



# Little Calumet River Basin Development Commission

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

## MEETING NOTICE

JOHN DEMEO, Chairman  
Governor's Appointment

DOYLE NIEMEYER, Vice-Chairman  
Governor's Appointment

ARLENE COLVIN, Treasurer  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

WILLIAM CRITSER  
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

THERE WILL BE A MEETING OF THE  
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
AT 6:30 P.M. THURSDAY, FEBRUARY 1, 1990  
AT THE OFFICE OF THE REGIONAL PLANNING COMMISSION  
8149 KENNEDY AVENUE  
HIGHLAND, INDIANA

### A G E N D A

Pages

1. Call to Order by Chairman Doyle Niemeyer
2. Recognition of Visitors, Guests
3. Approval of minutes of January 4, 1990 meeting
4. Reports of Standing Committees
  - A. Finance/Policy Committee - Clyde Baughard, Treasurer

- Committee meeting at 6:00 p.m.
- Financial status report
- Approval of claims for January
- Other issues

- B. Legislative Committee - George Carlson, Chairman

#### Federal issues:

- Project sponsor submissions
  - Financial capability analysis
  - Signing ceremony interest letter
- Issues meeting with Corps/IDNR agencies - January 26th - Chicago
- NIRPC staff-Congress staff briefing - January 29-30th

#### State issues:

- State Budget Agency response to Corps re: State's project support

1-4

5  
6

7-8

*Don't want  
cannot attend  
brian 2/2/90*

*Financial  
capability  
2/1/90 (1 get to Comm)*

*use  
Haley  
Snyder*

*If forget  
Corps schedule*

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

- Committee meeting at 5:30 p.m.
- Appraisals, offers, acquisitions, recommended actions
- Other issues

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

E. Breakwaters/Marina Committee - Bill Tanke,  
Chairman

- NIPSCO
  - Johnson, Johnson & Roy - grading plan/  
utilities location
- Dept. of Natural Resources Council hearing
  - Portage permits - channel dredging
  - 3 private marina proposals

5. Other Business

6. Statements to Board from the floor

7. Set date for next meeting, adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:30 P.M. THURSDAY, JANUARY 4, 1990  
AT THE COMMISSION OFFICES  
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

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In the Chairman's absence, Vice-Chairman Doyle Niemeyer called the meeting to order at 6:35 p.m. Seven (7) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson  
Doyle Niemeyer  
Clyde Baughard  
David Springman  
Arlene Colvin  
Bill Critser  
Charles Agnew

Visitors:

Jodi Dickey - Lake County  
Parks Dept.  
Ola Kennedy - Lake Co. Parks  
Board member  
Pete Zak - South Shore Marina  
Mary Jane Zak - "  
Steve Davis - IDNR  
Dick Wawryziniak - IDNR

Staff:

Dan Gardner  
Lou Casale, Attorney  
Sandy Mordus  
Bruce Stouffer

A motion was made by Clyde Baughard to approve the minutes of the January 4th meeting; seconded by Arlene Colvin; motion passed unanimously.

The Nominating Committee Chairman Chuck Agnew stated that the committee (John DeMeo, Bill Critser and himself) had met and he made the following nominations for 1990 officers:

Chairman - Doyle Niemeyer  
Vice Chairman - Arlene Colvin  
Treasurer - Clyde Baughard  
Secretary - William Critser



LCRBDC Minutes  
January 4, 1990  
Page 2

A motion was made by Chuck Agnew to elect Doyle Niemeyer as Chairman; seconded by Bill Critser; motion passed unanimously.

A motion was made by Chuck Agnew to elect Arlene Colvin as Vice Chairperson; seconded by Clyde Baughard; motion passed unanimously.

A motion was made by Chuck Agnew to elect Clyde Baughard as Treasurer; seconded by Arlene Colvin; motion passed unanimously.

A motion was made by Chuck Agnew to elect Bill Critser as Secretary; seconded by Dave Springman; motion passed unanimously.

Mr. Niemeyer assumed the position as Chairman. He gave a brief acceptance speech thanking the Commissioners for their trust in him and stating he was looking forward to a promising, busy year with construction scheduled to start in mid-1990.

Finance/Policy Committee - Treasurer Arlene Colvin presented the financial report for November as well as the claims. Ms. Colvin made a motion to approve the pending claims; motion seconded by Clyde Baughard; motion passed unanimously.

