

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 P.M. WEDNESDAY, NOVEMBER 9, 2005**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairman William Biller called the meeting to order at 6:10 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

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

**Visitors:**

Jomary Baller - IDNR  
Dean Button - SEH  
Elizabeth Johnson – Congressman's Office  
Steve Enger – Munster resident  
Chris Buono – Munster resident  
Phil Gralik – R. W. Armstrong Company

**Staff:**

Dan Gardner  
Lou Casale  
Jim Pokrajac  
Lorraine Kray

A motion to approve the October 15, 2005 minutes was made by George Carlson; motion was seconded by Bob Huffman; motion passed unanimously.

**Chairman's Report** – Each Commissioner voted by ballot for the three names they would recommend to serve on the Nominating Committee. Chairman Bill Biller passed them onto staff to determine who the top three vote-getters were. It will be announced at the December meeting and the Nominating Committee will meet and present a slate of officers at the January meeting.

• Chairman Biller stated that since there was no quorum at the October 5 meeting, a Work Study Session was held on October 15 to address action items, followed by a van tour of the west reach project area. The Board members agreed that the tour was very informative and useful. You could visually see how the project has impacted certain areas, especially behind houses where either a levee or sheet piling will be done. It was discussed that the contractor will make a video of the existing conditions in their backyards before construction starts there. Mr. Gardner added that we will schedule a public meeting with the residents prior to construction start and will be available to meet with individuals or small groups.

**Executive Director's Report** – Mr. Gardner talked about the Burr Street Phase II levee construction. A map was displayed showing the Gary portion and the Little Cal portion of construction. Attorney Casale is working with Jim Meyer, attorney for the Gary Sanitary District, for finalizing an agreement that Gary and the Commission will sign. The city of Gary is agreeable to contributing \$1.4 million for their segment of construction. The Commission will add \$300,000 for an estimated total of \$1.7 million (Gary segment). This project will be ready to advertise once an agreement is in place. J. F. New has submitted information to the Corps regarding water quality issues that will be incorporated into the plans. Burr Street – Little Cal portion is scheduled to be advertised in February 2006. The Corps is finalizing the design. All land acquisition has been completed except for the NSRR. The attorney has filed condemnation on the railroad but we have been continuing to work with them in trying to reach a concurrence for the design. A conceptual design has been arrived at that meets the railroad engineer's approval, thus avoiding litigation delays and keeping to the Corps schedule. The Commission still plans to turn over our surplus property in Gary to them. This will be part of the O&M agreement Gary will assume responsibility for the operation and maintenance of the flood protection features.

Outstanding Issues: Discussion was held on the proposal from Lawson-Fisher for their firm to complete a Phase I inspection and report of the current Griffith levee situation for a cost of \$9,700, which John Fisher and Dennis Zebell discussed at the Work Study Session. Several board members felt that they needed more information as to the Commission being solely responsible for funding and requested a meeting with the Army Corps and the town of Griffith prior to committing to this action. There was discussion that the determination of the scope of work was necessary to see what would be required to certify the levee for FEMA, but cost was still an issue. Dr. Reshkin made a motion for staff to set up a meeting to define the issue and understand the fiscal responsibilities; motion seconded by Bob Huffman; motion passed unanimously.

***Finance Committee*** – In Treasurer Arlene Colvin's absence, Mr. Gardner presented the financial status report and the claim sheet. Bob Huffman proceeded to make a motion to approve the claims for October in the amount of 93,421.26, motion seconded by Steve Davis; motion passed unanimously.

- Mr. Gardner then presented the O&M claims for approval in the amount of \$1,106.52. Bob Huffman made a motion to approve the O&M claims; motion seconded by Charlie Ray; motion passed unanimously.
- Mr. Carlson inquired about the claim regarding the accident at the OxBow Park. Attorney Casale stated that we should not be responsible to pay any insurance monies out; the city of Hammond should be responsible. The \$380 on the O&M claim was for payment of legal work and to make an appearance in court on behalf of the Commission.
- Mr. Biller inquired whether Hammond has paid for the Woodmar Country Club appraisal. Mr. Gardner will check and get a copy of the invoice to Mr. Biller.

***Land Acquisition/Land Management Committee*** – In Committee Chairman Bob Marszalek's absence, Mr. Gardner gave the report.

