

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, JANUARY 6, 2000
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA**

Chairman Emerson Delaney called the meeting to order at 6:20 p.m. Ten (10) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

Charles Agnew
Arlene Colvin
George Carlson
John Mroczkowski
Marion Williams
William Tanke
Bob Huffman
Emerson Delaney
John DeMeo
Curt Vosti

Visitors:

Pete Zak – South Shore Marina
Mark Lopez – Congressman Visclósky's Office
Jomary Crary – IDNR, Div. of Water
Jim Flora – R.W. Armstrong Co.

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

Arlene Colvin made a motion to approve the minutes of the December 7th meeting; motion seconded by George Carlson; motion passed unanimously.

Chairman's Report – Chairman Emerson Delaney referred to the Nominating Committee, consisting of Chair Chuck Agnew, John DeMeo and George Carlson, for their report. Mr. Agnew reported that the committee met and he proceeded to present the slate of officers for the year 2000.

For the office of Secretary, Mr. Agnew made a motion to elect Curt Vosti; motion seconded by Bob Huffman; motion passed unanimously.

For the office of Treasurer, Mr. Agnew made a motion to retain Arlene Colvin; motion seconded by Bill Tanke; motion passed unanimously.

For the office of Vice Chairman, Mr. Agnew made a motion to retain John DeMeo; motion seconded by John DeMeo; motion passed unanimously.

For the office of Chairman, Mr. Agnew made a motion to retain Emerson Delaney; motion seconded by Bob Huffman; motion passed unanimously.

No other nominations were made.

Mr. Carlson commented that this was the first time he has ever served on the Nominating Committee and, although, he voted unanimously with the selection of officers, he was not in agreement how the process took place. He felt that consideration should have been given to the time of service and the time spent in various offices. There should be guidelines in place that all Nominating Committee members would follow.

Chairman Emerson Delaney thanked the Nominating Committee for their trust in him. He stated it was an honor and privilege to serve again as Chairman. After having moved up through the offices and already serving one term as chairman, he felt he has learned quite a lot and would be honored to serve the residents of Northwest IN to their best interest. He further stated that we have some busy years ahead of us to finish this project, but feels that with working together with the COE, with the Congressman's support, and the excellent staff we have, all will be accomplished.

Chairman Delaney referred to the Committee Preference sheets distributed to each member and asked them to fill them out and return to Sandy.

Executive Director's Report – Executive Director Dan Gardner referred to the letter from Christopher Burke Engineering Co., consultants to the town of Highland, regarding the Wicker Park Manor Subdivision being removed from FEMA's floodplain designation. Although getting this floodplain removal status took a long time, hopefully, it has laid the groundwork for future areas to be removed once the levee protection system is in place in those respective areas. Discussion was held on whether the town will be releasing a press release with this information. Staff will check to make sure.

Mr. Gardner announced that he and attorney Lou Casale will meet on January 11th with the new COE Deputy District Engineer, John Sirls, to discuss state funding dollars in regards to the aggressive COE schedule. The biggest concern is whether the Commission will have the financial capability to allow the COE to let all the \$18 million for construction.. Mr. Gardner presented a draft letter addressed to Representative Pat Bauer, Chairman of Ways & Means, asking for up to \$3 million to be included in a Technical Corrections bill, which is needed to use the Federal funds.

Mr. Gardner announced that the COE has completed the final plans and specifications for the Hammond/Munster area (Northcote to Columbia) and they will be distributed to them. Staff will be scheduling a meeting with key officials in those respective cities and towns to discuss these plans. They need to have a complete understanding of the plans because they probably will be getting phone calls/questions from area residents once construction begins. the project needs to have 100% support from town officials. Secondary meetings will be scheduled with residents in each phase of construction. Public outreach will be important in the west reach areas. Residents will need the opportunity to have their concerns addressed.

Mr. Gardner stated that he will be speaking at the Hammond Rotary Club on January 11th. He and Judy Vamos will show the recently-completed project video.

Land Acquisition Committee – Committee Chairman Chuck Agnew made a motion for Commission to pay up to \$1,000 to landowner Morris Green (DC-753/756) so he can move his livestock out of project area; motion seconded by George Carlson; motion passed unanimously.

Mr. Agnew then stated that we have a signed offer from the Mansards Apartments (DC-603) for some land needed on the south side of their property. A safety concern that they had was fencing by the ditch area. We have committed to constructing a 4' chain link fence costing \$4,500-\$5,000). The Mansards will incur the additional expense if they choose to upgrade the fencing. Mr. Tanke and Mr. Huffman wanted a solid dollar amount for the fencing before giving final approval. Staff will obtain that figure and report back at the next meeting.

Mr. Agnew made a motion for authorization for Commission to demolish the garage at the rental property, 3120 Gerry Street, Gary. It originally was going to be moved but it is now going to be torn down by the contractor and will be part of the project cost. The renters are aware of this and have given their approval for the demolition. The garage is in the line of ditch work to be done in that area.

Mr. Agnew reported that staff has received a set of the Operation & Maintenance Manuals from Richmond VA that they were given from the COE for their project.

