

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, JANUARY 7, 2004
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Eleven (11) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

Arlene Colvin
Robert Huffman
Mark Reshkin
George Carlson
Mark Lopez
Charlie Ray
Bob Marszalek
Curt Vosti
Steve Davis
Emerson Delaney
John Mroczkowski

Visitors:

Kelsee Waggoner – Congressman's Office
Carmen Samara
Imad Samara - COE
Louise Karwowski – Sierra Club
Sean Fahey - IDNR
Lynn Gralik
Phil Gralik – R. W. Armstrong Company

Staff:

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

The minutes of the December 3, 2003 meeting were approved by a motion from Bob Marszalek; motion seconded by John Mroczkowski; motion passed unanimously.

Chairperson's Report – Chairperson Arlene Colvin asked the Nominating Committee for their report. Chairman of the Committee George Carlson presented a slate of officers for 2004. They were:

Chairperson –	Arlene Colvin
Vice Chairman –	Robert Marszalek
Treasurer –	Mark Lopez
Secretary -	John Mroczkowski

Mr. George Carlson proceeded to make a motion nominating Arlene Colvin for a second year as Chairperson; motion seconded by Curt Vosti; there being no other nominations, the motion passed unanimously.

Mr. Carlson then made a motion nominating Robert Marszalek for Vice Chairman; motion seconded by Mark Lopez; there being no other nominations, the motion passed unanimously.

Mr. Carlson then made a motion nominating Mark Lopez as Treasurer; motion seconded by Robert Marszalek; there was one abstention by Curt Vosti; there being no other nominations, the motion passed.

Mr. Carlson then made a motion nominating John Mroczkowski as Secretary, motion seconded by Robert Marszalek; there being no other nominations, the motion pass unanimously.

- Mr. Vosti addressed the Board with his concerns of how the nominating of officers process took place. He was originally approached by the Nominating Committee and asked to serve as Chairman, of which he said yes. He ultimately withdrew his name as Chairman because of two fellow Commissioners questioning his appointment status and his now-severed relationship with the new Hammond administration, although he stated they never approached him

directly. He expressed disappointment in how this government process worked and felt it was detrimental to the Commission. Commissioners have always continued to serve on the Commission, even with expired terms, until either reappointed or replaced. Although he has a great desire to continue serving on the Commission, he feels that his appointment is now questionable. Fellow Commissioner Mark Lopez, who is a member of the Nominating Committee, stated that he personally had a problem with nominating a Commissioner with a lapsed term to an office, especially the Chairmanship, and wanted it to be a condition to the offices that the Commissioner be in good standing. Mr. Carlson went on to say that out of 11 members, only five (5) appointments were valid. This placed an extreme hardship on the Nominating Committee to present a slate of officers. Ultimately, the officers just newly elected all have valid terms. Chairperson Arlene Colvin addressed the Board by saying that the situation is over and she hopes that the Commission can move forward in a solid unified manner and put all this behind them. Commissioner Vosti stated that he would like to see that, too; he just felt he needed to inform all Board members of his position on the matter.

Executive Director's Report – Mr. Gardner referred to the FEMA application filed by the Corps of Engineers. He was happy that we've met our own internal deadline of filing by the end of the year. The Commission has signed as applicant and has paid the \$4500 application fee amount. We are moving forward and we are hopeful that the minimum of 90 days for processing will be met. Imad Samara stated that Burr Street II does not have to be completed before Gary can come of the floodplain. Discussion then ensued whether Grant and Broadway highways ramps have to be completed.

- Mr. Gardner referred to a letter from the Congressman to the town of Griffith in which it states that the Griffith tieback levee must be certified before Griffith and Gary can be removed from the floodplain.
- Mr. Gardner referred to the INDOT letter sent to the COE in which it states that a total of almost \$4 million can be used as highway credit. This dollar amount is considerably less than the \$19 million originally talked about. They are continuing to work to re-check the figures that are documented eligible before final acceptance.
- Mr. Gardner referred to several letters in the agenda packet regarding a resident contacting the Congressman's office questioning floodplain removal on property he owns in Munster. Unfortunately, that property is in Stage VIII, which is the last stage of construction in the west reach. Mr. Gardner will follow up with information to the projected schedule.

Outstanding Issues – Mr. Gardner referred to the letter that the attorney has sent to Joseph Askew requesting him to vacate Commission property within 30 days or legal action may be necessary.

Finance Committee – Curt Vosti gave the financial report. He referred to the financial status sheet and current claims and proceeded to make a motion approving the claims for the month of December; motion seconded by Mark Lopez; motion passed unanimously. Mr. Vosti stated that the Finance Committee met December 17 in which the Committee addressed what action was needed regarding finance issues.

