



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
Governor's Appointment

JOHN BROCKOWSKI, Secretary
Governor's Appointment

WILLIAM BILLER
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's
Appointment

STEVE DAVIS
Dept. of Natural Resources'
Appointment

CHARLES RAY
Porter County Commissioners'
Appointment

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

MEETING NOTICE

**THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, OCTOBER 6, 2004
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN**

WORK STUDY SESSION - 5:00 P.M.

A G E N D A

1. Call to Order by Chairperson Arlene Colvin
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of September 1, 2004
5. Chairperson's Report
 - Gary City Council approved ordinance that appropriates \$1.4 million for Burr Street Phase 2 (Gary portion) of levee
6. Executive Director's Report
 - Attended meetings with city of Hammond, Hammond Sanitary, and Hammond Parks on Sept. 2 and Sept. 14
7. Outstanding Issues

Down back to 50-50%

1-4

Set up Exec. Session

*+ Grad
+ Mary
+ Steve Enger*

8. Standing Committees

A. Finance Committee – Bob Huffman, Treasurer

- Financial status report
- Approval of claims for September 2004
- Approval of O&M claims for September 2004
- Issues for Discussion

B. Land Acquisition/Management Committee – Arlene Colvin, Chairperson

Land Acquisition

- Appraisals, offers, acquisitions, recommended actions
- Issues for Discussion

Land Management

- 3120 Gerry Street to be re-advertised.
- Issues for Discussion

C. Operation & Maintenance – Committee Chairman Bob Huffman

- East Reach pump station and sluice gate inspections were held on Sept. 13, 17, and 22.
- Levee inspections were held Sept. 24, 28, and 29.
- Issues for Discussion

D. Environmental Committee – Committee Chairman Mark Reshkin

- Mitigation status of Hobart Marsh area
- Issues for Discussion

E. Legislative Committee – Committee Chairman George Carlson

- Letter received from Representative John Aguilera
- Communication with area legislators regarding State Budget request for 2005/2007 State biennium
- Request to be placed on next State Budget Committee agenda for release of remaining \$2 million from 2003/2005 biennium
- Issues for Discussion

F. Project Engineering Committee – Committee Chairman Bob Huffman

- Bids opened for Stage VI-1 South on Sept. 22 – To be announced
- Review of VI-2 design; comments submitted to COE
- Issues for Discussion

G. Recreational Development Committee – Committee Chairman Bob Huffman

- Issues for Discussion

H. Marina Development Committee – Committee Chairman Charlie Ray

- Marina bond payment made.
- Status of discussions regarding marina build-out
- Issues for Discussion

I. Policy Committee – Committee Chairman George Carlson

- Issues for Discussion

J. Public Relations Committee – Committee Chairman Bob Marszalek

- Charles Agnew Handicapped Park dedication will be scheduled soon
- Issues for Discussion

9. Other Issues/New Business

10. Statements to the Board from the Floor

11. Set date for next meeting

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6-7
8

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MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, September 1, 2004
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

Arlene Colvin
Mark Reshkin
Robert Huffman
Charlie Ray
George Carlson
Bill Biller
Steve Davis

Visitors:

Sandy O'Brien - Hobart
Jomary Crary - IDNR
Dale Gick - IDNR
Paul Ehret - IDNR
Imad Samara - COE

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos
Lorraine Kray

A motion to approve the minutes of August 4 was made by Bill Biller; motion seconded by Bob Huffman; motion passed unanimously.

Chairperson's Report – Chairperson Arlene Colvin reported that the Gary Council will meet on September 7 to consider the approval of the ordinance for the city to finance the Burr Street levee – Gary portion in the amount of \$1.4 million. Ms. Colvin will let staff know if they need to be present at the meeting.

Executive Director's Report – Mr. Gardner reported that he has met with the Hammond city engineer to discuss Hammond easements needed for the area between Kennedy and Cline. As early as September 2, the Hammond Board of Public Works could approve the Kennedy Avenue road closure easement needed from Hammond so it can be included in the Stage VI-1S project.

- In regard to the other easements needed from the city of Hammond, Hammond Sanitary District, and the Hammond Parks Department, the respective entities have agreed to reject our Uniform Land Offer and we will proceed with the same procedure as Highland did in a "friendly" condemnation. The City has been very supportive to obtain credit for true value.

- A Munster town work study session meeting took place on August 9 in which the Little Calumet River Flood Control/Recreation project was the main discussion item. A number of residents that have attended our Commission meetings requested a meeting with the town of Munster and North Township to describe the project, the schedule, the impacts and benefits, especially the area along Hart Ditch at Hawthorne and River Drive. They are concerned that the construction project will remove the trees, thus lowering property values. We have committed to the residents that we will work with the Army Corps, as well as the residents, to minimize the impact of tree removal. The project is still several years away so there is time to have input into the design. A future meeting will be set to include discussions with the North Township Trustee, as the township owns the underlying property.

Outstanding Issues – Mr. Gardner reported that the process for the donation of Highland easements through condemnation is over and they have signed the easements over to us for construction. The appraisal on the relocation of

the ball fields at Homestead Park should be completed shortly. The Parks Dept. will be compensated for the loss of the ball field.

- Mr. Gardner talked about our continuing efforts to work with INDOT in regard to highway credits. Laurie Maudlin from INDOT has been very helpful in keeping this documentation moving. We have received a letter with some supporting material for bridge work. We will also work with John Wright from INDOT to get appropriate credit for the Cline Avenue interchange.
- Mr. Gardner stated that we will be meeting again with the city of Gary and we are prepared to share Resolution 04-01 with them. We are hoping to have the mayor at the next meeting.

Finance Committee – Treasurer Bob Huffman presented the financial report and the claim sheet. He proceeded to make a motion to approve the financial claim sheet and the claims for August totaling \$116,985.51; motion seconded by Bill Biller; motion passed unanimously.

- Mr. Huffman then made a motion to approve the O&M claim of \$45.26; motion seconded by Bill Biller; motion passed unanimously.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin gave the Land Acquisition report. She made a motion to use eminent domain on three (3) properties. They were DC617, DC1002, and DC1009 – although offers are being prepared, we will use condemnation as a last resort if a negotiated settlement cannot be reached; motion seconded by Mark Reshkin; motion passed unanimously.

- Staff is still looking at options on how to proceed on 3120 Gerry Street. Only one bid came in and at a much lower amount than the appraised price. Ms. Colvin made a motion to reject the bid because it did not meet bid qualifications and to authorize staff to proceed with a second appraisal and then re-bid again; motion seconded by Bob Huffman; motion passed unanimously.

Operation & Maintenance Committee – Committee Chairman Bob Huffman stated that a final inspection for the east reach project features is scheduled for September 13, 17, and 22. The pump stations and sluice gates will be inspected first. There will be more inspections later – this is just the beginning of inspections. After we take over O&M, the ACOE will make annual inspections.

- Mr. Huffman also reported that notes from the June 28 O&M meeting with Gary have been finalized.

Environmental Committee – Committee Chairman Mark Reshkin recapped the acreage needed for mitigation – 411 acres are needed in Hobart Marsh; 173 acres have been acquired; 238 acres are still needed; TPL is in the process of trying to acquire an additional 188 acres; 50 acres would still be needed to satisfy mitigation requirements.

- Dr. Reshkin referred to attorney Lou Casale for an explanation of TPL's request for some reimbursement costs. Mr. Casale referred to their request letter addressed to us. Attorney Casale informed the Board that TPL has requested we agree to reimburse them for some fixed hard costs for their expense in securing lands for the Commission. He went on to say that TPL is in the process of working on five parcels, three of which they are not receiving any charitable donations on. They will be asking for reimbursement of some title work, survey work, appraisal cost, closing costs, professional fees, etc. A motion was made by Mark Reshkin to approve an agreement with TPL to reimburse them, documenting hard costs with itemized fees; motion seconded by Bob Huffman; motion passed unanimously. Dr. Reshkin went on to say that TPL has been doing a good job and is very supportive of their efforts. Steve Davis asked whether we wanted to add a not-to-exceed amount in the motion but Attorney Casale did not think it was necessary. Documentation would be provided and once all the property can be purchased by willing sellers, TPL's job will be completed.
- Dr. Reshkin informed the Board that IDNR will be donating the land and house on the Bailey property to the city of Hobart.

Legislative Committee – Committee Chairman George Carlson referred to the budget request letter sent to State Budget Director Marilyn Schultz. Mr. Gardner added that we did not send it earlier because we waited for accurate figures from the COE so we could base our request upon federal figures. We are now going into new area (west of Cline Avenue) in addition to completing the Gary stretch. It is exciting that, before too long, residential areas will start to come out of the flood plain. We are still working with the city of Gary to get an agreement in place for them to accept the O&M responsibilities. We are also working with Hammond to start the process of a “friendly condemnation” for the needed easements. Mr. Gardner then went on explain the Budget Expenditures Chart that was submitted to the State Budget Agency as part of our request for the needed \$5 million. We will work with Representative Earl Harris, who has been instrumental in the past in helping us and the other area legislators whose districts the project is located within.

- Mr. Gardner will be making a request for the remaining \$2 million to be allocated for claim draw-down. These were monies remaining from the 2003-05 biennium. It is needed to make further offers.
- Commissioner Steve Davis inquired whether the budget request would be enough money to see us through with the Federal funds. Mr. Gardner replied that it would be enough but we do need to gain access to the remaining \$2 million.
- Commissioner George Carlson inquired whether the re-assessment problems that Lake County is experiencing will have any impact on our request to the state. Mr. Gardner replied that, although it certainly has had a tremendous impact on Lake County and even on our acquisition costs; it should not have any impact on our request. A lengthy discussion was held in regard to the re-assessment problem.

Project Engineering Committee – Committee Chairman Bob Huffman reported that the notes from the Pump Station 1A contract meeting have been finalized.

- The pre-bid meeting for stage VI-1 South was held on August 12. The bid opening is presently scheduled for September 9. Anticipated construction start will be the spring of 2005.
- We have informed the COE that R. W. Armstrong will not do the Independent Technical Review for the Burr Street Phase II project. The COE will have to coordinate the review.
- A meeting with the Munster Town Council members and interested residents west of Hart Ditch along River Drive and Hawthorne was held on August 9.

Recreation Committee – Jim Pokrajac stated that when levee inspections are performed, part of that review will be the trail system. Problems like we have had on the trail by Harrison Street will be noted and addressed prior to Gary taking over O&M. He will let Committee Chairman Bob Huffman know when we check those particular trails on the levees. All deficiencies will be noted. Mr. Huffman asked whether an elevation survey would be done. Mr. Pokrajac will check with the COE.

Marina Committee – Committee Chairman Charlie Ray stated that he and Mr. Gardner met with Mayor Olsen today. The mayor is interested in building out the marina. The Mayor is proposing that the city would build out the marina (to satisfy our obligation with the COE) if we would turn the marina over to the city. He is not proposing that the city reimburse the Commission for any monies spent on the marina development. Attorney Casale added that we do have an existing contract with the city of Portage. Continuing discussions will be pursued, as well as state guidance. .

Policy Committee – There was no report.

Public Relations Committee – Bob Huffman asked staff to follow up on his request for some updated information so he can incorporate it into the web site he has created for the Commission.

- Commissioners will be notified when a date is scheduled for the dedication of Charles Agnew Handicapped park.

Other Issues – Mr. Gardner referred to a Times article on the Deep Tunnel project. He stated that the COE is modeling all of these projects; they are aware of all project conditions. With Illinois' Deep Tunnel project, it is actually

helping us with our flood water situation. The article stated that our project would be completed by 2005; that is not correct.

- Bob Huffman referred to an article he had seen in the Chicago Tribune regarding the flood control project failing in Richmond VA. They received a 14" rainfall and, although the levee system was in place, the flood gates were not closed. He asked that if the COE gets any inside information on this incident, he would like to receive a copy. We may be able to learn something from this.

- Mr. Huffman asked what we can do about the two vacancies we have on the Commission. Mr. Gardner replied that we can make the Lake County Commissioners aware of their vacancy. Paul Ehret from IDNR said that the Governor's Office is working on all Board appointments now. He offered that he would check with them. It is a lengthy process.

Statements from the Floor - Sandy O'Brien commented to the Board that she thought it was a misconception that retention and detention ponds really helped storm water and alleviate flooding. Legally it only brings it back to the original runoff condition and, therefore, does not really help with storing additional water. She also commented that additional development is increasing and it is her belief that an infiltration approach to keeping water on the land is a better way to go. Commissioner Charlie Ray commented that it is true that detention ponds only slow the rate of flow of storm water but that does help in reducing the size of the downstream measures needed to be constructed to address flooding. He added that water is being metered out at a 10 year rate and it takes the large surge out of the flooding. He agreed infiltration of storm water was desirable in design but that retention and detention has a role also.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, October 6, 2004.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2004 - AUGUST 31, 2004

CASH POSITION - JANUARY 1, 2004

| | |
|-------------------------|--------------|
| CHECKING ACCOUNT | |
| LAND ACQUISITION | 72,756.84 |
| GENERAL FUND | 30,420.54 |
| TAX FUND | 0.00 |
| INVESTMENTS | 958,000.00 |
| SAVINGS | 274,854.48 |
| ESCROW ACCOUNT INTEREST | 1,384.39 |
| | <hr/> |
| | 1,337,416.25 |

RECEIPTS - JANUARY 1, 2004 - AUGUST 31, 2004

| | |
|---|--------------|
| LEASE RENTS | 30,508.80 |
| LEL MONIES (SAVINGS) | |
| INTEREST INCOME(FROM CHECKING & FIRST NATL) | 24,518.97 |
| LAND ACQUISITION | 2,138,675.17 |
| ESCROW ACCOUNT INTEREST | 382.96 |
| MISC. RECEIPTS | 83,793.49 |
| KRBC REIMBURSEMENT RE: TELEPHONE CHARGE | 1,155.57 |
| TRANSFERRED FROM SAVINGS | 50,503.73 |
| PROCEEDS FROM VOIDED CHECKS | |
| TOTAL RECEIPTS | 2,329,538.69 |

DISBURSEMENTS - JANUARY 1, 2004 - AUGUST 31, 2004

| | |
|---|--------------|
| ADMINISTRATIVE | |
| 2003 EXPENSES PAID IN 2004 | 157,015.46 |
| PER DIEM | 7,950.00 |
| LEGAL SERVICES | 3,522.64 |
| NIRPC | 82,743.53 |
| TRAVEL & MILEAGE | 1,054.98 |
| PRINTING & ADVERTISING | 10.00 |
| BONDS & INSURANCE | 6,483.25 |
| TELEPHONE EXPENSE | 4,425.86 |
| MEETING EXPENSE | 3,246.65 |
| LAND ACQUISITION | |
| LEGAL SERVICES | 60,339.49 |
| APPRAISAL SERVICES | 81,600.00 |
| ENGINEERING SERVICES | 65,986.71 |
| LAND PURCHASE CONTRACTUAL | 34,450.00 |
| FACILITIES/PROJECT MAINTENANCE SERVICES | 492.87 |
| OPERATIONS SERVICES | 0.00 |
| LAND MANGEMENT SERVICES | 145,741.21 |
| SURVEYING SERVICES | 45,613.50 |
| MISCELLANEOUS EXPENSES | 0.00 |
| ECONOMIC/MARKETING SOURCES | 0.00 |
| PROPERTY & STRUCTURE COSTS | 1,657,996.20 |
| MOVING ALLOCATION | 6,450.00 |
| TAXES | 0.00 |
| PROPERTY & STRUCTURES INSURANCE | 0.00 |
| UTILITY RELOCATION SERVICES | 15,629.43 |
| LAND CAPITAL IMPROVEMENT | 0.00 |
| STRUCTURAL CAPITAL IMPROVEMENTS | 0.00 |
| BANK CHARGES MERCANTILE | 44.60 |
| PASS THROUGH FOR SAVINGS | 50,503.73 |
| TOTAL DISBURSEMENTS | 2,274,284.65 |

CASH POSITION - AUGUST 31, 2004

| | |
|-----------------------------------|--------------|
| CHECKING ACCOUNT | |
| LAND ACQUISITION | 107,926.09 |
| GENERAL FUND | 50,122.37 |
| TAX FUND | 0.00 |
| TOTAL FUNDS IN CHECKING ACCOUNT | 158,048.46 |
| TOTAL INVESTMENTS | 885,000.00 |
| FIRST NATIONAL BANK | 700,000.00 |
| (BASE CAPITAL INVESTMENT) | 5/3/2005 |
| FIRST NATIONAL BANK | 185,000.00 |
| (MISC INTEREST/RENTAL INVESTMENT) | 5/3/2005 |
| BANK ONE SAVINGS ACCOUNT BALANCE | 226,323.74 |
| (LEL MONEY) | 89,598.42 |
| (MARINA SAND MONEY) | 133,721.49 |
| (STATE DRAW MONIES) | - |
| (GARY PARKS & REC MONIES) | - |
| SAVINGS INTEREST | 3,003.83 |
| TOTAL INVESTMENTS & SAVINGS | 1,111,323.74 |
| ESCROW ACCOUNT INTEREST AVAILABLE | 1,767.35 |