Ms. Colvin presented the 1990 Operating Budget. She announced the changes: the Administrative budget remains the same as in 1989; two changes were made in the Land Acquisition budget. They were (1) Line #412 Professional/Consultant Services - Increase of \$50,000 in order to cover staff charges from the Redevelopment Commission regarding relocation and to cover expenses possibly incurred if an engineering consultant were hired to review Corps work when project begins and (2) Line #413 Land Purchase Costs - amount changes to reflect '89 appropriation funds of \$2 million and current land acquisition monies being drawn upon (actual relocation costs will come from this line). Ms. Colvin made a motion to approve the 1990 Operating Budget as presented; motion seconded by Clyde Baughard; motion passed unanimously.

Ms. Colvin stated the Commission has received the final accounting of the State Board of Accounts audit report for years 1987 and 1988. Audit comments listed were to record investment rollovers and preference made on using State Brd. of Accounts check and receipts. No outstanding findings were recorded.

Legislative Committee - Committee Chairman George Carlson referred to the letter contained in packet to Col. Franco indicating the Development Commission's commitment to the signature of the revised Local Cooperation Agreement (November, 1989 version).

Mr. Gardner informed the Commission that he is preparing and will be mailing the LCRBDC financial capability analysis to the Corps. This is a document the Corps is requesting; it will accompany the LCA to Washington.

Staff will also be coordinating a contract signing/groundbreaking ceremony for construction start. Mr. Gardner is suggesting the signing take place here rather than Washington. Since the first phase construction will begin in Gary, a logical place would be the I.U. conference center in Gary. The Vice President, Senators, Congressman, legislators, county commissioners/council, county offices, mayors and public officials, DNR, other interested agencies/persons plus all news media will be invited. Coordination with Evelyn Shealy of the Corps will be ongoing and a date and time will be scheduled shortly.

Mr. Gardner stated that through the entirety of the project, an escrow bank account will be set up with the Corps. The Finance Committee will oversee this - banks will be solicited for best rates (the same procedure that we now follow).

Land Acquisition/Management Committee - Committee Chairman Chuck Agnew reported that a clerk's deed has been received relative to the ownership of the Erie R.R. bridge at Indpls Blvd. The bridge is now in the Development Commission's ownership. Staff will contact city of Hammond and schedule a Basin Commission meeting to pursue the removing of piers under the bridge to allow for better flow.

Attorney Lou Casale informed the Commission that although he has talked to Keith Eller's attorney twice, we still do not have a signed lease with him. Mr. Agnew made a motion that if the lease is not signed on or before February 1, we will assume that Keith Eller does not wish to lease the property for 1990; motion seconded by Clyde Baughard; motion passed unanimously. Attorney will send letter to that effect with copy to his attorney.

Mr. Agnew made a motion to reject the only bid that was received on the farm land lease at 35th & Grant. The bid was for \$4,446 which is more than \$3,500 less than was previously received for that property. Motion was seconded by Clyde Baughard; motion passed unanimously.

LCRBDC Meeting  
January 4, 1990  
Page 4

Mr. Agnew made a motion to approve the monies for the multi-purpose building at Lake Etta up to \$111,208; payment contingent upon signing of contract with JMA, Inc. of Griffith. Since the Lake County Park Dept. has consented to building the maintenance building themselves (with the Commission paying for cost of material, estimated to be about \$10,000), it allows more money to go toward the building of the multi-purpose building. Motion was seconded by Clyde Baughard; motion passed unanimously.

Breakwaters/Marina Committee - In Committee Chairman William Tanke's absence, Dan Gardner gave the report. He stated that there were three marina permit applications before the DNR at present. The Portage Port Authority also has a dredging permit application before them. Mr. Gardner will be attending the DNR hearing regarding the approval of these permits. Although the Development Commission is on record stating it is supportive of private marina development in the Portage-Burns Waterway (as long as it is consistent with waterway capacity, adequate safety and maintenance provisions and applicable environmental considerations), it needs to be pointed out that the Commission is committed to providing a +300 slip public access marina facility. Mr. Gardner is also discussing the issue with Richard Carlson from the Corps so he is aware of the situation.

Mr. Gardner stated he has met with NIPSCO staff and there are still some concerns they have. He will be contacting JJ&R to schedule another meeting with them, NIPSCO and himself.

Mr. Gardner also is in contact with the union officials obtaining approval, working to allow the U.S. Marine Corps Reserve Unit to remove the sand on the marina site.

