

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**HELD AT 6:00 P.M. WEDNESDAY, FEBRUARY 1, 2006**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairman William Biller called the meeting to order at 6:00 p.m. All ten (10) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

George Carlson  
R. Kent Gurley  
Robert Huffman  
William Biller  
Steve Davis  
Mark Reshkin  
Arlene Colvin  
Robert Marszalek  
John Mroczkowski  
Charlie Ray

**Visitors:**

Jomary Baller - IDNR  
Imad Samara - Army Corps  
Elizabeth Johnson - Congressman's Office  
Mark Lopez - Congressman's Office  
Sandy O'Brien - Hobart

**Staff:**

Dan Gardner  
Lou Casale  
Jim Pokrajac  
Judy Vamos  
Sandy Mordus

A motion to approve the January 4, 2006 minutes was made by Bob Huffman; motion was seconded by Bob Marszalek; motion passed unanimously.

**Chairman's Report** - Chairman Biller referred to the listing of the committee structure as distributed. Last year's committee chairmen were retained; if the committee members want to change, just let Sandy know and she will modify the committee sheet accordingly. If there are any other changes or corrections, please let Sandy know.

• Discussion ensued on HB1095 as proposed by Representative Chet Dobis. This bill would reduce the Commission membership from 11 members to 5 members, all being Governor appointments; one each of the members must be from IDNR Division of Water; one from IDNR Department of Fish & Wildlife; one must be a resident from Gary; one must be a resident of Hammond; and must be a resident of Highland or Griffith. Each member must also hold a degree in engineering with 10 years experience or be licensed in Indiana as a real estate appraiser and have 10 years experience. Chairman Biller stated to the Board members that the proposed bill does not change anything; we are still moving ahead as quickly as we can to meet the Congressman's deadline of project completion by December 2009. Commissioner Gurley inquired as to the bill's current status and was informed that it was in the Natural Resources Committee but did not have a hearing as of this date. It was not brought out in committee; it could surface as an amendment to another bill but right now, there is no movement. Mr. Gardner added that Mayor King and Mayor McDermott were concerned upon hearing about the proposed bill as it takes local input away from them; the IDNR was also concerned for future O&M. Commissioner Carlson expressed the greatest concern and disappointment. After serving for 23 years on the Commission, he sees the biggest problem we've ever had is the State's under-funding of the project. We have averaged only \$1 million a year and with the project costing \$190 million, the Commission could move forward only as far as the money would go. "You cannot blame the Commission and we should not be used as a scapegoat" he added.

**Executive Director's Report** - Mr. Gardner reported that four bids were received on the Burr Street Phase 2 Gary portion of the levee, with the lowest responsive bidder being Superior Construction. The COE estimate was \$1.7 million. Gary has committed \$1.4 million and the LCRBDC has committed \$300,000. Unfortunately, the low bid came in at just under \$2.5 million. Gary can negotiate with the contractor to see if items can be deferred or reduced by mutual consent; we will meet with the COE to see if anything can be eliminated from the contract, i.e. the MS4 water quality addition that was not originally considered in the Army Corps estimate. That amounts to about \$280,000. Commissioner Reshkin questioned why the MS4 was included in the first place; it is a water quality issue and not a flood control issue. We will be meeting with Gary very soon to discuss what can be done. Commissioner Gurley expressed concern about the time delay. Mr. Gardner, as well as attorney Casale, stated that we will move forward as quickly as we can. There is a 60 day period before an award has to be made but we would like to see Gary award the contract before that time period. Obviously, Gary needs a commitment from the LCRBDC before a contract is awarded. It was also discussed that Burr Street II - LCRBDC needs to be completed also to get Gary out of the flood plain. Chairman Biller asked staff to keep the Board members informed.

- Mr. Gardner referred to the upcoming meeting in Chicago at the FEMA office on February 9. We are moving ahead with Lawson Fisher doing a scope of work to analyze the Griffith levee. They have scheduled the meeting with FEMA so that FEMA can identify exactly what is needed for the levee to be certified.
- Mr. Gardner also reported that he has met with the Hammond Plan Commission to discuss the easements needed on the Cabela's property. It does appear that Cabela's is moving ahead with their plans, however slowly. We are scheduled to meet with Cabela's on February 7. We are requesting the easements be donated.

**Finance Committee** - Treasurer Arlene Colvin made a correction to the minutes from the last meeting. We made a motion to transfer current escrow interest monies into the Administrative Budget totaling \$19,787; that amount should have been \$10,787. Ms. Colvin proceeded to make a motion to transfer the \$10,787 to the Administrative account; motion seconded by John Mroczkowski; motion passed unanimously.

- Ms. Colvin referred to the Financial Statement for January and made a motion to approve the claims for January in the \$100,588.46; motion seconded by Bob Marszalek; motion passed unanimously.
- Ms. Colvin then presented the O&M claims for approval in the amount of \$214.38 and made a motion for approval; motion seconded by Bob Huffman; motion passed unanimously.
- Commissioner Huffman inquired about the purchase price on the DC numbers. Judy Vamos answered that these properties are all in Stage V-2 and have fences and/or landscaping involved.
- Chairman Biller inquired whether we have received the \$10,000 reimbursement from the city for the appraisal cost of the Woodmar Country Club property. The Mayor had asked us to have the appraisal done earlier than we normally would have. We replied that we had received the reimbursed monies.

