

Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

JOHN DEMEO, Chairman
Governor's Appointment

DOYLE NIEMEYER, Vice-Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's
Appointment

CLYDE B. JGHARD, Secretary
Governor's Appointment

CHARLES AGNEW
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's
Appointment

~~MICHAEL DOWNE~~
Governor's Appointment

JERRY PAGAC
Dept. of Natural Resources'
Appointment

DAVID SPRINGMAN
Governor's Appointment

JACK SWIKE
Lake County Commissioners'
Appointment

WILLIAM TANKE
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

10 Commissioners

MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
AT 6:30 P.M. THURSDAY, MARCH 3, 1988
AT THE DEVELOPMENT COMMISSION OFFICE
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

A G E N D A

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1. Call to Order by Chairman John DeMeo
2. Recognition of Visitors, Guests
3. Approval of minutes of February 4, 1988 meeting 1-6
4. Appointment letters of John DeMeo and William Critser 7-8
5. Reports of Standing Committees
 - A. Finance/Policy Committee -
Arlene Colvin, Chairperson
 - Financial status report 9
 - Approval of claims for February, 1988 10-11
 - 1988 Commission funds investments
 - Other issues
 - B. Legislative Committee - George Carlson,
Chairman
 - Flood Control "Local Cooperation Agreement"
 - Meetings with Corps staff (Feb. 9, Feb. 19)
 - Re-drafting by Commission attorney/staff
 - Articles re: Authorized plan implementation 12-15
 - Community involvement in plan review process
 - Boat Excise Tax legislation
 - Other issues

add
John DeMeo to
guest list

C. Land Acquisition/Management Committee -
Charles Agnew, Chairman

- Land Acquisition Committee meeting at 5:30 p.m.
- Appraisals, offers, acquisitions, recommended actions
- Recreation planning meetings
 - Feb. 5 - Lake County Park staff re: future recreation development
 - Feb. 11 - Lake Station Park Dept.
 - Mar. 1 - Formal park staff review of Corps recreation plan
- Project design meeting held Feb. 23 - I.U. Northwest
- Other issues

D. Interim Flood Control/Planning Committee -
Clyde Baughard, Chairman

- Harrison St. bridge replacement - Corps review
- Erie R.R. bridge update
- Gary flood issues meeting held Feb. 17
 - Deputy Mayor Comer, city officials
- Other issues

E. Breakwaters/Marina Committee -
Bill Tanke, Chairman

- Committee meeting at 6:00 p.m.
- Legal issues update
- March 3 -9:00 a.m. Marina Commission briefing
- Other issues

6. Other Business

7. Statements to Board from the floor

8. Set date for next meeting, adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:30 P.M. THURSDAY, FEBRUARY 4, 1988
AT THE COMMISSION OFFICES
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

The meeting was called to order at 6:30 p.m. by Chairman John DeMeo. Ten Commissioners were present. Guests were recognized and quorum was declared.

Development Commissioners:

Michael Doyne
George Carlson
Jack Swike
Charles Agnew
William Tanke
Arlene Colvin
John DeMeo
Doyle Niemeyer
~~Jerry Pagac~~
David Springman

Staff:

Dan Gardner
Bruce Stouffer
Lou Casale
Sandy Mordus

Visitors:

Terry McCloskey - Izaak Walton
League
Rickey Austin - Black Oak
Citizens for Better
Government
J. Blee - Black Oak
Robert Frum Jr. - Lefty's Coho
Tom Webber - Lefty's Coho
Pete Zak - South Shore Marina
Mary Jane Zak - " "
Stephen Davis - Indiana DNR
Richard Bundy - Salmon Unltmd.
Don & Elinor Ewen
Ernie Davis - LCRBC

The minutes of the January 7, 1988 meeting were approved by a motion from Clyde Baughard; motion seconded by George Carlson; motion passed unanimously.

Chairman DeMeo introduced a new Commission member, Mr. David E. Springman from Crown Point, who has been appointed by the Governor. He will serve the unfilled term left by the death of Don Duran through 12/31/89.

Chairman DeMeo appointed the committee chairman for the year 1988. They are as follows:

Finance/Policy Committee - Arlene Colvin
Interim Flood Control Committee - Clyde Baughard
Land Acquisition/Management - Charles Agnew
Legislative Committee - George Carlson
Breakwaters/Marina Committee - William Tanke

1

Mr. DeMeo stated that anyone wishing to serve on a different committee should inform staff by the next meeting.

Finance/Policy Committee - Treasurer Arlene Colvin presented the financial report for year end December as well as the claims for December & January. Arlene Colvin made a motion to approve the claims as presented; seconded by Clyde Baughard; motion passed unanimously.

Ms. Colvin reported that interest rates have been reviewed quarterly and it appears that Mercantile Bank has the highest overall average interest rate and that Gainer Bank has the lowest overall average interest rate. Ms. Colvin made a motion that the \$350,000 presently invested in Mercantile on a 30 day rollover be changed to yield a higher interest rate on a 12 month rollover and that she be authorized to investigate which bank in Porter County presently has the highest rate on a 12 month rollover and invest accordingly; motion seconded by Chuck Agnew; motion passed unanimously.

Ms. Colvin also reported that the total NIRPC expense incurred in 1987 was approximately \$2,000 lower than incurred in 1986.