5 TOTAL OF ALL ACCOUNTS 1,271,139.55

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, SEPTEMBER, 2004

| | 2004 | | | | | | | 9 MONTH | UNALLOCATED |
|--|-------------------|-------------|--------------|-------------|-------------|-------------|-------------|--------------|-------------------|
| | BUDGET | JANUARY | FEBRUARY | MARCH | APRIL | MAY | JUNE | ALLOCATED | BUDGETED |
| | | | | | | | | TOTAL | BALANCE |
| 5801 PER DIEM EXPENSES | 15,000.00 | 0.00 | 100.00 | 150.00 | 0.00 | 450.00 | 3,200.00 | 3,900.00 | 11,100.00 |
| 5811 LEGAL EXPENSES | 8,500.00 | 418.33 | 682.33 | 587.33 | 425.83 | 283.33 | 283.33 | 2,680.48 | 5,819.52 |
| 5812 NIRPC SERVICES | 130,000.00 | 10,336.79 | 18,439.62 | 8,783.84 | 8,443.81 | 8,657.50 | 8,867.50 | 63,529.06 | 66,470.94 |
| 5821 TRAVEL/MILEAGE | 10,000.00 | 35.36 | 36.72 | 26.18 | 14.28 | 107.44 | 337.28 | 557.26 | 9,442.74 |
| 5822 PRINTING/ADVERTISING | 5,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 10.00 | 10.00 | 4,990.00 |
| 5823 BONDS/INSURANCE | 8,000.00 | 0.00 | 77.00 | 0.00 | 0.00 | 6,406.25 | 0.00 | 6,483.25 | 1,516.75 |
| 5824 TELEPHONE EXPENSES | 7,000.00 | 121.98 | 186.92 | 549.41 | 585.17 | 555.37 | 367.15 | 2,366.00 | 4,634.00 |
| 5825 MEETING EXPENSES | 8,000.00 | 2,926.81 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 2,926.81 | 5,073.19 |
| 5840 PROFESSIONAL SERVICES | 650,000.00 | 50,657.93 | 37,970.47 | 63,862.95 | 53,605.54 | 42,814.46 | 60,835.92 | 309,747.27 | 340,252.73 |
| 5860 PROJECT LAND PURCHASE EXP. | 4,073,177.00 | 0.00 | 1,159,250.00 | 40,000.00 | 409,238.00 | 7,431.00 | 241.20 | 1,616,160.20 | 2,457,016.80 |
| 5881 PROPERTY/STRUCTURE INS. | 25,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 25,000.00 |
| 5882 UTILITY RELOCATION EXP. | 200,000.00 | 73.92 | 0.00 | 1,387.39 | 2,202.08 | 129.64 | 1,434.35 | 5,227.38 | 194,772.62 |
| 5883 PROJECT LAND CAP. IMPROV. | 25,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 25,000.00 |
| 5884 STRUCTURES CAP. IMPROV. | 25,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 25,000.00 |
| 5892 PROJECT COSTSHARE/ESC ACCT | 400,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 400,000.00 |
| | 5,189,677.00 | 64,571.12 | 1,216,743.06 | 115,347.10 | 474,514.71 | 66,834.99 | 75,576.73 | 2,013,587.71 | 3,176,089.29 |

| | 2004 | | | | | | | 9 MONTH | UNALLOCATED |
|---------------------------------------|-------------------|-------------|-------------|-------------|---------|----------|----------|--------------|-------------------|
| | BUDGET | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | ALLOCATED | BUDGETED |
| | | | | | | | | TOTAL | BALANCE |
| 5801 PER DIEM EXPENSES | 15,000.00 | 0.00 | 0.00 | 0.00 | | | | 3,900.00 | 11,100.00 |
| 5811 LEGAL EXPENSES | 8,500.00 | 463.83 | 283.33 | 283.33 | | | | 3,710.97 | 4,789.03 |
| 5812 NIRPC SERVICES | 130,000.00 | 8,759.21 | 8,838.51 | 8,709.45 | | | | 89,836.23 | 40,163.77 |
| 5821 TRAVEL/MILEAGE | 10,000.00 | 30.60 | 73.16 | 20.74 | | | | 681.76 | 9,318.24 |
| 5822 PRINTING/ADVERTISING | 5,000.00 | 0.00 | 0.00 | 0.00 | | | | 10.00 | 4,990.00 |
| 5823 BONDS/INSURANCE | 8,000.00 | 0.00 | 0.00 | 0.00 | | | | 6,483.25 | 1,516.75 |
| 5824 TELEPHONE EXPENSES | 7,000.00 | 124.30 | 236.26 | 722.92 | | | | 3,449.48 | 3,550.52 |
| 5825 MEETING EXPENSES | 8,000.00 | 0.00 | 300.34 | 0.00 | | | | 3,227.15 | 4,772.85 |
| 5840 PROFESSIONAL SERVICES | 650,000.00 | 33,163.95 | 36,137.31 | 29,685.41 | | | | 408,733.94 | 241,266.06 |
| 5860 PROJECT LAND PURCHASE EXP. | 4,073,177.00 | 0.00 | 70,951.60 | 354,589.20 | | | | 2,041,701.00 | 2,031,476.00 |
| 5881 PROPERTY/STRUCTURE INS. | 25,000.00 | 0.00 | 0.00 | 0.00 | | | | 0.00 | 25,000.00 |
| 5882 UTILITY RELOCATION EXP. | 200,000.00 | 1,565.00 | 165.00 | 460.74 | | | | 7,418.12 | 192,581.88 |
| 5883 PROJECT LAND CAP. IMPROV. | 25,000.00 | 0.00 | 0.00 | 0.00 | | | | 0.00 | 25,000.00 |
| 5884 STRUCTURES CAP. IMPROV. | 25,000.00 | 0.00 | 0.00 | 0.00 | | | | 0.00 | 25,000.00 |
| 5892 PROJECTCOSTSHARE/ESC ACCT | 400,000.00 | 0.00 | 0.00 | 0.00 | | | | 0.00 | 400,000.00 |
| | 5,189,677.00 | 44,106.89 | 116,985.51 | 394,471.79 | 0.00 | 0.00 | 0.00 | 2,569,151.90 | 2,620,525.10 |

CLAIMS PAYABLE FOR SEPTEMBER 2004

| ACCT | VENDOR NAME | AMOUNT | EXPLANATION OF CLAIM |
|------|--------------------------------------|------------|---|
| 5811 | CASALE, WOODWARD & BULS LLP | 283.33 | MONTHLY RETAINER FOR MONTH OF AUGUST |
| 5812 | NIRPC | 8,654.31 | SERVICES PERFORMED AUGUST 2004 |
| 5812 | UPS | 21.50 | OVERNIGHT MAIL |
| 5812 | UPS | 33.64 | OVERNIGHT MAIL |
| 5821 | SANDY MORDUS | 20.74 | MILEAGE AUGUST 26-SEPTEMBER 20, 2004 |
| 5824 | AT & T | 289.60 | BILLING PERIOD 7/13/04-8/13/04(TOTAL BILL 326.77, KRBC 37.17) |
| 5824 | AT & T | 190.43 | BILLING PERIOD 8/13/04-9/13/04(TOTAL BILL 209.85, KRBC 19.52) |
| 5824 | VERIZON | 122.07 | BILLING PERIOD 8/16/04-9/16/04(TOTAL BILL 233.90, KRBC 111.83) |
| 5824 | VERIZON | 120.82 | BILLING PERIOD 9/16/04-10/16/04(TOTAL BILL 233.15, KRBC 112.33) |
| 5842 | R. W. ARMSTRONG | 472.50 | PROFESSIONAL SERVICES FOR PERIOD ENDED 9/10/04 |
| 5843 | STEWART TITLE SERVICES OF NORTHWEST | 355.00 | TITLE WORK FOR DC-1009 |
| 5843 | STEWART TITLE SERVICES OF NORTHWEST | 355.00 | TITLE WORK FOR MITIGATION M-1 |
| 5843 | TICOR TITLE INSURANCE COMPANY | 150.00 | TITLE WORK FOR DC-1010B |
| 5843 | LAKE COUNTY RECORDER | 20.00 | RECORDINGS FOR DC-1049A |
| 5843 | LAKE COUNTY RECORDER | 26.00 | RECORDINGS FOR DC-69A |
| 5844 | JAMES E POKRAJAC | 5,596.50 | ENGINEERING SERVICES 8/16/04-8/31/04 |
| 5844 | JAMES E POKRAJAC | 238.34 | AUGUST MILEAGE |
| 5844 | JAMES E POKRAJAC | 4,956.90 | ENGINEERING SERVICES 9/1/04-8/15/04 |
| 5844 | JUDITH VAMOS | 3,509.02 | LAND ACQUISITION AGENT SERVICES 8/16/04-8/31/04 |
| 5844 | JUDITH VAMOS | 23.80 | AUGUST MILEAGE |
| 5844 | JUDITH VAMOS | 3,183.05 | LAND ACQUISITION AGENT SERVICES 9/1/04-9/15/04 |
| 5844 | LORRAINE KRAY | 864.00 | CREDITING TECHNICIAN/LAND ACQUISITION ASST 8/17/04-8/31/04 |
| 5844 | LORRAINE KRAY | 1,027.20 | CREDITING TECHNICIAN/LAND ACQUISITION ASST 9/01/04-9/15/04 |
| 5844 | SANDY MORDUS | 300.00 | CREDITING TECHNICIAN SERVICES 8/17/04-8/31/04 |
| 5844 | SANDY MORDUS | 200.00 | CREDITING TECHNICIAN SERVICES 9/7/04-9/14/04 |
| 5849 | CASALE, WOODWARD & BULS LLP | 8,408.10 | LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 9/24/04 |
| 5861 | TRUST FOR PUBLIC LAND | 330,100.00 | PURCHASE PRICE OF M-15 |
| 5861 | TOWN OF HIGHLAND DEPT OF PARKS & REC | 20,230.00 | RELOCATION COSTS INCURRED @ HIGHLAND PARK PROP. DC-1047 |
| 5861 | KOMARK BUSINESS CORPORATION | 4,000.00 | PURCHASE PRICE OF DC-1000 |
| 5861 | STAR SHOPPING NEWS | 259.20 | NOTICE FOR DC-582-583 |
| 5882 | EJ&E | 460.74 | MAINTENANCE DURING JUNE @ VAN LOON LEVEE SIV-IS |

TOTAL 394,471.79



**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND (LEL MONIES)
OCTOBER 6, 2004**

- **\$43.14 to the Post Tribune for notice of sale of real estate property (3120 Gerry Street)**
- **\$250 to Nautilus Insurance Group in payment of deductible for Claim #10005398
(One of our structures, that has since been demolished, burned down. Consequently, damage was done to the house of the adjacent property owner. Claim has been settled and property owner received damages from our insurance company.)**

Balance in O&M account (LEL monies) after paying these invoices will be \$89,260.



STATE OF INDIANA
HOUSE OF REPRESENTATIVES
THIRD FLOOR STATE HOUSE
INDIANAPOLIS, INDIANA 46204

John C. Aguilera
1311 Kosciusko Blvd.
East Chicago, IN 46312

COMMITTEES:
LOCAL GOVERNMENT, VICE CHAIRMAN
ROADS AND TRANSPORTATION
WAYS AND MEANS

September 10, 2004

Dan Gardner
Executive Director
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, IN 46368

Dear Mr. Gardner:

Thank you for forwarding me a copy of the meeting notices of the Little Calumet River Basin Development Commission. The Little Calumet River runs through the heart of my district, and I am very interested in any future plans for the area.

As the General Assembly works toward the beginning of the legislative session in January, I hope to be able to work with the Commission. Feel free to contact me if I can provide any assistance with legislation or recommendations to the General Assembly or state agencies. I look forward to hearing from you in the future.

Sincerely,

John Aguilera
John Aguilera
State Representative
House District 12

JA/lm



United States Department of the Interior

U.S. GEOLOGICAL SURVEY

Water Resources Division
5957 Lakeside Boulevard
Indianapolis, Indiana 46278-1996
(317) 290-3333

September 29, 2004

Ms. Sandy Mordus
Little Calumet River Basin Commission
6100 Southport Road
Portage, IN. 46368

Dear Ms. Mordus:

Enclosed are three copies of the Joint Funding Agreement for operation and maintenance of the streamflow gaging station located on Hart Ditch at Munster for federal fiscal year 2005 (October 1, 2004 to September 30, 2005). Please sign all originals; return one signed original to this office by October 12, 2004, and retain the other originals for your records.

Work performed with funds from this agreement will be conducted on a fixed-price basis. You will receive one billing for the total agreement at the end of the federal fiscal year (September 2005). The results of all work under this agreement will be available for publication by the U.S. Geological Survey.

If you have any questions concerning this agreement, please call the District Budget Analyst, Susan Ellis, at (317) 290-3333, extension 146. Should you have any technical questions please contact Scott Morlock, Hydrologic Data Section Chief, at (317) 290-3333, extension 153. We appreciate your support in this program and look forward to continuing our successful relationship during future federal fiscal years.

Sincerely,

James A. Stewart
District Chief

Enclosures

Form 9-1366
(Nov. 1998)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement

Customer # IN042
Agreement # 05E4IN2412004
Project # 2412-00100
TIN # 351517363
Fixed Cost Agreement Yes

FOR

THIS AGREEMENT is entered into as of the 29TH day of September, 2004, by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the LITTLE CALUMET RIVER BASIN COMMISSION, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation a program to operate streamflow gaging station on Hart Ditch at Munster herein called the program.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program.

(a) \$5,200.00 by the party of the first part during the period
October 1, 2004 to September 30, 2005

(b) \$5,470.00 by the party of the second part during the period
October 1, 2004 to September 30, 2005

\$270.00 in unmatched funding*

- (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. Billing for this agreement will be rendered on September 30, 2005. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

U.S. GEOLOGICAL SURVEY
UNITED STATES
DEPARTMENT OF THE INTERIOR

By: James A. Stewart Date: 9-29-04 By: _____ Date: _____

Title: James A. Stewart, District Chief

By: _____ Date: _____

By: _____ Date: _____

(USE REVERSE SIDE IF ADDITIONAL SIGNATURES ARE REQUIRED)

WORK STUDY SESSION
ENGINEERING COMMITTEE

October 6, 2004

Bob Huffman, Committee Chairman

\$7 mil
5 mil
\$2 mil

1. Bids were opened for Stage VI-1 South on September 22, 2004. The low bid was submitted by Illinois Constructors Corporation from St. Charles, Illinois. (See attached Bid Opening Results)
 - Their bid was \$6,513,093.70 and the government estimate without profit is \$6,141,815.00.
 - Contract was awarded on September 30, 2004.
 - Tentative construction start (after submittals, notice to proceed, and pre-construction meeting) could be February 2005 and will have 700 days to complete)
2. The COE intends to submit plans and specs for Burr Street II (Gary) to representatives from Gary for comments within a week.
 - The COE did not address previous concerns from Gary regarding water quality as part of their design.
 - Following Gary review of the plans, a meeting will be scheduled with the COE, Gary, & LCRBDC to discuss.
3. Comments were submitted to the COE regarding Stage VI Phase 2 design (Liable to Cline – south of the Little Calumet River).
 - Anticipated advertising in April 2005; award June 2005; construction start Fall 2005.
4. Gary indicated there would be flooding on I-80/94, based upon INDOT hydrology information, and they requested a pump station be installed between Grant and Broadway (See attachments 1 & 2 of the monthly Engineering Report).
5. A meeting is scheduled with Munster, North Township, LCRBDC, the COE, and residents on ~~November~~ 13 at the Munster Town Hall to review and discuss construction west of Hart Ditch.

October

BID OPENING RESULTS

Bid Opening was held on 22 September 2004 at 2:00 PM local Chicago Time for Solicita

Bid Opening Officer: Regina G. Blair

Bid Opener: David Dilks

Bid Reader: Regina G. Blair

Bid Recorder: Linda Zamarocy

APPARENT

LOW BIDDER: Illinois Constructors Corporation \$6,513,093.70
St. Charles, IL

SECOND

LOW BIDDER: Dyer Construction \$6,800,046.11
Dyer, IN

THIRD

LOW BIDDER: Rausch Construction Company \$7,959,241.00
Broadview, IL

OTHER BIDDERS:

Vistas Construction of Illinois \$10,299,760.14
Chicago, IL

Kovilic Construction Corporation \$10,301,487.00
Franklin Park, IL

There were no other bids received.

GOVERNMENT ESTIMATE WITHOUT PROFIT: \$6,141,815.00

WORK STUDY SESSION

OPERATION AND MAINTENANCE

October 6, 2004

Bob Huffman, Committee Chairman

1. **EAST REACH INSPECTIONS**

- A. Final inspection for the East Reach sluice gates was held with the COE, LCRBDC, and representatives from Gary as follows:
- September 13 – Inspected the Burr Street pump station (located east of Burr Street and north of the Little Calumet River), the Grant Street pump station (located east of Grant Street and north of the Steel City truck stop), the Broadway pump station (located east of Broadway, south of the Little Calumet River), and the Ironwood pump station (located approximately ½ mile west of Martin Luther King Drive, south of the Ironwood subdivision and north of the NSRR).
- B. Inspected and operated the sluice gates from Burr Street to Grant Street on September 17.
- C. Inspected and operated the sluice gates from Grant Street to Georgia on September 22.
- D. Completed East Reach levee inspections on September 24, 28, and 29th.

INTENT: To comprise a list of deficiencies, what is needed to correct these to “as-built” condition prior to Gary accepting O&M responsibility, and determine the cost to correct.

2. An instructional video has been completed for the Chase Street and 35th Street closure panel installation and is being distributed to involved parties for comment.
- The COE, as part of their final inspection, will be requiring the installation of both closures simultaneously.



Little Calumet River Basin Development Commission

WORK STUDY SESSION

LAND MANAGEMENT

October 6, 2004

Arlene Colvin, Committee Chairperson

-
1. We received an update from VIEW OUTDOOR on October 6 regarding signs @ the southwest intersection of I-65 and I-80/94 (Refer to attachment)
 - Permits are being secured for the (3) signs and coordination needs to be completed with the city of Gary and the State of Indiana.
 - Negotiations can then begin for annual payments.
 2. We are advertising for bids on 3120 Gerry Street. Ad is in classified ads as well as legal notices. We've had three calls so far. Bid opening will be October 27.
 3. Playworld Systems will deliver the Charles Agnew Park sign around the third week in October (Sign to leave the company 10/15). Need a date for dedication? How long will it take for River Forest to install the sign?

STATUS REPORT

PROPOSED SIGNS AT THE SW QUADRANT OF I-80/94 & I-65

As of 10/6/04:

- 1) Imad Samara of the Army Corp has indicated he has no problem with the proposed signs.
- 2) The Indiana DNR indicates they have no problem with the proposed signs.
- 3) The State of Indiana Outdoor Advertising Sign permits have been applied for. These generally take 60 days to process.
- 4) Application was made to the City of Gary for building permits for the signs. While Mr. James Craig first indicated the signs would be a permitted use in the F1 Zoning District, as of this date he now is hesitating to issue permits, even though there are already three such signs in existence adjacent to the Commission's property in an identical zoning classification. A resolution to this issue is being pursued.
- 5) Pursuant to our earlier discussions, we would agree to include in the lease a clause which would describe specific types of advertising that would not be placed on the sign. Additionally, we would propose a guaranteed annual land rental of \$6,500 for the proposed sign adjacent to I-80/94, and a guaranteed annual land rental of \$5,500 for each of the two signs adjacent to I-65. In addition to the guaranteed amounts, for each location we would propose to make the total annual land rental the greater of the guaranteed amount, or 15% of our revenues (after agency commissions, if any).

Originally we had proposed 4 locations, but after meeting with you it was determined that one of the proposed sites actually is on land owned by the State, not the Commission.

Dennis Sonntag, Real Estate Manager
View Outdoor Advertising, LLC



Little Calumet River Basin Development Commission

WORK STUDY SESSION
6 October 2004

LAND ACQUISITION COMMITTEE
Arlene Colvin, Chairperson

*Have comment
for msp for
next mtg for
all.*

*187,500
292,500
100,000
100,000*

- 1.) There are no condemnations.
There is one increased offer to be approved:

\$392,500

DC M-1 (Mitigation) is a large 50 acre tract adjacent to the National Lakeshore property that is the anchor of the Hobart Marsh quilt of wetlands. The landowner has submitted a "Letter of Intent to Sell" but not signed an option. The 15% increase on the offer may make the difference. Trust for Public Land is having an appraisal started and the land will be surveyed. This is a priority acquisition.

- 2.) The City of Hammond, the Hammond Park Board, and Hammond Sanitary District have rejected our Uniform Land Offers as the Town of Highland did. Hammond, like Highland, is also concerned that our easement offers were below the re-assessed (fair market) value. Our attorney is preparing the documents for a "friendly condemnation" which will probably be filed the week of 11 October.
- 3.) Further explanation of Unclaimed Monies:
We were contacted by Sean Fahey that the state was holding money in our name in the Unclaimed Monies Division. A search revealed that this was money paid into Gary condemnation court for landowners in 1997 and 1998. The landowners didn't withdraw the money because some amounts were smaller than it would have been to pay an attorney to file the "Order of Withdrawal." We will withdraw the money and distribute it to the appropriate landowners.

