

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

Chairperson Arlene Colvin called the meeting to order at 6:05 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

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

Visitors:

Sandy O'Brien - Hobart
Jomary Crary - IDNR
Imad Samara - ACOE
Elizabeth Johnson – Congressman Visclosky's Office
Mark Lopez – Congressman Visclosky's Office
Steve Enger – Munster resident

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

A motion to approve the November 3rd minutes was made by William Biller; motion was seconded by Charlie Ray; motion passed unanimously.

Chairperson's Report – Chairperson Arlene Colvin referred to the Nominating Committee, consisting of George Carlson, Steve Davis, and Chairman Charlie Ray). Mr. Ray reported that the committee met, a slate of officers was recommended, and members were consulted. Recommendations for 2005 officers were: Chairman – William Biller; Vice Chairman - Robert Marszalek; Treasurer – Arlene Colvin; and Secretary – Mark Reshkin. Commissioner Marszalek then requested that his name be withdrawn as Vice Chairman. He went on to say that he has served as Vice Chairman several times and has taken over as Chairman when the chairman was unable to attend a meeting. Since the only job as Vice Chairman is to fill in when the Chairman is absent, he felt that maybe he did not meet the expectations of the fellow board members and, therefore, did not wish to continue another term as Vice Chairman. Although fellow Commissioners assured him that he did a fine job as the Chairman fill-in and the Nominating committee explained their rationale of feeling the need for a west reach members to serve as Chairman this year, Mr. Marszalek still declined the Vice Chairman office. Attorney Casale added that the new officers will not assume their new role until the January meeting. That being the case, the Nominating Committee could meet again to select someone else or they could have nominations from the floor. Nominating Committee chairman Charlie Ray then nominated Robert Huffman to serve as Vice Chairman. No other nominations were made.

• Arlene Colvin reiterated the proposed 2005 officers – William Biller as Chairman, Robert Huffman as Vice Chairman, Arlene Colvin as Treasurer, and Mark Reshkin as Secretary. A motion was made by Charlie Ray to elect the proposed officers; motion seconded by Steve Davis; motion passed unanimously. New officers will assume their new roles at the January meeting.

Executive Director's Report – Mr. Gardner met with Mayor McDermott and several members of the administration on November 9. Commissioner George Carlson also attended. Various topics were discussed, including identifying how the city can work with the Commission to move forward at a quicker pace. The Mayor is very supportive of getting Hammond residents out of the floodplain as quickly as possible. The city wants to get more involved with certain properties where development is possible (K-Mart, Whiteco, Woodmar).

- Mr. Gardner also reported that he has talked to Highland officials in regard to what they could do to help the project move faster. They are willing to do a writing campaign, will talk to area legislators, and a meeting was discussed where the officials from Highland, Munster, and Hammond could meet jointly with us. Mr. Gardner added that it's obvious that we need to be more creative with land acquisition. With the high costs coming back from the Court, we need to try to reduce costs anywhere we can.
- George Carlson met with the Mayor on a separate matter and found the Mayor very supportive and helpful.
- FEMA held a meeting on November 16 with various entities present – IDNR, Lake County Surveyor's Office, Corps, LCRBDC. The discussion was the remapping of Lake County and digitizing the maps. The last mapping was done in 1980. We have received a disk to review and they would like the review completed by mid December. We were hoping that Gary could come out of the floodplain with the new remapping. Mr. Gardner stated that FEMA has certain criteria that has to be met before that happens – (1) interchanges at Grant Broadway must be complete; (2) project must be completed; and (3) operation and maintenance has to be committed to by the city. If we do not meet the spring deadline, a map revision can be made at any time. Commissioner Charlie Ray questioned the hydrology used by FEMA. Mr. Gardner said that the engineering consultant used the Corps hydrology and no new hydrology was submitted. Jomary Crary from IDNR added that she thought some new topos were used. Mr. Gardner added that there were several mapping errors they found just at first review. It is important that a thorough review be done before FEMA declares a final product.
- Mr. Gardner referred to the project construction schedule relative to our remaining easement acquisition.

