

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, NOVEMBER 1, 2006
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:15 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

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

Visitors:

Jomary Baller, IDNR
Traci Powell, IDNR
Imad Samara – Corps of Engineers
Elizabeth Johnson – Congressman's Office

Staff:

Dan Gardner
Jim Pokrajac
Sandy Mordus
Lou Casale
Lorraine Kray

The minutes of the October 4, 2006 meeting were approved by a motion from Bob Huffman; seconded by Steve Davis; motion passed unanimously.

Action Required – In Treasurer Arlene Colvin's absence, Mr. Gardner presented items for action.

• Mr. Gardner presented three budget transfers for approval. They were:

- (1) transfer \$17,000 into Line Item 5812 (NIRPC Services) from three separate Line Items which would include \$5,000 from Line Item 5811 (Legal Expenses), \$8,000 from Line Item 5821 (Travel/Mileage), and \$4,000 from Line Item 5825 (Meeting Expenses). There is not enough money in any one line item to transfer the \$17,000 so that is why it is taken from three line items;
- (2) transfer \$1,200 into Line Item 5824 (Telephone Expense) from Line Item 5825 (Meeting Expense);
- (3) transfer \$170,000 into Line Item 5840 (Professional Services) from Line Item 5860 (Project Land Purchase Expense)

Chairman Biller pointed out that there is no increase in the operating budget for the calendar year; we are only transferring monies from one account to another to cover expenses in that line item. After some discussion, Mark Reshkin made a motion to approve the budget transfers as presented within the respective categories of Administrative and Land Acquisition/Project Development budgets; motion seconded by Bob Huffman; motion passed unanimously.

• Mr. Gardner then referred to page 8 in the agenda packet listing the claims for approval in the amount of \$78,338.27. Mr. Huffman made a motion for approval; motion seconded by Charlie Ray; motion passed unanimously.

- Mr. Gardner then presented the O&M claims for November in the amount of \$8,507.97. A motion to approve the O&M claims was made by Bob Huffman; motion seconded by Steve Davis; motion passed unanimously. A discussion was held as to whether or not the Commission would be eligible to apply for coastal grant money.
- Mr. Gardner referred to the letter we received from USGS requesting approval of an agreement for the Commission to pay one half of the cost incurred for operation and maintenance of the gaging station located on Hart Ditch in Munster. The total cost for the year is \$11,000 but the Commission's share would be only \$5,500. Mr. Gardner added that when we have a formal agreement for O&M with Munster, we will no longer incur this cost. A motion was made by Mark Reshkin to enter into the agreement with USGS as presented; motion seconded by Bob Huffman; motion passed unanimously.
- There was no action for Land Acquisition or Land Management.
- Mr. Gardner referred to the letter to Charles Schalliol, State Budget Director. Included in the letter to Mr. Schalliol was a letter written to Congressman Visclosky in response to his letter to us asking for an updated status report on the non-federal levee section between Cline and the EJ&E RR in Griffith. Mr. Gardner has been in communication several times with the Corps and IDNR regarding this issue. Although the Commission did contract out a firm to do a preliminary engineering study, it did not yield the as-complete results as anticipated. Additional detailed engineering assessment needs to be done to identify exactly what is needed so that FEMA can certify the levee. A scope of work will be developed to ensure the Commission receiving a usable product that we can advertise for the additional levee work in early 2007. Commissioner Mark Reshkin added that the time frame is against us on this. It doesn't matter who is at fault or that it originally fell through the cracks. Also, we should take advantage of Imad's previous offer of what needs to be done with estimating costs to correct. He asked that we contract with a viable independent group. Imad stated that the Corps has estimators that can put dollar amounts with the individual work scope items. We can only move ahead once money is in place from the Budget Agency/IEDC. Commissioner Reshkin made a motion to approve the letter being sent to the Congressman; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Gardner discussed the letter going to the budget director. The letter requests release of \$2,142,583 (\$1,442,583 for non-federal cash match on Burr Street-LCRBDC levee) and \$700,000 (for continued work on real estate acquisitions and items in the critical path (Griffith levee). Before the letter is sent to Mr. Schalliol, Mr. Gardner faxed the letter for approval to Kyle Hupfer and Chad Sweeney. Once they approve the letter, it will be sent to the Budget Agency. Commissioner Bob Huffman made a motion to approve the draft letter as presented and if modifications are necessary, staff can go ahead and modify; motion seconded by George Carlson; motion passed unanimously.
- Chairman Biller announced that, according to bylaws, a Nominating Committee needs to be chosen. Each commissioner will have three votes and the top three vote-getters are elected as the Committee to report back at the January meeting with a slate of officers for 2007.

Chairman's Report – Chairman Biller reported that he and Mr. Gardner met with several Hammond city officials to talk about Cabela's. Cabela's will be having a public open house in the very near future for area residents to learn about their store and site development. The Commission will also be present to discuss the levee system on their property. Also discussed was the need for additional donations of easements from the city and possibly some financial assistance from the city for acquisition of property. We are anticipating donations of easements from WHITECO, North Township and Lake County Visitor's Center. We will continue to work with Hammond.