- There is one condemnation. In the East Reach area, DC832 has rejected the offer of the appraised price of \$2,500 for a flowage easement. Mr. Huffman made a motion authorizing the attorney to file condemnation proceedings; motion seconded by George Carlson; motion passed unanimously.
- We are on schedule for Stage V-2 (Kennedy to Northcote, north and south levees). There are a total of 34 acquisitions and 22 of them have been approved by the independent reviewer. The appraiser has indicated that he should have the remaining 12 approved and back to us by the end of November (except for Wicker Park and Tri-State). We can then start sending out offers. We will also set up a meeting with the new North Township trustee and a separate meeting with Tri-State.
- We are on schedule for Stage VII (Northcote to Columbia). We are all set to assign the appraisals in January. Title work and surveys are substantially completed. Once V-2 is complete, we will talk to Munster about donations of land.
- Discussion was held on the Griffith Golf Center. We received direction from the Army Corps to obtain a flowage easement on the entire golf course property. We are in the process of interviewing the appraisal firm recommended to us by the Corps. That firm (Oetzel & Hartman) submitted an estimate of \$9,000 to do the appraisal. Staff will obtain other appraisal estimates to use as a comparison.
- Staff will proceed with identifying any interest in the vacant Chase Street Farm Stand at 35<sup>th</sup> & Chase. We received a note from the lessee stating they were vacating the premises by October 31. We have a concern with security with having the building vacant. The Gary Fire Department has expressed an interest in the building. We will pursue talking with them and report back to Commission at next meeting.
- The Commission received a request from INDOT for a 10' permanent easement between Harrison and Broadway, south of I-80/94. Staff asked INDOT for engineering details showing what they propose; we need to make sure their construction does not impact our line of protection. Staff will report back.
- Jim Pokrajac talked about an ongoing problem with ditch maintenance south of 35<sup>th</sup> Street between Chase and Grant. Staff made a request to Gary to clean this ditch from all debris and blockages and to maintain this ditch in the future. Debris accumulates and dams up the ditch. The water table rises and causes problems for area businesses. Berkheimers

has cleaned the ditch several times before (and will clean it this time because of the emergency factor) but we have requested Gary to clean it in the future, if needed.

**Project Engineering Committee** – Committee Chairman Bob Huffman referred to Dean Button from SEH who gave a presentation on CSO minimization. The project will separate up to 17 million gallons of storm water from the sewage and re-direct discharges to the treatment plant. This will be done at the Jackson Avenue, Hohman/Munster, and the 173<sup>rd</sup> and Forest Ave. pump stations and will compliment the flood control project. This project is being funded by a grant through the Congressman to the Army Corps with the HSD being the local sponsor. Imad Samara is the project manager for this project.

- Mr. Huffman reported that letters were sent to all the owners of the pipelines in Stage V-2 requesting comments on design and asking them to provide cost estimates.
- Mr. Huffman reported that a meeting was held with Steve Enger and two of his neighbors to review their concerns on the proposed levee re-construction on Hawthorne Drive in Munster. They offered some suggestions for design modifications. Staff will forward their concerns to the Army Corps. We are asking the Corps to compare cost impact of sheet piling vs. levee construction. As requested, staff did have the toe of the proposed levee staked out. Regarding their disapproval of the recreation trail, it appears that it may be able to be put at ground level and perhaps located north of the river.
- Mr. Gardner mentioned that we will meet with Frank Mrvan Jr., the new North Township trustee, regarding impacts to the Wicker Park Golf Course.
- A pre-construction meeting was held for Stage VI-1 North on November 1<sup>st</sup>. Notice to proceed was given to Illinois Constructors, Inc. on October 19; scheduled construction completion date is July 2007.
- Inspection for the Landscaping II project was held on October 25. Dr. Reshkin inquired who would be doing the controlled burns. Since qualified personnel would be needed for this, it may be omitted from Gary's O&M. Jim Pokrajac added that some segments will not require O&M over the next 3-5 years because of herbiciding and re-planting.
- Mr. Huffman asked staff about the Kennedy Avenue bridge. Mr. Pokrajac stated that he forwarded information to Imad regarding this. The walkway and concrete closure slabs on Kennedy Avenue should be done at the same time the bridge is worked on. Staff will check with Dwayne Alverson of the Lake County Highway Dept. and also check with Imad.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman inquired about the resolution and agreement for the O&M of the two Stage III Remediation pump stations. We will hold off on approving the resolution until the pump station agreement is finalized. It is hoped that it will be done for the December meeting. Gary also needs to review the agreement.

- Mr. Huffman reported that the preliminary scope of work and plans are substantially complete and we are hoping to submit it to Gary for their review by November 15. We are hoping to bid out by the end of the year.
- Jim Pokrajac pointed out that all of the costs for upgrading the pump stations will come out of the LCRBDC O&M funds.

**Environmental Committee** – There was no report.

**Legislative Committee** – Committee Chairman George Carlson reported that \$1 million of the appropriated \$2 million was approved for draw down on October 28. We will begin to draw from that for Burr Street and V-2 offers. The remaining \$1 million will be available in July 2006.

**Recreation Committee** – There was no report.

*Marina Committee* – Committee Chairman Charlie Ray and Attorney Casale expressed their desire to have this transfer completed by the end of the year. Mr. Casale stated that the Attorney General's office had some changes he wanted to implement in the transfer agreement. He will make some changes and resend it to the Attorney General. Discussion ensued on some of the provisions in the agreement.

*Policy Committee* – There was no report.

*Other Issues/New Business* – Mr. Huffman inquired about the voting of the Nominating Committee by members who were not present. Chairman Biller says the votes from the attending members stand.

*Statements from the Floor* - There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, December 7, 2005.