

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT**  
**COMMISSION HELD AT 6:00 P.M. WEDNESDAY, FEBRUARY 7, 2007**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

In Chairman William Biller's absence, Vice Chairman Bob Marszalek called the meeting to order at 6:20 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

Charlie Ray  
Robert Huffman  
Steve Davis  
Kent Gurley  
Dr. Mark Reshkin  
Robert Marszalek

**Visitors:**

Steve Enger – Munster resident  
Imad Samara – Project Manager, Corps of  
Engineers  
Bill Petrites – Highland resident  
Stan Petrites - Chicago  
Frank Petrites – Highland resident

**Staff:**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Jim Pokrajac  
Judy Vamos

The minutes of the January 3, 2007 meeting were approved by a motion from Bob Huffman; motion seconded by Mark Reshkin; motion passed unanimously.

**Chairman's Report** – Vice Chairman Bob Marszalek referred to the Committee list distributed. If there are any changes, let Sandy know.

• Mr. Marszalek referred to the letter in the agenda packet sent to Representative Bob Kuzman seeking support of our \$8 million budget request and inclusion in the House Budget. Mr. Gardner added that he attended a NIRPC/FORUM legislative briefing in Indianapolis on January 24 where he and Chairman Biller spoke to all of the area legislators present regarding the Commission's request. The reception was very well attended and they both felt there was a lot of support for the project and our funding request and the schedule to finish the Federal construction by 2009.

**Action Required** – Treasurer Kent Gurley presented the claims for approval in the amount of \$49,536.29; motion seconded by Bob Huffman; motion passed unanimously. Mr. Gurley then presented the O&M claims for approval in the amount of \$9,835.18; motion seconded by Bob Huffman; motion passed unanimously.

• Mr. Marszalek presented two DC numbers (DC1203 and DC1206) that require approval for increased offers. Both parcels are owned by the same landowner and we need both permanent and temporary easements on both properties. The landowner has requested we purchase the land in fee since he is left with an uneconomic remnant. The original offer on each DC for the easements only was \$2,197; fee value (with a 15% increase) is \$5,053 on each DC parcel. The reasoning behind the request is that it will still be cheaper than

condemnation proceedings and, more importantly, save a delay of six to nine months in court. These are in Stage VII. Motion was seconded by Bob Huffman; motion passed unanimously.

- Discussion was held on the proposal received from SEH to do utility relocation coordination in Stage VIII at a cost not to exceed \$7,500. This would be the first phase of coordination with the utilities. A motion was made by Mark Reshkin to accept and approve the proposal agreement with review and approval by the attorney as outlined in December 2006 letter. An amendment was made to the motion to clarify to add “and other utilities as listed in Table B” and add written approval “by the Commission” before proceeding to any other work after the \$7,500. The agreement would also be updated to reflect the current time table of a start date of February 7 through a two month period. Motion seconded by Bob Huffman; motion passed unanimously.

Executive Director's Report – Executive Director Dan Gardner referred to pages 10 & 11 in the agenda packet containing a letter from the State Budget Agency stating that the Commission's request for the \$2,142,583 is on the agenda for the February 14<sup>th</sup> SBC meeting; and also a letter we wrote to Senator Frank Mrvan, a member of the State Budget Committee asking for his support/ assistance for the approval of the request.

- Mr. Gardner added that we are in the Governor's budget for \$2 million. Our request was for \$8 million (that would fund the flood protection portion of the project to completion by December 2009). We are hopeful in getting the \$2 million increased; area legislators are supportive. This is only the second time in history that we are listed in the Governor's budget, so it shows support of the project by the Daniels administration.

- Mr. Gardner gave an update on the status of the Griffith levee. He talked to Imad Samara and it is anticipated that the Corps will do some of the engineering assessment work under contract with us. This is a key priority for next month. Staff will pursue. Cost estimates will be brought to the Commission.

- Mr. Gardner mentioned that Raj Gosine, DNR Permitting and Hydrology Department engineer, is no longer with the IDNR but before he left, he recommended approval of the Corps modeling. The letter is awaiting final approval at the administrative/management level.

Finance Committee – Finance action was already taken. The financial statement for the year end can be found on page 12 of the agenda packet.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek referred to Judy Vamos for an update of land acquisition activity. Mrs. Vamos reported that the action needed has already been done. She is coordinating 126 total acquisitions in various stages.

- In V-2, acquisition of easements is proceeding. Out of a total of 40 easements, there are six remaining. In Stage VII, there are 52 acquisitions of easements. Those easements needed north of the river are ready to go out. Those easements south of the river are in the process of having the revised appraisals reviewed. We are about four months behind schedule in Stage VII. In Stage VIII there are 90 easements; real estate drawings are being finalized. We will be receiving a formal notice from the Corps directing us to acquire VIII.

