

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT**  
**COMMISSION HELD AT 6:00 P.M. WEDNESDAY, JANUARY 3, 2007**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairman William Biller called the meeting to order at 6:15 p.m. All ten (10) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

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

**Visitors:**

Elizabeth Johnson, Congressman's Office

**Staff:**

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

The minutes of the December 6, 2006 meeting were approved by a motion from Bob Huffman; motion seconded by Arlene Colvin; motion passed unanimously.

**Chairman's Report** – Chairman Biller reported that Dan Gardner will draft a letter to the legislative delegation, as well as IDNR and the Congressman's Office, and inform them of the project progress made in the year 2006. Mr. Gardner referred to a year-end report developed by staff that highlights progress made this year. He reported that we have received about \$3 million in 2006 and expects to receive another \$2,142,583 in early January. We are awaiting approval from down state for the drawdown of this money. \$1,442,583 is the Commission's share of the Burr Street Phase II Little Cal portion of levee construction. It is critical to receive this money to allow the award of the contract. The contractor has already held his bid over for another month in anticipation of the funds coming through. The remaining \$700,000 will allow the Commission to continue critical path acquisition through Stage V-2. Mr. Gardner went on to report that 26 out of 40 property easements needed in Stage V have closed (13 remaining); in Stage VII, there are 52 property easements where survey and title work is complete and appraisals are under final review. In Stage VIII, where there are 90 property easements, preliminary surveys have been completed for Corps review. We have had numerous easement donations amounting to over \$413,000 (excluding Cabela's). Several contracts are nearing completion or are ongoing: Stage VI-1 North (about 60% complete); Stage VI-1 South (about 88% complete); Stage VI-2 (about 90% complete); Burr Street II Gary (about 91% complete); Landscaping II (about 55% complete); In-Project Mitigation (about 99% complete). The Pump Station 1A contract is about 80% complete. Approximately \$13 million has already been spent. In crediting, over \$1.3 million has been completed. O&M turnover is ongoing; we are hoping to turn over the pump stations and overall O&M in Gary this calendar year.

Chairman Biller referred to the Nominating Committee (Arlene Colvin, chair; Steve Davis and Mark Reshkin) for their report. Arlene Colvin presented a slate of officers for 2007. They are:

Chairman	-	William Biller
Vice Chairman	-	Robert Marszalek
Treasurer	-	Kent Gurley
Secretary	-	Charlie Ray

Ms. Colvin made a motion to nominate William Biller as Chairman; motion seconded by Mark Reshkin; motion passed unanimously.

Ms. Colvin made a motion to nominate Robert Marszalek as Vice Chairman; motion seconded by Bob Huffman; motion passed unanimously.

Ms. Colvin made a motion to nominate Kent Gurley as Treasurer; motion seconded by Steve Davis; motion passed unanimously.

Ms. Colvin made a motion to nominate Charlie Ray as Secretary; motion seconded by Mark Reshkin; motion passed unanimously.

Chairman Biller asked the Board members to select their committee preference and turn it in to Sandy. The committees will be presented at the next Commission meeting.

**Action Required** – Treasurer Arlene Colvin presented the claims for approval in the amount of \$91,425.18; motion seconded by Bob Marszalek; motion passed unanimously. Ms. Colvin then presented the O&M claims for approval in the amount of \$2,509.49; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin informed the Board members that the Finance Committee met on December 21. She presented the proposed 2007 Operating Budget. Mr. Gardner explained the budget that identifies three budgets: Administrative Budget at \$180,000 (the same as 2006); O&M Budget at \$100,000 (approximate monies remaining); and Land Acquisition/Project Development Budget at \$3,468,583 (breakdown: \$776,000-only credit/critical path eligible; \$1,250,000- critical path utility relocation costs; \$1, 442,583-Burr Street cost share escrow account). The budget will be revised once a new State Budget is passed. Ms. Colvin made a motion to adopt the proposed 2007 budget; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin presented the contract for administrative services with NIRPC with minor changes identified; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin made a motion to approve the legal contract with Casale, Woodward & Buls with an increase to \$110/hr from \$100/hr; motion seconded by Bob Huffman; motion passed unanimously.

- In regard to the contracts of the independent contractors, Ms. Colvin made a motion to approve the engineering contract with Jim Pokrajac at \$56.85 per hour; motion seconded by Bob Huffman; motion passed unanimously. Ms. Colvin proceeded to make a motion to approve the land acquisition contract with Judy Vamos at \$41.35 per hour; motion seconded by Bob Huffman; motion passed unanimously. Ms. Colvin then proceeded to make a motion to approve a crediting contract with Lorraine Kray at \$21.10 per hour; motion seconded by Bob Huffman; motion passed unanimously. Ms. Colvin then proceeded to make a motion to approve a crediting contract with Sandy Mordus at the same rate of \$25 per hour; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin made a motion to approve a budget transfer of \$300 out of Budget Line 5821 (Travel and Mileage) into Budget Line 5824 (Telephone Expenses) to cover a shortfall of \$276.32; motion seconded by Bob Huffman; motion passed unanimously.

- Commissioner Bob Marszalek commended the staff on a job well done.