Legislative Committee - Committee Chairman George Carlson referred to a letter from Richard Carlson, Chief of Planning Div. for the Corps, which transmits the draft and explains the Local Cooperation Agreement. A meeting was held on 1/27/88 with the Corps to discuss this agreement. In attendance at that meeting was Mr. Carlson, Bill Tanke, Mike Doyne, Lou Casale and Dan Gardner. Although the final LCA will not be signed until the first construction contract is to be implemented, the Corps wishes to forward a negotiated draft LCA in the Phase II GDM to Headquarters, Corps in Washington for their review and approval. The final LCA will be signed by the Corps and the Development Commission. The Development Commission will enter into separate local cooperation agreements with the various districts involved in the project. Mr. Gardner stated that similar meetings will be held again with the Corps until a workable, acceptable agreement is reached.

Mr. Carlson reported that H.B. 1109, the bill that replaces the personal property tax on boats with a boat excise tax was not afforded a hearing by the Chairman of the Ways & Means Committee. The bill can still piggyback onto another bill during the Senate process. If the amended bill then passes the Senate, it will return to the House for concurrence.

Land Acquisition/Management Committee - Chairman Chuck Agnew reported that DC215 (John Nimetz property) has closed. A signed option has been received on DC112 (Temple Israel). Based on committee review, Mr. Agnew made a motion that a counter offer of \$29,700 be accepted from EJ&E R.R. subject to attorney working out agreement between the two parties (original appraisal was \$27,000 because property was thought to be land-locked); motion was seconded by Clyde Baughard; motion passed unanimously.

Mr. Agnew made a motion that the attorney be authorized to take whatever legal action is necessary in order to clear Commission property DC57 of items left by previous owner; seconded by Clyde Baughard; motion passed unanimously.

Mr. Agnew then made a motion to add William T. Davies to the Commission's list of qualified surveyors; motion seconded by Clyde Baughard; motion passed unanimously.

Mr. Agnew made a motion to amend the lease of Gary Dunlap to include an additional 3 acres just acquired by the Commission which brings the total lease amount to \$2,785; motion seconded by Clyde Baughard; motion passed unanimously.

Interim Flood Control Committee - Arlene Colvin reported that a meeting was held on 1/26 between the Corps, Commission staff and Gary officials for the purpose of familiarizing the new Gary officials with the Corps plan for flood control in Gary.

Mr. Gardner stated he and Dave Hunter from the Corps met with some of the Woodmar County Club board members regarding how the Corps plan would affect the Woodmar C.C. Members seemed to be in agreement with the plan. Communication would be maintained.

Mr. Gardner also stated a meeting was held on 1/28 at I.U. Northwest/Gary in which the Corps presented the recreation plan to various park boards involved. This meeting was held prior to a Trails meeting held the same day. More coordinating meetings will be held with the Corps and park superintendents to finalize the recreation plan.

Ms. Colvin referred to a letter written to the IDOH bringing to their attention the Fairbanks St. culvert under the Borman is clogged and in need of cleaning.

Lou Casale has been investigating ownership of Erie R.R. bridge. He reported he has received original deed from L.B. Foster; he will now check to see if it matches those deeds granted to DNR and city of Hammond. The Commission should be able to obtain

quit claim deeds from entities needed to allow the Development Commission to assume ownership as long as legal descriptions all match. Staff will continue pursuance.

Ms. Colvin reported that a permit application on the Harrison St. bridge replacement has been received from the DNR for the Commission to concur that this project is compatible with the flood control project. Bill Tanke suggested that a letter from the Corps be obtained stating the Corps concurs with the proposal.

Preliminary plans for Grant St. bridge replacement are also contained in packet.

Breakwaters/Marina Committee - Committee Chairman Bill Tanke deferred to the attorney for his announcement that the Appellate Court has ruled in the Commission's favor with regard to Commission's condemnation action with Lefty's Coho Landing. Mr. Casale also reported he has just received a ruling from the Jasper County Circuit Court on the lawsuit filed against the Commission by Lefty's Coho. The Court dismissed the suit filed by the plaintiffs.

Mike Doyne stated he and Dan Gardner have met with Mayor Sammie Maletta from Portage to discuss the city's position on marina development. The city is looking at the possibility of building the marina themselves. They will respond back to the Commission. Other items of importance, such as phone line relocation, raising the bridge over the waterway, dredging, etc. were also discussed. The mayor is very supportive of marina development in the city.

Mr. Tanke stated the meeting with the Corps on 1/27 went very well. Col. Franco suggested quarterly meetings be held between the Commission and the Corps so a clear line of communication will be established between both parties. C-Way claim was discussed; Corps will keep the Commission informed.

Statements to the Board - Mr. Tom Webber, attorney for Lefty's Coho Landing, referred to an item in the previous meeting minutes in regard to the last lease fee that was payable to the Commission. He stated that it was referred to as an unpaid bill with Lefty's for \$3500. He stated that the lease was entered into with the Brock family for a ten year period, May 1 to end of April on a yearly basis. He further stated that the attorney, with direction from the Commission, sent correspondence to Lefty's Coho Landing terminating their use of the property at the end of the 1987 boating season, which is approximately October 1, 1987. Thus, he contended they were deprived of the use of that

land for approximately seven months. Mr. Webber feels that only half that year's payment should be made to the Board and that payment was previously made. Consequently, this is the reason the \$3,500 was not paid. Mr. Webber asked the Commission, by motion, to withdraw its instruction to its counsel to proceed with the lawsuit with Lefty's over failure to make the last payment.

Lou Casale, attorney for Commission, asked permission to review his file in light of Mr. Webber's comments and report back with a recommendation at next meeting. Mr. Tanke made a motion for the attorney to report back with his findings; seconded by Jack Swike; motion passed unanimously.

Richard Bundy, Salmon Unlimited, stated he felt public comments should be included in the minutes. They were previously left out. Clyde Baughard made a motion for the attorney to investigate the proper contents of minutes and report back; seconded by Mike Doyne; motion passed unanimously.

