

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, MAY 2, 2002
6100 SOUTHPORT ROAD
PORTAGE, INDIANA**

Chairman William Tanke called the meeting to order at 6:05 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

William Tanke
Curt Vosti
Mark Reshkin
Bob Marszalek
Steve Davis
Emerson Delaney
Arlene Colvin

Visitors:

Sean Fahey - IDNR
JoMary Crary, IDNR, Div. of Water
Don Ewoldt – Lake Erie Land
Imad Samara - ACOE
Sandy O'Brien - Hobart
Jim Flora – R.W. ARMSTRONG CO.
Mark Lopez – Congressman Visclosky's office

Staff:

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

Chairman's Report –Chairman Tanke presented a list of items to the Board members that he felt were the priority items that this Commission is facing at the present time. They were (1) Budget- seek return of the \$2.5 million the Governor recised from the 2001-03 budget and begin to set the stage for the next biennial request; (2) Burr Street Phase 2 levee being completed, thus finishing off the east reach construction and making the city of Gary eligible to come out of the floodplain – acreages and elevations are still needed from the COE; (3) Public information, method for contacting public officials (locally and legislative representatives), establishing a liaison with landowners in the project area and the general public; (4) Mitigation - beginning a process to show “good faith” and that we are moving forward; (5) Operation & Maintenance – we need to figure out how we're going to manage our lands and flood control structures and how we can get money to meet our obligation for O&M; and (6) Portage Public Marina, completing Phase 2 of the slip construction in order to meet our obligation with the COE. He asked Board members for any other items that they felt were high priority for this year. Commissioner Vosti asked the Chairman if this list could be typed up and shared with all members. Staff will follow up.

- Commissioner Mark Reshkin inquired about storm water management and if there is a role this Commission has to play. Staff will continue to investigate this item and report back.

Executive Director's Report - Executive Director Dan Gardner stated that the priority list will be sent to all Board members. If it was felt that a special meeting was in order to discuss these, he will let members know.

- Mr. Gardner reported that Judy Vamos, Land Acquisition agent, is working with the IDNR Land Acquisition Director to establish a procedure to acquire the mitigation lands. It is important that DNR is in agreement with steps that we would take to acquire mitigation property. He displayed a map showing

the Hobart Marsh area and the first 3 areas to be targeted. To display at the next meeting, he was asked to add the other parcels in this area that could be available.

- Mr. Gardner further stated that an award has not been made to a contractor for the in-project mitigation lands. Imad Samara added that the COE has reviewed the bids received and the site selection team has evaluated the proposals based upon qualifications, not necessarily lowest bidder. It is important that the contractor selected to do the mitigation work is qualified. After the technical ability of the contractor is established, negotiations may then take place with that individual contractor being considered. He understands they are almost complete; it is hoped that a contractor can be on board by the end of May.
- Mr. Gardner continued to discuss the impasse we have with completing the Burr Street levee project. He referred to the COE letter talking about environmental justice and why the COE does not consider it a project cost. It is an important letter that we will share with Mayor Scott King. Mr. Gardner displayed a map showing the impact in Gary if Phase 2 of the Burr Street levee is not built. In addition to any impact, the city will not come out of the floodplain until this section is completed. The COE was requested to provide acreages and 100/200 year elevations for flood events.
- Mr. Gardner stated that he and Mayor Dedelow were the guests on the "Region Watch" program, in which the Carlson Oxbow Park was featured. Commission members George Carlson (for whom the park is named) and Curt Vosti were also featured and interviewed at the site. It was a half hour program and we will be receiving a video if anyone missed seeing the program.
- Mr. Gardner referred to a letter in the agenda packet that he wrote on behalf of the Commission in support of the city of Gary's application for funding through the IDNR coastal restoration grant program for the "Gary Green Link" proposal. It would be a \$100,000 grant to the city if approved.

Old Business – Regarding the drainage ditch area that lies between Colfax and Calhoun, north of the Norfolk Southern RR, Jim Pokrajac stated that the Commission will be cleaning out the ditch very shortly. The intent is to clean it out and monitor the embankments to check on any further erosion. The COE feels that the previous planting of the slopes will take hold and the problem may be taken care of without any additional work. Mr. Pokrajac will continue to watch the situation there to make sure that it is corrected to the residents' satisfaction.

