

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

Chairman William Biller 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:**

George Carlson  
R. Gent Gurley  
Robert Huffman  
Robert Marszalek  
Steve Davis  
William Biller

**Visitors:**

Elizabeth Johnson – Congressman's Office  
Bill Petrites – Highland resident  
Imad Samara – Corps of Engineers  
Steve Enger – CPWW, Munster resident

**Staff:**

Dan Gardner  
Jim Pokrajac  
Sandy Mordus  
Lou Casale

The minutes of the August 2, 2006 meeting were approved by a motion from George Carlson; seconded by Bob Huffman; motion passed unanimously.

**Action Required** – In Treasurer Arlene Colvin's absence, Mr. Gardner referred to page 6 in the agenda packet listing the revised 2006 Operating Budget. The revision reflects the additional \$2 million that was received from the Budget Committee in early June. We received a total of \$3 million with \$1 million already reflected in the budget. A motion to approve the revised budget was made by Bob Marszalek; motion seconded by Steve Davis; motion passed unanimously.

- Mr. Gardner referred to the Financial Statement and presented the claims for August on pages 7 & 8 in the amount of \$133,619.19. A motion to approve the claims was made by Bob Huffman; motion seconded by Steve Davis; motion passed unanimously.

- Mr. Gardner then presented the O&M claims on page 9 for approval in the amount of \$1,408.00. A motion to approve the O&M claims was made by Bob Huffman; motion seconded by Steve Davis; motion passed unanimously.

- Discussion ensued on the budget request we will be making to the State Budget Agency for the 2007/09 biennial budget. The request letter must be submitted by September 15; a work sheet detailing upcoming costs was presented to the Board members for discussion. A previous letter has already been sent to IDNR seeking advice for obtaining access to the additional \$4 million needed to complete for Stage V-2 (\$6 million was committed but we have already received \$2 million). It was estimated that an additional \$7-8 million would be needed to finish out Stage VII and Stage VIII. After discussion, a motion was made by Bob Huffman authorizing staff to submit a budget request for the 2007/09 budget not to exceed \$8 million; motion was seconded by Steve Davis; motion passed unanimously. Mr. Gardner clarified that this \$8 million request does not include the \$4 million already submitted to IDNR. Mr. Gardner added that we are continuing talking to Hammond and Munster about donating

municipal properties for project easements. There is no formal commitment yet. Chairman Biller asked that staff keep an updated list of contributions, including the donations we've received recently from the city of Hammond, Hammond Parks & Rec, Hammond Sanitary District, town of Highland, Highland Parks & Rec. We also anticipate donations from North Township, Cabela's, WHITECO, and Lake County Visitor's Center.

- Land Acquisition/Land Management Committee Chairman Bob Marszalek made a motion to approve an increase offer not to exceed \$100,000 on DC1173; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Marszalek also made a motion to authorize condemnations on DC813, DC836, and DC1169, if necessary; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Marszalek presented the proposed agreement with View Outdoor for our approval of six sign locations allowing them to proceed with the permitting process with the city of Gary. All locations are on property that is owned in fee by the Commission. He made a motion to approve the locations for the signs; motion seconded by Kent Gurley; motion passed unanimously. Attorney Casale added that a few minor changes were made; View Outdoor has been very good to work with. Jim Pokrajac added that there are still three other locations to be identified that we own in order to fulfill our original agreement to provide a total of nine locations.
- O&M Committee Chairman Bob Huffman presented a recommendation that the Commission pay for the material cost and a one-year subscription for telemetry for the six pump stations in Gary. Staff feels that by us providing telemetry for these stations, it will improve the coordination for the emergency response operations. It also shows good faith effort that we are working with the city so they can identify a pump station problem immediately. The cost of the telemetry will be \$9,560 and a one-year subscription would be \$930. We will ask Gary to pay for and coordinate the installation. Mr. Huffman made a motion to approve paying for the cost of the telemetry and subscription for a total of \$10,490; motion seconded by Steve Davis; motion passed unanimously. Mr. Gardner added that he had recently talked to Arlene Colvin and she indicated that the Deputy Mayor and city attorney are anxious to proceed forward.

*Chairman's Report* – Chairman Biller reported on the "Committee of the Whole" meeting held August 29. Many items were discussed, including approved action items, outstanding O&M issues (Jim Pokrajac gave a current status report), coordination with the City to take over the pump stations, Griffith tie-back levee discussion, LAMAR proposal, etc. Discussion was also held on the 32 acre site that we own in Lake Station along Clay Street. LEL has an option on the property but has not done anything with it. We would like to be able to RFP the property to see what interest is out there. Staff's fear is that, if left unattended, it may revert to a wetland, which we do not want. Attorney Casale recommended that we meet with LEL to discuss the issue. Staff will pursue.

*Executive Director's Report* – Executive Director Dan Gardner gave a brief summary of meetings held. August 9 – meeting was held with the Army Corps, several city of Hammond officials, and Cabela's to discuss the construction schedule and design. Mr. Gardner added that Cabela's have the easement agreements, and are in the process of approving the easement agreements they plan on donating the needed property easements to the Commission. Jim Pokrajac added that a conference call is scheduled for September 7 to allow further discussion of the site design. August 14 - Mr. Gardner reported that he and Chairman Biller met with the some of the town of Munster officials and staff to discuss what easements were needed in Munster and if they would consider donating their lands, and assisting in funds for residential acquisitions. These easements are for Stage VII. Discussion was held but no

