 properties all together. We have acquired 850-900 properties. In addition to the real estate, there are recreation and pump station and utilities to do. Staff continues to have extensive discussions.

- Discussion continued on whether or not the newly passed RDA bill could produce some monies for the project. Mr. Gardner said it was created for regional transportation and economic development purposes. Commissioner Mark Reshkin asked what components of this project would impact economic development.

Mr. Gardner replied that the primary benefit when the project is completed is the fact that the floodplain designation will be lifted, thus allowing development of property that could not be developed before, as well as the "individual" economic benefits to property owners being removed from the floodplain and not have to pay flood insurance. It is important for the city to come out of the floodplain with the development progressing on 25<sup>th</sup> Avenue in Gary between Chase & Grant. We continue to talk with Gary and stress the importance of them taking over the O&M responsibility for the pump stations and other miscellaneous features. Hammond is already maintaining several of the completed pump stations. Highland has been maintaining the levee in Wicker Park Manor as well as several pump stations. There have been no direct discussions with Munster yet but will be scheduled in the near future with the accelerated completion date. Jim Pokrajac added that Hammond and Highland have been very cooperative regarding O&M; agreements are in place; and as we move further westward, we would expect similar other agreements would be approved and accepted. Regarding the maintenance for O&M for pump stations in Hammond, the Hammond Sanitary District should already have money in place to perform O&M on all their pump stations. Mark Reshkin added that we will have to look at overseeing the O&M and coordinating it after project is complete. The Corps has emphasized that the Commission is the responsible O&M party.

- Discussion ensued on creating a conservancy district. That district would be made up of the people who would come out of the floodplain. We need to know what the savings the homeowners would have in the floodplain regarding flood insurance. Although this idea was previously discussed for operation and maintenance after the project is completed, the discussion now centered on a conservancy district to help to fund the remaining construction. Commissioner Mark Reshkin added that this Commission has an obligation and a responsibility to look at all approaches and be creative. We need to look at all options.
- Imad Samara stated that the Corps sent a letter to the Congressman stating they would have a time and money schedule distributed to him by May 31.
- Mr. Gardner stated that the LCRBDC has been approved for \$2 million for the 2005/07 biennium budget. The new State budget begins July 1. We will have to submit a request to be on the State Budget Committee agenda. Chairman Biller encouraged staff to make the request to the Budget Committee as soon as we can. Mr. Gardner stated that we are meeting with the Corps tomorrow to talk about the scheduling and dollars.
- Mr. Gardner stated that survey and title work is under way for Stage V2 (Kennedy to Northcote). Actual acquisition offers will follow Corps accepting appraisals that are being assigned, contingent upon funds available. We will try to explore some options for additional monies beyond the State monies with the local municipalities.

**Finance Committee** – Treasurer Arlene Colvin presented the financial report and the claim sheet for April. She proceeded to make a motion to approve the claims totaling \$66,708.76; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin then proceeded to make a motion to approve the pending O&M claims totaling \$43,750.90; motion seconded by Bob Huffman; motion passed unanimously.

**Land Acquisition/Land Management Committee** – In Committee Chairman Bob Marszalek's absence, Mr. Gardner gave the report. He reported that there are no condemnations or no increased offers. Mr. Gardner reported that the deadline for Stage VI-2 has been met and the right-of-entry has been signed and given to the Corps. It is anticipated that construction start would be in the fall of 2005. The pre-bid meeting is scheduled for May 12 and the bids are due May 20. We have also met the deadline for Stage VI-1 North (Cline to Kennedy, north of the river). We are ready to sign a right-of-entry as soon as we receive it. That construction is scheduled to start in the fall of 2005. Mr. Gardner reported that the next scheduled stage is Stage V-2 (Kennedy to Northcote). All title work and surveys have been ordered and appraisals will be assigned this month.

- Staff has ordered a Phase 1 Environmental assessment from K&S Testing for 3120 Gerry Street. This is a requirement from the State as part of the disposition of Property Act.
- Staff presented a draft License Agreement for View Outdoor Advertising for the leasing of the properties for the construction of three billboards. Bob Huffman made a motion to enter into the agreement with View Outdoor subject to the staff and attorney's review and concurrence; motion seconded by Arlene Colvin; motion passed unanimously.

- Staff reported they identified property ownership for N. W. Engineering for development purposes in the area east of Broadway, north of 33<sup>rd</sup> Avenue in Gary.