PLEASE SIGN IN

Name of meeting: LCRBDC

Date: October 6, 2004

[illegible]

Sandy Mordus

From: "Wiegand, Alice" <awiegand@sba.state.in.us>
To: "Dan Gardner" <dgardner@nirpc.org>
Cc: <smordus@nirpc.org>; "Dukes, David" <ddukes@sba.IN.gov>
Sent: Tuesday, October 05, 2004 4:35 PM
Subject: Budget Committee Agenda Request

Mr. Gardner,

Our office received your request to be placed on the agenda of the State Budget Committee early this week. In June 2003, a memo was sent to all agencies with capital appropriations and outstanding capital projects. The memo advised due to revenue shortfalls over the FY 2004-2005 biennium the Budget Agency would require a 50% reversion or holding of General Fund Repair and Rehabilitation. After reviewing the Commission's budget appropriation, the amount requested for approval of allocation was two million, this amount was reverted in June of 2003.

There are still funds available in the following accounts; 1000/376410, 3880/378760, and 3980/140000.

If you have any questions, please contact me by e-mail or phone (317) 232-5624.

Thank you,

Alice Wiegand

10/5/2004



STATE OF INDIANA

Frank O'Bannon
Governor

STATE BUDGET AGENCY

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

Marilyn F. Schultz
Director

To: All Agencies Having Capital Appropriations
From: Amy McFadden, State Budget Agency
RE: FY 2004-05 Capital Appropriations and Outstanding Capital Projects
Date: May 27, 2003

Thank you for your cooperation over the past couple of years in identifying reversions to reduce the deficit. Unfortunately, we continue to require your assistance and cooperation in this matter. Due to forecasted revenue shortfalls over the FY 2004-05 biennium, the Budget Agency will require that 50 percent of the General Fund Repair and Rehabilitation projects be held or reverted. We realize that this action will present tremendous challenges to each agency. This letter is intended to give you some direction for the next biennium.

Attached to this letter please find the outstanding capital appropriation balances for your agency for the FY 2000-01 biennium and the FY 2002-03 biennium. In addition, a list of projects currently being held by the Budget Agency is attached. Please review and prioritize all outstanding projects, including those included in the 2003 budget. Agencies will be required to use funds from the FY 2000-01 biennium first, FY 2002-03 biennium second, and FY 2004-05 biennium last. This prioritization list will be reviewed by the Budget Agency and will serve as the guideline for funding selection. Please be advised that budget committee meetings are tentatively scheduled for June, August, September, October, and November of 2003.

Should you have additional questions, please contact me at 317/232-5624.

Cc: SBA Budget Analysts
SBA Assistant Directors
David Reynolds, SBA Deputy Director
Michael Landwer, SBA Deputy Director
Marilyn Schultz, Budget Director



Indiana State Budget Agency Capital Projects Database

| | | | | |
|------------------------|----------------------------|---------------------------------------|------------------|------------------|
| Allocation | Match for Federal Earmarks | | Approp: | \$7,000,000.00 |
| Dist Agency | 885 | Little Calumet River Basin Commission | Reverted: | (\$2,000,000.00) |
| Org Agency | 885 | Budget Agency | Approved: | \$5,000,000.00 |
| Source of Funds | 2003 | General Fund | Transfer: | \$0.00 |
| Transactions | | | Balance: | \$0.00 |

| Action | Date | Transaction | Amount | Batch | Fund/Center | Remarks |
|-----------------------|-----------|-------------|------------------|-------|-------------|---|
| Administrative Action | 6/3/2003 | Reversion | (\$2,000,000.00) | | | SSA Letter |
| Budget Committee | 8/15/2003 | Allotment | \$5,000,000.00 | | 1000/376410 | To be administered by the Budget Agency |

Remarks

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, October 6, 2004

(Information in this report is from August 26 – September 29, 2004)

STATUS (Stage II Phase 1) Harrison to Broadway – North Levee:

1. Project completed on July 10th, 1992.
Dyer Construction – Contract price: \$365,524

STATUS (Stage II Phase II) Grant to Harrison – North Levee:

1. Project completed on December 1st, 1993
Dyer/Ellas Construction – Contract price: \$1,220,386

Discussions ongoing as to whether a pump station is needed between Grant and Broadway along I-80/94 to address potential flooding of interstate when the gates are closed. 1-2

STATUS (Stage II Phase 3A) Georgia to Martin Luther King – South Levee:

1. Project completed on January 13th, 1995
Ramirez & Marsch Construction – Contract price: \$2,275,023

STATUS (Stage II Phase 3B) Harrison to Georgia – South Levee:

1. Rausch Construction started on November 20th, 1995. (Construction is now completed)
 - Current contract amount - \$3,288,101.88
 - Original contract amount - \$3,293,968.00
 - Amount overrun – current contract is under COE estimate.
2. A final inspection with the LCRBDC and the COE was held on December 18th, 2002. LCRBDC received O&M Manuals & inspection was found to be completed as per plans & specifications.
 - Awaiting “as-built” drawings.Contractor is relieved from any further contractual responsibilities.

STATUS (Stage II Phase 3C2) Grant to Harrison: (8A contract)

1. WEBB Construction was the contractor.
 - Original contract amount - \$3,451,982.36.
 - Current contract amount - \$3,915,178.36
 - Amount overrun - \$463,196 (13%)

Landscaping Contract – Phase I (This contract includes all completed levee segments) installing, planting zones, seeding, and landscaping):

1. Project completed June 11, 1999
Dyer Construction – Final contract cost: \$1,292,066

STATUS (Stage IV Phase 2B) Clark to Chase:

1. Project completed on October 2, 2002.
 - Dyer Construction Company, Inc. - Contract price: \$1,948,053

STATUS (Stage IV Phase 1 – South) EJ&E Railroad to Burr St., South of the Norfolk Southern RR.):

1. Dyer Construction was low bidder. Given 450 days to complete
 - Current contract amount - \$4,285,345
 - Original contract amount – 3,862,737
 - Amount overrun - \$422,608 (11%)

Landscaping Contract – Phase II (This contract includes all completed levee segments in the East Reach not landscaped):

1. Projected date to advertise – May 15, 2004
2. Anticipated award of contract – June 30, 2004
3. Projected construction start – September, 2004
4. Anticipated construction cost \$1,787,000.
5. A pre-bid meeting was held with the COE on June 3rd, 2004, to answer any questions, provide clarifications, and discuss schedules with contractors and sub-contractors.
 - Bid due date is June 22nd, 2004.
 - 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.
 - First seeding will probably be done in the Fall of 2005.
 - **Bids were opened on June 30 and the apparent low bidder was ECO SYSTEMS, INC. (who estimated approximately 56% of the government estimate.)**

STATUS (Stage II Phase 4) Broadway to MLK Drive – North Levee:

1. Project completed on January 6, 2003.
 - Rausch Construction Company – Contract price: \$4,186,070.75

STATUS (Stage III) Chase to Grant Street:

1. Project completed on May 6th, 1994
Kiewit Construction – Contract price: \$6,564,520

STAGE III Drainage Remediation Plan:

1. The bid opening was September 10, 2002
 - A. The contractor is Dyer Construction
 - Contract was awarded on September 30, 2002
 - Construction started February, 2003
 - Anticipated completion May 28th, 2004
 - B. Project money status:
 - Original contract estimate - \$1,695,822
 - Original contract amount - \$1,231,845
 - Current contract amount - \$1,435,747.42
 - Amount overrun - \$203,902 (16%)
2. The scope of this project is to include the following:
 - A. Lift station West of Grant to remediate drainage problems due to Stage III construction. (completed)
 - B. East Reach Remediation lift station for interior drainage. (completed)
 - C. Extending the combination sewer, East of Grant St., North to our line of protection.
 - D. Phase indicator system, for generator plug-in at the North Burr St. pump station.

3. The pump station start-up was done on July 20th, 2004. This pump station is now functional.
 - A punch list will be completed by the COE and the turnover will be done after the Marshalltown Station is completed.
 - The COE and their contractor will schedule training and turn over spare parts in the near future.
4. Refer to July COE monthly contract status report.

STATUS (Stage IV Phase 1 – North) Cline to Burr (North of the Norfolk Southern RR:

1. IV-1 (North) The drainage system from Colfax to Burr St. North of the Norfolk Southern RR.
 - Current contract amount - \$2,956,964.61
 - Original contract amount - \$2,708,720.00
 - Amount overrun - \$248,244.60 (9%)
2. We received “as built” drawings from the COE on March 13th, 2002. The only item needed to be completed is to assure turf growth in all areas. (This will be inspected in the spring, 2004)
3. We received a response from the COE on January 7th, 2003, addressing vegetation.
 - Current plantings are for erosion control that will give way to native grasses. Native grasses weren’t planned on this contract, but will be needed to be included in an upcoming contract.
 - LCRBDC has a concern with sloughing in the concrete ditch bottom between Colfax and Calhoun.
 - As part of the upcoming “project inspection” with the COE and Gary, we are anticipating this to be a punch list item that needs to be reviewed for remediation responsibility.

STATUS (Stage IV Phase 2A) Burr to Clark – Lake Etta:

1. Dyer Construction – 100% complete.
 - Current contract amount - \$3,329,463.66
 - Original contract amount - \$2,473,311.50
 - Amount overrun - \$856,152 (34%)
2. The North Burr St. stormwater pumping station has been completed.
 - A. LCRBDC requested phase indicator system for generator plug-in. This is being done as part of the Stage III Remediation contract.
 - Awaiting as-built drawings.
3. The final inspection was held on December 18th, 2002, with the COE, Dyer & LCRBDC and found to be satisfactory as per plans and specifications.

STATUS (Betterment Levee – Phase 1) EJ & E RR to, and including Colfax – North of the NIPSCO R/W (Drainage from Arbogast to Colfax, South of NIPSCO R/W):

1. The bid opening was held on May 9th, 2000
 - The low bidder is Dyer Construction.
 - Current contract amount - \$2,228,652.16
 - Original contract amount - \$2,074,072.70
 - Amount overrun - \$113,604.62 (6%)
2. The drainage ditch north of the Mansards is having sloughing problems that should be corrected when Burr St. Phase II is completed.

STATUS (Betterment Levee – Phase 2 – Gary) Colfax to Burr St.

1. This portion of construction will be advertised, paid for, and coordinated by the City of Gary. The Army Corps will oversee the construction to assure compliance with federal specifications.
2. We were informed of the change in schedule on May 19th, 2004 as follows:
Final engineering drawings for review will be submitted May 21st, 2004; design completion June 2004; advertise June 2004; and award August 2004.
 - As per a request from the city of Gary, we are awaiting the final engineering drawings in order that a meeting can be held to discuss comments.
 - An email was sent to the COE on August 17th, 2004, suggesting a final engineering design review meeting with Gary prior to advertising this segment.
3. A meeting was held with the COE, LCRBDC, and Jim Meyer (GSD attorney) on March 23rd, 2004, to discuss their portion of this project, funding, project management, and coordination.
 - Gary will contribute \$1.4 million toward this portion of construction.
 - The scope of work will be reviewed to reduce COE estimate of \$1.6 million to allow Gary appropriate budget.
4. Engineering drawings were sent to the Marathon Pipeline Company on June 17th, 2004, requesting review & comments for any impacts.

STATUS (Betterment Levee – Phase 2) North of the NSRR, East of Burr St., and ½ mile East, back South over RR approx. 1400

1. This portion of construction will be advertised, coordinated, and facilitated by the COE and LCRBDC as a project cost.
2. A letter was sent to Wolverine Pipeline on July 18, 2003 requesting coordination for utility re-locates for their two (2) 16" pipelines.
3. We were informed of the change in schedule on May 19th, 2004 as follows: Final engineering drawings for review will be submitted August 15th, 2004; design completion October 2004; advertise November 2004; and award January 2005.
4. Engineering drawings were sent to the Marathon Pipeline Company on June 17th, 2004, requesting review & comments for any impacts.
5. A letter was sent to the NSRR on August 6th, 2004, requesting a meeting to discuss engineering design and project impacts, scheduling, and real estate coordination.
 - A letter was sent to Dave Orrison (Norfolk Southern RR) asking him to review the current COE design that we had previously submitted to them on March 11, 2004.
 - Meeting scheduled at Chicago COE office with Dave Orrison on October 8, 2004.

3-4

STATUS (Stage V Phase 1) Wicker Park Manor:

1. Project completed on September 14th, 1995.
Dyer construction – Contract price: \$998,630

STATUS (Stage V Phase 2):

1. A meeting was held with the LCRBDC and the COE on May 14, 2003 to discuss revised scheduling with the recent appropriation from the State.
 - A. We considered breaking up Stage V-2 into (2) segments as follows:
 - Stage V-2A (Kennedy to Indianapolis Blvd.)
 - Stage V-2B (Indianapolis Blvd. to Northcote)
 - A letter was sent to the COE on June 5th, 2003 requesting division of V-2 into (2) segments & also hydrology data and recreational tie-in. (Response is ongoing.)

2. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
 - A. INDOT had a coordination meeting on August 12th, 2003, to review their projects in the Lake County area.
 - INDOT indicated the earliest they could release Phase 1A (Ridge Road to Little Calumet River.) would be in 2005. Lift station couldn't be in use until we complete our levee in that area.
 - B. We received a letter from INDOT on February 9th, 2004, agreeing to pay 85% of the maintenance and power costs and Highland and North Township will pay \$314,500 of the \$1,746,950 pump station construction cost.
 - North Township sent a letter to INDOT on March 8th, 2004, indicating they support the 15% to be provided locally and that they will pay their fair share.
 - A call with Dan Gardner, John Bach (Town of Highland) and Jim Pokrajac on March 17th, 2004, indicated that Highland would also support their fair share.
 - On a conference call with INDOT, the COE, and the LCRBDC on March 19th, 2004, INDOT indicated that our portion of construction in this area must be completed before they install their pump station. LCRBDC needs to work with the COE to modify our construction and acquisition schedules to accommodate the INDOT project.
 - LCRBDC received a letter dated April 5, 2004, on behalf of the town of Highland, from NIES Engineering, to American Consulting Engineers which enclosed data regarding the floodplain in this general area.
 - The town of Highland sent a letter to INDOT on April 5, 2004 questioning the cost information previously provided by INDOT.
3. LCRBDC received a fax from the Town of Munster on July 7th, 2004 with (8) questions regarding the future construction of our project in Munster.
 - A letter was sent back to Munster on July 9th, 2004, addressing these concerns, which included scheduling impacts to the community, design, and property ownerships.
 - A meeting with Munster, and the public, was held on August 9th, 2004, at the Munster Town Hall. (An article in the Times was in the August 10th, 2004 edition).
 - **A follow-up meeting will be scheduled with Munster, North Township, LCRBDC, and interested residents (currently being coordinated)**

STATUS (Stage V Phase 3) Woodmar Country Club:

1. Refer to Land Acquisition report for status of appraisal process and revised schedule.
 - The current schedule shows a March 2006 advertising date. The construction sequence due to hydrology will push construction back in the schedule.
2. This project will be done after all other construction between Cline Ave. and Northcote is completed due to hydrology concerns with installing the control structure as part of the project.
3. A meeting with Woodmar was held on December 4, 2003 to discuss current status.
 - At this point in time, all of Hammond (Cline to State Line) would come out of the floodplain at one time. All construction needs to be completed north of the river because no tie-backs are currently available.
4. A meeting was held with Woodmar on July 28th, 2004, to review and discuss the current schedule and construction options.
 - **A follow-up meeting was held on August 13 and again on September 24, 2004**

STATIS Stage VI-1 (South) South of the river – Kennedy to Liable

1. The final engineering drawings were made available for review on April 6, 2004; design completion scheduled May, 2004; advertise contract July 2004; and award contract in September 2004.
 - A Right of Entry was signed on July 16th, 2004.
 - **A supplemental right-of-entry will be required to include the sheet pile work north of the river, east of Kennedy Avenue. This includes Kennedy Avenue (Hammond Public Works), and Oakbrook Metro.**
2. At a pre-bid meeting for IV-1 South with the COE and interested contractors on August 19th, 2004, the COE introduced a small portion of construction from VI-1 North into the scope of work.
 - This would include a concrete I-Wall East of Kennedy Avenue, which extends 11' east of the Kennedy Ave. right-of-way.
 - **Hammond Public Works Dept. had a board meeting on September 2 and approved the Kennedy Avenue easement.**
3. The final three NIPSCO agreements were approved and signed on September 17, 2004
 - Site 2.2 has an estimated cost of \$10,661
 - Site 2.3 has an estimated cost of \$15,430
 - Site 2.5 has an estimated cost of \$5,525
4. Bids were opened on September 22 and are currently being evaluated. The current low bidder (before review) is approximately 5.5% above the government estimate.
5. A letter was sent to the Highland Board of Sanitary Commission on September 17 requesting they sign a Memo of Understanding which acknowledges their awareness of our project and which utilities are in their work limits.
6. A letter was sent to the town of Highland Waterworks on Sept. 21 requesting they sign a Memo of Understanding.

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STATUS (Stage VI – Phase 1-North) Cline to Kennedy – North of the river

1. The COE is anticipating to make final engineering drawings available for review on August 13th, 2004, complete design by September, 2004, advertise January 2005 (based upon real estate acquisition to sign ROE), and award contract in March, 2005. (no drawings to date)
2. A coordination meeting was held on August 25th, 2003, with the Lake County Highway Dept., LCRBDC, and the Army Corps to discuss the upcoming construction by the county for their bridge and our construction on and adjacent to Kennedy Ave. The current schedule (as of April 15, 2004) is to complete engineering design in late September 2004; advertise in December 2004; and a tentative construction start in April 2005.
 - The county is only re-building portions of the existing bridge deck.
 - COE agreed we could accept the cost for the incremental difference for a 10' trail, include the concrete closure slabs, engineering costs, and minor clay work. This will be facilitated after the final COE design is completed and incorporated into their plans for bid.
 - An interlocal agreement will need to be signed between the COE, Lake Co. Hwy., and the LCRBDC.

STATUS (Stage VI – Phase 2) Liable to Cline – South of the river:

1. Rani Engineering was awarded the A/E contract by the COE in January 2000. They are out of St. Paul, Minnesota.) (COE anticipates 100% review set will be available in **September**, 2004.

- The anticipated construction cost for this segment is \$3,650,000.
- 2. We received a modified schedule from the COE on May 19th, 2004, indicating that final engineering drawings would be made available for review in May 2004; design completion May 2004; advertise contract January 2005; and award contract in March 2005.
 - NIES Engineering has been given the task to do all utility coordination.
 - **Received engineering drawings from the COE to review on September 7. LCRBDC completed review and submitted the comments (These are final review and are available to Commissioners upon request)**
- 3. A memo was sent to LCRBDC attorney on May 5th, 2004, along with a copy of a license agreement with the EJ&E RR, East of Cline, requesting we begin coordination of an easement agreement.
- 4. **The LCRBDC is revisiting the trail coordination from the EJ&E RR to west of Cline Avenue. (include as part of Burr St. II (Little Cal) project instead of V-2)**
 - **LCRBDC will re-investigate the possibility of crossing Cline Avenue at the NIPSCO R/W rather than at Highway Avenue.** 15-16
 - **Completing Griffith trail along the top of the existing Griffith levee.**
 - **All ramps and tie-ins on and adjacent to the EJ&E RR embankment.**
- 5. **LCRBDC has completed engineering review of plans and specs and submitted them to the COE** 17-20
 - **Engineering review comments also submitted from the town of Highland** 21-24

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. The COE anticipates we should be getting the 100% drawings for review and comment no later than the fall of 2004. (ongoing)
 - LCRBDC received Earth Tech comments from the COE on December 9, 2003. The COE will handle the update of the plans when project is reactivated.
3. A letter was sent to the Lake County Highway Dept. on January 22, 2004 requesting they coordinate their design and scope of work with the COE for re-building the deck of the Columbia Avenue bridge.