Land Acquisition/Management Committee – Committee member Curt Vosti stated that there was no motion needed for offers or condemnations at this time. There is a need for a Land Acquisition committee meeting and Arlene will be scheduling that shortly.

- Discussion was again held on the mitigation properties that could be available in the Hobart Marsh area. There are 3 properties we will first focus on; title work has been ordered and surveys will be ordered.
- Mr. Vosti stated that the instructional video for the operation and maintenance of the closure structures is almost completed. It has been approved by the Commission and the COE. The Lake County Emergency Management Dept. is currently reviewing it. It should be completed by June. Staff will distribute to pertinent parties for their input.
- Staff is currently reviewing all leases to determine if they should be modified or payments increased. The attorney will handle the lease for the Village Shopping Center, which is in arrears since 1995. It appears that new owners were not aware of the lease but attorney has made contact with them now.
- Mr. Vosti recommended approval of 2 invoices from South Shore Marina in the amounts of \$1700 and \$480 to clean culverts and remove beaver dams. The monies to pay these invoices would come out of LEL funds for O&M.

Project Engineering Committee – In Committee Chairman Bob Huffman’s absence, Emerson Delaney gave the engineering report. He reported that a Meeting was held April 10 with the Design Construction Evaluation Team from the COE Washington and Louisville offices. Mr. Gardner and Jim Pokrajac were present, as well as Imad Samara and Tom Deja. At a minimum of 18 month intervals, they review how well the Chicago District office interacts with their local sponsors. It was felt that the COE office has been more responsive to us.

- A meeting was held on April 11 with the Lake County Surveyor’s Office regarding the 75’ drainage easement. We have asked them to establish the 75’ easement in the Kennedy Industrial Park area. It is not mandatory that the Surveyor’s Office do this and it was agreed that a thank-you letter is appropriate upon its completion. It was further discussed whether we have heard anything from the city of Hammond regarding zoning applicants and how they would affect the Commission. Mr. Vosti stated that he would help facilitate a meeting with the Planning Department.
- Mr. Delaney reported that a utility coordination meeting was held on April 15. We have received a form letter that INDOT uses regarding utilities that we will modify to meet our needs and adopt the same format to send to each utility. The COE has agreed to format all utility information they have and present a final list to us for all upcoming levee segments. The Commission will take the lead on making contact and requesting the information that is needed.
- A meeting was held on April 18 with INDOT for the Georgia Street bridge project.
- Modified Stage VI engineering drawings have been received from the COE. The planting zone behind Krosan has been eliminated.
- A meeting with the GSD was held on May 2 to formulate a final list of items which will be used as our agenda in the upcoming meeting with the COE. They will meet with the COE on May 22 and they hope to resolve these issues.
- Minority contracting status sheets are continuing to be received from the COE. They are available if anyone is interested.
- Mr. Delaney made a motion to approve AREA PLUMBING AND SEWER as a Commission contractor to be used on an as-needed basis; motion seconded by Bob Marszalek; motion passed unanimously.

Legislative Committee – In Committee Chairman George Carlson’s absence, Mr. Gardner reported that a special legislative session has been called in mid May by the Governor. He distributed a draft letter to several legislators and if there are no changes, we will send out tomorrow.

- Mr. Gardner stated that staff has developed a priority list for spending for the next 15 months. With limited funds now available, it is important that we target high priority items to fund. Treasurer Curt Vosti thanked Mr. Gardner for developing such a list and asked that it be referred to Finance Committee for further study.

Recreational Development Committee – Committee Chairman Emerson Delaney stated that there are no recreation contracts at this time.

- Mr. Vosti suggested that Emerson Delaney be invited to the Land Acquisition committee meeting when it is scheduled.

Marina Committee – Committee Chairman Bill Tanke stated that a marina committee meeting was held with the city on April 16. The city does have an interest in building out the slips at the marina. The funding to do that will probably be in a revenue bond, as was the first phase construction. The present slips are all filled and a waiting list exists.

