

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:30 P.M. THURSDAY, MARCH 7, 1996  
AT THE COMMISSION OFFICE  
6100 SOUTHPORT ROAD  
PORTAGE, INDIANA

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Chairman William Tanke called the meeting to order at 6:45 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

Charles Agnew  
William Tanke  
Robert Trelo  
Steve Davis  
Robert Huffman  
Emerson Delaney  
George Carlson

Visitors:

Jim Flora - RWarmstrong  
Denis Buksa - Munster  
Pete Zak - South Shore Marina  
Bob Frum - Lefty's Coho Landing  
K. Frum - Lefty's Coho Landing

Staff:

Dan Gardner  
Lou Casale  
Melissa Stefanovich  
James Pokrajac  
Judy Vamos  
Sandy Mordus

The minutes of the February 1, 1996 meeting were approved by a motion from Chuck Agnew; motion seconded by Emerson Delaney; motion passed unanimously.

Chairman's Report - Chairman Bill Tanke informed the Board that the marina bond closing took place on February 14th. Attorney Lou Casale spoke on the closing. He stated all went well and several accounts were set up. Monies can be drawn upon at anytime needed with designated Commissioners' signatures.

Staff met with Gary Mayor Scott King and Gary attorney Jim Meyer regarding current information/status on a number of issues. The COE office as well as IDNR were represented, as well as several Gary councilmen and Arlene Colvin. Topics of discussion were permits needed for construction in a floodway, COE modeling used in determining the downstream impact, remediation area property and options the city has available to them for development. The meeting went well and Mr. Gardner felt that the relationship between the Commission and the new Gary administration is a good one.

Executive Director's Report - Mr. Gardner informed the Board that he attended a meeting with INDOT and the city of Gary with regard to the Grant Street interchange project. The purpose of the meeting was to resolve several issues to fund the project, which is tied into the Little Calumet River levee project. If Grant Street interchange/bridge reconstruction were to happen, it would eliminate the need for flood closure gates. The meeting went very well. Since Grant Street is not a state route, INDOT is insisting the city contribute funding toward the project. The city of Gary has now made that commitment. Total reconstruction cost would be about \$2.8 million. The city committed to \$500,000 and the state would fund the remaining portion. This is the first time there has been a commitment from the city to participate in funding.

Mr. Gardner also reported that the culvert replacement under I80/94 & Georgia Street will be starting soon. INDOT is doing that construction work. The Lake County Highway Department will be improving Burr Street bridge.

Mr. Gardner reported that Major Tom Chapman will be leaving the area shortly for an assignment in Korea. He has been recommended to receive a COE Sverdrup Medal and we have written an endorsement letter in his behalf.

Land Acquisition Committee - Committee Chairman Chuck Agnew gave the Land Acquisition report. He made a motion for staff to proceed with the condemnation filing of DC412 and DC439; motion seconded by Robert Huffman; motion passed unanimously.

Mr. Agnew then made a motion to approve and direct the Chairman to sign a revised right-of-entry for Stage IV Phase 2B (revised version eliminates Chase St. Auto property); motion seconded by Robert Huffman; motion passed unanimously.

Attorney Lou Casale discussed the need to acquire DC66 from the Lake County Park and Recreation Board. This parcel is also the subject of a quiet title lawsuit filed by Reeder Associates II which claims a tax title interest in the property. A motion was made by Chuck Agnew to adopt the following resolution regarding DC66; "Be it hereby resolved by the Little Calumet River Basin Development Commission that it acquire from the Lake County Park and Recreation Board, by Quit Claim Deed, its title to DC66, for \$0; however, the Commission shall reimburse the Lake County Park and Recreation Board its legal costs incurred and otherwise indemnify the Lake County Park and Recreation Board from damages or costs, including attorney fees of the Lake County Park and

Recreation Board incurred henceforth, as the result of the Quiet Title lawsuit filed by Reeder II. The Little Calumet River Basin Development Commission further authorizes and directs its attorneys to intervene in said Quiet Title lawsuit on its behalf. In the event that title is found to be in the name of Reeder II, the Little Calumet River Basin Development Commission authorizes its attorneys to acquire said land by eminent domain." Motion was seconded by Emerson Delaney; motion passed unanimously.

Mr. Agnew then made a motion to sign the right-of-entry for the betterment levee for soil testing; motion seconded by Emerson Delaney; motion passed unanimously.