- Mr. Gardner gave an update on the billboards with View Outdoor. He has letters from both the Corps and IDNR saying the signs do not interfere with our levee system or affect hydrology. When View Outdoor took the letters back to the Gary Plan Commission, they were delayed for approval because a 404 permit may be needed. Mr. Gardner talked to both Ron McAhron of IDNR and Imad Samara of the Corps and they will both write a letter stating their position why a 404 permit is not needed. They again will have to go back to the Gary Plan Commission. Hopefully, a permit for the signs will be given. The money that the Commission will generate from the sign leasing will be committed to O&M to get everything up to "as-built" condition so Gary can assume O&M responsibilities and we can move forward.
- Jim Pokrajac reported that staff will develop an RFP for public solicitation for the 32 acres east of Clay Street. Mr. Gardner stated we hope to have a draft proposal ready for advertisement by next month.
- Jim Pokrajac informed the Board members that he received a proposal from C&H Mowing for the mowing of the levees for 2007. The amount of the proposal is less than what it has been in the past because the Landscaping Phase II project is herbiciding almost half of the existing levees and will be planting native grasses in their place. Commissioner Reskin questioned why the Corps is proposing to plant native grasses now when they were prohibited years ago when Dr. Cortwright from IUN wanted to do native grasses. He was only allowed a small area to grow the grasses. Mr. Pokrajac will check into the reasoning of why the Corps is using native grasses now and what kind of management will ensue. One of the reasons grass had to be initially planted on the levees was to prevent soil erosion. Steve Davis remembered that we had some native grasses that failed. Imad Samara answered by saying the Landscaping Phase 1 contract had a problem because it did not contain a clause allowing for 5 years of maintenance to assure their growth. This Landscaping II contract provides for a 5 year maintenance program. A more detailed explanation/rationale for future landscaping will be made next month.

Project Engineering Committee – Committee Chairman Bob Huffman reported that several meetings have been held with the city of Hammond and Cabela's. Their engineering sub-contractors are finalizing the site layout. The easements we need from them will be identified. They will record it all as one plat to assure the easements are the same. We're working with the Corps and INDOT to finalize property transfers. Cabela's is on a fast track so we will work with them; they are looking to open the main facility by October 2007. Mr. Gardner will have their updated site drawing available at the next meeting.

- Jim Pokrajac reported that we received the Corps drawings showing sheet pile impacts relative to the pipelines for the Stage V-2 pipeline corridor. He is in the process of working with the utility companies to get agreements in place for any necessary re-locations. The companies cannot respond until they have the overall review set. We will forward the review set to them once we have received them from the Corps. The current schedule requires that we get all utility agreements in order to allow the Corps to award a contract for V-2 by September 2007.
- Stage VIII coordination contract with SEH has already talked about.
- Jim Pokrajac reported that the Hammond Sanitary District wrote a letter to the Corps saying they did not want to proceed with the Pump Station II contract until the Pump Station IA contract was complete. The Corps has assured HSD that the Pump Station 1A

contract will be completed before work begins for Pump Station II. The 1A contract had the problems with the contractor not finishing the job. The Corps is working with the bond company now to get that contract completed. The Pump Station II will provide all new pumps instead of rebuilt ones like the Pump Station 1A contract. The Corps and the HSD will work together cooperatively.

Operation & Maintenance Committee – Committee Chairman Bob Huffman referred to Jim Pokrajac for a report on O&M. Mr. Pokrajac informed the members that no meeting date has been set yet with the attorneys and decision makers in Gary to continue discussions on O&M turnover. There is a minimum amount of work that has to be done to bring everything up to “as-built” condition. Once the weather allows, that work will be done.

Legislative Committee – Mr. Gardner has already briefed the members on our funding status.

Environmental Committee – Committee Chairman Mark Reshkin referred to pages 13 & 14 in the agenda packet that transmits an email to us from Greg Moore, Corps Environmental Dept, which states that the Corps is ready to start mitigation in Hobart Marsh. The quality control plan is completed and it is anticipated that a mitigation construction program would be in place by December 2007.

- Dr. Reshkin reported that a meeting was held January 11 with the GSMD in which Dan Gardner attended. Mr. Gardner informed the members that the GSMD has a Section 319 grant to look at the overall watershed plan for the Little Calumet River. They have scheduled regular committee meetings at which Mr. Gardner attends. It includes communities along the river extending to Illinois. Several environmental groups participate.

Recreation Committee – There was no report.

Policy Committee - There was no report.

Other Issues – Mr. Gardner referred to the news article on the Little Cal.

Statements from the Floor – Munster resident Steve Enger asked the Corps what the status was for the design for the levee on Hawthorne Drive (Stage V-2). Imad Samara stated that the 100% review set will be ready by mid-March and will be distributed to all affected parties for review & comment. Jim Pokrajac will receive the prints and distribute them to the communities and appropriate people. He will make sure that Steve Enger gets a copy of the prints. Imad reiterated that the schedule shows a contract award date of September 2007.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on Wednesday, March 7, 2007.