commitments were made. We have not formally gone to the Munster Town Board for approval of this approach at this time. We will provide the town with updated plan and profile information indicating where the flood walls and earthen construction will be installed. Commissioner Huffman asked if we could request the easement donation from private residents along the river. Mr. Gardner assured him that Judy Vamos, Land Acquisition Agent, always asks residents if they would donate the easements prior to an appraisal being done and an offer being made. August 21 – A meeting was held with the Committee for the Preservation of Wicker Woods, the town of Munster, North Township Trustee's Office, and the Army Corps to continue discussion on the currently proposed design for flood protection along Hart Ditch. The town of Munster has committed to do some landscaping enhancements in this area. The intent of the meeting was to try to come up with a plan where a betterment was not necessary. It was concluded that a mutual agreement had been reached between all parties, of what design option would be used. Since the meeting, Mr. Enger has presented another design concept and requested that an additional meeting be held. August 31 - Mr. Gardner stated that staff continues to receive phone calls from residents in Stage VII and VIII. The LCRBDC and the Army Corps met with a neighborhood group to discuss the project area on Southmoor area east of Hohman Avenue in Hammond. Staff felt that it was a good meeting; many questions were answered; clarifications were provided to give residents an understanding of upcoming construction; it gave the residents an opportunity to really express their concerns. Although no construction is happening in this area at present, it is the last segment of construction slated to be complete by the end of December 2009. Jim Pokrajac added that surveyors are just starting the process to survey the area.

**Finance Committee** – In Treasurer Arlene Colvin's absence, Mr. Gardner informed the Board members that the State Board of Accounts audit for years 2004 and 2005 has just been completed and there were no findings or comments made. Commissioner Bob Marszalek thanked staff for their role in good bookkeeping.

- Mr. Gardner also reported that we received a request from the Corps for \$1,315,000 to be placed in the escrow account as our 5% local cash contribution. This escrow payment was not anticipated until April 2007 but because the construction contracts are moving along quickly, which is a good thing, more monies are needed now. A letter was sent to Mr. Kyle Hupfer from the IDNR informing him of the situation and requesting help to gain access to the additional \$4 million required due to project acceleration.

**Land Acquisition/Land Management Committee** – Committee Chairman Bob Marszalek referred to the updated Stage V-2 easement acquisition report distributed to everybody. Mr. Gardner added that Stage V acquisition is almost complete; the few remaining acquisitions may require condemnations, and LCRBDC attorney is trying to avoid these. It was reported we are on schedule.

**Project Engineering Committee** – Committee Chairman Bob Huffman referred to a letter written to INDOT regarding their costs that were incurred for both Grant Street and Broadway interchanges with I-80/94. We will get credit for those associated costs required as part of the Little Calumet flood control features. We need to pursue receiving INDOT documentation for what those costs are.

- A meeting was held with INDOT on August 31 to discussion pump station coordination near Indianapolis Blvd. in Highland. Jim Pokrajac added that the INDOT project from Ridge Road to 81<sup>st</sup> Avenue was temporarily put on hold due to lack of state funding for the LCRBDC to proceed with our project in this area. The LCRBDC presented a schedule to them indicating that the funding will be there

and we need to coordinate their schedule with the Corps to get this area completed. Staff will pursue writing a letter to INDOT letting them know that we anticipate our project in this area to be completed by fall of 2008. The LCRBDC and INDOT could then facilitate schedules that would allow completion of both projects in a timely manner.

- It was announced that the LCRBDC, municipalities, utilities, and pipelines have submitted comments on the 50% design level for Stage V-2. All reviewing parties indicated that the review set was incomplete and that another review would need to be done prior to the 100% with a complete set reflecting local concerns and comments. Imad Samara said that rather doing another preliminary review, they will do a 100% but allow a back-check review to ensure all comments are addressed. That way, the municipality will have the opportunity to comment before the final set.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman reported that the pump stations inspection was completed on August 22 and 23. The Commission's comments were submitted to the Corps; the city of Gary will submit their comments. Gary has agreed to put together a final punch list. Jim Pokrajac asked Gary to submit their comments to us prior to a Board presentation in order that we could all be on the same page. He added that all six pump stations were functional for flood operations.

- An inspection of the sluice gates and flap gates will be scheduled very soon. We are looking at the middle of September but once a date is confirmed, staff will coordinate. At the time of inspection, it is requested that Gary will sign off on those gates working properly. A punch list will be developed for remaining gates that need some repair. The costs incurred on repairing will be the Commission's.

- Mr. Huffman referred to a letter received from the Army Corps talking about additional inspections of I-walls that will be necessary for O&M. He asked Imad if that means that the project's I-walls will have to be re-built and Imad answered that they would not have to be re-built, only that they will require additional inspections to determine satisfactory structural integrity.

**Environmental Committee** – In Dr. Reshkin's absence, Mr. Gardner reported that he is continuing to try to schedule a meeting with John Castrale of IDNR Fish and Wildlife to meet with the town of Highland, Army Corps of Engineers, U.S. Fish and Wildlife, and the Audubon Society representatives.

**Legislative Committee** – Committee Chairman George Carlson introduced the discussion then deferred to Mr. Gardner. A discussion was held on the Commission's letter to Kyle Hupfer, IDNR, for our \$4 million request of additional monies to be made available. We are under \$500,000 for draw-down and, at present, we have offers out that exceed the amount of money we currently have available to us. It is critical to get added money released to keep construction moving.

- Also, staff will develop a letter to the State Budget Agency documenting our need for the additional \$8 million request from the 2007-09 biennial budget.

**Recreation Committee** – Committee Chairman Bob Huffman referred to the email sent to Imad Samara requesting additional information regarding to the recreational crossing at Cline Avenue. Once received, we will coordinate with Dennis Cobb to get an agreement in place so that when we are ready to construct, there will be no delay.

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

**Other Issues/New Business** – There was none.

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

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