Also, Mr. Agnew stated that letters have been sent to the N.W. IN Food Bank and the Committee for Emerson to see if they have an interest in farming a 5-acre plat the Commission owns. There has been no response yet.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that a bid opening for the pump stations, Phase 1A was held on January 6th. The COE's estimate for the construction of the 4 pump stations was \$2.9 million. There were 3 bids received with the lowest bid being \$4.6 million. It is not known at this time how the COE will proceed but since the bid is 63% over government estimate, the COE can only accept a bid if it is within 25% of estimate.

Mr. Huffman also reported that a pre-construction meeting was held with Dillion Contractors for Stage IV Phase 1. Their bid was \$700,000 below the COE estimate. They are reviewing scope of work.

The construction season has stopped for the East Reach Remediation area. It will resume in the spring.

Cost estimates for formliners are being worked up by the manufacturer. Formliners are more eye-appealing to use in the west reach area on the I-walls and especially since they will be facing the backyards of residents, it is desired by the Commission to use formliners.

Discussion was held on the Commission request to the COE on having directional bores for the Phillips Pipeline Company under the river west of Conrail. The COE wants to use an up & over the levee approach and staff feels directional boring is safer. This is an ongoing issue with the COE and no conclusion has been reached.

Legislative Committee – Committee Chairperson Arlene Colvin gave the report. She informed that on December 8th, she and Dan Gardner met with Representative Earl Harris to brief him of our concern of not being able to keep up with the Federal construction schedule. We are hoping to obtain up to \$3 million in a Technical Corrections bill this short session. Since it is not an open budget session, the only possibility of obtaining any intended funds is through this procedure. We will not know until final days of session. We have kept the Colonel and the Congressman informed of the situation.

Recreational Development Committee – Committee Chairman George Carlson informed the Board that no final conclusion has been made yet regarding whether COE approval/funding would be made available to complete our section of the Hammond-Highland trail at Indianapolis Blvd.

Marina Committee – Committee Chairman Bill Tanke reported that we are waiting for Doug Olson to get settled in as the new Mayor of Portage. He and staff has met with him previously to inform him of marina status. We will meet again to talk about completion/financing of marina.

Mr. Tanke also referred to the IDEM public notice for the Burns Waterway channel dredging. Concern is quality of dredged material to be removed. The COE has determined that the quality is OK to use as beach nourishment but IDEM has to clear it and approve it. Mr. Gardner requested to write a support letter on behalf of the Commission. Curt Vosti made a motion authorizing him to write the letter; motion seconded by John DeMeo; motion passed unanimously.

Finance Committee – Committee Chairperson Arlene Colvin stated that there were no year-end budget transfers needed and proceeded to make a motion to accept the financial report and approve the December claims totaling \$100,682.55; motion seconded by Chuck Agnew; motion passed unanimously.

Mr. Tanke questioned a claim of \$12,834.50 from Porter Lakes Engineering. Mr. Gardner explained that this is a claim to be paid out of the money earmarked for Gary Parks & Rec (money that was approved and equal in value for needed easements from Gary Parks) once the claim is approved by the Gary Park Dept. It will not be paid until we have something in writing stating to do so. There is a question of who authorized the work and the high cost of the additional work. The original request that was approved was for \$4,500. Staff is keeping informed of issue.

Mr. Vosti added that the stage and phase needs to be stipulated on all construction claims.

Ms. Colvin further reported that a CD has been purchased in the amount of \$90,056, which is the total of Lake Erie Land Company's monies received to date. The money is being earmarked for levee maintenance. Staff secured a one-year note @ 6.15%, which was the highest quote from area banks.

Ms. Colvin made a motion to adopt the proposed budget for the year 2000; motion seconded by Bill Tanke; motion passed unanimously. Mr. Gardner added that the \$1 million COE escrow money has already been put into Line 5892 (Project cost share payment/escrow account).

Ms. Colvin then referred to the agreement for administrative services with NIRPC. Changes from last year's agreement are minimal and are reflected on page 11 in the agenda packet. Ms. Colvin made a motion to approve the agreement; motion seconded by Bill Tanke; motion passed unanimously.

Ms. Colvin then reported that the Finance Committee has met several times and after an extensive study and research, presented these increases/bonuses for approval. Ms. Colvin made a motion to extend the present contract for independent contractors Jim Pokrajac and Judy Vamos for a one-year period at an increase of \$38 to \$42/hour and \$24.50 to \$30/hr respectively; motion seconded by Bill Tanke; motion passed unanimously.

Ms. Colvin further made a motion to approve a bonus payment to staff director Dan Gardner and business coordinator Sandy Mordus in the amount of \$5,500 and \$4,000 respectively; motion seconded by Bill Tanke; motion passed unanimously. For the record, Arlene added that in terms of the increase and bonuses, they are based upon merit and performance and are not an automatic increase.

Minority Contracting Committee – Committee Chairman Marion Williams reported that the contractor for the ERR area has submitted several minority reports to the COE, a copy of which all Board members have received. Mr. Williams stated he would be scheduling a committee meeting soon to review this data to make sure the contractor is indeed fulfilling his obligation in meeting Federal regulation for minority hiring. Mr. Gardner added that 2 items that are now in place are (1) the contractor has to sign the reports asserting their validity and (2) for each contract, they must prepare specific affirmative action steps.

Other Business –There was none.

Statements to the Board – Appreciation was expressed to the Board for their recognition and approval of increases/bonuses by Judy, Jim, Dan and Sandy.

There being no further business, the next regular Commission meeting was scheduled for **6:00 p.m. Thursday, February 3, 2000.**

/sjm