STATUS (Stage VIII) Columbia to the Illinois State Line):

1. Project currently on hold.
2. Some preliminary design has been completed by SEH. (Contract has been terminated at this point in time.)
3. A request was received from the Hammond Parks and Recreation Dept. (Doyle Godbolt) on August 16th, 2004 as to what our current project impact is in the Riverside Park area.
 - Mapping and general information were sent to them on August 18th, 2004.

East Reach Remediation Area – North of I-80/94, MLK to I-65

1. Project cost information
 - Current contract amount - \$1,873,784.68
 - Original contract amount - \$1,657,913.00
 - Amount overrun - \$215,971 (13%)
2. The lift station at the Southwest corner of the existing levee that will handle interior drainage is being done as part of the Stage III remediation project. (See Stage III remediation in this report for details.) Construction started March, 2003. Approximately 95% complete.

- Awaiting NIPSCO electric power to test pumps. (See Stage III remediation for information.) Ongoing.

Mitigation (Construction Portion) for "In Project" Lands:

1. Bids were opened on September 17th, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
 - The current contract amount is \$1,341,940.96, based upon COE monthly June construction progress report.
 - Amount overrun - \$420,838 (above their bid). This is approx. a 46% overrun.
2. A final inspection was held on both sites on May 12th, 2004, with the COE, LCRBDC, project A/E, and Renewable Resources.
 - A summarization of the inspection was received by the LCRBDC on June 4th, 2004.
3. Refer to **August** COE monthly contract status report.

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Anticipated completion date is August 26, 2004)
 - Current contract amount - \$4,855,320
 - Original contract amount - \$4,638,400
 - Amount overrun – \$216,920 (4.7%)
3. **Received Modification #14 to the contract on September 10 (dated August 20) supplementing the contract by \$40,199.50 for motor re-hab & trash rack changes. (Detailed information available upon request.)** 25-26
4. **Received Modification #15 to the contract on September 10 (dated August 25) supplementing the contract by \$64,470.55 for discharge piping revisions (Detailed information available upon request.)** 27-28

West Reach Pump Stations – Phase 1B:

1. The two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81st St. (Highland). Overall contract work is completed.
2. Thieneman Construction from Griffith, IN was the successful bidder.
 - Final contract amount - \$2,120,730.12
 - Original contract amount - \$1,963,400.00
 - Amount overrun - \$157,330 (9%)

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
 - Current contract amount - \$2,501,776
 - Original contract amount - \$2,387,500
 - Amount overrun - \$114,276 (4.8%)
 - Project is currently 99% completed
 - Project completion date was scheduled for January 6th, 2004.
2. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2nd, 2004. (Dated January 29th, 2004.)

- Additional comments for a punch list were submitted by NIES Engineering to the COE on March 2nd, 2004.

General

1. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.

- INDOT sent a letter to the COE on April 15th, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the COE, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
- LCRBDC is awaiting a letter from the COE indicating that all of the flood control related features done as part of the INDOT construction will be creditable to the LCRBDC.
- **We received a copy of a letter from the COE to INDOT on September 13 requesting all utility and overbuild construction will be coordinated with the Chicago COE.** 29
- **A letter was sent to the IDNR on September 21 indicating the LCRBDC concurs with the COE and recommends that they grant the necessary permit to INDOT.** 30

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "James B. Meyer" <jmeyer@meyerwyattpc.com>; "Phil Gralik" <PGralik@rwa.com>
Cc: <spike@garysan.com>; <Dsmales@greeley-hansen.com>; "Little Calument (E-mail)" <littlecal@nirpc.org>
Sent: Tuesday, September 28, 2004 10:43 AM
Subject: RE: INDOT/ACOE Pump Station along I-80/94

I just want to set the record straight. When Phil and I talked about this I agreed that this needs to be further discussed. And InDOT needs to be part of the discussion since it is the I-80/94 drainage that we are concerned with. I agree with Jim M. that this needs to be addressed ASAP. But it has to be addressed with InDOT participation. We will provide any Hydraulic data and participate in any meeting to make sure that a sound decision is reached.

Imad Samara
 Project Manager
 111 N Canal Street
 Chicago IL 60606
 (W) 312-846-5560
 (Cel) 312-860-0123

-----Original Message-----

From: James B. Meyer [mailto:jmeyer@meyerwyattpc.com]
Sent: Tuesday, September 28, 2004 10:07 AM
To: Phil Gralik; Dsmales@greeley-hansen.com; Samara, Imad LRC
Cc: spike@garysan.com
Subject: Re: INDOT/ACOE Pump Station along I-80/94

In light of the pending expressway construction next year substantially increasing the impervious area and the time needed to design and construct a pump station, the pump station issue needs to be addressed ASAP.

James B. Meyer
 MEYER & WYATT, P.C.
 363 South Lake Street
 Gary, IN 46403
 Telephone: (219) 938-0800
 Facsimile: (219) 939-3070
 E-Mail Address: jmeyer@meyerwyattpc.com

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/

9/28/2004

----- Original Message -----

From: Phil Gralik

To: Dsmalles@greeley-hansen.com

Cc: spike@garysan.com ; Imad.Samara@lrc02.usace.army.mil ; jmeyer@meyerwyattpc.com

Sent: Tuesday, September 28, 2004 9:34 AM

Subject: INDOT/ACOE Pump Station along I-80/94

Don,

Last Wednesday, September 22, 2004, I spoke with Imad Samarra, Project Manager for the ACOE on the Little Cal Flood Control Project. We discussed the need for a pump station between Grant Street and Broadway along I-80/94.

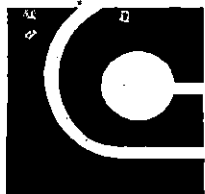
I explained to Imad that when the river levels are high, there will be no gravity drainage for this segment of interstate because the gates will be closed. I also explained that, at the first meeting between the District, RWA, and INDOT, INDOT's hydraulics engineer, John Pangallo, told Jim Meyer and myself that a 100 year storm, possibly even a 50 year storm, would flood the interstate when the gates are closed.

Imad agreed that, if those facts are correct, a pump station is needed. Imad is going to contact Greg Kicinski with INDOT to discuss the matter further and let me know what he determines.

I will inform the District if I receive any new information, RWA is also still waiting for information from Greg Kicinski with INDOT regarding the maximum top of pipe elevation for the culverts we proposed under the interstate. Once we have that information we can calculate the maximum size pipe and maximum service area for the gravity sewers.

Thanks,

Phil Gralik



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

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Governor's Appointment

ROBERT HUFFMAN, Treasurer
Governor's Appointment

JOHN MROCZKOWSKI, Secretary
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Porter County Commissioners'
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DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 21, 2004

Mr. David Orrison
Norfolk Southern Railroad
175 Spring Street SW
Atlanta, Georgia 30303

Dear Dave:

On March 11, 2004, I sent you two sets of the most recent engineering drawings for our upcoming construction between Burr Street and Clark Road in Gary, Indiana. We will be requesting two permanent easements to allow us to do our construction in that area. The new schedule is to complete the design in November 2004.

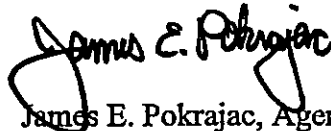
In our most recent conversation, you indicated that you will be in Chicago for a coordination meeting with one of your contractors on October 8th. Can you be available for a meeting with the Army Corps of Engineers (ACOE) and the Little Calumet River Basin Development Commission (LCRBDC) at the ACOE office on the 6th floor at 111 North Canal Street. This meeting would begin at 10:00 Chicago time and last for approximately two hours.

We would like to review any questions or comments you would have on the previously submitted plans and specifications. We would also like to discuss the impacts to your newly acquired railroad that is approximately one half mile west of Kennedy Avenue that runs north and south and parallel with Kennedy Avenue in Hammond, Indiana. The current ACOE design indicates that the lines of protection for the Little Calumet River will tie into your existing embankment both north and south of the Little Calumet River on both Sides of the tracks. We are currently investigating if completion of construction on the east side of your embankment and all of our previous construction completed to Cline Avenue in Highland, Indiana will permit the residents to be removed from the flood plain. This is a critical issue.

Mr. David Orrison
September 21, 2004
Page 2

Please let me know if October 8th at 10:00 a.m. is acceptable for your schedule. Please review the engineering drawings and bring any questions to the meeting. This will allow the ACOE the time to address these in our 100% set of plans and specifications. If you have any questions regarding this request, please contact me at 219/763-0696 or my e-mail address jpokrajac@nirpc.org.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering

/sjm

cc: Imad Samara, Project Manager, ACOE
Lou Casale, LCRBDC attorney
Judy Vamos, LCRBDC Land Acquisition



Little Calumet River Basin Development Commission

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Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 17, 2004

Mr. Mark L. Pasyk
NIPSCO
Utility Highway Affairs
801 E. 86th Avenue
Merrillville, Indiana 46410


Dear Mark:

Enclosed please find four (4) copies each of the agreement between NIPSCO and the Development Commission to hold two 34KV poles on easements during sewer construction and to replace three down guys. This work is located west of North Drive and north of the new proposed North Drive sub-station. This agreement covers Site 2.2 at an estimated cost of \$10,661.

Please cause to have this agreement approved and executed and then returned to the Development Commission for counter signature. Please note that the agreements require a notary signature. After our counter signature, we will return two copies of the agreements back to you for your files.

Thank you for your attention to this matter. We appreciate your timeliness and cooperation in finalizing this agreement for the Commission. If you have any questions, please call me at the above number.

Sincerely,


James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.



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September 17, 2004

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801 E. 86th Avenue
Merrillville, Indiana 46410

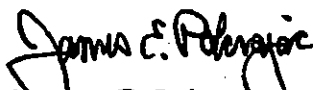
Dear Mark:

Enclosed please find four (4) copies each of the agreement between NIPSCO and the Development Commission to relocate the down guys and raise wires and deadend the 34KV circuit to allow access from North Drive through the former NIPSCO North Drive sub-station site. This agreement covers Site 2.3 at an estimated cost of \$15,430.

Please cause to have this agreement approved and executed and then returned to the Development Commission for counter signature. Please note that the agreements require a notary signature. After our counter signature, we will return two copies of the agreements back to you for your files.

Thank you for your attention to this matter. We appreciate your timeliness and cooperation in finalizing this agreement for the Commission. If you have any questions, please call me at the above number.

Sincerely,


James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: Lou Casale, LCRBDC attorney



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DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 17, 2004

Mr. Mark L. Pasyk
NIPSCO
Utility Highway Affairs
801 E. 86th Avenue
Merrillville, Indiana 46410

Dear Mark:

Enclosed please find four (4) copies each of the agreement between NIPSCO and the Development Commission that includes the relocation of one guy stub and installation of new anchors which will be closer to the North 5th Street pump station sub-station fence. This agreement covers Site 2.5 at an estimated cost of \$5,525.

Please cause to have this agreement approved and executed and then returned to the Development Commission for counter signature. Please note that the agreements require a notary signature. After our counter signature, we will return two copies of the agreements back to you for your files.

Thank you for your attention to this matter. We appreciate your timeliness and cooperation in finalizing this agreement for the Commission. If you have any questions, please call me at the above number.

Sincerely,

James E. Pokrajac Agent
Land Management/Engineering

/sjm
encl.
cc: Lou Casale, LCRBDC attorney



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Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. David Jones, President
Board of Sanitary Commissioners
Highland Sanitary District
3333 Ridge Road
Highland, Indiana 46322

Re: Utility Relocation for Stage VI-1 South of
the Little Calumet River Flood
Control/Recreation Project –
Memo of Understanding

Dear Mr. Jones:

Attached hereto, you will find a Memo of Understanding in regard to the utilities which are located within the town of Highland limits and which are owned by the Highland Board of Sanitary Commission. All the utilities have been acknowledged. The status of these utilities has been provided to us by your engineering consultant, NIES Engineering, Inc. We would kindly ask that the Board of Commissioners approve and sign the Memo of Understanding (as required by the U.S. Army Corps of Engineers), thus acknowledging that all utilities have been identified, reviewed, and addressed. Please return the signed copy to the above address.

If you have any questions, please call me any time at your convenience.

Sincerely,



Dan Gardner
Executive Director

DG/JEP/sjm
/attach.

cc: Mark Herak, President, Town Council
Michael Griffin, Highland Clerk Treasurer
John Bach, Public Works, Highland
Terry Hodnik, NIES Engineering
Imad Samara, ACOE
John Mroczkowski, LCRBDC member
Lou Casale, LCRBDC attorney

MEMO OF UNDERSTANDING

The U.S. Army Corps of Engineers (USACE) has completed the plans and specifications for Stage VI-1 South of the Little Calumet River Flood Control/Recreation Project. The limits of construction in Highland are Liabe on the east and Kennedy Avenue on the west, along the south side of the Little Calumet River. This project was advertised on August 9 with a scheduled bid opening of September 16. The USACE intends on awarding the contract no later than September 30, with a tentative construction start in December 2004. There are a number of utility relocations and/or improvements, which the USACE has included as part of the levee reconstruction contract that directly affect facilities owned, maintained, or operated by the Highland Sanitary District. Other items listed below may not be directly affected, but are within the designated work limits outlined by the USACE. For reference, the locations of these utilities are shown on the attached Army Corps drawings. These utilities are further described below:

| <u>ID</u> <u>Number</u> | <u>Item</u> | <u>Comment</u> |
|----------------------------|--|--|
| UR-25 | Town of Highland 12" Storm Sewer | It was confirmed during the 7/30/03 conference call with USACE that this utility will not be impacted by the project. No further research will be required. |
| UR-27 | Town of Highland 18" Sanitary Force main | The USACE (65%) plans reflect the "bridging" technique to avoid the use of a sleeve through the sheet piling. The Highland engineering consultant (NIES Engineering) recommends that the USACE contractor ascertain the exact location of the utility by exploratory digging prior to driving the piles. (This will be part of the plans and specifications) |
| UR-35 | Town of Highland 84" Storm Sewer | The levee project construction will not impact this utility. |
| UR-36 | Town of Highland 72" Storm Sewer | The levee project construction will not impact this utility. |
| UR-38 | Town of Highland 27" Sanitary Sewer | The levee project construction will not impact this utility. No further research will be required. |
| UR-39 | Town of Highland 84" Storm Sewer | This utility is addressed in the USACE 100% Stage VI-1 plans. |
| UR-40 | Town of Highland 72" Storm Sewer | This utility is addressed in the USACE 100% Stage VI-1 plans. |
| UR-41 | Town of Highland 66" Storm Sewer | There will not be any impact beyond the USACE contractor connecting in a new storm sewer, based on 100% Stage VI-1 plans. |
| UR-42 | Town of Highland Storm Inlet | This utility is addressed in the USACE 100% Stage VI-1 plans. The catch basin will remain in place. |

| <u>ID Number</u> | <u>Item</u> | <u>Comment</u> |
|----------------------|--|---|
| UR-44 | Town of Highland Storm Inlet | This utility is addressed in the USACE 100% Stage VI-1 plans as being removed. Plan amendments have been issued to leave the utility in place. |
| UR-45 | Town of Highland Storm Inlet | This utility is shown to remain on the USACE 100% Stage VI-1 plans. |
| UR-46 | Town of Highland 30" Storm Sewer | This utility is addressed in the USACE 100% Stage VI-1 plans as being removed. Plan amendments have been issued to leave the utility in place. |
| UR-47 | Town of Highland 3 – 12" Storm Sewers | This utility will be removed, as shown on USACE 100% Stage VI-1 plans. |
| UR-48 | Town of Highland Storm Inlet | This utility is addressed in the USACE 100 % Stage VI-1 plans. The inlet will remain. |
| UR-49 | Town of Highland 36" Storm Sewer | This utility drains a ditch running south to north along the west side of Liable Road to a flap gate on the Little Calumet River. Information on this utility was sent to USACE. This utility is shown but has not been addressed in the 100% USACE Stage VI-1 plans. |
| UR-50 | Town of Highland 8" Storm Sewer | This utility was installed from UR-49 to the storm sewer system on 81 st Street (west of Liable). This allows the Liable Road ditch to drain when the flap gate on UR-49 is closed. This utility is shown on USACE Stage VI-1 100% plans and does not appear to be impacted by levee construction. |

The purpose of this letter is to alert you to the upcoming construction project and request that the Highland Sanitary District staff be made available to observe the initial excavation and subsequent relocation/improvement to the utilities. The Army Corps will have a pre-construction meeting with the contractor and affected parties prior to any work being done, and to establish points of contact. The Development Commission has already signed a right-of-entry with the Army Corps of Engineers to do the work in this area. We have coordinated with the town of Highland, its representatives of the Park district, and the engineering consultant for the Sanitary District, to address real estate and engineering concerns. Accordingly, we have obtained all necessary easements for construction. Upon completion of construction, the Development Commission will coordinate with you to develop an agreement with the Highland Sanitary District to perform operation and maintenance on the utilities. We are in the process of preparing these documents, which will be forwarded to you under separate cover in the near future.

By signing this Memo of Understanding, you acknowledge that you are in agreement with all pertinent information contained herein, and acknowledge that these utilities reside within the town of Highland, and accordingly, acknowledge these comments as so stated.

By: _____

ATTEST:

By: _____

Dated this _____ day of _____, 200_____.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
Governor's Appointment

JOHN MROCZKOWSKI, Secretary
Governor's Appointment

WILLIAM BILLER
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's
Appointment

STEVE DAVIS
Dept. of Natural Resources'
Appointment

CHARLES RAY
Porter County Commissioners'
Appointment

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 21, 2004

Mr. Charles Petrovich, President
Town of Highland Waterworks
3333 Ridge Road
Highland, Indiana 46322

Re: Utility Relocation for Stage VI-1 South of
the Little Calumet River Flood
Control/Recreation Project –
Memo of Understanding

Dear Mr. Petrovich:

Attached hereto, you will find a Memo of Understanding in regard to the water lines located within the construction work limits of our flood control project, which are on property owned by the Town of Highland. We have already obtained necessary easement agreements allowing our construction, but need your acknowledgement that we have addressed your concerns. All the water line locations have been acknowledged. The status of these lines have been provided to us by your engineering consultant, NIES Engineering, Inc. We would kindly ask that your Board of Commissioners approve and sign the Memo of Understanding (as required by the U.S. Army Corps of Engineers), thus acknowledging that all water lines have been identified, reviewed, and addressed. Please return the signed copy to the above address.

If you have any questions, please call me any time at your convenience.