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 November totaling \$80,398.77; motion seconded by Bill Biller; motion passed unanimously.

Mr. Huffman then presented three O&M claims for approval. He made a motion to approve the O&M claims of \$1,492.43; motion seconded by Bill Biller; motion passed unanimously.

- Mr. Huffman reported on the Finance Committee meeting held on November 30. He referred to the proposed 2005 budget. Mr. Gardner pointed out the budget codes where decreases were made. The administrative budget decreased about 6.5% from last year. The land purchase budget code increased about \$1,018,721 because it now includes the invested monies we had that we were earning some limited interest dollars on. With the increased dollar amount, we will pursue acquisition for the mitigation lands we need to move forward.
- Mr. Huffman presented the proposed NIRPC contract, which increased only slightly. Mr. Huffman also indicated that the Finance Committee recommends no bonus this year for employees Dan Gardner and Sandy Mordus. Mr. Huffman added that bonuses have always been based on service to the Commission and should not be held to the financial situation, but unfortunately, finances are a big concern this year. He also stated that all service contracts would be reviewed at the same amounts as last year, with no monetary increase this year.
- Mr. Gardner added that he has met with various municipalities and talked to several legislators. He also talked to Tim Sanders today. He wants to meet with Representative Ralph Ayres soon. Mr. Ayres will serve as Vice Chairman of the Ways and Means Committee so he will become a key player.
- Mr. Gardner reiterated the need to utilize the federal money available for construction. We need to complete the West Reach land acquisition as timely as possible and we can't spend that money at the expense of the mitigation lands needed for the construction permit. That is why we will recommend budgeting all the investment dollars we have and proceed with mitigation land purchase. This will put us in the best position to access federal money and in need of new state funding support to proceed further. This is the recommendation of Congressman Visclosky to spend down all available funds. There are three mitigation properties we need to acquire to meet the acreage requirements for obtaining the IDNR permit to allow us to proceed with the remaining West Reach construction.
- Mr. Gardner also stated that the budget could be amended after new dollars become available.
- Mr. Huffman stated that the budget would not be adopted until the January meeting. That will afford time to all members to review it.

Environmental Committee – Committee Chairman Mark Reshkin reported that we have 309 acres toward the 437 acres need to have our west reach IDNR permit extended. He felt that TPL is doing a good job of moving forward. Their focus is on three properties that would finish our mitigation requirements. The properties need to be purchased within the next three months at a cost of about \$1.1 million.

- A conference call was held on November 24 with IDNR, IDEM, the Corps, the Congressman's office, the Commission, and TPL. In this call, it was agreed to use the Commission's invested dollars to move forward with mitigation land purchase. TPL also has a "buy and hold" program that the Commission could take advantage of if necessary. They do charge an interest fee but if we run short of funds, which would be used only as a last resort.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin referred the report to Bob Marszalek. He proceeded to make a motion to condemn DC1014 A&B (if he rejects our offer); motion seconded by George Carlson; motion passed unanimously.

- Bob Marszalek made a motion to approve and sign the Declaration of Restriction on land use for the Lake County Highway Dept. motion seconded by George Carlson; motion passed unanimously.

- Mr. Marszalek made a motion to allow staff to put a bid package together to advertise the four farm leases; motion seconded by George Carlson; motion passed unanimously.

- Staff presented a "proposed current lease" schedule for 2005 indicating projected revenues from commission-owned properties.

Operation & Maintenance Committee – Committee Chairman Bob Huffman referred to a letter sent to the Corps requesting the remaining items in the East Reach be inspected as soon as possible in order to be able to comprise a final "punch list" for deficiencies. This is critical in completing our responsibility to Gary prior to their accepting O&M responsibility.

- Mr. Huffman reported that three quotes were received for clearing the log jam west of MLK Drive. Congress Enterprises was low bidder with the bid being \$4,680. Mr. Huffman proceeded to make a motion to award the job to Congress; motion seconded by Bill Biller; motion passed unanimously. Mr. Huffman asked staff to look into a log jam by the Mansards that he noticed there. Staff will see if it is our responsibility to clean it up.