A request was made to the Board from John Blee to contact the Lake County Highway Dept. to see about bridge replacement on Colfax and Burr Streets. Jack Swike responded by suggesting all private people write to the Lake County Councilmen urging them to increase the appropriations for Lake County highway maintenance; the present bridge tax is not sufficient to cover all the repair/replacement of county bridges.

Terry McCloskey, Izaak Walton League, inquired if anyone had seen the recent fill activity of Mr. Halcarz. Mr. Gardner responded that the Detroit Corps is seeking a funding source to offset the cost of sampling work the Corps is considering having done in that area to determine quality of fill. Mr. McCloskey also inquired whether any new information has developed on the Corps' citation of the Lake County Commissioners and Lake County Park Dept. for the illegal dump on Chase St. Attorney Casale responded that no new developments have incurred.

Rickey Austin, Black Oak Citizens for Better Government, thanked the Board and staff for writing the letter to the State Highway re. culvert clogging at Fairbanks. He also informed the Board that on January 22 there was a diesel fuel leak at Truck Stops of America that went into the storm ditches in area. Mr. Austin was informed by Jack Swike that there is a recently formed county committee in Lake County to deal with the Hazardous Material Response Program in which Mr. Lamprecht, Civil Defense Director, coordinates.

Dan Gardner stated that the State Highway Dept. has been out to inspect Fairbanks culvert at I-94 and has determined that the culvert itself is functional; the problem is other culverts upstream and downstream that are not draining well. Interior drainage is the problem and relief must be sought in that area.

Ernie Davis, LCRBC and Black Oak resident, informed the Board of a 140 acre sandpit in the Little Calumet River watershed that is being considered to be used as a garbage dump. He asked the Board if they would investigate matter to see what could be done to stop it (either in the way of a restraining order or a letter to the Dept. of Environmental Management). Chairman DeMeo asked the attorney to consider what legally could be done.

Robert Frum, Jr., Lefty's Coho Landing, inquired if the Commission has itemized expenditures of what has been spent thus far on the small boat harbor in Portage. He was informed that all Commission expenditures are public record and are kept in the files at the Commission office.

The next meeting was scheduled for 6:30 p.m. Thursday, March 3, 1988. There being no further business, the meeting adjourned 8:00 p.m. by a motion from Clyde Baughard; seconded by Mike Doyne.

/sjm

OFFICE OF THE GOVERNOR
INDIANAPOLIS, INDIANA 46204-2707

ROBERT D. ORR
GOVERNOR

February 10, 1988

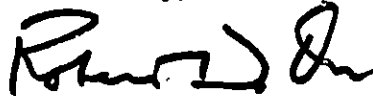
Mr. John DeMeo
1360 Sherwood
Valparaiso, Indiana 46383

Dear Mr. DeMeo:

It is my pleasure to reappoint you as a member of the Little Calumet River Basin Development Commission effective immediately. You will serve as such for a four-year term which will expire December 31, 1991.

Thank you for your willingness to continue serving the citizens of the State of Indiana. Your commitment and dedication are deeply appreciated.

Sincerely,



ROBERT D. ORR
Governor

RDO:mlm

enclosures

OFFICE OF THE GOVERNOR
INDIANAPOLIS, INDIANA 46204-2101

ROBERT D. ORR
GOVERNOR

February 10, 1988

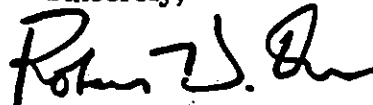
Mr. William Critser
310 Park Street
Crown Point, Indiana 46307

Dear Mr. Critser:

It is my pleasure to appoint you as a member of the Little Calumet River Basin Development Commission effective immediately. You will serve as such for a term which will expire December 31, 1990.

Thank you for your willingness to serve the citizens of the State of Indiana in this capacity. This should be an opportunity for you to enjoy an involvement in an area of personal interest to you. I trust you will find your tenure on the Commission a challenging and rewarding experience.

Sincerely,



ROBERT D. ORR
Governor

RDO:mlm

enclosures

MERCANTILE NATIONAL BANK

JANUARY 1, 1988 - JANUARY 31, 1988

CASH POSITION - JANUARY 1, 1988

Checking Account	
Land Acquisition	\$ 43,321.08
General Fund	38,699.96
Tax Fund	1,707.50
Investments	<u>868,500.00</u>

\$952,217.54

RECEIPTS: January 1, 1988 - January 31, 1988

Lease Rents	\$ 6,954.76
Interest	5,271.40
Land Acquisition	12,734.54
Taxes	<u>481.97</u>

TOTAL RECEIPTS:

\$ 25,442.67

DISBURSEMENTS: January 1, 1988 - January 31, 1988

1987 Expenses paid in 1988	\$ 22,874.98
Legal Service	283.33
NIRPC	200.00
L/A Legal Services	255.00
L/A Professional Services	
(b) Surveying Services	720.00
(d) Land Purchase Contractural	30.64
L/A Land Purchase Cost	<u>2,462.62</u>

TOTAL DISBURSEMENTS:

\$ 26,826.57

CASH POSITION - JANUARY 31, 1988

Checking Account	
Land Acquisition	\$ 40,676.61
General Fund	39,467.56
Tax Fund	2,189.47
Investments	<u>868,500.00</u>

