

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, AUGUST 6, 2008
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Vice-Chairman Bob Marszalek called the meeting to order at 6:05 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized. Jim Pokrajac was welcomed back after his medical absence.

Development Commissioners:

Mark Gordish
Robert Huffman
Steve Davis
John Mroczkowski
Robert Marszalek
Kent Gurley

Visitors:

Bill Petrites – Highland resident
Erik Potter – Post Tribune
Susan Brown – The Times
Captain Kelsey Lavicka - USCOE

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Judy Vamos

The minutes of the meeting held on July 2, 2008 were approved by a motion from Kent Gurley; motion seconded by John Mroczkowski; motion passed unanimously.

Chairman's Report – In Chairman Biller's absence, Mr. Gardner stated that he attended a meeting with the city of Hammond regarding Stage V-2 construction and the option on the V-2 ROE. The option has been agreed upon after months of negotiations and is in the process of being signed. The two real estate parcels are the NSRR and NIPSCO. There are 18 pipelines that sit on these two easements. Staff is in the process of getting agreements with those individual pipeline companies. Agreements have to be in place so the contractor can proceed to that area. We project to have all agreements signed and in place by the next monthly meeting with the city, which is August 20.

- Mr. Marszalek referred to a news article from the Times.
- Mr. Marszalek also referred to a new Commission phone list distributed to all. If there are any changes, please let staff know.

Action Required – Treasurer Kent Gurley presented items for action.

- Mr. Gurley made a motion to approve the claim sheet for July in the amount of \$247,166.72; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Gurley made a motion to approve the O&M claims in the amount of \$96.25; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Gurley made a motion to approve the Munster claim in the amount of \$553 for DC-1229; motion seconded by Bob Huffman; motion passed unanimously. Staff will submit the claim to the town of Munster for payment.
- Mr. Gurley stated that a committee meeting for the O&M Funding will be scheduled.
- Mr. Marszalek made a motion for staff to proceed with condemnation on DC-1399A&B. This is property next to the river that did not extend back to the residents' property/survey.

There is no known address for the owner of record. Motion seconded by John Mroczkowski; motion passed unanimously.

Executive Director's Report – Mr. Gardner informed the Board that a public meeting was held at Wicker Park Club House on July 21 concerning several SVIII construction segments. Notices of the meeting went to the residents on Southmoor and in the Monaldi sub-division. There were about 65 people in attendance. The Army Corps had representatives from their design team, hydrology department, construction oversight, and project management were in attendance. Staff gave a basic presentation of the project and then opened it up for questions, and finished off with a summary after the meeting. Residents were given the opportunity to look at an aerial map showing their respective house relative to the easements and proposed construction. One point that was made was that the Commission is moving forward with condemnations. In order to meet the schedule deadline, we need to file condemnation on those property easements that are needed for the project. A condemnation suit can be dismissed if easements can be obtained willingly from the property owner.

- Mr. Gardner talked about documentation he is assembling for the RDA financial consultant regarding our next release of dollars. The pipeline corridor utility relocation costs in Stage V-2 is estimated at \$1.8 million plus the railroad closure costs. He outlined critical path items: (1) get the V-2 option exercised and complete; (2) Stage VII – we are working toward the date of end of August for easements and agreements to be in place; (3) Stage VIII (majority of condemnations are in this stage); and (4) Griffith levee design and remediation. Mr. Gardner also stated that we are almost out of State budget funds and will have to draw some of the RDA money to complete project.

Finance Committee – Committee Chairman Kent Gurley referred to the financial statement for June in the agenda packet. Finance action has already been taken.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek referred to Judy Vamos for a report. She reported that acquisition for Stage VII is almost complete. 32 landowners have accepted agreements for easements on their properties; 1 is in condemnation; and 1 utility is in the process of signing. Regarding Stage VIII, attorney Casale has 21 landowners in condemnation; 66 landowners have accepted agreements for easements; several are still reviewing; 1 property has been eliminated (Munster Med Inn). Mr. Gardner added that the last of the surveys have been done in the Forest Avenue area of Hammond. This is the area where the city of Hammond had the levee built to Army Corps standards back in the 80's but there were no public easements retained from the landowners. At this point, we do not know what remediation work will have to be done. The surveys will determine where the permanent levee easements should be and the Commission will have to obtain those easements.

- Commissioner Gurley inquired about the four homes that are west of Hohman Avenue on the south side of the river. Mr. Gardner replied that those homes are not in our project area. Just east of the 4 homes a slight road raise will be installed as part of Stage VIII construction. Hohman Avenue road raise was done in that area and INDOT has also built their overpass that ties back to the river. The homes will be high enough.

- Attorney Casale stated that he has not received a response from LEL's attorney regarding the ± 26 acres west of Clay Street. Attorney Casale will write him a letter.

- **Mr. Gardner reported that he is still trying to obtain support for the NRCS wetland program on the 200 acres the Commission owns. We feel it would be a good program to provide quality wetlands to the city and would additionally provide a source of income to the Commission for O&M. The City of Gary is supportive; the Army Corps Environmental Dept. is supportive. IDEM is not supportive. Staff will continue to pursue.**

Project Engineering Committee – Committee Chairman Bob Huffman gave the committee report. He reported that there is only one pipeline left in the V-2 corridor that has not signed an agreement. We are continuing to work with that entity and we expect to reach a resolution with them.

- **The proposal received from Christopher Burke Engineering for the Griffith levee is tabled until next month. Staff will talk to the company to see if proposed amounts are firm and can be capped.**
- **Spread sheets for utility identification in Stages VII and VIII can be found in the Engineering Report. Daylighting in Stage VII has been completed and it has been determined that five agreements are needed for the entities.**
- **Mr. Huffman reported that the right-of-entry for Pump Station 2A contract has been signed and given to the Army Corps. Since we have the easements needed for the Pump Station 2B contract, we have asked the Corps to send us a right-of-entry so we can sign it but we have not currently received it.**
- **Mr. Huffman inquired about the Pump Station 1A contract. Jim Pokrajac replied that it is now moving toward completion. The bonding company for the failed contractor has made money available for completion.**
- **The INDOT 18-month construction letting list of all projects can be found in the Engineering Report. Mr. Huffman asked resident Bill Petrites to look at it since the pump station on Indianapolis Blvd. in Highland should be part of the letting.**

Operation & Maintenance Committee – Committee Chairman Bob Huffman stated that levee inspections are scheduled for August 12 and 13. The first mowing of the levees has just been completed. We delayed the mowing so the levees would be freshly mowed for the inspection. After the levee inspections are done, inspections for the pump stations and sluice gates/flap gates will be scheduled. Most features are working properly.

- **Jim Pokrajac stated that there was no damage done to any of the levees from the recent storm. There was no problem with pump stations. We have Austgen Electric checking periodically on the pump stations until the city of Gary takes over O&M.**
- **Attorney Casale stated that the draft agreement for O&M was given to Gary's attorney at a meeting. He is reviewing. After we have an acceptable agreement, it will have to go to the Attorney General's office.**

O&M Funding Committee – There was no report but it was indicated that a committee of the whole needs to be scheduled.

Legislative Committee – There was no report.

Environmental Committee – Mr. Gardner talked about the watershed book and its goals that R. W. Armstrong did on behalf of the city of Gary.

Recreation Committee – There was no report.

Policy Committee - There was no report.

Other Business – There was none.

Statements from the Floor – There was none.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on Wednesday, September 3, 2008.