Mr. Gardner announced that Jerry Pagac is assuming a new position as Director of Indiana State Parks. It is not known at this time who will be his replacement.

Doyle Niemeyer congratulated Arlene Colvin on her re-appointment to the Commission by the city of Gary. Her new term will be for four years.

There being no further business, the meeting was adjourned at 7:10 p.m.

The next meeting date was scheduled for February 1, 1990.

# MERCANTILE NATIONAL BANK

JANUARY 1, 1989 - DECEMBER 31, 1989

## CASH POSITION - JANUARY 1, 1989

### Checking Account

Land Acquisition	\$ 17,248.62
General Fund	\$ 21,502.53
Tax Fund	\$ 1,126.60

Investments \$ 896,500.00

\$936,377.75

## RECEIPTS: JANUARY 1, 1989 - DECEMBER 31, 1989

Lease Rents	\$ 47,476.70
Interest	80,912.84
Land Acquisition	176,200.61
Taxes	<u>649.07</u>

\$305,239.22

## DISBURSEMENTS: JANUARY 1, 1989 - DECEMBER 31, 1989

1988 Expenses paid in 1989	\$ 15,117.87
Taxes	471.55
Per Diem	3,540.00
Legal Services	3,283.30
NIRPC	44,049.12
Travel & Mileage	1,309.50
Printing & Advertising	248.31
Bonds & Insurance	5,702.50
Emergency Maintenance Costs	106.97
Meeting Expenses	2,030.22
L/A Legal Services	20,348.20
L/A Professional Services	
(a) Appraisal Services	22,630.00
(c) Engineering	12,566.51
(d) Land Purchase Contractual	12,348.81
(e) Operational Contractual	22,816.25
(f) Market Economic	9,950.00
L/A Land Purchase Cost	53,007.16
L/A Land Capital Improvements	3,756.90
L/A Insurance	<u>15,646.90</u>

TOTAL DISBURSEMENTS:

\$248,930.07

## CASH POSITION - DECEMBER 31, 1989

### Checking Account

Land Acquisition	\$ 19,369.97
General Fund	55,692.86
Tax Fund	1,124.07

Investments 916,500.00

\$992,686.90



**NORTHWESTERN INDIANA  
REGIONAL  
PLANNING COMMISSION**

8149 Kennedy Ave  
Highland, Indiana 46322

219-923-1060  
312-731-2646

DATE: JANUARY 19, 1990

CONTRACT NO: P1.01

CONTRACT CODE: 952

ORGANIZATION: LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION

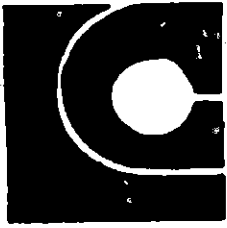
PROJECT: FOR SERVICES PERFORMED DURING DECEMBER 1989

INVOICE NO: 12

I N V O I C E

SALARIES AND FRINGE BENEFITS: DAN GARDNER & SANDY MORDUS	\$ 3,600.00
ROOM RENTAL FOR ADDITIONAL LCRBDC STAFF	200.00
ACCOUNTING SERVICES	150.00
TELEPHONE: LOCAL SERVICE	60.00
TELEPHONE : BILLABLE CHARGES (ATTACHMENTS)	69.51
POSTAGE	110.10
COPYING CHARGES @ \$.05 PER COPY (2,000)	100.00
COPYING CHARGES @ \$.025 PER COPY (1,702)	42.55
GRAPHICS/PRINTING TIME @ \$16.00 PER HOUR (ATTACHMENTS)	32.00
STAFF MILEAGE/EXPENSES	311.51
OTHER CHARGES (ATTACHMENTS)	<u>-0-</u>
TOTAL DECEMBER 1989 COSTS	\$ 4,675.67
OUTSTANDING PAYMENT DUE	<u>-0-</u>
TOTAL PAYMENT DUE	\$ 4,675.67





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*Lake County Commissioners' Appointment*

WILLIAM TANKE  
*Porter County Commissioners' Appointment*

DAN GARDNER  
*Executive Director*

January 16, 1990

Mr. Paul Benkowski, Chief  
Real Estate Division  
U. S. Army Corps of Engineers  
River Center Building  
111 N. Canal Street  
Chicago, IL 60606-7206

Dear Mr. Benkowski:

I am writing you regarding the intentions of the Little Calumet River Basin Development Commission in respect to the signing ceremony to initiate construction for the Little Calumet River Flood Control/Recreation Project in Indiana. The Development Commission has forwarded to the Corps by letter dated December 14, 1989 the board resolution indicating the willingness of the Commission to sign the Local Cooperation Agreement. Subsequent, the Development Commission "Financial Capability Statement" was submitted on January 11, 1990. The Development Commission, by these acts, is committed to ensuring a projected May signing ceremony.