\$950,833.64



**NORTHWESTERN INDIANA
REGIONAL
PLANNING COMMISSION**

8149 Kennedy Ave.
Highland, Indiana 46322

219-923-1060
312-731-2646

DATE: February 16, 1988

ORGANIZATION: LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

PROJECT: FOR SERVICES PERFORMED DURING JANUARY 1988

CONTRACT NO: P1.01

CONTRACT CODE: 952

INVOICE NO: P1.01.01

I N V O I C E

Project Salaries (Dan Gardner/Sandy Mordus) @ 75%	\$ 3,773.31
Associated OH Charges @ 35% of Project Salaries	1,320.66
Staff Mileage/Expenses	-0-
Room Rental (March 1988)	200.00
Accounting Service	150.00
Graphics/Printing Time @ \$15/hr. (Attachments)	138.75
Telephone: Local Service	60.00
Telephone: Billable Charges (Attachments)	72.83
Postage	79.93
Copying Charges @ \$.07 per copy	55.30
Material Costs (Attachments)	21.32
Other Costs (Attachments)	-0-
Total January 1988 Due	\$ 5,872.10
Outstanding Payment Due	-0-

Total Payment Due \$ 5,872.10

Robert B. Stouffer

14803 GERRY PLACE, CROWN POINT, INDIANA 46307

February 26, 1988

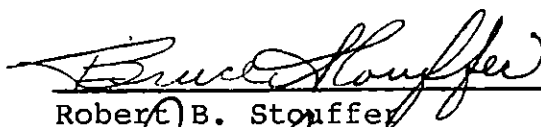
TO: Dan Gardner, Executive Director
Little Calumet River Basin
Development Commission
8149 Kennedy Avenue
Highland, Indiana 46322

Please accept this statement as billing to the Development Commission for payment of \$16.00 per hour as per contract for work performed as Land Acquisition/Management Agent for the Little Calumet River Basin Development Commission.

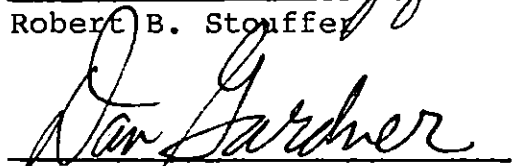
February 8	-	7 hours	-	\$112
February 9	-	7 hours	-	\$112
February 10	-	7 hours	-	\$112
February 11	-	5 hours	-	\$ 80
February 16	-	7 hours	-	\$112
February 17	-	7 hours	-	\$112
February 18	-	7 hours	-	\$112
February 19	-	7 hours	-	\$112
February 22	-	7 hours	-	\$112
February 23	-	7 hours	-	\$112
February 24	-	7 hours	-	\$112
February 24	-	<u>7 hours</u>	-	<u>\$112</u>

Total hours. . . 82 hours

Total payment due \$1,312


Robert B. Stouffer

APPROVED:


Dan Gardner
Executive Director
Little Calumet River Basin
Development Commission

COMMITTEES
PUBLIC WORKS AND
TRANSPORTATION
EDUCATION AND LABOR
INTERIOR AND
INSULAR AFFAIRS
CONGRESSIONAL STEEL CAUCUS
WHIP-AT-LARGE

Congress of the United States

House of Representatives

Washington, DC 20515

February 11, 1988

The Honorable Robert Page
Assistant Secretary of the Army
Civil Works
The Pentagon, Room 2E570
Washington, D.C. 20310-0103

Dear Mr. Page:

I write regarding the Little Calumet River flood control project authorized in the Water Resources Development Act of 1986 (P.L. 99-662).

Statutory language in P.L. 99-662 clearly directed the Corps of Engineers to pursue this project along the guidelines of Plan 3A, a design that represents the most comprehensive solution to flooding from the Little Calumet River. Most importantly, Plan 3A would provide thorough protection for neighborhoods in Gary, Indiana affected by flooding. Plan 3B, a proposal not authorized for further consideration, would not provide flood protection for areas east of Cline Avenue.

Despite the explicit statute in P.L. 99-662, I was surprised to learn that the Corps of Engineers will continue to study both Plans 3A and 3B in the final General Design Memorandum.

The Army's disregard of Congress in this matter is most alarming. Plan 3A is the only authorized project design; continued examination of Plan 3B represents a wasteful expenditure of precious Federal funds.

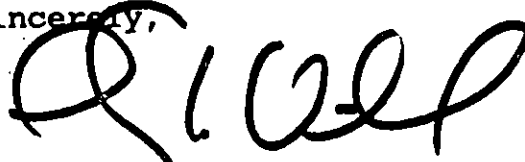
The State of Indiana, other Federal agencies, and all significant local interests have expressed unreserved support for Plan 3A. In an effort to be conciliatory, the Little Calumet River Basin Development Commission has modified Plan 3A to provide cost savings in Federal expenditures. However, local interests are committed to the belief that these modifications must not deviate from the essential framework of Plan 3A.

I respectfully request that all efforts on the Little Calumet project be directed toward the realization of Plan 3A pursuant to the directions of P.L. 99-662 and the desires of the affected communities.

The Honorable Robert Page
Page 2
February 11, 1988

Thank you for your prompt reply to my communication.

Sincerely,



Peter J. Visclosky
Member of Congress

PJV:js

cc: Lt. General E.R. Heiberg,
Commander, Chief of Engineers
Colonel Jesse Franco,
District Office, Corps of Engineers
The Honorable Thomas Barnes
Mayor of Gary
Mr. John DeMeo, Chairman, Little Calumet
River Basin Development Commission
✓ Mr. Dan Gardner, Little Calumet River
Basin Development Commission
Members, Little Calumet River Basin
The Honorable Vernon Smith, President,
Gary Common Council



FEB 22 1988

M. I. R. P. C.

Working For You!

C O N G R E S S M A N

PETE VISCLOSKY

News Release

U.S. Congressional Record

SUBJECT: Visclosky Reprimands Army Corps for Wasteful Spending on Little Calumet River Study.

