

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, JUNE 1, 2005
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller 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:

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

Visitors:

Sandy O'Brien - Hobart
Mark Lopez – Congressman's Office
Elizabeth Johnson – Congressman's Office
Meda Enger – Munster resident
Tim Zorn – Post Tribune reporter
Imad Samara – Army Corps project manager

Staff:

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

A motion to approve the May 4, 2005 minutes was made by Bob Huffman; motion was seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report – Chairman Bill Biller reported on the Executive Session held on May 17, where the main topic was land acquisition issues and the Congressman's request to complete the construction by December 2009. Discussion ensued on how we would be able to do that with the limited funding that we have. Consensus was that we definitely need to meet with the city and towns to see what assistance they could offer (whether through funding or land donations).

• Also discussed was the settlement of several properties. Attorney Casale recommended the settlement of two properties – DC1010E to settle for \$154,000 (which has already been paid into court) and DC1022-1024 to settle for \$80,000 (we paid \$30,000 into court and would need to pay an additional \$50,000). Mark Reshkin made a motion to approve the settlement on DC1010E; motion seconded by Arlene Colvin; motion passed unanimously. Bob Huffman made a motion to approve the settlement on DC1022-24; motion seconded by Arlene Colvin; motion passed unanimously.

Executive Director's Report – Mr. Gardner reported that we have been working with the Corps on scheduling and budgeting and have met with them several times. We have provided the Corps with our estimate to complete land acquisition, utility relocation, completion of Burr Street levee II, local share contribution, professional services, etc. The Corps will respond back to the Congressman with a construction schedule listing the costs, both federal and local, for each stage of construction. The easement acquisition in the west reach includes 261 properties. Staff has also met with a large appraisal firm (Integra) that has the capability of doing the appraisal work quickly. They are already approved by the Corps of Engineers. Chairman Biller inquired whether we would contract with Integra to assist with the land acquisition. Judy Vamos answered that we have already met with Integra and they could complete all of the appraisal work within a year and a half. We would have a separate contract for each individual stage. We would hire our own reviewer and the appraiser and reviewer would work together on the format so it would go smoother and faster. On previous appraisals, the Corps was the reviewer. Now the Corps has changed the process and they request

that we hire our own reviewer. They will only review it again when it is submitted for crediting. Whatever process we use, it is regulated by the Corps of Engineers. Since time is of the essence, we need to move the process along as quickly as we can with the control that we have. Attorney Casale added that we do not have to bid out for professional services on hiring appraisers; we only need to get proposals. Commissioner Huffman inquired whether we would be spending all this money to get the appraisals but then not have the money to purchase the easements. Mr. Gardner reiterated that we have no choice; the appraisal process is the first step and we need to keep moving forward. Judy Vamos added that the appraisals would be a mass appraisal; not individual appraisals on each DC number. Commissioner Reshkin stated that we should ask the Corps to reduce the cost to us that would be reduced from the Corps not using their own review appraiser. He made a motion that their cost be offset to us and that cost should be reflected in a reduction of hours, and therefore cost, by the Corps; motion seconded by Bob Huffman; motion passed unanimously. Staff will draft a letter to the Corps stating such.

Staff was directed to secure several proposals by appraisal firms to do this appraisal work for us. Judy Vamos also stated that we are meeting with the Detroit Corps office on June 13 and 14. They will be here for an inspection of the west reach area and will attend our monthly Real Estate meeting.

Finance Committee – Treasurer Arlene Colvin stated that the \$700,000 note has been broken and been made available for land acquisition. We have started to spend it down; \$608,000 remains. Mr. Gardner asked for approval that the \$185,000 (Interest money) and the \$133,721.49 (Sand money) be made available for the O&M Fund to meet requirements in the LCA for ongoing maintenance. Bob Huffman proceeded to request the transfer of those funds into the O&M account; motion seconded by Arlene Colvin; motion passed unanimously.

- Ms. Colvin then presented the financial report and the claim sheet for May. She proceeded to make a motion to approve the claims totaling \$42,645.80; motion seconded by George Carlson; motion passed unanimously.
- Ms. Colvin then proceeded to make a motion to approve the pending O&M claims totaling \$4,267.45; motion seconded by Bob Huffman; motion passed unanimously.