Project Engineering Committee - Committee Chairman Bob Huffman gave the report. He made a motion to adopt Resolution 96-1 to enter into an agreement with Marathon for utility relocation services; motion seconded by Chuck Agnew; motion passed unanimously.

Mr. Huffman then made a motion to ratify the signing of easements given to North-West Engineering Company for the city of Gary for property needed at Burr Street & the N&S RR to allow for the bridge reconstruction, pump station, and stormwater force main; motion seconded by Emerson Delaney; motion passed unanimously.

Mr. Huffman referred to several meetings that have taken place in the last month. Staff met on 2/13 with the Town of Munster and the North Township Trustee's Office regarding Wicker Park levee alignment. Staff also met on 2/28 with Lake County Emergency staff to address flood warning system and response time. A pre-construction meeting was also held on 2/27 with INDOT with regard to I80/94 and Georgia St. culvert replacement. Mr. Huffman also referred to the city of Gary meeting and a separate meeting with Gary Park & Recreation on 3/1/96 to discuss additional easements needed from the Park Dept. with the appraised value going toward the greenhouse.

Legislative Committee - Committee Chairman Robert Trelo gave the Legislative report. He indicated that we have received the signed agreement from the Budget Agency to allow for the \$2 million of Build Indiana Funds to be drawn upon.

Mr. Trelo also indicated that Congressman Visclosky has requested an additional \$11 million in federal funding for fiscal year 1997.

Marina/Breakwater Committee - Committee Chairman Bill Tanke gave the Marina report. He reported that a committee meeting was held 2/26 with John Hannon and Jeff Bartoszek. Jeff believes that the target date of the end of May to open the marina is realistic. There are about 30 confirmed reservations for slip rental at present. Discussion centered on project bidding status and monies remaining available from the city of Portage. Some figures will be fine tuned before the next meeting to get a better handle on actual dollars left to be used from Lake Michigan Marina Development Commission monies. Mr. Tanke feels strongly about Portage expending all their funds before the Commission starts borrowing.

Discussion ensued on signage at the marina site. Mr. Tanke showed a draft sample of a sign he envisioned for use at site. Mr. Agnew made a motion authorizing Chairman and staff to get sign constructed and erected at the site; motion seconded by Emerson Delaney; motion passed unanimously. Mr. Tanke added that he would like a sign erected within six weeks.

Finance/Policy Committee - Treasurer George Carlson gave the financial report. Mr. Carlson made a motion to approve the financial status statement; motion seconded by Robert Huffman; motion passed unanimously. Mr. Carlson then made a motion to approve the claims for payment totaling \$96,078.57; motion seconded by Chuck Agnew; motion passed unanimously.

Mr. Carlson reported that the Finance Committee met 3/6/96. One item of discussion was an additional compensation amount for staff Executive Director Dan Gardner and Business Coordinator Sandy Mordus. Mr. Carlson made a motion recommending approval of compensation for Dan Gardner be increased by \$3,500 and compensation for Sandy Mordus be increased by \$2,500. The increase would be in the form of a performance bonus and the attorney was directed to write a letter to NIRPC informing them of increase; motion was seconded by Robert Trelo; motion passed unanimously.

Mr. Carlson made a motion to approve a request letter from the COE for \$300,000 to be placed into the escrow account as an ongoing 5% cash contribution toward the project cost; motion seconded by Robert Huffman; motion passed unanimously.

Other Business - Dan Gardner informed the Board that the Development Commission has been asked to act as a facilitator between the Corps office and IDEM and set up an escrow account for a grant of IDEM money that the Corps can draw from to perform work on the Grand Calumet River. Through our Commission, they wish to establish an escrow account for up to \$250,000

(keeping it completely separate from the escrow accounts we currently have with the Corps office. George Carlson made a motion approving the setting up of this escrow account for IDEM and the COE; motion seconded by Robert Huffman; motion passed unanimously.

Chairman Bill Tanke expressed his desire to make the stipulation of all checks written from the marina account warrant two (2) signatures from the four (4) names listed on account. Names listed are the Chairman, the Treasurer, the Secretary, and the Executive Director. Any two of them can sign checks. A motion was made by Chuck Agnew to make this stipulation; motion seconded by Emerson Delaney; motion passed unanimously.

Statements from the floor - There being no further business, the next regular Commission meeting was scheduled for Thursday, April 4, 1996 at 6:30 p.m. in Portage.