Sincerely,

Dan Gardner
Executive Director

DG/JEP/sjm
/attach.

cc: Mark Herak, President, Town Council
Michael Griffin, Highland Clerk Treasurer
John Bach, Public Works, Highland
Terry Hodnik, NIES Engineering
Imad Samara, ACOE
John Mroczkowski, LCRBDC member
Lou Casale, LCRBDC attorney

MEMO OF UNDERSTANDING

The U.S. Army Corps of Engineers (USACE) has completed the plans and specifications for Stage VI-1 South of the Little Calumet River Flood Control/Recreation Project. The limits of construction in Highland are Liabe on the east and Kennedy Avenue on the west, along the south side of the Little Calumet River. This project was advertised on August 9 with a scheduled bid opening of September 22. The USACE intends on awarding the contract shortly thereafter, with a tentative construction start in December 2004. There are several locations where the town of Highland has existing water lines that are within the work limits of our construction. The construction will not directly affect any of these lines; however, precautions will be taken to avoid any damage or impact to these lines. For reference, the locations of these water lines are shown on the attached Army Corps drawings. These locations and impacts are further described below:

| <u>ID Number</u> | <u>Item</u> | <u>Comment</u> |
|-----------------------------|------------------------------------|---|
| UR-29 | Town of Highland 18" Water main | The USACE 100% Stage VI-1 South plans reflect the "bridging" technique to avoid the use of a sleeve through the sheet piling. NIES recommends that the USACE contractor ascertains the exact location of the utility by exploratory digging prior to driving the piles. |
| UR-30 | Town of Highland 20" Water main | The USACE 100% Stage VI-1 South plans reflect the "bridging" technique to avoid the use of a sleeve through the piles. NIES recommends that the USACE contractor ascertains the exact location of the utility by exploratory digging prior to driving the piles. |
| UR-34 | Town of Highland 6" Water main | This utility runs north-south along the west side of 5 th Street to a hydrant at the southeast corner of the Highland Fire Station training area. The USACE contractor should keep truck traffic off the area above this water main. Water main is not affected by levee construction and is not shown on USACE 100% Stage VI-1 South plans. |
| UR-37 | Town of Highland 2" Water main | This utility runs north-south along the east side of 5 th Street to the 5 th Street Storm Pump Station building. The USACE contractor should keep truck traffic off the area above this water main. The utility is not impacted by levee construction and is shown on USACE 100% Stage VI-1 South plans. |

The purpose of this letter is to alert you to this upcoming flood control construction project and request that the Town of Highland Waterworks Department staff be made available to observe the initial excavation and subsequent relocation/improvement to these areas. The Army Corps will have a pre-construction meeting with the contractor and affected parties prior to any work being done, and to establish points of contact. The Development Commission has already signed a right-of-entry with the Army Corps of Engineers to do the work in this area. We

Page 2

have coordinated with the Town of Highland, its representatives of the Park district, and the engineering consultant for the Sanitary and Waterworks Department, to address real estate and engineering concerns. Accordingly, we have obtained all necessary easements for construction.

By signing this Memo of Understanding, you acknowledge that you are in agreement with all pertinent information contained herein, and acknowledge that these utilities reside within the Town of Highland, and accordingly, acknowledge these comments as so stated.

By: _____

ATTEST:

By: _____

Dated this _____ day of _____, 200_____.

14

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Bob Huffman" <huffmun@sbcglobal.net>
Sent: Wednesday, September 15, 2004 3:37 PM
Subject: Cline Avenue trail crossing/September 17th inspection

Bob:

In our Real Estate meeting of September 15, the subject of the recreational trail system from Cline Avenue through Burr Street was discussed. There are several recreational features that we are considering to include in the upcoming Burr Street 2/Little Cal project. Although geographically they may not be between Burr Street and Clark, we would like to include the layout, details, and real estate as part of that bid set. The recreation features would include the at grade crossing at the EJ&E RR and the ramps east and west of the railroad embankment, the trail from the railroad to Cline Avenue, and the crossing at Cline Avenue. In our conversation several weeks ago with Dennis Cobb, we discussed the potential of crossing at Cline Avenue adjacent to the NIPSCO right-of-way rather than going south to Highway Avenue. I concur with you and Dennis that it would be more functional, less expensive, and more expeditious to cross in this area. Will you please let me know the best way you think I could facilitate this crossing on Cline Ave. using Dennis Cobb - I appreciate your help.

As per your request, I am notifying you that the inspection this Friday will include only the operation of slice gates. A day like this could have its ups and downs (haha). We intend on meeting between 8:30 and 8:45 at the Burr St. pump station where we had met to start the pump station inspections. We anticipate that we will not be able to complete all of the sluice gates in one day and may have to complete the remainder of them on the originally scheduled day of September 22. If you have any questions, please let me know.

Jim Pokrajac, Agent
Land Management/Engineering

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <fge@FirstGroupEngineering.com>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Bob Huffman"
<huffmun@sbcglobal.net>
Sent: Thursday, September 23, 2004 10:46 AM
Subject: Cline Avenue Recreational Trail Crossing

To Dennis Cobb:

A couple of months ago, I met with you and Bob Huffman regarding a recreational trail crossing at Cline Avenue along the NIPSCO right-of-way. The original Army Corps of Engineers plan was to cross at this location but we contacted Don Abraham (INDOT) who indicated to us that they would not give us an easement to cross in that area but would allow us to cross further south at Highway Avenue. If we cross at Highway Avenue, there will be a substantial number of expenses for both real estate and construction. I would like to pursue this with you and will provide you whatever information you need to coordinate on our behalf with INDOT.

I'll be on vacation from September 24 through October 1 and will be back in the office on October 4. I'd like to set up a meeting with you to discuss what our steps will be to pursue this crossing. I'll call you when I return.

James E. Pokrajac, Agent
Land Management/Engineering
Little Calumet River Basin
Development Commission

Sandy Mordus

From: "James J. Flora, Jr." <jimflora@netnitco.net>
To: "Imad Samara" <Imad.Samara@lrc02.usace.army.mil>
Cc: "Jim Pokrajac" <jpokrajac@nirpc.org>; "Phil Gralik" <PGralik@rwa.co>
Sent: Monday, September 27, 2004 9:02 AM
Attach: Stage VI Phase II Comments.doc
Subject: Little Calumet River Levee, Stage VI Phase II Comments

Imad,

Attached are the comments of James Pokrajac and R.W. Armstrong on the Stage VI Phase II plans and specifications which you transmitted to Mr. Pokrajac on September 7, 2004. If you have any questions, please call.

Jim Flora

Stage VI Phase II
Comments by the LCRBDC and R.W. Armstrong
September 27, 2004

1. General – Previous Review Comment Responses.

There are several comment responses which the Corps' A/E referred back to the Corps for response. We are still awaiting the response from the Corps on the following previous comments:

Drawings – Civil: 41, 42, 43, 97, 99, 155, 168.

Drawings – Structural: 6.

2. Sheet G-01

- a. Is it still the intent to use the Hartsdale Pond Borrow Site? What needs to be done locally to make this site usable?
- b. Rather the referring to the site at 35th and Chase St. as a "borrow site", we suggest referring to it as the "Stockpile Site" (for Satisfactory Overbuild Material Only).
- c. The LCRBDC will be requesting the Corps, via a separate letter, to delete all work east of Cline Avenue from this contract and include it in Burr Street II contract.

3. Sheet C-01

- a. The work limits for the new storm sewer in 81st Street appear to be very narrow. Please review.
- b. Please make sure the work limits and scope of work for Stage VI-2 coordinate with those of Stage VI-1.

4. Sheet C-02

- a. There needs to be work limits for a trail access ramp near the intersection of LaPorte Avenue and Liable Road. If you are unaware of the need for this ramp, please consult with Imad Samara.
- b. Has consideration been given to a temporary haul route in the NIPSCO right-of-way? Construction traffic on Liable Road south of LaPorte Avenue could then be eliminated.

5. Sheet C-03, C-04 and C-04A

In the Legend, should the words "and replace" be added after the word "remove" in the references to sidewalk, pavement and curb & gutter work.

6. Sheet C-03

- a. Adjust the work limits to include the manhole specified to be removed about 150 east of the end of 81st Street and the associated section of storm sewer.
- b. Does Highland need access to the area east of Liable during construction? Please coordinate with Highland and add note requiring the contractor to maintain access for Highland if necessary.

7. Sheet C-04A
Two notes on this sheet states: "salvage chain link fence". Is this chain link fence to be reinstalled per note M on Sheet C-08?
8. Sheet C-05
Where are the details for replacement of pavement, curb & gutter, and sidewalk in 81st Street resulting from storm sewer installation?
9. Sheet C-06
 - a. The A-Frame gate should be moved north so that its location aligns with the north property line of the adjacent property with house on the west side of Liable Road.
 - b. Are the homes on the east side of Liable Road serviced by sanitary sewer? If not are the septic systems of these homes impacted by construction?
10. Sheets C-06 and C-07
It is suggested that the notes requiring minimum clearance from NIPSCO lines be reworded to require the contractor to confirm the clearance before starting work.
11. Sheet C-08
 - a. Both the Levee Profile and Ditch 2 Profile should show the pipelines.
 - b. When the 48" gatewell is closed, where will the water flowing to it go? Should Ditch 2 be extended to receive this water?
 - c. Why are both Ditches 2 and 3 needed? Why is the 15" culvert under Ramp R3 needed?
12. Sheet C-10A
Regarding the Paved Low Water Crossing, will the concrete be reinforced?
13. Sheet C-11
Please explain why there is a need for an overflow weir. Does this weir impact the nature of the wetlands to the south of the weir?
14. Sheet C-12
Regarding the "Typical Section Recreation Trail", the LCRBDC has found that 2" of compacted limestone screenings is inadequate. A number of previously completed trails now have base aggregate exposed. The Indiana Dunes National Lakeshore uses 3 1/2" (after compaction) of screenings.
15. Sheet C-15
Construction Note 6 should require removal of any settlement gages at the end of construction.
16. Sheet M-01
Is a device available which would facilitate lifting the flap gates to clear any debris which may be caught in them?
17. Sheet S-09
Please add a note requiring all bolts of the A-frame gate to be tack welded or peened so that they cannot easily be removed.
18. Sheets L-01 and L-02
These landscaping plans need to be compared to Landscaping 2 plans. The proposed plan is very extensive and will require substantial detailed maintenance. We suggest a meeting to discuss the intent of the landscape design. A design similar to Landscaping II maybe needed.

19. Sheet T-01

The Vehicle Barrier Details should be revised to include a lift handle and an elevated locking device for the removable bollard as has been used on previous projects.

20. Section 02935

- a. Does the "Turf Establishment Period" apply to seed mix 2 and 3? If so is it adequate to assure development of desirable species?
- b. Do any of the seed mixes need to be maintained by controlled burning? If they do then why does the "Turf Establishment Period" not include a controlled burn?

Sandy Mordus

From: "Terry Hodnik" <thodnik@niesengineering.com>
To: "Imad Samara" <imad.samara@lrc02.usace.army.mil>
Cc: "Jim Pokrajac" <littlecal@nirpc.org>
Sent: Friday, September 24, 2004 5:01 PM
Attach: 1095351858.doc
Subject: Levee Stage VI-2 100% Review Comments

1. Attached is an electronic copy of the 100% review comments on Stage VI-2 from the Town of Highland.

Terry Hodnik, P.E.

NIES Engineering, Inc.

2421 - 173rd Street

Hammond, IN 46323

Phone: 219-844-8680

Fax: 219-844-7754

thodnik@niesengineering.com

September 24, 2004

Mr. Imad Samara
US Army Corps of Engineers
Chicago District
111 N. Canal St., Ste. 600
Chicago, IL 60606-7206

RE: Highland, Indiana
Little Calumet River Flood Protection Stage VI-2
100% Review Comments

Dear Mr. Samara:

On behalf of the Town of Highland, we have reviewed the plans and specifications submitted in the September 7, 2004 letter of transmittal. Enclosed is a list of 100% review comments from the Town of Highland for the Little Calumet River Flood Protection Stage VI-2 Project. Please do not hesitate to call if you have any questions.

Yours very truly,
NIES Engineering, Inc.

Terrence J. Hodnik, P.E.
Principal

cc: Highland Town Council
Highland Board of Sanitary Commissioners
Mr. Jim Pokrajac, LCRBDC
Mr. John Bach
Mr. Jack Lannon

Z:\Corr\1095351858.doc

Town of Highland, Indiana
Little Calumet River Flood Protection Stage VI-2
100% Review Comments
September 24, 2004

1. A proposed new 24-inch storm sewer outlets to the Town's Storm Sewer System at the intersection of Johnston Street and 81st Street. The proposed 24-inch sewer drains Ditch 1 along the west side of the proposed levee and connects to the Town's 24-inch storm sewer which serves an area along Johnston Street from Highway Avenue north to 81st Street. The Town commented on this in the 50% review submittal comments dated December 29, 2000. At that time, we indicated that the proposed 24-inch sewer would flow into an existing 24-inch sewer which also drained a substantial area and asked for a verification of available hydraulic capacity for the downstream sewer. USACE responses to our comments were received on May 8, 2001 and indicated that they thought a previous agreement between the PM and locals had suggested that the locals would build any additional sewer capacity needed. The Town then forwarded a letter dated August 20, 2001 requesting reconsideration of our original request. The Town had previously agreed to consider storm sewer improvements immediately upstream of the proposed new North Grace Street Pump Station. It was not our understanding, however, that the Town would make improvements all the way back to the intersection of Johnston Street and 81st Street. Our general understanding was that only storm sewer improvements indicated on Figure 1 would be provided by the Town. **Therefore, we again request that the Stage VI-2 project incorporate a larger sewer constructed along 81st Street from Johnston Street to Manhole 5009, as shown on the attached Figure 2.** We do not feel that it is reasonable for USACE to expect to connect a 24-inch outlet sewer from the levee project to a 24-inch Town sewer and not have to make any improvements to the 24-inch downstream sewer. **The Town would also like to request that additional drainage catch basin inlets be added along Johnston Street by USACE to resolve existing storm water ponding problems shown on Figure 2.**
2. Specifications and plans call for galvanized steel grating and access ladders at the Gate Well. The Town would prefer aluminum in both cases. The gratings would be lighter to lift and both would be less susceptible to long term corrosion. This is also a repeat comment from the 50% review submittal.
3. Plan sheet C04 and C06. There is an existing 8-inch water main on the east side of Liable Road and north of LaPorte Street. Water main is off the roadway surface and is located outside of the levee construction. Suggest showing the water main on the drawings.
4. Plan sheet C04, there is an aerial telephone line on the power poles on the east side of Liable that is not shown on the drawings.

5. Plan sheet C04 and C04A, there is a line showing as an oil pipeline that has been field located as a gas main by NIES Engineering, based on utility company locates. The pipe is located about 77 ft south of the centerline of Ditch 2. The gas line is located outside the project construction limits on sheet C04 and within the construction limits at Ditch 4 STA 4+10 on sheet C04A. Sheet C10B shows the line as a gas main in profile of Ditch 3.
6. Ameritech Cellular substation 3437 (fenced enclosure) is located on the north side of metal Power Pole, about 25 ft west of the Ditch 4 centerline STA 4+30. This substation is not shown on the Plan sheet C04A.
7. Plan sheet C04A shows 5 ft of cover on the 36-inch gas main. At the ditch line, cover will be reduced to 3 ft. The sheet also shows 5 ft of cover on the 30-inch gas main which will be reduced to 4 ft at the ditch line. Have the 3 and 4 ft depth of covers been approved by NIPSCO? We understand these lines to be medium pressure gas mains.

- PUMP STATION IA - MOD. #34
- SUPPLEMENTAL MOD. - ADD \$40,199.50
- RE-HAB MOTORS - ADD MECH. TRASH PAK

CELRC-TS-C-S (1180-1-1q)

20 August 2004

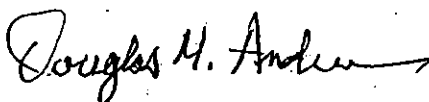
- PREVIOUS CONTRACT - \$4,869,610.62
- CURRENT CONTRACT - \$4,909,810.12

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW27-01-C-0001
 Pump Stations Rehabilitation, Phase IA
 Hammond Sanitary Districts
 Little Calumet River, Indiana
 Modification No. A00014 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00014, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Enclosures


 DOUGLAS M. ANDERSON, P.E.
 Project Engineer
 Calumet Area Office

Distribution:

CELRC-TS-C-S (Complete Mod. File)
 CELRC-TS-C-C (Complete Mod. File)
 CELRC-CT (Complete Mod. File)
 CELRC-TS-C-S (Complete Mod. File) D. Anderson
 CELRC-TS-C-S (Mod. Only) R. Craib
 CELRC-TS-C-S (Mod. Only) B. Waldrom
 CELRC-TS-C-S (Mod. Only) Project Binder
 CELRC-PM-PM (Mod. Only) I. Samara
 LCRBDC (Mod. Only) J. Pokrajac✓

| | | | |
|---------------------------------|---|------------------------------|------------------------|
| MODIFICATION OF CONTRACT | | DATE SIGNED See Block 16C | PAGE OF PAGES 5 5 |
| Contract No: | DACW27-01-C-0001 NA | Reference No. R0003 | |
| Modification No: | A00014 | | |
| Contractor: | Overstreet Engineering & Construction, Inc. | | |
| Contract Title: | Pump Station Rehabilitation, Phase 1A | | |
| Location: | Little Calumet River, Indiana | | |

**** CLIN 0003R - NEW MECHANICAL TRASH RACK ****

| | Previous | Change Amount | Revised Total |
|------------|--------------|---------------|---------------|
| UNIT PRICE | \$184,821.24 | \$14,546.59 | \$199,367.83 |
| QUANTITY | 1 LS | 1 LS | 1 LS |
| AMOUNT | \$184,821.24 | \$14,546.59 | \$199,367.83 |

**** CLIN 0004I - REHABILITATE PUMPS AND REHABILITATE MOTORS PUMPS 4, 5, AND 6 ****

| | Previous | Change Amount | Revised Total |
|------------|--------------|---------------|---------------|
| UNIT PRICE | \$402,927.82 | \$9,818.31 | \$412,746.13 |
| QUANTITY | 1 LS | 1 LS | 1 LS |
| AMOUNT | \$402,927.82 | \$9,818.31 | \$412,746.13 |

E. CHANGE IN CONTRACT TIME

The contract completion date shall be extended by 26 calendar days by reason of this modification.

The Contract Completion Date is REVISED from 26 August 2004, as established by Modification A00013, to 21 September 2004.

F. CLOSING STATEMENT

It is understood and agreed, that pursuant to the above, time for completion of the work is extended 26 calendar days from 26 August 2004, as established by Modification A00013, to 21 September 2004, and the total contract amount is INCREASED by \$40,199.50 from \$4,869,610.62, as established by Modification A00012, to \$4,909,810.12.

It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable for the change ordered, for all delays related thereto, for all extended overhead costs, and for performance of the change within the time frame stated.

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates an amount of \$40,199.50 for this contract; thus, increasing the total Contract funded amount to \$4,382,627.09.