- Land Acquisition/Management Committee Chairman Bob Marszalek made a motion authorizing condemnation on DC1203 and DC1204 if negotiations with them fall through and we cannot come to an agreement with them; motion seconded by Bob Huffman; motion passed unanimously.

**Executive Director's Report** – Executive Director Dan Gardner stated that the Burr Street II Gary portion of levee construction is almost complete. One change order amounting to \$18,168 has been agreed upon (this is the 25% LCRBDC portion based upon our agreement). There is still one other change order ongoing regarding the quantity of clay used that is still in negotiation. We should be receiving that invoice shortly.

- In regard to Burr Street II Little Cal portion, Mr. Gardner reported that we are awaiting additional funding from the State so that the Army Corps can award the contract. \$1,442,583 is the identified amount that the Corps has asked from us; we have already given them \$300,000 as our cost share. The contractor has extended his bid for 30 days in anticipation of monies coming from the State so the Corps can award the contract. If the contract has to be re-bid, it will cost more money and more time. Mr. Gardner will be in contact with Senator Mrvan, a member of the Budget Committee, to urge a date early in the new year for the required meeting.

**Legislative Committee** – Committee Chairman George Carlson referred to the V8 Legislative Agenda, which was adopted by NIRPC and the Forum and listed support of the Commission's \$8 million budget request. Mr. Gardner will be attending a legislative reception in Indianapolis later this month and will have an opportunity to talk to some key legislators. Senator Frank Mrvan is on the State Budget Committee and the Senate Finance Committee and Representative Bob Kuzman is Vice Chairman of the Ways & Means Committee, both of which are important committees to us and the development of the State Budget.

**Finance Committee** – Finance action was already taken.

**Land Acquisition/Land Management Committee** – Committee Chairman Bob Marszalek referred to Jim Pokrajac for an update of land management items. Mr. Pokrajac reported on (1) View Outdoor is proceeding with the city of Gary in obtaining permits for billboards; (2) staff met with Lamar on December 7 and will pursue identifying additional locations for billboards; (3) LEL has responded waiving the option of the 32 acres; (4) another O&M meeting needs to be scheduled with the city of Gary; (5) all three farm leases have been signed; (6) staff met with Property Liquidators and they are interested in a license agreement on 3120 Gerry Street; (7) the log jam west of MLK Drive was removed and hauled away.

- In regard to LEL, a motion was made by Mark Reshkin to accept the waiver to terminate their option on the 32 acres and have staff develop a RFP for management of wetland banking on this property; motion seconded by Bob Huffman; motion passed unanimously. Dr. Reshkin stressed that we need to look at wetland banking as an economic development tool.
- Discussion was held on having a meeting with IDNR, ACOE, and FEMA regarding the Griffith levee. Staff will develop a RFP but needs to have FEMA define the exact criteria needed for certification of the levee prior to doing so. Dr. Reshkin asked that the Governor's Office, as well as the Congressman's Office be notified of any scheduled meeting.
- Judy Vamos gave an update on the land acquisition easements needed for the remainder of the project area. She is coordinating approximately 162 easement acquisitions that are all in various stages of acquisition.

**Engineering Committee** – Committee Chairman Bob Huffman reported that a meeting is scheduled to be held on January 10 with Cabela's and INDOT in which staff will attend. The entry layout into Cabela's and the design and coordination with INDOT will be discussed.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman referred to the chart (in the agenda packet) on the sluice gate/flap gate inspection results. Jim Pokrajac added that there will be done one more inspection. O&M turnover to Griffith will be coordinated for the segment between Cline and Colfax, including sluice/flap gates and levees.

- Jim Pokrajac stated that Highland plans on keeping the existing North 5<sup>th</sup> pump station. This will supplement the new pump station being built. The new station should be completed late spring 2007.
- Mr. Huffman reported that fencing repairs in the area of North Burr Street pumping station have been completed.
- A meeting with the attorneys for Gary and LCRBDC, along with decision makers, needs to be scheduled in the very near future to move the O&M turnover process forward.

**Environmental Committee** – Committee Chairman Mark Reshkin mentioned that he received a phone call from Carolyn Marsh (Audubon Society) regarding the MOU that the town of Highland has drafted regarding the "Blue Heron Rookery". Dan Gardner stated that we had received a draft MOU from Highland where the town, the Commission, and the Calumet Audubon Society would sign the agreement. As far as we know, it is still in draft form. We have been requested not to formally adopt it yet. After opposition from the Audubon Society, it was not made part of the Coastal grant the town has applied for.

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

**Policy Committee** - There was no report.

**Other Issues** – Commissioner Kent Gurley inquired about page 6 & 7 in the Land Acquisition Report regarding the Forest Avenue levee in Hammond. Mr. Gardner stated that the levee was built back in the early 80's by the city of Hammond to Corps specifications and that levee has already been credited. The problem is that the city never maintained the levee and it appears there are no easements from property owners. The Corps has declared that any work that needs to be done on that levee will not be part of the Stage VIII contract. A more detailed report/meeting will be held with the COE and the city of Hammond once more research has been done.

**Statements from the Floor** – There were none.

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