Finance/Policy Committee – Treasurer Curt Vosti gave the Finance report. Mr. Vosti made a motion to approve the financial sheet and the revised May claim sheet; motion seconded by Arlene Colvin; motion passed unanimously.

- Mr. Vosti stated that the Directors & Officers liability policy has been renewed. Commissioner Bob Marszalek questioned whether it contained an omissions & errors policy. Attorney will review and report back.
- Mr. Vosti stated that a Finance Committee meeting will be scheduled shortly. Topics at that meeting will include the insurance coverage, the Commission priority spending, and the completion of documentation needed to submit to the State regarding Commission income.
- Chairman Tanke requested the attorney look into raising the \$1 million liability limit on the insurance.
- Curt Vosti asked for summary of LCRBDC income.

Environmental Committee – Committee Chairman Mark Reshkin gave the Environmental Report. He reported that Ken Finke and Bob Porch (IDNR) met with committee members prior to the meeting tonight in regard to Mr. Finke's request to enter Commission property to set up wood duck nesting boxes. We will give him a key to the gates, with the understanding that he gives the key to no one else and that he does not promote nesting for geese, since geese are already over-populating the area. Jim Pokrajac was asked to notify police, get a liability sign-off from Mr. Finke, and to issue a "letter of permission". Discussion took place on whether we have a wildlife management plan and whether a plan was needed.

- Mr. Reshkin and Dan Gardner attended a meeting about a week ago with Chuck Walker, Lake & Porter Counties Soil and Water Conservation Director, and other watershed planning people. It was stated that Federal funding was coming through for agricultural land treatment. We will share that information with the COE when available.
- On Phase 2 of storm water management, regulations are expected to be released by the State in November of this year. Phase 2 is storm water quality. Public communication is important here.

Policy Committee – In Committee Chairman George Carlson's absence, Mr. Gardner gave the Policy Report. He said that a meeting was held April 30 in which discussion took place on proposed bylaws. Committee members have reviewed them and have made some changes. Since the Chairman was ill and could not attend the meeting, another committee meeting will be scheduled to address the bylaws.

Public Relations Committee – Committee Chairman Bob Marszalek reported that the news release from the last meeting went out to the media. He felt that a press release does not have much impact with the big newspapers and we may get better publicity with some of the smaller papers. Discussion was held on the possibility of doing a newsletter (either by a mailing or posted on a web site); creating a web site ourselves (it was brought out that the COE has a web site in which our project is included); sharing the video with other entities; more coverage in the Chicago Breeze (COE newsletter but only goes to COE employees) and it was mentioned that some of the libraries take on small government groups on their web sites. He and his committee will be working with Judy Vamos to see what can be done.

- Curt Vosti stated that IACT has coordinated a press conference around the state to encourage the legislators to develop a budget. Mr. Vosti has been working with the Mayor to have a press conference in Hammond on May 8th. He is hoping to make the Little Cal project an item on the agenda. Mr. Gardner said that he would attend.
- Attorney Casale mentioned that the Governor has called a special session for May 14. The Governor has proposed a budget that he is hoping the legislators will adopt.

Other Issues – Mr. Delaney inquired on who was the authority for the public marina now. Mr. Gardner stated that the day to day operating authority lies with the Portage Port Authority.

- Mr. Tanke referred to the new telephone list distributed. If there are any changes, please let Sandy know.

New Business – There was none.

Statements to the Board – Don Ewoldt asked why there is not more acreage marked on the Hobart Marsh map that was displayed. Mr. Gardner explained that in our joint relationship with the IDNR, the 3 properties outlined on the map were targeted as the first ones to try to acquire; we realize that even if all 3 were acquired, it still would not be enough mitigated land to fill our requirement. Mr. Gardner stated that all the other properties in the area would be added on the map for display at the next meeting. Curt Vosti asked whether we should not be looking somewhere else at the same time but Mr. Gardner replied that we will first exhaust the properties in the Hobart Marsh area.

The next meeting was scheduled for Thursday, June 6th at 6:00 p.m.

/sjm