

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, JANUARY 15, 1998
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
HIGHLAND, INDIANA

Chairman Bob Huffman called the meeting to order at 6:10 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

Robert Huffman
George Carlson
Roger Chiabai
Steve Davis
John DeMeo
Charles Agnew
Arlene Colvin
Emerson Delaney
Robert Trelo

Visitors:

Jim Flora - RWArmstrong
Mike Palm - Environmental Inc.
Tom Stevenson - " "
Ed Dybel - Concerned Citizen
Jomary Crary - IDNR, Div. Water
Pete Zak - South Shore Marina
Charles Greskovich - Lake County
Fish & Game
Kevin Richards - COE
Imad Samara - COE

Staff:

Dan Gardner
Lou Casale
James Pokrajac
Sandy Mordus
Judy Vamos

The minutes of the December 10, 1997 meeting were approved by a motion from Roger Chiabai; motion seconded by Chuck Agnew; motion passed unanimously.

Chairman's Report - Chairman Bob Huffman introduced the Nominating Committee consisting of John DeMeo (Chairman of Committee), Chuck Agnew and George Carlson. Commissioner John DeMeo gave the report. Nominated for Chairman was Robert Trelo. Roger Chiabai made a motion that nominations be closed; motion seconded by Arlene Colvin; motion passed unanimously. Roger Chiabai then made a motion to elect Robert Trelo as Chairman; motion seconded by Chuck Agnew; motion passed unanimously. Nominated for Vice Chairman was Emerson Delaney. Roger Chiabai made a motion that nominations be closed; motion seconded by John DeMeo; motion passed unanimously. Chuck Agnew then made a motion to elect Emerson Delaney as Vice Chairman; motion seconded by Bob Huffman; motion passed unanimously. Nominated for Secretary was Roger Chiabai. Chuck Agnew made a motion that nominations be closed; motion seconded by Bob Huffman; motion passed unanimously. Chuck Agnew then made a motion to elect Roger Chiabai as Secretary; motion seconded by Bob Huffman; motion passed unanimously.

Nominated for Treasurer was William Tanke. Chuck Agnew made a motion that nominations be closed; motion seconded by Roger Chiabai; motion passed unanimously. Bob Huffman then made a motion to elect William Tanke as Treasurer; motion seconded by Roger Chiabai; motion passed unanimously.

At this point, Chairman Bob Trelo presided over the meeting. Mr. Huffman thanked the Board members for a good year and said he was honored that he has served as Chairman this last year and added that he was sure his successor would do a fine job. Newly elected Bob Trelo presented Mr. Huffman with a State of IN plaque honoring his tenure as Chairman for 1997 and thanked him for a job well done and hoped he does half as well. He told fellow members that he will always respect their opinion and hoped that, in return, they would respect his opinions.

Executive Director's Report - Mr. Gardner introduced Tom Stevenson and Mike Palm from Environmental Inc. who gave a project update summary of what they have found at the greenhouse property in Gary. To date, we have spent over \$91,000 in cleaning up this site. At the last meeting, they were authorized to do soil boring testing of the remaining area to determine extent of soil contamination so we would know up front what additional work would be required. For the area at and around the greenhouse property, total estimated cost would be \$29,750; for the IV-P2 flowage area, the total estimated cost would be \$12,370; combined cost is \$42,120. Mr. Huffman made a motion authorizing Environmental Inc. to complete the cleanup work for a cost not to exceed \$42,120; motion seconded by Arlene Colvin; motion passed unanimously. If it was found out that the cost would be higher, they would have to come back before the Board for further approval. Mr. Huffman inquired about whether the concrete foundation would be removed; the reply was that it would not be removed (that would be an additional cost). Jim Pokrajac added that where the concrete is would be a flowage area and not a recreation site. Board members directed staff to inform the City that we will not be removing the foundation. We are incurring the entire clean-up cost because we are required to give clean land to the COE for project purposes. Our responsibility is with the COE.

Mr. Gardner then introduced Imad Samara, COE Project Manager and Kevin Richards, COE Engineering Manager who proceeded to give a presentation to justify the non-federal cost of \$192,500 to finish the plans and specs for the Burr Street betterment levee. Other costs associated with this portion of the levee will be funded from project monies. Cost is higher than anticipated due to realignment of the levee between Arbogast and the EJ&E RR and the fact that the Cady Marsh project in Griffith is not going to happen. Staff asked

the COE whether this engineering design work could be done by an outside firm; and, although the answer was yes, the COE is more familiar with the project than any other firm would be and, ultimately, the specs would have to be approved by the COE. Imad added that the work would be done in house. This area, plus the remediation area, is critical and top priority because we are already raising the flood stages through the area. Staff has begun appraisal process of private properties. George Carlson made a motion to approve the COE proceeding with the specs to get to contract stage for a cost not to exceed \$192,500; motion seconded by John DeMeo; motion passed unanimously.

Commissioner Huffman asked the COE about the failed levee section east of Harrison Street. He was told that there were unusual soft soil conditions there and that although soil borings were taken across the street, it was an area that perhaps more borings should have been taken. The COE is awaiting soil testing results now to determine what remedies will be required (additional excavation, putting in toe berm, only reconstructing levee, etc) They will forward information to us once it is known. About 500' of the levee failed. Imad and Kevin both stated there is no concern that this would happen again. All other levees are fine even after settlement. Borings are taken about every 500'. Imad added that the cost incurred in rectifying the situation would be a project cost, not just a federal cost. They were asked about insurance that the contractor would carry. The reply was that the contractor did nothing to cause this; it was just bad luck. Chairman Trelo asked the COE for a copy of the contract anyway.