DATE: February 18, 1988. For Immediate Release.

CONTACT: Shelley Peck, Press Secretary, 202/225-2461.

The Army Corps' continued study of an unauthorized proposal to control flooding along the Little Calumet River has drawn sharp criticism from U.S. Rep. Pete Visclosky, D-Merrillville.

In a letter to Assistant Secretary of the Army Robert Page, Visclosky said he was surprised recently to learn that the Army Corps has continued to study a proposal (Plan 3B) that would not provide flood protection for areas east of Cline Avenue.

"Statutory language in P.L. 99-662 (the Water Resources Development Act of 1986) clearly directed the Corps of Engineers to pursue this project along the guidelines of Plan 3A, a design that represents the most comprehensive solution to the flooding from the Little Calumet River," Visclosky wrote.

Visclosky said he has learned that the Army Corps intends to include studies of both Plans 3A and 3B in its final General Design Memorandum.

"Plan 3A is the only authorized project design; continued examination of Plan 3B represents a wasteful expenditure of precious federal funds," wrote the area lawmaker.

The Congressman said he is opposed to Plan 3B because it would not provide protection to neighborhoods in Gary affected by flooding.

According to Visclosky, the Little Calumet River Basin Development Commission has modified Plan 3A to provide savings in federal expenditures. However, the State of Indiana, other federal agencies and all significant local interests have expressed unreserved support for the essential framework of Plan 3A.

"The Army's disregard of Congress in this matter is most alarming," Visclosky said.

Army alternate plan for Little Calumet River criticized by Visclosky

By Rich James

Staff writer

HIGHLAND — U.S. Rep. Peter J. Visclosky has criticized the Department of the Army for pursuing an alternate plan for the Little Calumet River that he said won't provide flood protection for homes in Gary.

"The Army's disregard of Congress in this matter is most alarming," said Visclosky, who wrote last week to Assistant Secretary of the Army Robert Page to express his displeasure with the Army Corps of Engineers' pursuit of a plan that would not provide flood protection for areas east of Cline Avenue.

Visclosky, D-Merrillville, has not received a response from the Department of the Army, Shelley Peck, Visclosky's Washington, D.C., press secretary, said Tuesday.

"Statutory language in the Water Resources Development Act of 1986

clearly directed the Corps of Engineers to pursue this project along the guidelines of Plan 3A, a design that represents the most comprehensive solution to the flooding from the Little Calumet River," Visclosky said.

At issue are Plans 3A and 3B, said Daniel Gardner, executive director of the Little Calumet River Basin Development Commission. The cost difference is about \$25 million. Plan 3A, the more expensive proposal, carries an \$83 million price.

Plan 3A, which Congress approved, provides for levees to be constructed the length of the river.

Plan 3B would provide limited flood protection east of Cline Avenue except near Indiana Univer-

He said it won't provide flood protection for homes in Gary.

sity Northwest in Gary. Under Plan 3B, the government would offer to raze homes, fill in areas beneath razed homes or relocate those in the flood plain, said Evelyn Schiele, public affairs representative for the corps' Chicago District.

Visclosky termed a waste of money the corps' plans to include studies of both plans in its final design proposal.

The Chicago District recommended Plan 3A, but Army Corps officials in Washington, D.C., recommended Plan 3B in their final report last fall, Schiele said.

Schiele said Plan 3B was recommended because it is in accordance with the National Economic Development Plan that recommends a high cost-benefit ratio for federally funded projects.

"The benefits (of Plan 3A) are not as great because the homes you protect (in Gary) are not of as high a value," Schiele said.

Homes in Hammond, Highland and Munster would be protected by levees under both plans, Schiele said.

Gardner said, "It (Plan 3B) is a totally economic approach to flood control. But you are losing economic development opportunity for the future."

Schiele said Congress can mandate that one of the two plans be used once the money is appropriated.

The question should be settled soon, Gardner said. Construction is expected to begin in 1990 and the Gary section of the river is the first to be worked on.



Visclosky

STATE OF INDIANA



INDIANAPOLIS

INDIANA DEPARTMENT OF HIGHWAYS

100 North Senate Avenue
Indianapolis, Indiana 46204-2249

Room 1101, State Office Building
317-232-5533

February 5, 1988

REPLY TO

LA PORTE DISTRICT OFFICE
P. O. BOX 429
LA PORTE, INDIANA 46350
PHONE 219-362-6125

Mr. Dan Gardner
Little Calumet
River Basin Development Commission
8149 Kennedy Avenue
Highland, Indiana 46322

RE: Culvert Under Borman Expressway
at Fairbanks Street

Dear Mr. Gardner,

Your letter to Mr. Howard Waters, Local Assistants Coordinator, was referred to me for investigation. The investigation revealed the culvert at Fairbanks, as well as the adjacent culverts, to be open. Our Maintenance forces routinely inspect and clean these culverts to insure they do not become clogged.

This investigation indicated that the flooding problems are not caused by the culverts or ditches along the Borman, but by the outlet ditches between the Borman and the river.

Someone from our staff will meet with you to review the problem if you desire.

Thank you for your concern.