- PUMP STA. 1A - MOD. #15
- SUPPLEMENTAL MOD. - ADD \$1A,470.55
- RAISE DISCHARGE PIPING @ WALNUT SUB

CELRC-TS-C-S (1180-1-1q)

25 August 2004

MEMORANDUM FOR: See Distribution

- PREVIOUS CONTRACT - \$4,909,810.12
- CURRENT CONTRACT - \$4,974,180.67

SUBJECT: Contract No. DACW27-01-C-0001
 Pump Stations Rehabilitation, Phase IA
 Hammond Sanitary Districts
 Little Calumet River, Indiana
 Modification No. A00015 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00015, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Douglas M. Anderson

Enclosures

DOUGLAS M. ANDERSON, P.E.
 Project Engineer
 Calumet Area Office

Distribution:

CELRC-TS-C-S (Complete Mod. File)
 CELRC-TS-C-C (Complete Mod. File)
 CELRC-CT (Complete Mod. File)
 CELRC-TS-C-S (Complete Mod. File) D. Anderson
 CELRC-TS-C-S (Mod. Only) R. Craib
 CELRC-TS-C-S (Mod. Only) Project Binder
 CELRC-PM-PM (Mod. Only) I. Samara
 LCRBDC (Mod. Only) J. Pokrajac✓

| | | | |
|---------------------------------|---|-------------------------------------|-------------------------------|
| MODIFICATION OF CONTRACT | | DATE SIGNED See Block 16C | PAGE OF PAGES 3 3 |
| Contract No: | DACW27-01-C-0001 NA | | Reference No. R0003 |
| Modification No: | A00015 | | |
| Contractor: | Overstreet Engineering & Construction, Inc. | | |
| Contract Title: | Pump Station Rehabilitation, Phase 1A | | |
| Location: | Little Calumet River, Indiana | | |

C. CHANGE IN CONTRACT PRICE

Total contract price is increased by \$64,470.55.

Lump Sum Changes

| CLIN No. | DESCRIPTION | CHANGE AMOUNT |
|----------|---|---------------|
| 0004B | Rehab. Discharge Piping for Pumps 1,2,3 | \$64,470.5 |

Total Change Amount \$64,470.5

**** CLIN 0004B - REHABILITATE DISCHARGE PIPING FOR PUMPS 1, 2, AND 3 ****

| | Previous | Change Amount | Revised Total |
|------------|------------|---------------|---------------|
| UNIT PRICE | \$2,627.79 | \$64,470.55 | \$67,098.34 |
| QUANTITY | 1 LS | 1 LS | 1 LS |
| AMOUNT | \$2,627.79 | \$64,470.55 | \$67,098.34 |

D. CHANGE IN CONTRACT TIME

The contract completion date shall be extended by 30 calendar days by reason of this modification.

The Contract Completion Date is REVISED from 21 September 2004, as established by Modification A00014, to 21 October 2004.

E. CLOSING STATEMENT

It is understood and agreed, that pursuant to the above, time for completion of the work is extended 30 calendar days from 21 September 2004, as established by Modification A00014, to 21 October 2004, and the total contract amount is INCREASED by \$64,470.55 from \$4,909,810.12, as established by Modification A00014, to \$4,974,280.67.

It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable for the change ordered, for all delays related thereto, for all extended overhead costs, and for performance of the change within the time frame stated.

Pursuant to the "Continuing Contracts" clause, funds are available only to the extent of specific amounts in formal notice to the Contractor. This modification does not obligate additional funds. The total Contract funded amount remains unchanged at \$4,382,627.09.



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

September 13, 2004

Programs and Project
Management Branch

Mr. Greg Kicinski, P. E.
INDOT Design/Build Project Engineer
Indiana Department Of Transportation
100 North Senate Avenue
Room N 601
Indianapolis, Indiana 46204-2216

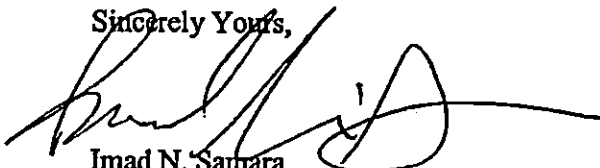
Dear Mr. Kicinski:

I'm writing this letter in regard to INDOT's I-80/94 Expansion Project, Phase III-B Contract. In that contract INDOT will construct levees at Broadway Boulevard and Grant Street I-80/94 Off/On Ramps. Your letter dated August 20, 2004 to Superior Construction have resolved the two concerns the COE, Chicago District raised regarding the construction of the levees. As you noted in your letter the contractor will coordinate with the Chicago District utility relocations for all utilities that will intersect the new constructed levees. The contractor will also include the overbuild in his final elevation of the levees. The overbuild will be constructed as part of the levee construction.

I will copy this letter to Raj Gosine from IDNR so that he has it in writing that the COE, Chicago District's worked out all concerns with INDOT regarding the I-80/94 Expansion Project, Phase III-B Project.

If you have any questions regarding this please contact Mr. Imad Samara, the Project Manager at 312-846-5560.

Sincerely Yours,



Imad N. Samara
Project Manager

CF: Allen R. Egilmez, P.E, United Consulting Engineers, Inc.
Dan Gardner, Little Calumet River Basin Development Commission
Raj Gosine, IDNR
Martha Wilczynski, JFNew



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
*Mayor of Gary's
Appointment*

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

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VACANCY
Governor's Appointment

VACANCY
*Lake County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 21, 2004

Rajindra Gosine
Engineering Section Manager
IDNR -- Div. of Water
402 W. Washington Street, Rm W264
Indianapolis, Indiana 46204

Dear Raj:

I am writing you regarding the IDNR permit for INDOT's I-80/94 Expansion Project Phase III-B contract. I am in receipt of the letter written by Imad Samara, the Corps of Engineers Project Manager, resolving the remaining concerns the COE had related to the construction of the needed levee tie-ins. The letter indicates the remaining issues have been satisfactorily addressed and that the utility relocations will be coordinated through the Chicago District. The Development Commission, in its review, concurs with the COE's position and as such, recommends the IDNR grant the necessary permit to INDOT for the Phase III-B construction. We will continue to work with the COE, INDOT and the IDNR to assure needed future coordination.

If you have any questions regarding our position, please contact me at the above number.

Sincerely,


Dan Gardner
Executive Director

/sjm
encl.
cc:

Imad Samara, ACOE
Greg Kicinski, INDOT
Allen Egilmez, United Consulting Engineers
Martha Wilczynski, J. F. New
Jomary Crary, IDNR



Little Calumet River Basin Development Commission

WORK STUDY SESSION

6 October 2004

ENVIRONMENTAL COMMITTEE

Dr. Mark Reshkin, Chairperson

1.) Mitigation Update for Hobart Marsh:

In a conference call on 22 September a final plan was agreed upon by the Corps, Little Cal, TPL, and IDNR. TPL would like to have all the remaining lands closed by the end of their fiscal year 30 March 05. If lands could be under option, surveyed, appraised, and appraisals approved by the end of this year closings between TPL and the IDNR could be held in January and February of 05. The IDNR could then follow procedure to have deeds signed by the Governor in the spring months of 05. The entire Mitigation Project could be wrapped up by the spring months of 05. That's the goal we're working toward.

Computation on Mitigation:

431 acres needed in Hobart Marsh for mitigation
(minus) 309 acres acquired (Bailey 173, Quail Hollow 47, in-project acres 89)
122 acres still needed plus 5 acres of wet prairie = 127 acres TOTAL

127 acres needed as of today 10/6/04

Prospective acquisitions:

25 acres (Bundalo, currently under option)
50 acres (Brinson, negotiating with TPL)
50 acres (Kim, being surveyed and appraised)
15 acres (Muller, TPL negotiating with broker)
15 acres (Crossk, TPL negotiating with broker)
155 total acres could be acquired

We can still acquire the Julian property (17 acres) as back-up.

Sandy Mordus

From: "Wiegand, Alice" <awiegand@sba.state.in.us>
To: "Dan Gardner" <dgardner@nirpc.org>
Sent: Wednesday, October 13, 2004 3:48 PM
Subject: RE: Budget Committee Agenda Request

Sandy,

I am giving you the balances from the Auditor's system, so they are accurate.

1000/376410: \$2,320,486
3880/378760: \$10,085
3980/140000: \$197,467

If you have any other questions, please contact me.

Alice

From: Dan Gardner [mailto:dgardner@nirpc.org]
Sent: Wednesday, October 13, 2004 3:07 PM
To: Wiegand, Alice
Subject: Re: Budget Committee Agenda Request

Alice:

In your comment that there are still funds available in the three separate accounts: 1000/376410; 3880/378760; and 3980/140000 - can you please let me know what dollars you are showing for each of these accounts? I would like to compare my figures on this end and see if we are remotely close. I would appreciate it. Thank you,

Sandy Mordus
Business Coordinator
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368
Phone 219/763-0696
Fax 219/762-1653
smordus@nirpc.org

----- Original Message -----

From: Wiegand, Alice
To: Dan Gardner
Cc: smordus@nirpc.org ; Dukes, David
Sent: Tuesday, October 05, 2004 4:35 PM
Subject: Budget Committee Agenda Request

Mr. Gardner,

Our office received your request to be placed on the agenda of the State Budget Committee early this week. In June 2003, a memo was sent to all agencies with capital appropriations and outstanding capital projects. The memo advised due to revenue shortfalls over the FY 2004-2005 biennium the Budget Agency would require a 50% reversion or holding of General Fund Repair and Rehabilitation. After reviewing the Commission's budget appropriation, the amount requested for approval of allocation was two million, this amount was reverted in June of 2003.

10/13/2004

There are still funds available in the following accounts; 1000/376410, 3880/378760, and 3980/140000.

If you have any questions, please contact me by e-mail or phone (317) 232-5624.

Thank you,

Alice Wiegand

LAND ACQUISITION REPORT
For meeting on Wednesday, October 6, 2004
(Information in this report is from August 26 – September 29, 2004)

STATUS (Stage III) – Chase to Grant:

1. Six landowners want to complete their acquisitions. Appraisal has been approved by the COE. These acquisitions are difficult due to breaks in the title chains. Two offers (DC210 and DC211) were sent to landowners on 7/15/04.
2. Landowner has rejected our offers. We will file for condemnation. Landowners believe our offers are too low in comparison to their reassessed value. **(Ongoing)**

STATUS (Stage III) – REMEDIATION

Pumping west of Grant Street

1. Status of Right-of-Entry:
 - ROE was signed by the LCRBDC on April 4th, 2002.
 - Contract awarded – Construction started February, 2003.

STATUS (Stage IV – Phase 1 South) EJ&E RR to Burr St – South Levee:

1. Construction on the WIND Radio station property has been completed using a right-to-construct. Appraiser Tim Harris will complete the appraisal after he completes the railroad appraisal in September.
2. Appraiser Tim Harris, under a new contract due to the excessive time delays, will complete the Norfolk & Southern RR appraisal in September.
 - We've contacted the appropriate railroad personnel in Real Estate. They will not authorize their appraisers to appraise our easements. They will review our appraisal and forward it to the Legal Department with their recommendations. **(Ongoing)**
 - **Mr. Harris has signed a new contract for his appraisal on the NSRR.**

STATUS (Stage V – Phase 2) – Indianapolis to Kennedy – North Levee:

1. A Proposal to divide V-2 into (2) segments is being considered as follows:
 - Stage V-2A (Kennedy to Indianapolis Blvd.)
 - Stage V-2B (Indianapolis Blvd. to Northcote)
2. On a conference call with INDOT, the COE, and the LCRBDC on March 19th, 2004, INDOT indicated that our portion of construction in this area must be completed before they install their pump station. LCRBDC needs to work with the COE to modify our construction and acquisition schedules to accommodate the INDOT project.
3. **A meeting was held with the Economic Development Dept., LCRBDC, Hammond Planning Dept, and a potential developer for the area east of Indpls. Blvd. and north of the river on September 3 to discuss the impact of our project.**

STATUS (Stage V – Phase 3) – Northcote to Indianapolis – (Woodmar Country Club):

1. Construction is currently projected to start in the summer of 2006.
2. Woodmar Country Club acquisition is "on hold".
 - A meeting was held with Woodmar Country Club on 7/28/04 to discuss pertinent issues.
 - **Follow-up meetings were held on August 13 and August 24, 2004.**

STATUS (Stage VI-Phase 1 South) – Kennedy to Liable - South of the river:

Land Acquisition deadline July, 2004

1. Highland easements were signed on 7/12/ and 7/15 and recorded on 7/21/04.
2. Right-of-entry for Stage VI-1 South with all tracts acquired signed 7/16/04.
3. Appraiser Dale Kleszynski **has completed** an appraisal on two small ball fields in Homestead Park. The ball fields will be eliminated by our levee. Highland Parks Dept. has already constructed new fields.
 - **The cost to cure is \$20,230 based on Highland Park Board figures. Dan will meet with the Park Board to present the amount. We expect the amount to be accepted.**
4. At a pre-bid meeting for Stage IV- 1 South with the COE and interested contractors on August 19, the COE introduced a small portion of construction from VI-1 North into the scope of work.
 - **Hammond signed an easement agreement for that small construction area, a road closure on Kennedy Avenue, on September 2. It was recorded on September 20, 2004.**
5. Bids were opened on September 22 and are currently being evaluated. The current low bidder (before review) is approximately 5.5% above the government estimate.

3-7

STATUS (Stage VI-Phase 1 North) – Cline to Kennedy – North of the river, and Kennedy to Liable – South of the River:

Land Acquisition deadline January, 2005

- **Owners requested we eliminate the taking of 18 of their parking spaces. They said they would accept our offer. They have not returned attorney's phone calls and we are now filing condemnation papers. A co-counsel will conduct this condemnation since Casale, Woodward, & Buls has represented these owners in other cases.**
2. Oak Brook Metro has rejected our offer. **No court date has been set yet for appraisers to be sworn in.**
 3. Krosan (DC 1015) condemnation is proceeding. Krosan's attorney has informed our attorney he will accept the court award and drop his objections to the court award as being too low.
 - **Second Krosan parcel has finally been approved by the COE. Offer will be sent as soon as possible. (Ongoing)**
 4. Condemnation papers for Motel 6 were filed April 29th, 2004. Appraisers were sworn in on July 13, 2004. Will return with findings on October 15th, 2004.
 - **This condemnation involves four members of one family all in conflict over the estate.**
 5. An e-mail was sent to the city of Hammond on August 20 requesting a meeting with appropriate City administration to discuss land requirements that would allow the project to construct on schedule.
 - **Hammond will reject our offers and enter into a "friendly condemnation" and complete the same procedure we had with Highland.**
 - **The Hammond Sanitary District had a board meeting on September 14 and rejected our offer on property of the Southeast Hessville pump station.**
 - **The Hammond Parks and Recreation Dept. had a board meeting on September 14 and rejected our offer on property at the Carlson OxBow Park.**
 - **A meeting was held with the Hammond Board of Public Works on September 2. the road closure easement on Kennedy Avenue was approved, the remaining easements on roadways were rejected.**

8

9-10

11

12

STATUS (Stage VI-Phase 2) – Liable to Cline – South of the river:

Land Acquisition deadline March, 2005

1. All appraisals have been submitted and approved. We received appraisal approval documents on 8/19/04. **Offers are now being sent to landowners. INDOT, Griffith, and NIPSCO will be contacted directly.**
2. NIPSCO may now be expecting payment for Commission easements on its property. This is a change from past practice. We'll learn more as we progress with NIPSCO acquisitions.

STATUS (Stage VII) – Northcote to Columbia:

1. The COE has put Stage VII on hold.

STATUS (Stage VIII – Columbia to State Line (Both sides of river)

1. The COE has put Stage VIII on hold.

STATUS (Betterment Levee – Phase 1 - Gary) Colfax to Burr Street:

Land Acquisition is completed.

1. This portion of construction will be advertised, paid for, and coordinated by the city of Gary. The COE will oversee the construction to assure compliance with Federal specifications. We still need a signed agreement with Gary before we can sign our right-of-entry.

STATUS (Betterment Levee – Phase 2 North of the NSRR east of Burr Street, and ½ mile east, back South over RR approximately 1400':

Land Acquisition deadline is May, 2005

1. **Only one private acquisition remains. DC582/583 (Tip Top lots) is in condemnation and the landowners are in family disagreements with the dissolution of the estate property. Court appointed appraisers will be sworn in when family lawyers agree to a date.**
2. Appraiser Tim Harris has been given a new contract for the NSRR appraisal.

EAST REACH REMEDIATION AREA – (NORTH OF I-80/94, MLK TO I-65):

1. Nine parcels may be available on commissioners' tax sale. We need to submit a letter to Rosa at the Lake County Commissioners office to start the property transfer process.
 - **We spoke with Rosa at Tax Sale office and she said there may be problems with tax sale properties because of the re-assessment. The County Commissioners will not have a fall sale and none is scheduled for next year. Again, the re-assessment is impacting acquisition.**

IN-PROJECT MITIGATION:

1. Acquisition on in-project mitigation is complete. Construction started March, 2003 and we anticipate completion by June, 2004. (ongoing)
 - Renewable Resources is the contractor.
 - Contractor began 24 month monitoring period May 15, 2004

CREDITING:

1. INDOT will send LCRBDC cost information regarding approximately \$700,000 additional credit for their Cline Avenue project.(Ongoing)
 - COE to send copies of their agreements with INDOT indicating costs and scopes that they paid for. After LCRBDC review, there may be additional items. (Ongoing)

2. The COE's new computer tracking program is primarily for crediting use, but it may have the ability to trace current acquisitions as well. **A demonstration of the software program will be scheduled shortly.**

GENERAL INFORMATION:

1. Acquisition in the Hobart Marsh is continuing.
 - **Trust for Public Land (TPL) has five properties under consideration and/or option. Their goal is to acquire all by March 2005, the end of their fiscal year. We met with TPL and DLZ surveyor Ray Keilman on September 29 to discuss surveys on three tracts.** 13
2. We are calling appraisers to work with our project and receiving refusals because of the review process with the COE. We keep trying.
3. **We were recently contacted that monies in LCRBDC name are in the "unclaimed monies" division in Indianapolis. These are monies that we paid into court at condemnations but the landowner did not withdraw from court. We will withdraw the monies and distribute the "court awards" to the landowners.** 14



Little Calumet River Basin Development Commission

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Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

15 September 2004

Mr. Tim Harris, Principal
Professional Appraisal Services, LLC
1050 Broadway Suite 12
Chesterton, IN 46304

*Tim Signed
Contract on
9/22/04.
JR.*

Dear Tim,

RE: Appraisal on Norfolk & Western (Southern) Railroad - DC 598

My letter today is a notice to continue with the appraisal on DC 598, owner Norfolk & Western (Southern) Railroad in the Burr Street Levee Area. The drawings and written legals you have for easement acquisitions are correct and I have attached a contract for you to review. If the contract meets with your approval please sign it at the indicated arrows and return to me in the enclosed self-addressed envelope.

I've spoken with our LCRBDC attorney and he has directed that we use the standard flood protection easement and temporary work area easement language in the appraisal. For the question of the signal box on our easement you may need to insert in the appraisal an "extraordinary assumption that the Army Corps contractor at construction time will not alter any improvements on railroad property." Perhaps inserting it as an addendum to the appraisal would be more appropriate. I leave that decision to your knowledge.

I send my thanks for your cooperation and ask that you call me if you have questions about this letter, the contract, or the appraisal.