**Project Engineering Committee** – Committee Chairman Bob Huffman reported that the pre-bid meeting for Stage VI-2 is scheduled for May 12. Staff has notified newspapers of scope of work and provided general details of the project for the purpose of making the accessibility for bidding this project to local contractors.

- Two letters were mailed out to residents in Stage VI-1 South area. The first letter went out to notify residents when clearing and grubbing started. The second letter went out to inform residents that the contractor would like to take a video of inside and outside of their homes for documentation purposes before sheetpile driving would begin. Although the contractor says the new equipment minimizes noise and impact, it was still felt that it would be a good idea to video the current situation. Mr. Gardner said that it might be a good idea to have the contractor available at a meeting. Imad Samara agreed that it would be a good idea – progress meetings are held regularly with the contractor. Jim Pokrajac added that in this stage, a formliner finish will be used for aesthetics purposes for the first time.
- Regarding the Stage V-2 segment, the Corps is finalizing design modifications to the pipeline corridor to try to minimize utility relocation and construction costs. Once the LCRBDC receives this information, we will begin coordination with the pipeline companies to obtain engineering comments and costs for any pipeline protection needed.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman reported that Austgen Electric completed diagnostics for the four pump stations in Gary. Results of these diagnostics are available if anyone is interested.

- Final sluice gate inspections were held in Gary on April 14 and April 21. Overall, most of the gates worked pretty well. The final results will be sent to Gary in order to complete a scope of work to correct the deficiencies. Costs appear to be minimal. Within a couple of months, everything should be put together and we can sit down with Gary.
- Mr. Biller asked if staff could develop a time line for O&M with a dollar estimate. It would need to be consistent with the four year schedule for completion by December 2009.

**Environmental Committee** – Committee Chairman Mark Reshkin again reported that all property acquisition in Hobart Marsh had been accomplished last month. He reiterated that the dedication ceremony for these properties will be held on May 7. He publicly thanked Sandy O'Brien for her efforts on behalf of supporting Hobart Marsh. He also gave credit to Chris Slattery of TPL for their pursuance of the properties.

- Commissioner Steve Davis added that he talked to DNR law enforcement regarding trespassing and/or dumping on the newly-acquired Hobart Marsh properties. They will patrol when they are in the area. Mr. Davis inquired whether the properties were marked or not; they are not.

**Legislative Committee** – In Committee Chairman George Carlson's absence, Mr. Gardner referred to the budget print-out of appropriated budget amounts in which the Commission is listed for \$2,000,000. Mr. Gardner also distributed a copy of the letter he sent to Mark Lopez, Congressman's Office, updating our progress on real estate acquisition. He emphasized the Commission has committed all funding available to acquisition, completing the Burr Street project, and Gary accepting O&M, and meeting Corps escrow cash available for upcoming construction.

- Mr. Gardner stated that we used to be able to go to Indianapolis and talk directly with the Budget Committee. That is not the process anymore. Mr. Gardner can talk to the legislators and we rely on them to speak for us.

**Recreation Committee** – Committee Chairman Bob Huffman reported that a letter was received from EJ&E RR denying the Commission's request to install an at-grade crossing east of Cline Avenue. Any design and construction will be done as part of the future Recreation Phase II project.

- Mr. Huffman also reported that NSRR denied the Commission's request to install an at-grade crossing over their tracks west of Kennedy as part of the upcoming V-2 contract.

- He also reported that a Recreation Phase II contract will be done in the future to tie in all the remaining segments of trail not completed, including the Grant and Broadway by-passes.

*Marina Committee* – Committee Chairman Charlie Ray stated that Dan and Lou have been working very hard on an agreement that would transfer the marina property to the city of Portage. We think that we have the authority in our legislation to be able to transfer the property without going through the Land Disposal Act. It would only require the Attorney General's Office to sign it. The Congressman wants this to move forward as the Portage lakefront development is part of his Marquette Plan. The attorney will finalize the agreement and a marina committee meeting will be scheduled before sending it to the city. Mr. Gardner will talk to Tim Sanders to help move it forward at the State acceptance level once it is acceptable to the city.

*Policy Committee* – No report.

*Public Relations Committee* – No report.

*New Business* – None

*Statements from the Floor* - Sandy O'Brien thanked the Commission for supporting and finishing the acquisition in Hobart Marsh.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, June 1, 2005