Sincerely yours,

William M. Stine,
District Maintenance Engineer

John Perryman,
District Maintenance Operations Engineer

WMS:JP:ljh
cc: file

Mercantile National Bank, Hammond (Lake County)

* \$350,000 C.D. note at 6.6% on a 12 month rollover
(expiration date 2/8/89)

* \$188,500 C.D. note at 6.2% on a 30 day rollover
(administrative fund)
(expiration date 2/10/89)

\$82,350 Checking Account balance at 5-1/4%
(general fund, land acquisition, taxes)

First Federal Savings Bank of Indiana, Valparaiso (Porter County)

* \$350,000 C.D. note at 6.85% on a 12 month rollover

* Monthly interest checks are received from these 3 accounts
and are deposited monthly in the checking account

INTERIM FLOOD CONTROL PLANNING COMMITTEE

Harrison St. bridge replacement:

Letter distributed to Commissioners from the Hydraulic Engineer, Frank Cook and Chief of the Flood Control Section, John Morgan stating that it is the opinion of the Corps that the proposed Harrison Street Bridge improvements will not have an adverse impact on the flood stages on the river.

Erie Bridge:

Legal description has been obtained. Attorney Casale is in the process of obtaining quit claim deeds. (Lou can speak further)

Recreation Plan:

On March 1st, a meeting was held for the park superintendents and interested parties to allow for their review and input regarding the recreation plan as proposed by the Corps.

Dan will meet further with individual towns/cities. Any board member wishing to be involved in his presentations to the cities on the flood control/recreation plan are invited. He is scheduled to meet Monday evening (March 7th) at 8:45 with the Munter Town Board and park staff. He is also scheduled to meet with the Hammond Park Board on Tuesday evening (March 8th).

George Callan

LEGISLATIVE COMMITTEE

Lou Casale and Dan Gardner are in the process of finalizing a staff draft of the Local Cooperation Agreement in which numerous changes have been made to the Corps' initial draft of the agreement. Once the draft has been finalized, Commissioners will receive a copy. Legislative committee will review & report back to full Board.

After the draft Local Cooperation Agreement has been finalized, a meeting will be scheduled in Indianapolis (the Corps will be present) with the state agencies (the Governor's Office, State Budget Agency, DNR, State Highway Department) to discuss the implications of the Commission's signing of the Agreement and to discuss the future non-Federal financial requirements required of them.

Once the Agreement language is acceptable to our Board, we will start developing agreements that will be taken to the individual communities and highway districts for their approval/signature which will commit them to the project. That agreement will be between the city/town and the Development Commission only. We will also forward the Agreement back to the Chicago Corps staff for their review of our changes.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
----- F O R M A R C H M E E T I N G
M O N T H L Y B U D G E T R E P O R T

BUDGET CODE	BUDGET CATEGORY	BUDGET AMOUNT	AMOUNT PAID PREVIOUSLY	UNPAID BALANCE	AMOUNT READY FOR PAYMENT	PROJECTED BALANCE
119	PER DIEM EXPENSES	16000.00	0.00	16000.00	0.00	16000.00
311	LEGAL SERVICES	7500.00	566.66	6933.34	283.33	6650.01
312	NIRPC SERVICES	94000.00	5824.55	88175.45	5872.10	82303.35
323	TRAVEL & MILEAGE	6000.00	76.77	5923.23	0.00	5923.23
331	PRINTING & ADVERTISING	2500.00	28.00	2472.00	180.00	2292.00
341	BONDS & INSURANCE	7500.00	0.00	7500.00	305.00	7195.00
361	EMERGENCY MAINTENANCE COST	3500.00	0.00	3500.00	0.00	3500.00
399	MEETING EXPENSES	3000.00	0.00	3000.00	0.00	3000.00
411	LEGAL SERVICES - ACQUISITION	50000.00	2640.00	47360.00	2760.00	44600.00
412	PROFESSIONAL SERVICES	100000.00	6291.64	93708.36	19837.00	73871.36
413	LAND PURCHASE COSTS	3945519.00	175.00	3945344.00	2600.00	3942744.00
414	LAND CAPITAL IMPROVEMENTS	150000.00	0.00	150000.00	0.00	150000.00
415	BURNS BREAKWATER CONSTRUCTION	2128.00	0.00	2128.00	0.00	2128.00
416	STRUCT. CAPITAL IMPROVEMENTS	40000.00	0.00	40000.00	0.00	40000.00
417	PROPERTY/STRUCTURES INSURANCE	25000.00	0.00	25000.00	0.00	25000.00
		4452647.00	15602.62	4437044.38	31837.43	4405206.95

C L A I M S R E A D Y F O R P A Y M E N T

BUDGET CODE	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
311	LOUIS CASALE	283.33	ATTORNEY RETAINER FEE FOR FEBRUARY 1988
312	NIRPC	5872.10	ADMINISTRATIVE SERVICES PERFORMED DURING JANUARY 1988
331	PAYMASTER CORP.	180.00	2 SIGNATURE PLATES RE: NEW OFFICERS--J. DEMEO & A. COLVIN
341	HARLEY SNYDER CO.	305.00	COST INCURRED FOR BOND RE: A. COLVIN
411	LOUIS CASALE	2760.00	LEGAL FEE FOR LAND ACQUISITION FEBRUARY 1988
412	INDIANA DNR	13500.00	COST OF OPERATION & MAINTENANCE OF STREAM GAGING STATIONS
412	METZ APPRAISALS	150.00	APPRAISAL SERVICES RENDERED ON DC 208 TURKS PROPERTY
412	ROBERT B. STOUFFER	1312.00	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 2/8-24/88
412	PLUMB TUCKETT & ASSOC.	250.00	SURVEYING SERVICES RENDERED ON DC 215 ON BURR STREET
412	PLUMB TUCKETT & ASSOC	2030.00	SURVEYING SERVICES RENDERED ON DC 217 AT LAKE ETTA
412	CHICAGO TITLE INSURANCE	450.00	TITLE WORK INCURRED ON DC 65, 112 & 125
412	ROBERT B. STOUFFER	2145.00	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 1/11-2/05/88
413	VAUGHN & MARY BARKER	2400.00	PURCHASE PRICE OF PROPERTY DC 65
413	JESSIE JOHNSON	200.00	PURCHASE PRICE OF PROPERTY DC 115 .45 ACRES
		31837.43	