Following is a summary of the intentions of the Commission as to the ceremony to date:

CEREMONY LOCATION: Northwest Indiana location benefited by project. Leading candidate site - Indiana University Northwest Campus, Gary Conference Center.

SPONSOR INVITED GUESTS:

Vice President Dan Quayle  
Senators Richard Lugar and Dan Coats  
Congressman Peter Visclosky  
Governor Evan Bayh  
Indiana Dept. of Natural Resources Director - Patrick Ralston  
Indiana General Assembly - Budget Committee leadership  
Northwest Indiana Senate and House members  
(6 Senators members - 14 House members)

Mr. Paul Benkowski  
January 16, 1990  
Page 2

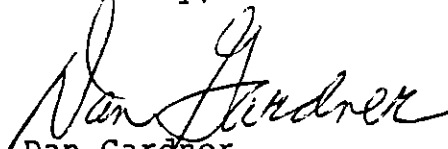
SPONSOR INVITED GUESTS (Cont'd):

Mayor Thomas Barnes, Gary  
Mayor Tom McDermott, Hammond  
Town Council Presidents of Munster, Highland and  
Griffith  
Lake County Commissioners and Council and Surveyor  
Area Chambers of Commerce  
Local environmental support groups (Izaak Walton  
League, Salmon Unlimited, etc.)  
Area business leaders  
Project supporters

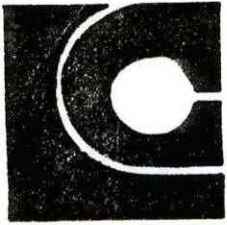
Initial contact has been made with the Senators,  
Congressman and State leadership. The Commission envisions  
a press conference following the signing ceremony with  
remarks by officials attending. A short reception will  
follow at the conference center.

These are the intentions of the Development Commission.  
We look forward to working with the Corps of Engineers to  
coordinate the arrangements to accommodate Mr. Page or  
other designated representatives of the Secretary's Office.  
Please call if you require any other information.

Sincerely,

  
Dan Gardner  
Executive Director

/sjm



# Little Calumet River Basin Development Commission

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

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JACK SWIKE  
Lake County Commissioners'  
Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

January 18, 1990

## POSITION STATEMENT

The Little Calumet River Basin Development Commission, the non-federal project sponsor with the U. S. Army Corps of Engineers breakwaters construction project at the mouth of the Portage-Burns Waterway, wishes to offer these comments relative to the permit requests before the Indiana Department of Natural Resources.

The Development Commission wishes to point out that through the State of Indiana's funding commitment of \$1,768,800 as 50% share of the breakwater construction costs, the Corps of Engineers Section 107 program requires the construction of a +300 slip public access marina facility with appropriate public launch lanes, transient slips, and support facilities. Toward this end, the Development Commission has acquired an 18 acre site directly south of U.S. Highway 12 and east of the waterway for public marina development. The Development Commission is working with the city of Portage and the Lake Michigan Marina Development Commission to bring necessary utilities to the site and prepare it for development. It is the intention of the Development Commission to solicit for a private developer to construct, manage and maintain a public use marina facility on a long term lease basis on the public land. This public marina requirement dictates the need to reserve 300 slips for public use/development in the permitting allotments for the Portage-Burns Waterway. Any calculations of safety or development capacities needs to account for this State of Indiana commitment to public use/development in Portage.

The Development Commission is supportive of private marina development in the Portage-Burns Waterway consistent with waterway capacity, adequate safety and maintenance provisions and applicable environmental considerations. The Development Commission offers its support and participation in any efforts to resolve any outstanding issues regarding waterway development.