Respectfully,

Judy Vamos

Judith (Judy) Vamos
Land Acquisition

Enclosures:



Thomas M. McDermott, Jr.
Mayor

DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF HAMMOND

MAYOR'S OFFICE OF ECONOMIC DEVELOPMENT

PHILIP J. MERHALSKI

To: ✓ Rocharda Morris, Ex. Director, Planning & Development
✓ Brian Poland, Hammond City Planner
Ron Novak, Director, HDEM
✓ Stan Dostatni, City Engineer
✓ Carol Green, Red. Com. Attorney
✓ Dan Botich, Cender & Company
✓ Herman Renfro, Renfro Development
✓ Dan Gardner, NIRPC
JIM POKRAJAC
✓ From: Phil Merhalski, Economic Development

Date: September 3, 2004

Re: Builder's Square/Kmart site

Please note that in an effort to familiarize ourselves with the next steps in this upcoming project, and to keep on schedule, we will be meeting on Wednesday, September 8, 2004, in the large conference room, 649 Conkey St., at 1:30 p.m. As this has the potential to be an outstanding retail development for the City, let me thank you in advance for your cooperation and assistance.

cc: Mayor McDermott
Marty Wielgos, Chief of Staff
✓ Ed Krusa, Financial Consultant

ASSOCIATED PROPERTY COUNSELORS, LTD.
Real Estate Appraisers and Consultants

11800 South 75th Avenue
Suite 100 West
Palos Heights, Illinois 60463
Phone: 708-361-8767
Facsimile: 708-361-9133

Dale J. Kleszynski, MAI, SRA
President
www.apclimited.com
dkleszynski@apclimited.com

FACSIMILE COVER SHEET

Date: September 10, 2004

To: Judy Vamos

ATTENTION:

Fax #: 219/762-1653

Phone:

From: Dale J. Kleszynski

No. of Pages (including cover) 5

This fax contains confidential information. This information is intended solely for use by the individual entity named as the recipient hereof. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this transmission is prohibited. If you have received this transmission in error, please notify us by telephone at (708)-895-6767 immediately so that we may arrange to retrieve this transmission at no cost to you.

Special Notes/Messages:

3

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Dale J. Kleszynski, MAI, SRA
President
www.apclimited.com
dkleszynski@apclimited.com

September 1, 2004

Mr. Daniel Gardner, Executive Director
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

**Re: Town of Highland Baseball Fields
Highland, Indiana**

Dear Mr. Gardner:

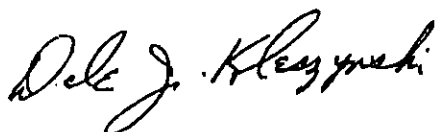
At your request, I reviewed the previously completed appraisal of the property owned by the Town of Highland Department of Parks and Recreation. The purpose of this review is to consider elements of damage that exist due to the permanent levee easement that is known to impact two permanent and one practice baseball fields. As you know, the originally supplied maps did not allow us to identify the impact of the levee on the existing fields.

Based on my discussion with Mr. Alex M. Brown, Superintendent of Parks and Recreation, Highland, Indiana and a review of the appropriate maps, I conclude that the permanent levee easement causes the permanent loss of one practice field and one permanent playing field. The material also indicates that the permanent levee easement requires one fence to be relocated from the current position. At my request, Mr. Brown sought and provided me with estimates of the cost to cure the loss. The provided estimates are attached for your review and file.

Based on my review of the provided material, I conclude that the estimated cost to cure the loss caused by the permanent easement (\$20,230) is reflective of the damages associated with the taking. This letter amends my previously completed report to reflect a damage to the remainder caused by the taking at \$20,230.

If you have any questions, please call.

Very truly yours,



Dale J. Kleszynski, MAI, SRA
President

*This is Dale's
"cost-to-cure" (damages)
letter about the two
basefields in
Highland.
JK
9/10/04*



PARKS AND RECREATION

2450 Lincoln • Highland, Indiana 46322 • (219) 838-0114

Staff

Alex M. Brown
Superintendent

Chris Kubiak
Park Director

Patricia Baldwin
Recreation Director

Parks and Recreation Board

Carolyn Turich
President

Thomas Arnold
Vice President

Charles Stapke
Secretary

Lawrence Vassar
Member

Chuck Hammett
School Board
Representative

Bernie Zeman
Town Council
Linker

Rhett Tauber
Attorney

To: Dale Kleszynski

From: Alex Brown

Subject: Ballfield Replacement Quotes

Date: July 20, 2004

Highland Little League has contacted a couple of contractors that have done work for the organization and the Town in the past. Included is a memo from the League President, a fencing quote, and an excavating quote.

The total cost of replacing the 2 lost ballfields is quoted as \$20,230.

If you have any questions, please contact me at 219-838-0114.

*Info from
Highland to
appear Dale
Kleszynski*

5

KROOSWYK

TRUCKING & EXCAVATING

9731 Indianapolis Blvd. • Highland, Indiana 46322
(219) 924-5605

To: Highland Park Department
Attn: Don Vossor
2450 Lincoln St.
Highland, IN 46322

PROPOSAL

Page No. 1 of 1 Page

PROJ. NAME / NO.

E-345

LOCATION

Homesstead Park

PHONE 219-838-0114

FAX 219-877-0556

DATE

07-12-04

We hereby submit specifications and estimates for:

HOMESTEAD PARK

Proposal to cut out new ball diamond, remove screening from existing ball field
install on new Minor League Field.

38,900.00

(EIGHT-THOUSAND NINE HUNDRED) \$8,900

WE FURTHER HEREBY TO FURNISH material and labor - complete in accordance with these specifications, for the sum of:
Eight Thousand Nine Hundred Dollars and no/100

dollars (\$ 8,900.00)

Payable as follows:

Terms: Payable Upon Receipt

All material to be purchased to be as specified. All work to be completed in a workmanlike manner according to standard practice. Any alterations or deviation from above specifications involving extra cost will be charged only upon written orders, and will be charged at extra charge price and above the estimate. All estimates submitted upon written estimates or change beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Terry Krooswyk

NOTE: This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL - The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date _____

Signature _____

Date _____

RESIDENTIAL

COMMERCIAL

GUARANTEE



DARON COLBY, PRESIDENT

NORTHWEST INDIANA FENCE CO.

WEST U.S. 130
1755 WEST LINCOLNWAY
VALPARAISO, INDIANA 46385
(219) 464-9207
FAX (219) 465-1747

LYNN A. COLBY, VICE PRESIDENT

| | | |
|--|-------------------------------------|------------------------|
| PROPOSAL SUBMITTED TO Highland Little League | PHONE 331-5928 | DATE 7-14-04 |
| STREET | JOB NAME Homestead Park | |
| CITY STATE AND ZIP CODE | JOB LOCATION Highland, IN | |
| CONTACT Dan Vasser | DATE OF CALLS | JOB PHONE |
| | Union Labor | |

We hereby submit specifications and estimates for:

- 30' - 12' galvanized chain link backstop (bottom 5' in. #6 rest #9 gage)
 112' - 6' #9 gage galvanized chain link
 180' - 4' #9 gage galvanized chain link
 3" - SS20 galvanized steel terminal posts
 2" - SS20 galvanized steel line posts
 2 1/2" - SS20 galvanized steel terminal posts for 4'
 1 5/8" - SS20 galvanized steel top rail
 * - 6' gets top and bottom rail, 4' gets top rail and bottom tension wire, backstop gets 4 horizontal rails
 4' - over hang on backstop

Material & Labor \$ 9,550.00

9,550.00

separate area side field

- 60' - 6' #9 gage galvanized chain link
 * - Same specs as above - done at same time as above

Material & Labor \$ 1,780.00

1,780.00

PRACTICE B/T-BALL field

The proposer hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

As Above

dollars \$

Payment to be made as follows: Net 20 Days

Price quoted is for payment within 20 days, after 20 days payment will be \$

2% PER MONTH SERVICE CHARGE WILL BE ADDED AFTER 20 DAYS. In addition to any collection and delinquency charge, the buyer promises to pay the holder hereof its reasonable attorney fee plus court cost.

Owner's Responsibilities:

1. Locating, Staking and Clearing Fence Lines.
2. Having all underground utilities properly marked (Gas, Electric, Telephone, etc. including water lines). Northwest Indiana Fence Co. will not be responsible or liable for any damage of any nature to underground structures.
3. Obtaining permits required by city or county.
4. Owner to carry life, limb and other necessary insurance.
5. Number for underground utility locations - 1-800-362-5644.
6. Excavate dirt to be removed by owner.
7. Underground warning system to be located by owner.

I acknowledge these responsibilities

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. If after 3 days the contract is cancelled a 10% charge of total contract price will be assessed.

In addition to any collection and delinquency charge, the buyer promises to pay the holder hereof its reasonable attorney fee plus court costs.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon timely payment. Our workers are fully covered by Workers' Compensation Insurance.

Acceptance of Proposal:

Authorized
Signature

Note: This proposal may be withdrawn by us if not accepted within

30

days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance:

Signature

Signature

TOTAL P.03



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

20 September 2004

Mr. Louis Casale, Attorney
c/o Casale, Woodward & Buls
9223 Broadway Avenue Suite A
Merrillville, IN 46410

Dear Lou,

**RE: Rejected Offers from the City of Hammond, Hammond Park
Department, and Hammond Sanitary District**

Enclosed in this mailing are originals of the Uniform Land Offers that were "Rejected" by the City of Hammond, Hammond Park Department, and Hammond Sanitary District at their recent public meetings. I have made copies for our files here at LCRBDC.

As we have previously agreed the next step in this acquisition is to file for condemnation. Please start this action as soon as possible.

I ask that you call me if you have questions. Thanks.

Regards,

Judith (Judy) Vamos
Land Acquisition

Enclosures:

*Hammond
Rejected
VLO's
Jm
9/20/04*

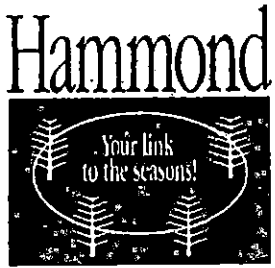
**REVISED AGENDA
HAMMOND SANITARY DISTRICT
BOARD OF SANITARY COMMISSIONERS MEETING
4:00 P.M. SEPTEMBER 14, 2004**

**AN EXECUTIVE SESSION WILL BE HELD AT 3:45 P.M. TO DISCUSS PERSONNEL AND
LITIGATION**

SEE ITEM #15-2ND PAGE

1. Call to Order
2. Consideration of the August 10, 2004 Board Meeting Minutes
3. District Manager's Report
4. Personnel Report
5. GIS Report
6. Financial Report
7. Safety Report
8. Consultant Report
 - S E H
9. Resolution No.40-2004 RE: Authorizing Engineering Services to provide management, planning and design services for the Borman Utility Crossing.
10. Resolution No.41-2004 RE: Adopting the 2005 Sewer Maintenance Fund Budget of \$3,122,506 and a tax rate of \$0.1691.
11. Resolution No.42-2004 RE: Adopting the 2005 Bond & Interest Redemption Fund Budget of \$4,596,500 and a tax rate of \$0.2232.
12. Resolution No.43-2004 RE: Authorizing the Board President to enter into an agreement with the Indiana Department of Transportation (INDOT) to fully reimburse the District for the installation of a new gravity sewer to replace three existing sewers beneath I-80/94 Borman Expressway at Van Buren Street, Hammond, Indiana.
13. Resolution No.44-2004 RE: Authorizing the advertisement of bids for procurement of construction services for the Borman Utility Crossings Project,

14. Resolution No.45-2004 RE: Authorizing the permanent transfer of \$100,000 from the Operations and Maintenance Fund 606 to the Replacement Fund 460.
15. Resolution No.46-2004 RE: Authorizing the Board President to enter into an agreement with the State of Indiana acting by and through the Little Calumet River Basin Development Commission (LCRBDC) for uniform easement acquisition offer for District Property between Cline Avenue and Kennedy Avenue North of the Little Calumet River.
16. Resolution No.47-2004 RE: Authorizing the Certificate of Substantial Completion for the Howard Avenue Pump Station.
17. Resolution No.48-2004 RE: Authorizing the District Manager to enter into a project design agreement with the U.S. Army Corps of Engineers for the design of a storm sewer relief interceptor from the Southside Pumping Station to the 173rd and Forest Avenue Pumping Station. (Visclosky Project).
18. Resolution No.49-2004 RE: Determining Financial Expenditure Plans for the Operations and Maintenance Fund 606 and the Pretreatment Fund 609 for the Sanitary District of Hammond, Indiana for the year 2005.
19. Resolution No.50-2004 RE: Authorizing the repayment of temporary transfers in the amount of \$1,045,000 from the Replacement Fund 460 to the Bond and Interest Redemption Fund 308.
20. Resolution No.51-2004 RE: Authorizing a partial repayment of temporary transfers in the amount of \$200,000 from the Replacement Fund 460 to the Sewer Maintenance Fund 608.
21. Resolution No.52-2004 RE: in the matter of reduced appropriations (\$3,127,455) for the Sewer Maintenance Fund 608 for the year 2004.
22. Claims Approval Docket 14-2004
23. Old Business
 - 2004 Goals List
24. New Business
25. Reports from Commissioners
26. Public Expression
27. Adjournment



Parks and Recreation

Hammond
Parks and Recreation
5825 Sohl Avenue
Hammond, Indiana 46320

Patrick Moore, Administrator

Charles Blaine, Superintendent

HAMMOND PARK BOARD OF COMMISSIONERS

Regular Meeting
September 14, 2004

I. Call the Regular Meeting to Order

- A. Roll Call**
- B. Motion to Approve Agenda**
- C. Motion to Approve Minutes From Previous Meeting**
- D. Motion to Approve Payment of Bills**
- E. Motion to Approve Civic Center Receipts**

II. Contracts

- A. Civic Center, Ogden St. Pool, Jean Shepherd Community Center**

III. New Business

- A. Easement Agreements for the Little Calumet River Project**

IV. Public Comment

V. Schedule of Next Meeting (Oct. 12) / Adjournment

Phone 219.853.6378
Fax 219.853.6504
Fax 219.933.4000

//

AGENDA
BOARD OF PUBLIC WORKS & SAFETY
SEPTEMBER 2, 2004

1. MEETING CALLED TO ORDER.
2. ROLL CALL.
3. CONFLICT OF INTEREST STATEMENT.
4. APPROVAL OF MINUTES OF AUGUST 19, 2004 AND AUGUST 26, 2004
5. CORRESPONDENCE:

A. Change Order No. 2 from Farrar, Garvey & Associates, LLC, for the 2nd District Torrence Avenue from Hoffman Street to Hudson Street, submitted for approval.

B. Change Order No. 1 from Robinson Engineering Ltd. for the Harrison Avenue Reconstruction submitted for approval.

OFFER
REJECTED →

C. Uniform Easement Acquisition Offers submitted by the Little Calumet Basin Development Commission submitted for approval.

MOTION
APPROVED →

D. Road Closure Easement Agreements submitted by the Little Calumet Basin Development Commission submitted for approval.

E. Letter from NIPSCO requesting partial closure of Columbia Avenue southbound, between Gostlin Street and Chicago Avenue, for approximately one (1) week in late September, to complete proposed underground work in the area.

F. Letter from Chief of Police Brian Miller submitting a resignation letter from Office Kimberly Mauch, effective August 31, 2004.

G. Letter from Chief of Police Brian Miller requesting approval of the promotion of Officers K. Markert, R. Trost, F. Delgado, J. Suarez, M. Jorden, and M. Porter to the rank of Corporal with pay adjustment.

H. Letter from Chief of Police Brian Miller advising that Officers S. Pruzin, C. Matonovich, M. Porter, F. Delgado, and P. McKechie have requested not to continue in various Specialty Programs.

I. Letter from Fire Chief David Hamm requesting approval of the promotion of Inspector Kevin Margraf to the rank of Battalion Chief of Inspection effective September 6, 2004.

J. Second Addendum to Consulting Agreement submitted for approval.

K. Letter from Jonathan E. Hogge, Downtown Hohman, LLC, regarding the Lease Agreement for 5265 Hohman Avenue.

L. Proposed lease between the Hammond Development Corporation and the Board of Public Works & Safety regarding space at 219 Russell Street submitted for approval.

M. Letter from Attorney Eduardo Fontanez, Jr., for property owner O. Campuzano,

THE
TRUST
for
PUBLIC
LAND



Chicago Office
53 West Jackson Blvd.
Suite 815
Chicago, IL
60604
T. 312-427-1979
F. 312-408-1733
www.tpl.org

September 28, 2004

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport
Portage, IL 46368

*Met with DLR
+ TPL on 9/29/04
to assign survey.
JW.
9/29/04*

Re: Hobart mitigation land – survey needs

Dear Dan:

As you know, the Trust for Public Land (or TPL) is in need of survey work related to acquisition of land in Hobart Marsh for wetlands mitigation. Instead of retaining our own surveyor and seeking reimbursement from your agency for this cost, we believe it would be quicker and more cost effective to order this work through your contract appraisers.

The following sets forth our general appraisal needs, as well as specific needs relating to particular parcels. For each of the remaining Hobart Marsh acquisitions (the Kim property plus 2 or 3 others) we will need:

- A boundary/stake survey (stake the property and set iron rods)
- Locate improvements as well as any fences (note: for the Julian property would also want you to locate the water line)
- Locate access easements which will be conveyed with the acquired property (e.g., Kim, Julian)
- Calculate the acreage (note: for the Julian property, exclude submerged land)
- Provide new legal description for acquired acreage where necessary

We need all survey work done by November 15th to be in a position to exercise our options by year-end. If you have any questions or concerns about proceeding to order this work on our behalf, please let me know.

Sincerely,

Christine K. Slattery
Director, Chicago Area Office

✓cc. Judy Vamos



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
Governor's Appointment

JOHN MROCZKOWSKI, Secretary
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STEVE DAVIS
Dept. of Natural Resources'
Appointment

CHARLES RAY
Porter County Commissioners'
Appointment

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

27 September 2004

Ms. Robin Jackson, Supervisor, Holder Reporting
302 West Washington Street Fifth Floor
Indianapolis, IN 46204

Dear Ms. Jackson,

RE: Unclaimed Property paid into court for condemnations

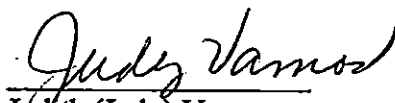
Thank you for speaking with me last week about the monies your division is keeping as "Unclaimed Property." I'm so glad we have this mix-up finally understood. As we agreed I'm sending you Property ID Numbers with amounts so we can withdraw the money and distribute it to the previous landowner. A property search record for each tract is attached.

| | |
|----------------------|--------|
| Property ID: 1562417 | \$ 430 |
| Property ID: 1562418 | \$ 468 |
| Property ID: 1562419 | \$1800 |
| Property ID: 1562490 | \$1405 |
| Property ID: 1562491 | \$ 500 |
| Property ID: 1562496 | \$ 450 |
| Property ID: 1562497 | \$ 540 |

Please send me any claim forms or affidavits that need to be completed and I will comply with your regulations. Once we have the monies we will contact the previous landowners (ones we condemned in court) and forward these monies to them.

You have been very helpful and I send my thanks for your cooperation. Please call me at 219-763-0696 if you have questions about this mailing.