ATTENDANCE ROSTER

Name of meeting: LCRBDC

Date: March 3

	NAME (please print)	Organization and/or Address	
1	<i>[Signature]</i>	<i>[Signature]</i>	1
2	EDWARD A. LIWKO@SKI JR.	HAMMOND IND.	2
3	STEPHEN E. DAVIS	IND. DNR	3
4	Rob Pleva	Lake Co. Parks Planning	4
5	DOROTHY SWIKE	MERRILLVILLE, IN	5
6	<i>Billy Zak</i>	<i>So. Shore Marine Inc</i>	6
7	<i>Mary Jane Zak</i>	<i>South Shore Marine Inc</i>	7
8	John Blee		8
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30			30
31			31

Chairman: John De Meo

Location: 8149 Kennedy
Highland, IN



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604-1797


REPLY TO
ATTENTION OF

MEMMORANDUM FOR RECORD

1 March 1988

SUBJECT: Harrison St. Bridge Construction - Little Calumet River

1. Reference is made to Harrison St. Bridge construction document signed by Jon D. Stolz, Indiana DNR.
2. It is our opinion that the proposed Harrison Street Bridge improvements will not have an adverse impact on the flood stages on the Little Calumet River.
3. The combined effects of a 70 square foot larger bridge opening, a new bridge alignment that is normal to flow, and the new bridge low chord elevation 0.2 feet higher will not result in higher water surface elevations through the 100 year event.


Frank Cook
Hydraulic Engineer


John Morgan
Chief, Flood Control Section

Marinas, boats build on baby boomers

By Rich James

Staff writer

HIGHLAND — The baby boomers have turned 40 years old.

There are more two-income families than there were in the 1960s and 1970s.

They are also earning more and spending more. And they are buying boats. Lots of boats.

Even more of them would be buying boats if they had their own piece of Lake Michigan from spring through fall.

Such was the analysis of Charles R. Eckenstahler Thursday before a meeting here of the Lake Michigan Marina Development Commission.

Eckenstahler, an accountant who specializes in studying the boating industry in the Midwest, was upbeat about the potential for marina development in Northwest Indiana.

"Reclaiming the shoreline is becoming increasingly important," Eckenstahler said. "People want recreational experiences closer to home. People in the industry (marina development) are now looking to communities that were once passed over."

While Eckenstahler talked about the potential for Northwest Indiana, Patrick Gallagher, owner of South Lake Marina Inc. in Michigan City, said his firm is experiencing the boating boom.

Gallagher said that when he started his boat sales and marina firm in 1985, he had 16 employees. Today he has 60 on his staff and has opened a second office in Hammond.

"The demand on the southern end of Lake Michigan is in excess of 20,000 boat slips," Gallagher said, adding that there are just 2,000 slips available in Northwest Indiana.

"The demand (for boats and slips) is far greater than we anticipated," said Gallagher. "The oppor-

tunity to show people what Northwest Indiana has is very dramatic."

Gallagher said a full-time semi-skilled or skilled job is created for every seven slips added to a marina.

Gallagher, as did others in attendance, said the Indiana personal property tax on boats hurts marinas here because boat owners take their crafts out of state for winter storage.

State Rep. Chester Dobis, D-Merrillville, said there will be an effort to convert the tax on boats from personal property to excise during the 1989 General Assembly.

The meeting marked the return of the mayors of Hammond, East Chicago, Gary, Portage and Michigan City to the commission, although 1988 legislation reinstating them doesn't take effect until April 1.

See Marinas, Page B2

Court holds firm liable in worker's accident after Christmas party

The Associated Press and Post-Tribune

INDIANAPOLIS — The Indiana Supreme Court ruled Thursday a Gary construction company was responsible for damages after it provided alcohol to an employee who was involved in a drunken-driving

wouldn't be held responsible for an accident in similar circumstances. However, in this case, the Gariup company can be held responsible because it employed Orner, conducted the party on company premises, furnished the liquor and allowed a drinking game to be conducted at the party.



drug testing was discontinued and the results disregarded because the tests may violate the officers' constitutional rights.

A source within the department, who asked not to be identified, said Flores met individually with each officer who initially failed the test and suggested they get counseling.

"It's easy to say 'You're fired,'" the source said, "but when you have a good worker who needs help, you want to see them get helped."

The source said he did not know which officers or how many failed the departmentwide test.

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gress, the State Department, President Reagan or the Israeli government, Coyne said.

"Since the New Jewish Agenda was founded in 1980, we have stood for the position that Israel

it's time to move into the promised land with peaceful co-existence with Palestinian brothers and sisters," Coyne said.

"We are saying we need a ne-

adopted the concept on our national platform," he added.

"We want to encourage all parties to put down their guns and go to the negotiating table," Coyne said.

... from Page B1

Marinas

An opinion by Attorney General Linley Pearson last year said the mayors could not serve on the commission and would have to appoint representatives. The mayors had appointed themselves to the commission when it was formed more than two years ago. Their representatives also attended the meeting Thursday.

In terms of what each city has in the works, Hammond Mayor Thomas M. McDermott said the city is in the process of choosing an engineer for the city's marina. He said plans are for 810 to 1,000 slips. He said breakwall construction could start as early as August.

East Chicago Mayor Robert A. Pastrick said the city is looking to add 800 slips to its recently opened 200-slip marina.

Portage Mayor Sammie Maletta said the city has hired consultants to do land-use studies.

Michigan City Mayor Robert Behler said there are two projects on the drawing board to expand existing marinas.