- Mr. Vosti went on to summarize several items discussed at the Finance Committee meeting. The first item was the NIRPC contract for administrative services for 2004. He addressed that LCRBDC will be charged 20% for Dan Gardner's time for the period of at least 3 months, while he is serving as Interim Director of NIRPC. The proposed contract also addresses his time at 50%. During the interim period of 20% LCRBDC time, staff felt confident that they could handle the additional 30% time themselves, with no need to hire anyone at this point in time. Mr. Vosti had asked Sandy Mordus to prepare a list of duties that the additional 30% would encompass and any items that could not be handled by staff. He asked that the memo be shared with all Board members. Also discussed was the fact that several CD's will be due in April and the Finance Committee will be reviewing income and revenue to determine how much of the CD would be needed in the budget. He also discussed a proposed 5% increase for independent contractors, as well as a bonus for Dan Gardner and Sandy Mordus based on past performance.
- Additionally, Mr. Vosti proposed that the money the Commission is saving with Dan Gardner going from 50% LCRBDC time down to 20% LCRBDC time, be divided equally between Sandy Mordus, Jim Pokrajac, and Judy Vamos – the reasoning being that they would be the ones picking up more workload. Discussion ensued. Mr. Vosti did not know the exact amount of money it would be. Commissioners Bob Huffman and Mark Reshkin thought this should be addressed after additional work was done – not before. Other Board members agreed.

- Commissioners Steve Davis and Mark Lopez questioned how 5% was derived at for the increase for the independent contractors. Mr. Gardner went on to explain that the amount of work that is being done by so few people is tremendous and that we have good people in place and they should be awarded accordingly; quality people need to be kept. Amounts of pay increases in the past has always varied from year to year, with last year being 3%. Staff is still working hard toward Stage VI acquisition and Mr. Gardner stated that the level of work needs to remain high. Mr. Delaney added that the people in place have been here awhile and that is important to the project. Over 1,400 parcels of property are being acquired, by far the most ambitious project in the state. Mark Reshkin added that he had no problem with it but it should not be an automatic 5% increase every year. His problem has been aimed more at the high overhead that NIRPC is charging. Mr. Gardner emphasized that we have a committee structure in place to review all facts and information before they are comfortable with making a recommendation to the full Board. Bob Marszalek agreed that is why we have committees – to review everything to their satisfaction and then come to the Board for action. Sean Fahey asked whether these increases come out of the administrative or land acquisition budget and Mr. Gardner answered that the contract increases would come out of the land acquisition budget, which means those monies are drawn from the State. Mr. Fahey expressed concern because the State is still not in good shape. Steve Davis added that state employees received a 2% increase. It was questioned whether there are any caps on the engineering contracts. Concerning there were many questions, Mr. Vosti made a motion to table all action and re-visit it next month after further information can be known and continue the existing contracts now in place; motion seconded by Mark Reshkin; motion passed unanimously. Mark Lopez proceeded to make a motion for staff to break out what expenses have been charged by outside contractors; motion seconded by Mark Reshkin; motion passed unanimously.
- Mr. Vosti referred to the proposed budget for 2004 and made a motion approving the budget; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Vosti made a motion approving 3 claims to be paid out of O&M funds. They were (1) \$1,450 to South Shore Marina for handrail removal on the Portage Public Marina, (2) \$1,750 to C&H Mowing for clearing brush, cutting trees & treating stumps from all headwalls, pump stations & miscellaneous structures for the East Reach area, and (3) \$700 to Don Powers Insurance Agency for renewal of insurance; motion seconded by John Mroczkowski; motion passed unanimously.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin made a motion for approval to condemn 4 parcels, as a last resort, if agreement cannot be reached with the owners. All parcels are in the Burr Street Phase II area. They are DC69/584, DC69-A, DC582/583 and DC603; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin then made a motion to continue approval of Chase Street Farm Stand paying lease money in the amount of \$1,700 on a month-to-month basis and waive the back rent due. (This is because of ongoing construction at Grant Street and 35th); motion seconded by Mark Lopez; motion passed unanimously. When construction is complete up to 35th Avenue, we will re-visit this.
- Ms. Colvin also announced that DC1174 (5 acres owned by Hammond Vacant Assoc) has been donated to the LCRBDC. This property is located east of Indianapolis Blvd. and south of the K-Mart building in Hammond.

Operation & Maintenance Committee – Committee Chairman Bob Huffman informed the Commission that R. W. Armstrong Company anticipates a completion of manpower/cost information for the East Reach O&M. A preliminary draft was distributed to all members in the Work Study Session. An O&M Committee meeting will be called soon.

Environmental Committee – Committee Chairman Mark Reshkin reported that the 173 acre parcel option was signed on January 5. The purchase price is \$1,066,400 and it has been requested from the State. TPL has been successful in this endeavor and they are continuing to work on other parcels within the Hobart Marsh area.

Legislative Committee – There was no report.

Project Engineering Committee – Committee Chairman Bob Huffman informed the Board that a pump station progress meeting was held on December 11 with Overstreet to review contracts. The Baring Avenue Pump Station has all pumps operational.

• Mr. Huffman reported that we received a letter from the COE providing information as to what segments of the West Reach can come out of the floodplain after the line of protection is installed. Mr. Gardner added we will be scheduling a meeting to talk about this. Discussion ensued on the Engineering Committee meeting on a regular basis. Staff will follow up.

Recreation Committee – There was no report.

Marina Committee – There was no report.

Policy Committee – There was no report.

Public Relations Committee – There was no report.

Other Issues – There were none.

Statements from the Floor – There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, February 4, 2004