Land Acquisition/Land Management Committee – In Committee Chairman Bob Marszalek's absence, Jim Pokrajac stated that the agreements with VIEW OUTDOOR have been approved and signed. They are going through the process to obtain permits. Land Acquisition items have already been covered.

Project Engineering Committee – Committee Chairman Bob Huffman reported that staff met with Greeley & Hansen and J. F. New on May 26 to review the MS-4 issue for Burr Street II – Gary. J. F. New will submit a proposal to us to provide design to the Corps to be incorporated in the bid documents and plans in order to be in compliance with the new MS-4 ruling. This issue needs to be addressed immediately so we can keep on schedule to advertise this portion by mid-July.

- A pre-bid meeting for Stage VI-2 was held on May 12. The bid due date was extended to June 23 because of addendums that required clarification.
- Mr. Huffman reported that staff will be contacting the pipeline companies in the Stage V-2 area. There are 14 pipelines (six different owners) to coordinate with. We have received the modified Corps design using sheet piling and "bridging" over the pipelines in lieu of a concrete "T" wall. Jim Pokrajac added that after our initial written correspondence with the pipeline companies, we will meet with them.
- Mr. Huffman also reported that the backcheck set of Corps design for Stage VI-1 North has been distributed to affected parties with comments due back by June 10.

Operation & Maintenance Committee – Committee Chairman Bob Huffman reported that the final pump station inspection will be scheduled with the city of Gary very soon. We have sent a letter to them requesting a meeting.

- A conference call was held on May 24 with the Corps and USGS to discuss new river monitoring equipment. If funds are available, the old equipment would be replaced during this Corps fiscal year using Federal funds.

- Mr. Huffman referred to the letter we wrote in response to the Corps letter stating we have not been in compliance with the LCA for O&M responsibilities. We did comply with their request by contracting with Austgen Electric to do the necessary diagnostics to determine deficiencies and completed corrective action to make the stations operational. We then contracted with them to do the repair work to bring the pumps to an automatic operational state. We are working with the city to determine a final scope of work to bring all four stations up to "as-built" condition.
- Chairman Biller inquired what the schedule is for construction of the Burr Street Phase 2 levee. Mr. Pokrajac answered that if we can finalize, we would start construction this year. Mr. Gardner added that we have to make the money available. He will be writing a letter to the State Budget Committee to get on the August agenda for approval of the release of the \$2 million appropriated 2005-07 funds. That money is needed for the Burr Street remaining construction.
- Staff will work on developing a time schedule to complete O&M turnover to Gary. .

Environmental Committee – Committee Chairman Mark Reshkin reported that we had a successful dedication at Hobart Marsh. He thanked Sandy O'Brian for her assistance. She led a tour of the area.

Legislative Committee – Committee Chairman George Carlson referred to the news article in which the House passed \$6.5 million for the Little Calumet River project. The bill must now go to the Senate for approval. Mr. Gardner stated that the amount is significant and notable because originally there were no monies allocated to the Corps for the project. Chairman Biller added that we will do everything we can to comply with the Congressman's request to finish the project in four years. Mr. Gardner added that we will look at all opportunities where we can to save money and meet with the individual communities to request help. Discussion ensued on asking for the donation of easements needed from the communities for the entire area. Chairman Biller inquired about private donations. Judy Vamos added that she always asks the private residents for the donation of their easement before sending them a land easement offer. Commissioner Reshkin emphasized that we really need to get the word out and inform the people of the money situation. They need to know the reality of the consequences if we do not have the money. We're doing this for the residents – not to the residents.

Recreation Committee – Committee Chairman Bob Huffman reported that the Corps has committed to completing the levee construction first and that trails on the levee easements will be constructed secondarily. Mr. Huffman expressed concern that there would not be money for the trail completion. Imad Samara answered that we will have another meeting to talk about the recreational trails; but we will not delay the levee project because of recreational trails.

Marina Committee – Committee Chairman Charlie Ray stated that the agreement for the transfer of the marina was sent to Portage by Attorney Casale. Attorney Casale stated that he has talked to the city's attorney, Greg Sobkowski and he understands that the agreement is being reviewed by him. At this point in time, we do not know what their reaction is to the agreement.

Policy Committee – No report.

Public Relations Committee – No report.

New Business – None.

Statements from the Floor – None.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, July 6, 2005.