Deputy Gary Mayor Richard Comer said the meeting will help make a smooth transition for the new administration. He did not mention specific plans.

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ight and he told her that the "appeared to be red from water in the tub," Weeks

son said she returned after ght, listened at the door of room where the child was ng, and went to bed after nining the child "appeared sleeping comfortably."

ut 8 a.m. the next day, the children brought the child e bedroom. She looked One eye was swollen and her was still open.

rk encouraged Johnson to he child to the doctor, but ose to keep the girl at home eat her.

ut 2:30 p.m., the child's in- worsened and she could pen either eye.

i p.m. Johnson brought her Glendale Medical Center 1 E. Glendale Ave. in Val- o. She was immediately rred to Porter Memorial tal.

ctor there said the burns aused "by pouring action." records did not indicate ong the child remained in spital or where she is now. ks said in the charges that

not believe either Johnson rk was telling the truth. ie other case, the girl and other, who police said was s girlfriend, were living Kuehl at the Maplewood Park on Sturdy Road just of U.S. 30, police said.

hl first told police he hot grease on the child he was cooking. Police said r told them he threw a fry- n on the floor because the made him angry when she not stop crying. The pan on the girl and after she d from under it, Kuehl her with it, police said.

child suffered second- and legree burns and was treat- Porter Memorial Hospital.

By Doug Richardson

The Associated Press

INDIANAPOLIS — The two Republican members of the State Election Board decided Wednesday the board should go ahead with its investigation to determine if Democratic Secretary of State Evan Bayh meets the constitutional residency requirement to be governor.

The board voted 2-0 to proceed with the inquiry despite objections by Kevin Butler, the lone Democrat on the board, who argued the panel should relinquish jurisdiction to a trial court. Butler abstained on the final vote.

The board scheduled a pre-hearing conference Monday and a full-scale hearing for next Wednesday.

Meanwhile, Bayh's attorneys said they will continue to press for a quick trial in Shelby Circuit Court, where Bayh's lawsuit seeking a declaratory judgment that he is eligible is pending. Jon D. Krahulik, Bayh's chief attorney, said he hoped a trial on that suit could start by early next week.

A pre-trial conference with Judge Charles D. O'Connor is scheduled this morning.

The board's decision came one day after the Indiana Supreme Court ruled that a county court has jurisdiction to hold a trial on Bayh's lawsuit. In its decision, however,

the board argued it should relinquish jurisdiction to a trial court.

the high court said the election board could also go ahead with its probe, which was requested by Republican Gov. Robert D. Orr.

The court said the administrative process might provide a quicker judgment in the Bayh case.

"I think the court was telling us, 'Go ahead unless we stop you,'" said James C. Puckett, acting chairman of the board.

He said he is worried that a court can't provide a timely resolution to the case, and noted that all questions on ballot status for the May 3 primary are supposed to be resolved by March 17.

Bayh and former Kokomo Mayor Stephen J. Daily are candidates for the Democratic nomination. Lt. Gov. John M. Mutz is unopposed for the GOP nomination.

Puckett said the board would reconsider its action if a court moved quickly to set a trial date in the Bayh case. Puckett, a former Wayne Circuit Court judge, said his experience tells him it could be difficult for

County on a change of venue motion Tuesday

"If we go together and ask the trial court to do this, we have one train on the track and one conclusion with total finality," he said.

If two proceedings are working simultaneously, "we have two trains going in different directions," said Krahulik.

Butler agreed, arguing "the court is the best forum, without question, for deciding legal issues."

Election board attorney David F. McNamar recommended the board go forward and also suggested a standard the panel should use to decide if Bayh has been a resident of the state for five years before the gubernatorial election.

In a memo given to board members, McNamar argued that a strict "you reside where you sleep" standard should be applied.

"In my opinion, Birch Evan Bayh III must have been physically present in Indiana as a resident, usually sleeping here, and if he removed himself from Indiana physically and established any residence elsewhere for an indefinite time he would lose his residency in Indiana for that period even though he intended to return," McNamar wrote.

See Bayh, Page B2

In reversal, Gary board rejects truck stop

By Chris Isldore

Staff writer

GARY — The Gary Board of Works reversed itself Wednesday and rejected the sale of 26 acres off Grant Street south of Interstate 94 to a truck stop developer.

The board accepted a \$65,000 bid for the land from Northland Development Company Inc. a year ago. But since that time the Plan Department opposed the project because planners said it would be a threat to the growth of retail business in the area.

Northland's attorney, Robert Selund, asked the board Wednesday to allow the sale to proceed so it could go before the Plan Commission and other government bodies to seek necessary approvals. But Deputy Mayor Richard Comer, president of the board, said the new administration of Thomas V. Barnes was opposed to any truck stop growth in the city.

"The position of this administration is they do not want to sell that land," said Comer. "Any negotiations for that land would be

based on land use, and I know at this time that a truck stop is a land use they would not accept."

The board voted unanimously against the sale.

Selund would not characterize the truck stop plans as dead, though, citing the board's earlier approval of his client's bid.

"It's a good legal question," he said.

Northland proposed to spend \$2 million for a truck terminal, a truck repair and truck wash center, offices and a restaurant which would be open 24 hours a day. In a letter to the Board of

Works in September 1986, Northland President Peter A. Hartney estimated 200 jobs would be created by the project.

But city planners now say they don't want to see any more truck stops in that area because of what they see as a potential for growth of retail stores along Grant Street. The Village shopping center is several blocks south of Northland's proposed truck stop. Planners also opposed a proposal for a truck stop as part of Summerfield Truck Co., located across Grant Street from the city-owned land.