PLEASE SIGN IN

ATTENDANCE ROSTER

Name of meeting: **LCRBDC**

Date: **2-1-90**

	NAME (please print)	Organization and/or Address	
1	Stephen E. Davis	IND DNR	1
2	DICK WAWRZYNIAK	" "	2
3	Robin Biesen	Post Tribune	3
4	JERRY E. CASTLE	CASTLE ESTATES - MUNSTER	4
5	Pete & Mrs. Zalk		5
6			6
7			7
8			8
9			9
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30			30
31			31

Chairman: **Doyle Niemeyer**

Location:

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION      F O R   F E B R U A R Y   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	0.00	7500.00	283.33	7216.67
312	NIRPC SERVICES	94000.00	0.00	94000.00	4675.67	89324.33
323	TRAVEL MILEAGE	6000.00	0.00	6000.00	0.00	6000.00
331	PRINTING ADVERTISING	2500.00	0.00	2500.00	260.15	2239.85
341	BONDS INSURANCE	7500.00	0.00	7500.00	228.00	7272.00
361	EMERGENCY MAINTENANCE COSTS	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	50000.00	0.00	50000.00	1887.00	48113.00
412	PROFESSIONAL SERVICES	150000.00	1290.00	148710.00	17841.19	130868.81
413	LAND PURCHASE COSTS	5790576.00	0.00	5790576.00	68782.00	5721794.00
414	LAND CAPITAL IMPROVEMENTS	150000.00	0.00	150000.00	0.00	150000.00
415	BURNS WATERWAY BREAKWATER	0.00	0.00	0.00	0.00	0.00
416	STRUCTURES CAPITAL IMPROVEMENT	40000.00	0.00	40000.00	0.00	40000.00
417	PROPERTY/STRUCTURES INSURANCE	25000.00	0.00	25000.00	0.00	25000.00
		6345576.00	1290.00	6344286.00	93957.34	6250328.66



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 M. CASALE	283.33	ATTORNEY RETAINER FEE JANUARY 1990
312	NIRPC	4675.67	FOR SERVICES PERFORMED DECEMBER 1989
331	PAYMASTER CORP.	129.50	COST INCURRED RE: SIGNATURE PLATE FOR C. BAUGHARD
331	DEBBIE ECHLIN	130.65	COST INCURRED RE: TYPING SERVICES
341	STATE BD. OF ACCOUNTS	228.00	COST INCURRED RE: AUDIT EXPENSE
411	LOUIS M. CASALE	1887.00	LAND ACQUISITION LEGAL SERVICES RENDERED JANUARY 1990
412	ROBERT B. STOUFFER	822.50	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 12/22/89-1/17/90
412	CHICAGO TITLE INSURANCE	405.00	TITLE WORK INCURRED ON DC 223, 228 & 357
412	CHICAGO TITLE INSURANCE	236.50	TITLE WORK INCURRED ON DC 167
412	CHICAGO TITLE INSURANCE	1520.00	TITLE WORK INCURRED ON DC 280,306,338,268,317,274,331 & 311
412	NIPSCO	30.64	UTILITY BILL FOR PUMPING EXPENSES INCURRED 12/14/89 - 1/15/90
412	ALBERT MCCANCE	196.55	BOARD UP SERVICES RENDERED ON 3250 BURR STREET
412	CHICAGO TITLE INSURANCE	380.00	TITLE WORK INCURRED ON DC 300 & 233
412	IN DEPT. NAT. RESOURCES	14250.00	COST OF OPERATION & MAINTENANCE OF GAGING STATION
413	LEROY HARPER	1050.00	PURCHASE PRICE OF PROPERTY DC223
413	LEROY HARPER	525.00	PURCHASE PRICE OF PROPERTY DC228
413	MURIEL GREEN FOR P.GREEN	10600.00	PURCHASE PRICE OF PROPERTY DC300
413	GEORGE TATUM	24000.00	PURCHASE PRICE OF PROPERTY DC233
413	LILLIAN DAVIS	675.00	PURCHASE PRICE OF PROPERTY DC330
413	BLANCHE CARR	608.00	PURCHASE PRICE OF PROPERTY DC272
413	W. N. COLEMAN	11500.00	PURCHASE PRICE OF PROPERTY DC232
413	BONITA LOFTON	10000.00	PURCHASE PRICE OF PROPERTY DC227
413	DEIDROI WILLIAMS	350.00	PURCHASE PRICE OF PROPERTY DC271
413	A. D. EVERETT	2577.00	PURCHASE PRICE OF PROPERTY DC351
413	TESSIE BAILEY	1350.00	PURCHASE PRICE OF PROPERTY DC324
413	J.L. ENGLISH	675.00	PURCHASE PRICE OF PROPERTY DC331
413	J.L. ENGLISH	783.00	PURCHASE PRICE OF PROPERTY DC274
413	MARY McDONALD	861.00	PURCHASE PRICE OF PROPERTY DC280
413	JOESIAH PHILLIPS	527.00	PURCHASE PRICE OF PROPERTY DC311
413	MILDRED GILLS	1015.00	PURCHASE PRICE OF PROPERTY DC317
413	REV. LAFAYETTE WELLS	1686.00	PURCHASE PRICE OF PROPERTY DC344
		93957.34	