- Mr. Huffman informed the Board members that the agreements for operation and maintenance of the Southeast Hessville pump station were sent to the Hammond sanitary District for approval. Mr. Biller stated that he was aware that they had received them and their next scheduled Board meeting where they could be approved would be December 14.

Legislative Committee – Committee Chairman George Carlson referred to Mr. Gardner for a legislative update. Mr. Gardner already addressed how he was working with Hammond, Highland, and Munster in regard to their support for the next biennium funding request of the Commission. He will also be communicating with Representative Ralph Ayres and other members of the area delegation before the new session starts.

Project Engineering Committee – Committee Chairman Bob Huffman reported that a pre-construction meeting for Stage VI-1S will be held on December 2 at the Griffith COE office.

- A meeting was held with INDOT for the coordination of the upcoming construction at I-80/94 & I-65 on October 2, 2004.

- Final review of plans were submitted back to the COE for Burr Street II Gary with comments. A meeting with Gary needs to be scheduled to discuss design before actually going out for bids for construction. Gary will pay \$1.4 million toward the cost of this phase of construction.

- Discussion took place with INDOT, COE, city of Gary, and the Commission relative to the need for a pump station between Grant & Broadway. COE will provide current design and hydrology information to Gary.
- Mr. Huffman also referred to a draft letter addressed to the COE regarding hydrology in the West Reach and whether the hydrology needs to be reviewed to see if recent changes have caused conditions that would modify hydrology. A lengthy discussion was held. Commissioner Charlie Ray is putting together some data for COE review.
- Mr. Huffman asked staff about the scheduling of the bridge reconstruction at Indianapolis Blvd. in Highland. Jim Pokrajac answered that the bridge is scheduled to come down in 2005 or 2006. Our phase of construction that includes the pump station is not scheduled to be completed until the fall of 2006. The INDOT pump station cannot be built until the levee has been constructed. We have been in discussions with INDOT regarding this issue.
- The COE is currently coordinating with Overstreet to terminate their contract by default.

Recreation Committee – Committee Chairman Bob Huffman inquired about the proposed trail location in Highland at Cline Avenue along the NIPSCO R/W. Jim Pokrajac replied that he has talked to Dennis Cobb and he is looking into the possibility of the trail crossing at the light at River Road and Cline instead of Highway Avenue. Mr. Cobb thinks it might be possible. It would save the Commission time and money for construction and acquisition.

Marina Committee – Committee Chairman Charlie Ray informed the board members that a tort claim notice has been received by the Commission involving a claim that was made on behalf of a person that sustained an injury at the marina. Attorney Casale added that he has notified the Commission's insurance company.

- Mr. Gardner stated that Lefty's Coho marina is expanding and we have received a copy of their DNR permit approval.
- Mr. Huffman talked about the Marquette Plan and stated that some of the area they are including is the area around the Portage marina.

Policy Committee – There was no report.

Public Relations Committee – Committee Chairman Bob Marszalek referred to a thank you letter received from Joyceanne Agnew, thanking everyone for the wonderful dedication of the Charles Agnew Handicapped Park. Mr. Gardner added that the dedication was successful because of the time and effort that Mr. Marszalek put into it. He coordinated the entire event.

- Mr. Marszalek also took this opportunity to point out that this was the last meeting of the year and the year was successful because of good people working at it. He complimented Arlene Colvin on the fine job she has done as Chairperson.

Statements from the Floor - Munster resident Steve Enger stated that he thought hydrology review should have been done all along instead of re-evaluating it at this point in time.

- He also inquired about the status of the Woodmar Country Club condemnation. After discussion on building levees in that area, Imad Samara stated that nothing would be built that would adversely impact anyone else and that the COE would be reviewing the current hydrology.
- Mr. Enger also reiterated that the Commission committed to meeting with Munster every six months to keep Munster and the residents informed and updated.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, January 5, 2004.