- Chairman Biller informed the Board members that he, as well as Dan Gardner and Jim Pokrajac, and Imad Samara, attended a public meeting in Highland on October 30 where Highland officials were able to give a presentation and talk about the flood event of 9/13. Residents had an opportunity to voice their opinions. Highland will perform a survey of the total present system to determine where the weaknesses are. Emergency response is a big factor that needs addressing. Mr. Biller added that he thought Highland did an excellent job at their presentation.

Executive Director's Report – Executive Director Dan Gardner reported that staff has continued to meet with smaller neighborhood groups to talk about the project on a more personalized basis. We have met several times with residents on Hawthorne Drive (Stage V-2) and also on Southmoor (Stage VIII). Staff also met with Congressman Visclosky on October 5 with flood victims in Highland. Also discussed was the construction impacts to residents. We will continue to meet as requested. Project Manager Imad Samara commented that he feels these smaller meetings are very beneficial and will attend with us anytime we want him to.

- Mr. Gardner referred to the letter in the agenda packet from the town of Munster confirming that the town will commit funds toward a long term restoration master plan of additional landscaping to supplement the Corps allocation for restoration. The letter also states that funds are earmarked for assistance with easement and right-of-way acquisition. Mr. Gardner added that the letter is very positive and very much needed at a time when funding is extremely tight.

Finance Committee – Finance action has already taken place.

Land Acquisition/Land Management Committee – There is no land acquisition action. Mr. Gardner stated that a committee meeting needs to be scheduled to talk about several pending issues.

Project Engineering Committee – Committee Chairman Bob Huffman reported that staff has been in contact with INDOT regarding the coordination of their Indianapolis Blvd. pumping station and our levee construction project. They are attempting to get their engineering and funding in place in order to let their contract at the same time we are constructing. When they originally were going to do the work, we did not have the money or the easements to do our portion of construction. Imad Samara asked if they had a conceptual design of their plans and specs. Jim Pokrajac offered to get a set to Imad.

- Mr. Huffman announced that the Corps Buffalo District is doing the engineering for Stage VIII (Columbia to IL state line). Jim Pokrajac added that we are having location surveys done on all parcels in Stage VIII and they will make the necessary changes as required for real estate. We will work with them to make sure we take the least amount of real estate interest and coordinate around houses, driveways, garages, sheds, fences, etc. as much as possible. Imad Samara added that the Chicago Corps will be engaging the Corps Huntington District to do the pump station Phase II project, and would advertise by September 2007.

- Chairman Biller inquired about the status of the pumping station contract 1A with Overstreet. Imad answered that he understood that the Corps is talking to a bonding company to see what is remaining to be done. Imad will check with people working on this and let us know. He said that our cost share in the remaining pump stations will be at 7%.

- Mr. Huffman inquired about the change order for Burr St-II-Gary. Jim Pokrajac answered that the water table is higher than what they thought; the water table is 4-5' up from the bottom of the ditch. To remediate it, they want to add rip-rap above this line to prevent erosion. DG attended a meeting the other day to discuss this issue. They are awaiting some determination from J.F. New. At this point in

time, no one has approved the change order. The Commission can only participate up to 25% of the additional cost, as per our agreement with the city of Gary and Sanitary District.

Operation & Maintenance Committee – Committee Chairman Bob Huffman referred to Jim Pokrajac for an update on the turnover status. Mr. Pokrajac reported that the six pump stations, the sluice gates, flap gates, and levee turnover are all being coordinated at the same time.

- Mr. Huffman reported that a meeting was held on 10/23 with the city of Gary and a potential developer that is interested in developing between Chase Street and Grant Street in Gary. This is why it is important for the city to accept the O&M in order to proceed with turning over excess Commission lands which could then be used for development.

Environmental Committee – In Committee Chairman Mark Reshkin's absence, Mr. Gardner reported that a meeting was held in the town of Highland with John Castrale, US& IDNR Fish & Wildlife expert, to discuss the "Blue Heron Rookery". The Army Corps of Engineers and the Audubon Society, as well as town officials, were represented. Commissioner Steve Davis also attended.

Legislative Committee – Committee Chairman George Carlson stated the budget request and our current funding situation have been previously discussed. Mr. Gardner added that the NIRPC board members passed a resolution in support of our budget request for this legislative session.

Recreation Committee – George Carlson thanked Jim Pokrajac for taking him, as well as Charlie Blaine and Pat Moore from the Hammond Park & Recreation Dept, out on the levee at Carlson OxBow park to discuss several items.

- Committee Chairman Bob Huffman talked about the trail extension on VI-2 in Highland. Before Dyer Construction finishes construction in this area, Highland will tie into the trail and a ramp will be built to help protect NIPSCO substation.

Policy Committee – There was no report.

Other Issues/New Business – Bob Huffman inquired whether or not there was any progress on the 32 acres east of Clay Street in Lake Station. Jim Pokrajac replied that they had previously met with LEL to discuss the situation. There was concern that the land was growing wild and would revert to wetlands but it was determined that is not the case. A Land Management committee meeting will be scheduled in the near future.

Statements from the Floor – There were none.

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