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

ROBERT B. STOUFFER	993.25	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 1/18-2/1/90
METZ APPRAISALS	8,220.00	APPRAISAL SERVICES RENDERED ON TOLLESTON CLUB PROPERTIES
TOTAL AMOUNT TO BE PAID	\$103,170.59	



don't forget -  
Corps to be here at  
10:00 tomorrow. Wants to  
know "right of entry" properties.



# STATE OF INDIANA

## STATE BUDGET AGENCY

212 State House  
Indianapolis, IN 46204-2796  
317/232-5610

EVAN BAYH  
Governor

Frank Sullivan, Jr.  
Director

26 January 1990

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

Re: Corps of Engineers Correspondence

Dear Dan:

I enclose a copy of the letter from Frank Sullivan, Jr. to David Wallin (the Regional Economist for the Chicago District of the Corps of Engineers), concerning the State's financial condition, together with the Appendix referred to in Mr. Sullivan's letter.

It was a pleasure for me to work with you. The background materials you forwarded to me proved to be most useful.

Please call me if the State Budget Agency may be help.

Sincerely,

Mark S. Moore



# STATE OF INDIANA

## STATE BUDGET AGENCY

212 State House  
Indianapolis, IN 46204-2796  
317/232-5610

EVAN BAYH  
Governor

Frank Sullivan, Jr.  
Director

January 25, 1990

Mr. David Wallin  
Regional Economist  
Department of the Army  
Chicago District, Corps of Engineers  
Economics Analysis Branch  
111 North Canal Street  
Chicago, Illinois 60606-7206

Re: Little Calumet River Basin Development Commission

Dear Mr. Wallin:

This letter is in response to your request to my Deputy, Mark S. Moore, for information about the present financial condition of the State of Indiana. As I understand it, under the applicable Corps Engineering Circular, you are required to provide a "non-Federal sponsor's statement of financial capability . . . and the district commander's assessment of the non-Federal sponsor's financial capability" for the Little Calumet River, Indiana Local Flood Protection and Recreation Project.

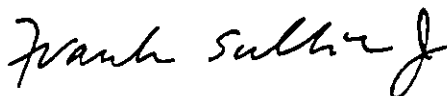
You understand, of course, that the non-Federal sponsor of the Little Calumet River Project is the Little Calumet River Basin Development Commission, a public body corporate and politic, separate from the State. (The Development Commission was created pursuant to an Act of the General Assembly of the State, which is codified at I.C. 14-6-29.5-1 et seq.) As such, the Development Commission's obligations (including any bonds the Development Commission may issue) are not those of the State or of any political subdivision of the State. However, the State has appropriated moneys to the Development Commission in each of the State's budget biennia since 1975. In some instances, the appropriation has been made from cigarette taxes, in other instances from the General Fund and, most recently, from the Build Indiana Fund (which is funded with surplus Hoosier Lottery revenues).

Under the Indiana constitution, the State cannot incur debt except for certain limited and specific purposes. Therefore, the present General Assembly cannot bind future General Assemblies to appropriate moneys to the Development Commission for the Little Calumet River Project. To do so would create an unconstitutional debt.

That being said, I want to assure you that the present financial condition of the State is strong. I have enclosed the latest draft of Appendix A to the Preliminary Official Statement for the approaching State Office Building Commission bond issue which provides detailed information about the past and present financial condition of the State--and my Agency's projections of revenues and expenditures during the next biennia. (I understand that my Deputy provided an earlier draft of the Appendix to you.)

Based upon the present financial condition of the State and the projections contained in the Appendix, it would appear that sufficient moneys would be available to permit future General Assemblies to continue to appropriate moneys to the Development Commission for the Little Calumet River Project if they desired to do so. Furthermore, the Bayh Administration strongly supports the work of the Development Commission and the Little Calumet River Basin Commission.

Sincerely,

A handwritten signature in cursive script, reading "Frank Sullivan, Jr.", written in dark ink.

Frank Sullivan, Jr.