Respectfully,


Judith (Judy) Vamos
Land Acquisition Agent

Attachments:

14

LAND MANAGEMENT REPORT

For meeting on Wednesday, October 6, 2004

(Information in this report is from August 26 – September 29, 2004)

A. NON-PROJECT LAND MANAGEMENT

The Charles Agnew Handicapped Park sign has been approved. The sign was not in the original estimate and we will be expected to pay for it. Installation of the sign will be completed by River Forest School personnel. **(Ongoing)**

1. 3120 GERRY STREET (RENTAL HOUSE)

- LCRBDC advertised this property for sale on July 27. The bid opening is scheduled for August 17.
- No bids were received by the August 17, 2004 2:00 p.m. deadline. Previously-interested parties will be re-contacted to see if they are interested.
- **A re-appraisal has been completed on September 16 for the house in an "as is" condition. We will advertise for bids again for 30 days. If a bid is submitted lower than the appraisal amount, we will ask the Governor to sign the deed as regulated by State surplus property disposal law.**

2. CHASE STREET FARM STAND (VILLAGE FARM STAND)

- A motion was made at the January 7, 2004 Board meeting regarding future rent and back rent due. Rent will remain at \$1,700/month until Grant Street construction is completed to 35th Avenue.
- LCRBDC has now, and will be receiving \$1700/month.

3. FARM LEASES:

- Modified farm license agreements were sent to both Don Ewen and the Bult brothers on December 30, 2003. These were signed and returned.
 - Both areas currently being farmed.
4. A letter was received from VIEW OUTDOOR ADVERTISING on July 28, 2004, requesting consideration for installing (4) advertising signs on LCRBDC property at the Southwest intersection of I- 80/94 and I-65.
- Over \$25,000 in annual revenue could be received from VIEW Outdoor if we leased property to them for this purpose.
 - The Board members agreed at the August 4, 2004 board meeting to allow VIEW Outdoor to proceed with their process to obtain permits.
 - A letter was sent to VIEW Outdoor on August 19, 2004, notifying them of the Board decision.
 - **They are currently pursuing all necessary permits. (Ongoing)**

B. PROJECT RELATED LAND MANAGEMENT

A. O&M Committee (ongoing issues)

1. Funding to complete O&M obligations.

- A. A letter was received from the COE on April 14 indicating that FEMA will require that the city of Gary must provide certification that they will provide O&M in compliance with the COE manual prior to FEMA completing their re-mapping of the floodplain.

- As part of the City of Gary's request for taking O&M responsibility, they requested that the COE assume responsibility for complying with IDEM requirements for water quality regarding discharges for the Little Calumet River Flood Control Project.
 - A letter was sent to Greeley & Hansen Engineers (GSD Engineering consultants) on May 24, 2004, requesting they provide a Scope of Work that could be incorporated into a contract that would be done in 2005 as a LCRBDC/COE project cost. (Ongoing)
- B. City of Gary (or their representatives) position on taking over O&M for pump stations.
- A letter was received from United Water on June 1, 2004, indicating status of pumps at the Burr Street Pump Stations.
 - LCRBDC received a letter from United Water regarding the maintenance of pump stations on June 9, 2004.
 - Services which had been performed in the past were stopped because they were not being compensated for their time or material.
 - A proposal was submitted with this letter requesting \$37,250.71 in back payments as well as \$4,876/month for services with additional adjustments. (Available upon request.)
 - These costs are being reviewed and may be part of the request by the LCRBDC to obtain money from the state to cover capital expenses.
2. A meeting was held with the City of Gary on June 28, 2004, to discuss land transfers, COE upgrades on lift stations, and Gary Stormwater Management District O&M.
- A. Land transfers (approximately 359 acres) were discussed. LCRBDC Passed a resolution at the July 7, 2004 Commission meeting to begin process.
- B. An inspection with the COE, LCRBDC, and representatives from Gary was held for the (4) pump stations in Gary on September 13th. The sluice gates were inspected on September 14th and 22nd, 2004.**
- All four pump stations in Gary were inspected on September 13 (these included Burr St. North, Grant, Broadway, and Ironwood). Representatives from the COE, Greeley & Hansen, United Water, and the LCRBDC attended.
 - Sluice gates were inspected on September 14 and Sept. 22 with representatives from the COE, Greeley & Hansen, United Water (provided the compressor), and LCRBDC.
 - Levee inspections were held September 24, 28, and 29. (Commissioner Bob Huffman attended in Jim Pokrajac's absence.)
 - The COE will comprise a punch list which will then be reviewed to see who has what responsibility to correct the deficiency.

2

- C. Portions of West Reach pump stations in Hammond and Highland have been turned over to their respective communities. Representatives of the Hammond and Highland Sanitary Districts have inspected these facilities with the COE and contractor and signed off as completed.
- LCRBDC received a phone call that the Hammond Sanitary District (HSD) was reluctant to sign the agreement because they were concerned that a sluice gate was being installed at the line of protection which could prohibit their pumping during a flood event.
 - The COE indicated this is not true in an e-mail on April 20, 2004.
 - **HSD has proposed changes to the O&M agreement for the S.E. Hessville Pump Station that we submitted to them back in April 2000 & then again in January 2003**



TONY ZALESKI
AND ASSOCIATES
3026 45TH STREET
HIGHLAND, INDIANA 46322
TEL. (219) 924-0040
FAX (219) 924-4019

3120 GERRY ST.
this is updated appraisal
first appraisal \$19,500
updated appraisal \$15,000

September 16, 2004

Att.: Judy Varnos
Little Calumet River Basin Development Commission
6100 SouthPort Road
Portage, Indiana 46368

Dear Judy Varnos:

SUBJECT: 3120 GERRY STREET

After inspecting and reviewing the market for the subject area of Black Oak, It is the opinion of this appraiser the value of subject is \$15,000.00 in "as is condition"

MLS reports 85 active listing for two bedroom homes in subject area with a 60 days market time. Last year this time, this area had approx. 60% of the number of listing. In addition, for three bedrooms homes there are 134 listing of homes.

I can only speculate the reason for the high number of properties 'For Sale' high taxes, the recent reassessment or the condition of roads and the number of abandon building.

I hope this letter meets your needs. If not let me know.

Sincerely,

Tony Zaleski, Jr

3026 45TH STREET
HIGHLAND, INDIANA 46322

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Witowski, Reric J LRC" <Reric.J.Witowski@lrc02.usace.army.mil>;
 <Dwain.Bowie@UnitedWater.com>
Cc: <David.Hughes@UnitedWater.com>; "Spike Peller" <spike@garysan.com>;
 <jmeyer@meyerwyattpc.com>; <pvogel@greeley-hansen.com>; "Niec, Jay" <jniec@greeley-hansen.com>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Smales, Donald" <dsmales@greeley-hansen.com>; "Arlene Colvin" <acolvin@ci.gary.in.us>; <Shamel.Abou-el-seoud@lrc02.usace.army.mil>; <Douglas.M.Anderson@lrc02.usace.army.mil>
Sent: Monday, August 30, 2004 4:08 PM
Subject: Final Inspections

We have finalized the three (3) dates for our upcoming inspections for the pump stations and sluice gates in Gary as part of the Little Calumet River Flood Control project as follows:

Monday, September 13 - We will meet at the Burr Street pump station located east of Burr Street and north of the Little Calumet River at **8:45 a.m.** Upon completion of the inspection of the Burr Street pump station, we will work our way eastward to the Grant Street pump station which is located east of Grant Street and north of the Steel City Truck Stop. We feel that, based upon past experience, that we will be able to complete these 2 pump stations in one day of inspection.

Friday, September 17 - We will meet at the Broadway pump station located approximately 1/2 block east of Broadway, directly south of the Little Calumet River at **8:45 a.m.** Upon completion of the inspection of the Broadway pump station, we will move to the Ironwood pump station, which is located directly south of the Ironwood sub-division, north of the Norfolk Southern RR, and approximately 1/2 mile west of Martin Luther King Drive. Once again, we feel that we should be able to complete the inspections for these 2 pump stations in one day.

Wednesday, September 22 - We will meet at **8:45 a.m.** at the Burr Street pump station to begin the sluice gate inspections. We appreciate the cooperation of United Water to provide a pickup truck, a portable generator and two men for the day to help us operate each of the sluice gates. The Development Commission will provide the electric operators to perform this task. In the event we cannot complete all of the Gary sluice gates in one day, we will try to facilitate one more date whereby we could complete this task.

The Army Corps of Engineers will have the responsibility to put together a punch list which will include all of the deficiencies we have found, working together as a team, that will be addressed prior to the city of Gary taking responsibility for the operation and maintenance features within the city. We would appreciate if United Water could provide us any records they would have for these four pump stations that show the deficiencies they have found during the period of time they were performing O&M on these stations. This would aid us in being more thorough and expedite the inspections of these stations.

If anyone has any questions regarding the dates or the scheduling, please e-mail me or call me at 219/763-0696, and I will facilitate any additions or address any concerns to all involved parties.

Thanks for your cooperation,

Jim Pokrajac, Agent
 Land Management/Engineering

SANITARY DISTRICT of HAMMOND

5143 COLUMBIA AVENUE
HAMMOND, INDIANA 46327-1794
TELEPHONE (219) 853-6412 - 13 - 14 - 88
FAX (219) 853-6321

Board of Sanitary Commissioners

ROBERT L. ALLEN
STANLEY J. DOSTATNI
JOE L. ESCOBEDO
RUSSELL A. SNYDER
MIRIAM SOTO-PRESSLEY



MICHAEL T. UNGER, Ph.D.
District Manager
WILLIAM E. BILLER, C.P.A.
Business Manager
JOSEPH P. ALLEGRETTI
Legal Counsel

September 21, 2004

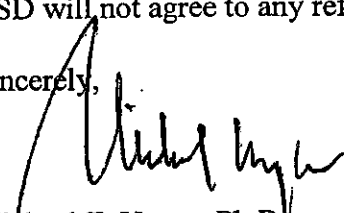
Mr. Dan Gardner
Executive Director
LCRBDC
6100 Southport Road
Portage, IN 46368-6409

RE: Agreement for the Operation and Maintenance of the Southeast Hessville Pump Station

Dear Mr. Gardner:

Attached is the referenced Agreement, signed with our noted exceptions. Please be advised that HSD will not agree to any reference implying joint operation, ownership, or responsibility.

Sincerely,


Michael T. Unger, Ph.D.
District Manager

blg

c: HSD Board of Sanitary Commissioners
Joe Allegretti – HSD Attorney
Michael Hickey – SEH

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**LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
APPOINTMENT STATUS
11-member board
(AS OF 10/1/04)**

| <u>Name</u> | <u>Appointing Authority</u> | <u>Term Expiration</u> |
|-------------|---------------------------------|----------------------------|
|-------------|---------------------------------|----------------------------|

DEMOCRAT

| | | |
|------------------|------------------------------|------------|
| Robert Marszalek | Governor | 12-31-07 |
| George Carlson | Mayor of Hammond | 12-31-05 |
| Arlene Colvin | Mayor of Gary | 12-31-06 |
| Dr. Mark Reshkin | Governor | 12-31-07 |
| John Mroczkowski | Governor | 12-31-06 |
| Vacancy | Lake County Commissioners | (12-31-05) |

REPUBLICAN

| | | |
|----------------|--------------------------------|------------|
| Vacancy | Governor | (12-31-03) |
| Robert Huffman | Governor | 12-31-07 |
| Charlie Ray | Porter County Commissioners | 12-31-06 |
| William Biller | Governor | 12-31-06 |

INDEPENDENT

| | | |
|-------------|------------------|----------|
| Steve Davis | IDNR Director | 12-31-04 |
|-------------|------------------|----------|



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
*Mayor of Gary's
Appointment*

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
Governor's Appointment

JOHN MROCZKOWSKI, Secretary
Governor's Appointment

WILLIAM BILLER
Governor's Appointment

GEORGE CARLSON
*Mayor of Hammond's
Appointment*

STEVE DAVIS
*Dept. of Natural Resources'
Appointment*

CHARLES RAY
*Porter County Commissioners'
Appointment*

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
*Lake County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 30, 2004

Ms. Marilyn Schultz
State Budget Director
State Budget Agency
212 State House
Indianapolis, Indiana 46204-2796

Dear Ms. Schultz:

The Little Calumet River Basin Development Commission respectfully requests to be placed on the next agenda of the State Budget Committee for approval of allocation for claim draw-down, the remaining \$2 million from the 2003-05 State Budget appropriation. This approval is needed to make available sufficient non-federal funds to allow offers to be made to cover the real estate easement acquisitions, utility relocations, and cash escrow account funds projected to allow federal construction contracts to be let on schedule. The Development Commission is currently drawing down from funds allocated last summer by the Budget Committee to cover the costs shown on the Budget Expenditures Chart in the categories of mitigation acquisition; flood control and recreation land acquisition for Stages VI-1 South, VI-1 North, and Stage VI-2; and the required 5% cash escrow contribution to cover these federal construction contracts. These above described expenditures are committed and in process now and, consequently, we have depleted our ability to aggressively move ahead in the project lands, easements and rights-of-way offers further westward in Hammond and Highland. These current financial commitments are listed by property or category covering August 2004 through December 2004 on the Budget Expenditures Chart totaling approximately \$2.9 million.

One factor that has significantly impacted our acquisition process and slowed the time to complete acquisition is the property reassessment process in Lake County. What was taking 8-10 months has extended to 12-15 months on average to acquire, due to property owner refusals of perceived low appraisals relative to these changing assessments. This has led to more court proceedings needed, higher dollar awards, and extended time needed to

Ms. Marilyn Schultz
September 30, 2004
Page 2

complete the required acquisitions. As a result, the Development Commission must start the next phases of Stages V-2B and V-2A (Kennedy Avenue to Indianapolis Blvd on both sides of the river) now to allow some added time to be ready for 2006 year construction contract lettings.

By allowing the release of the additional \$2 million by no later than mid-November, we can begin the work needed to complete the acquisition and expenditure of the funds by September 2005 and be in position to meet federal construction lettings scheduled presently for FFY 2006, most importantly the Stages V-2B and V-2A construction.

We are requesting the release of the remaining \$2 million now as the remaining allocated funds have all been committed and are in process to closing/expenditure. This is shown to be finally completed near the end of this calendar year on the Budget Expenditure chart, and we feel is a fair projection. We are requesting the ability through the requested allocation to begin the increasingly extensive process on the next stages (V-2B and V-2A). Both segments have been coordinated extensively with the two municipalities (Hammond and Highland) and they are strongly supportive. We would anticipate these stages could then be completed to meet the federal schedule contract lettings.

We look forward to meeting with the Budget Committee to answer any questions or clarify any figures given. We appreciate the support we have always received from the legislature and the administration on this important project as it moves to protect the heavily developed areas of Hammond, Highland, and Munster. Thank you for consideration of this request.

Sincerely,



Dan Gardner
Executive Director

/sjm
encl.
cc:

David Dukes, State Budget Agency
Alice Wiegand, State Budget Agency
Paul Ehret, Jomary Crary, IDNR
Representatives Earl Harris, John Aguilera, Dan Stevenson,
and Linda Lawson
Senator Frank Mrvan
Mark Lopez, Congressman Visclosky's Office
Imad Samara, ACOE

[illegible]

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

BUDGET EXPENDITURES / JANUARY, 2006 TO JUNE, 2007

Revised: September 29, 2004

| | JAN. 06 | FEB. 06 | MARCH. 06 | APRIL. 06 | MAY. 06 | JUNE. 06 | JULY. 06 | AUG. 06 | SEPT. 06 | OCT. 06 | NOV. 06 | DEC. 06 | JAN. 07 | FEB. 07 | MARCH. 07 | APRIL. 07 | MAY. 07 | JUNE. 07 |
|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| MITIGATION ACQUISITION | | | | | | | | | | | | | | | | | | |
| M-15 | | | | | | | | | | | | | | | | | | |
| M-4 | | | | | | | | | | | | | | | | | | |
| M-1 | | | | | | | | | | | | | | | | | | |
| M-2 | | | | | | | | | | | | | | | | | | |
| M-7, 10, 13 | | | | | | | | | | | | | | | | | | |
| Remaining Mitigation to meet DNR permit | | | | | | | | | | | | | | | | | | |
| FLOOD CONTROL AND RECREATION LAND ACQUISITION | | | | | | | | | | | | | | | | | | |
| STAGE V1-1 SOUTH | | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| STAGE V1-1 NORTH | | | | | | | | | | | | | | | | | | |
| DC 1012, 1013, ETC. | | | | | | | | | | | | | | | | | | |
| DC 1014 | | | | | | | | | | | | | | | | | | |
| DC 1022 TO 1024 | | | | | | | | | | | | | | | | | | |
| DC 1010E | | | | | | | | | | | | | | | | | | |
| DC 1010B | | | | | | | | | | | | | | | | | | |
| DC 1010D | | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| STAGE V1-2 | | | | | | | | | | | | | | | | | | |
| DC 617 | | | | | | | | | | | | | | | | | | |
| DC 1002 | | | | | | | | | | | | | | | | | | |
| DC 1009 | | | | | | | | | | | | | | | | | | |
| DC 1016 | | | | | | | | | | | | | | | | | | |
| DC 1000 | | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| STAGE V-2-B | | | | | | | | | | | | | | | | | | |
| One residential | \$40,000.00 | | | | | | | | | | | | | | | | | |
| Eight municipal | \$75,000.00 | | | | | | | | | | | | | | | | | |
| Three commercial | \$600,000.00 | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| STAGE V-2-A | | | | | | | | | | | | | | | | | | |
| Twenty residential | | | | | | | | | | | | | | | | | | |
| Five corporates | | | | | | | | | | | | | | | | | | |
| Three municipal | | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| STAGE V-3 | | | | | | | | | | | | | | | | | | |
| One corporates | | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| STAGE: BURR STREET LEVEE | | | | | | | | | | | | | | | | | | |
| DC 582 / 583 | | | | | | | | | | | | | | | | | | |
| DC 598 | | | | | | | | | | | | | | | | | | |
| DC 69-A | | | | | | | | | | | | | | | | | | |
| Utility Relocation | | | | | | | | | | | | | | | | | | |
| PROFESSIONAL SERVICES (35,400 monthly) | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 | \$35,400.00 |
| CREDITING (2000 monthly) | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| CONSTRUCTION ESCROW (5% Non-Federal Contribution) | | | | | | | | | | | | | | | | | | |
| CONSTRUCTION (Burr Street) | | | | | | | | | | | | | | | | | | |
| ESTIMATED MONTHLY TOTAL | \$ 752,400.00 | \$ 37,400.00 | \$ 112,400.00 | \$ 37,400.00 | \$ 737,400.00 | \$ 37,400.00 | \$ 612,400.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 2,389,850.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 37,400.00 |
| ACCUMULATED BALANCE | \$6,576,200.00 | \$6,613,600.00 | \$6,726,000.00 | \$6,763,400.00 | \$7,500,800.00 | \$7,538,200.00 | \$8,150,600.00 | \$8,188,000.00 | \$8,225,400.00 | \$10,615,250.00 | \$10,652,650.00 | \$10,690,050.00 | \$10,727,450.00 | \$10,764,850.00 | \$10,802,250.00 | \$10,839,650.00 | \$10,877,050.00 | \$10,914,450.00 |

FUTURE
APPROPRIATIONS
NEEDED