**Land Acquisition/Land Management Committee** - Committee Chairman Bob Marszalek referred to Judy Vamos to give the report.

- Mrs. Vamos explained that we have one increased offer. In avoid condemnation and delays, approval is needed to increase the offer on DC1124. Bob Marszalek made a motion to increase the offer on DC1124 from \$1,770 to \$2,035.50; motion seconded by Bob Huffman; motion passed unanimously.
- Mrs. Vamos asked for approval for condemnation for eight properties, only if needed. These are properties in Stage V-2 we are currently negotiating with the owners. If we cannot reach agreement with them, we would like approval now so we do not have to wait another month to obtain approval. We are following the time schedule. Condemnation would only be used if absolutely necessary; we are still hopeful to settle on some of these properties. Bob Marszalek proceeded to make a motion to approve condemnation if necessary on DC1104, DC1115, DC1122, DC1123, DC1126, DC1127, DC1128, and DC1171. Motion was seconded by Bob Huffman; motion passed unanimously.
- Ms. Vamos reported that we are on schedule for Stage V-2 (Northcote to Kennedy). Offers have been sent out and seven have come back signed. There are a total of 32 landowners in Stage V-2.

- Ms. Vamos reported that there are 54 acquisitions and 35 landowners in Stage VII. We have received the title work and survey work. Appraisals will be assigned very soon. The schedule allows for the end of February to finish the appraisals.
- Ms. Vamos stated that a meeting has been scheduled for February 2 with North Township Board members to discuss easements, construction, and scheduling. Also, the Wicker Park appraisal is expected this week.
- Mr. Pokrajac informed the Board members that the Gary Fire Dept. is now occupying the property at 35<sup>th</sup> & Chase as a training site. Because the building was vacant and we were afraid of vandalism, we have reached an agreement with them for \$1 a year for them to use the building. They will incur all costs associated with utilities.

**Project Engineering Committee** – Committee Chairman Bob Huffman stated that the Burr Street II Gary portion has already been discussed. The schedule for Burr Street Little Cal portion is anticipated for an April advertisement. It is still hoped that construction will be done this year. The two Burr Street segments are top priority and funds will need to be shifted as they control completing the Gary stretch and further west reach construction.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman reported that Austgen Electric is completing all of the diagnostics on the four Gary pump stations; some of the items will be repaired if the cost is not too high; we anticipate the remaining items will be minimal.

- We are in the process of turning over the North 5<sup>th</sup> Street pump station to the town of Highland for O&M. They have received all the manuals; we are awaiting “as built” drawings.
- We are also in the process of turning over the two Stage III Remediation pump stations to Gary. LCRBDC completed the agreement, which has been forwarded to Gary for review and comments; manuals and warranties will be turned over to Gary.

**Environmental Committee** – Committee Chairman Mark Reshkin reported that a \$9,000 grant was secured by Lee Botts to inventory natural areas that are being restored. It would include about 15,000 acres of natural areas. Mr. Gardner added that we will fill out the forms for in-project lands used for mitigation, and Hobart Marsh lands, and submit that to Lee Botts.

**Legislative Committee** – Committee Chairman George Carlson referred to the draft letter addressed to the area legislators summarizing work completed to date. Mr. Gardner added that the letter will be sent with four attachments: Attach 1 shows the three ongoing contracts of levee construction in the west reach; Attach 2 shows the area of flood plain designation; Attach 3 consists of the Congressman’s letter and the Corps’ response to him transmitting a schedule to meet a December 2009 deadline date; and Attach 4 shows a list of contributions from local entities. It is a complete package that will be shared with local communities as well as the State legislators. The schedule shows the significant amount of non-federal funding that is needed to meet the deadline. Chairman Biller asked the members to review the draft letter and if they have any comments, please let staff know.

- Commissioner Carlson referred to the Times guest commentary (in agenda packet) written by Mark Reshkin.
- Mark Reshkin asked staff to produce some good graphics to show what before and after construction impacts would look like. As we proceed westward, it would be a good tool to share with residents so they would have a better picture of what it will look like after completion.

**Recreation Committee** – Committee Chairman Bob Huffman stated that as part of the walk-thru yesterday on Stage V-2 (Kennedy to Northcote), the trail alignment was discussed. He added that he hopes Cabela’s is open to the concept of trails on their property.

**Marina Committee** – Attorney Casale informed the members that he will obtain the signatures on the deed to the Portage Public Marina property this evening and then get it to the city tomorrow. Mr. Gardner added that Mayor

Olson called him today to request a copy of the permits that allowed the marina construction. Mr. Gardner will deliver that information to him tomorrow.

Policy Committee – Committee Chairman Bob Marszalek reported that he will be scheduling a committee meeting very soon.

Other Issues/New Business – There was none.

Statements from the Floor - There was none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, March 1, 2006

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