We received an advance copy of the latest O&M Manual in which our comments from the draft copy were incorporated. The COE will provide us with additional copies so the Board members and the towns/cities can review. We are still able to input our comments; comments due no later than end of March.

Mr. Huffman asked Imad Samara about his reaction to a letter received by a private citizen, Mr. Edward Johnston, concerned about the COE not buying him out (and several other houses in same vicinity) when he feels the construction thus far has already increased water there. Imad replied that he has not even seen the letter yet and will pursue the matter as soon as he can to re-evaluate the situation and then get back to us on their decision.

Mr. Gardner referred to a meeting held on December 16 in which Colonel Gerber and Mayor King participated in regarding minority contracting participation. He stated that the Mayor has a yearly meeting with the Gary contractors and he suggested we attend. He will let us know when and where. A formal written response to how

the Corps will better monitor "good faith effort" will be forthcoming.

Committee preference sheets were distributed to Board members to fill out and return to the Chairman.

Land Acquisition Committee - Committee Chairman Chuck Agnew reported that there were no real estate motions to be made this month. Mr. Agnew talked a little regarding the Commission having to provide mitigated lands because of the project. He referred to a proposal from a wetland specialist, J. F. New & Associates, to assist us in determining and locating these lands for a cost not to exceed \$4,000. Mr. Agnew proceeded to make a motion to that effect to accept their proposal with eliminating Section 9; motion seconded by John DeMeo; motion passed unanimously.

Mr. Agnew then referred to quotes received from 3 area contractors to construct a new parking lot on Commission property at 35th & Chase. They were: Nimetz Trucking for \$9,870; Congress Enterprises for \$11,025 and Dyer Construction for \$11,500. He then made a motion to award a contract to Nimetz Trucking based on the lowest bid; motion seconded by John DeMeo; motion passed unanimously.

Project Engineering Committee - Committee Chairman Bob Huffman stated that all items under engineering had been discussed already. He added that further recreation Phase I work will be hold until the spring.

Legislative Committee - Committee Chairman George Carlson stated that there are no bills before the short Legislative session going on now that affect us. He added that there was a very good story in the Times about Steve Davis, Commission member and Lake Michigan Specialist.

Marina Committee - In Committee Chairman Bill Tanke's absence, Mr. Gardner gave a brief report and referred to the letter that Attorney Casale has sent to Mayor Maletta requesting a meeting be scheduled to discuss renewal of the Interlocal Agreement between the City and the Commission which terminated at the end of 1997.

Mr. Gardner also informed Board members that we understand that the Mayor is drafting a letter to the State Budget Committee. Work has started on Phase 2 marina construction and weekly construction meetings will be held in which staff will attend on occasion to keep up on progress. It is anticipated that construction will be completed for the 1998 boating season.

Finance/Policy Committee - Treasurer Chuck Agnew gave the financial report. Mr. Agnew made a motion to approve the financial status statement for November and approve the claims for payment totaling \$260,279.79; motion seconded by Arlene Colvin; motion approved unanimously. Mr. Agnew then made a motion to approve and adopt the 1998 budget as presented; motion seconded by Bob Huffman; motion passed unanimously. Mr. Agnew then made a motion to approve and accept the 1998 contract for administrative services with NIRPC (contract allows for about a 4% increase over 1997; changes are reflected); motion seconded by Roger Chiabai; motion passed unanimously. Mr. Agnew stated that a Finance meeting was held on December 4th and the Committee recommends a bonus for 1997 performance be given to Dan Gardner for \$5,000 and Sandy Mordus for \$3,500. This was stated in the form of a motion; motion seconded by George Carlson; motion passed unanimously. Mr. Agnew then made a motion to extent the contract for Jim Pokrajac and Judy Vamos for at least one month in order to re-format a new 1998 contract; motion seconded by Roger Chiabai; motion passed unanimously. Mr. Agnew then made a motion to approve a 1997 budget transfer of \$3,000 from Budget Code 5812 (NIRPC services) to Budget Code 5825 (Meeting Expenses); motion seconded by Arlene Colvin; motion passed unanimously.

Other Business - There were none.

Statements from the floor - Concerned citizen Ed Dybel inquired about the relationship of the city of Portage and the Commission in regard to the marina. Mr. Gardner explained to him the Commission's obligation to the Federal government to build a 250 slip public marina as a result of federal dollars spent to build the breakwaters at the mouth of Burns Waterway. After two unsuccessful Requests for Proposals, the Mayor came forward and expressed the City's desire to enter into a Joint Interlocal Agreement to build the marina. The Commission owns the property the marina sits on and the City operates the marina. The Commission has revenue bonded for its share of the cost. Those bond payments are being paid back out of the marina proceeds. City tax dollars are not being used to pay for the marina. The City has received State funding through the Lake Michigan Marina Development Commission.

There being no further business, the next regular Commission meeting was scheduled for 6:00 p.m. Thursday, February 5, 1998.

/sjm

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