

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

Chairman William Biller called the meeting to order at 6:00 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

William Biller
Robert Huffman
Steve Davis
Bob Marszalek
Mark Reshkin
Mark Gordish

Visitors:

Jim Wolf – Post Tribune
Imad Samara – Project Manager, Corps of
Engineers
Elizabeth Johnson – Congressman
Visclosky's Office

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

Chairman Biller introduced the newest member to the Commission, Mark Gordish, who is the Mayor of Hammond's appointment replacing George Carlson, who has retired after serving 24 years on the Commission. Mr. Gordish is the assistant city engineer for the city of Hammond.

The minutes of the meeting held on September 5, 2007 were approved by a motion from Bob Marszalek; motion seconded by Robert Huffman; motion passed unanimously.

Chairman's Report – Additional discussion took place on the flooding that happened on August 24-26. Chairman Biller was out of town so he did not see first hand the impact of the closing of the Borman Expressway. Mr. Gardner referred to the news articles. He reported that INDOT has hired Earth Tech to do an independent study of what happened and what can be done so it will never happen again. They will identify where the flap gates/slucice gates are located that impact or are designed to help I-80/94 drainage, where they drain to, and whose responsibility it is to close them/open them during rain events. Several meetings have taken place already. INDOT has not been an active player in our local emergency management meetings but they will be included from now on. All understand that the coordination of all jurisdictions is necessary. Mr. Gardner stated that the INDOT Commissioner has committed publicly that it is being addressed by independent assessment. The Lake County Surveyor's Office is also doing a study as to the internal drainage and tributary areas upstream on Hart Ditch. Mr. Gardner stated that everyone needs to allow the studies be completed; then we will go forward from there. Commissioner Mark Reshkin asked if the Army Corps emergency response plan worked the way it was supposed to in Highland and Munster. Mr. Gardner replied that it did work; nothing failed; the Cady Marsh project in Griffith helped to lower river stage elevations. Mr. Pokrajac added that

three immediate actions will be taken: (1) sluice gate inspections are scheduled for next week and INDOT will accompany them for the first time; (2) an emergency management meeting will be scheduled before the end of the year with INDOT and all the municipalities; and (3) and we will work with Earth Tech to establish a benchmark on the flap gate at Kennedy Avenue interchange that when water reaches that level, the sluice gate will be closed.

- Chairman Biller inquired about the letter we received from North Township regarding silting of their golf course from Hart Ditch overflow. Mr. Gardner replied that it was a request letter to the Army Corps for technical assistance. They received so much silt in addition to extensive water on the golf course that it destroyed a large number of fairways, six greens, and six tees. Their request was to get information from the Corps to prevent this from happening again before our construction is completed in this area. Mr. Gardner will be contacting the Corps. He also stated that North Township has excess clay that they will make available, as an option, to the contractor. Some has already been tested for Corps suitability.

Action Required – In Treasurer Kent Gurley’s absence, Mr. Gardner presented items for action. He referred to the Monthly Budget Report where \$2,000,000 of allocated funds from the 2007/09 biennium was added into the budget figures, as well as the \$302,000 that is being appropriated to the Commission from the town of Munster for land acquisition purposes within their town. Bob Marszalek made a motion to approve the adjustment of the budget report; motion seconded by Bob Huffman; motion passed unanimously.

- Mr. Huffman made a motion to approve the monthly claims of \$46,723.83; the motion was seconded by Steve Davis; motion passed unanimously.

- Mr. Huffman then made a motion to approve the O&M claims in the amount of \$59,081.70; motion seconded by Steve Davis; motion passed unanimously.

- Mark Reshkin proceeded to make a motion to approve the claim payout for Munster residents in Stage VII, utilizing Munster funds, for 15 property owners who have signed the easement agreements in the amount of \$149,108; motion seconded by Bob Huffman; motion passed unanimously.

- Mark Reshkin made a motion to approve the funding of the USGS agreement for the funding of the Hart Ditch gage station in Munster for a cost of \$6,000; motion seconded by Bob Huffman; motion passed unanimously.

Land Acquisition/Management action: Bob Marszalek made a motion to approve an increased offer for DC1131 from \$392 to \$410; motion seconded by Bob Huffman; motion passed unanimously.

- Bob Marszalek proceeded to make a motion authorizing the condemnation (if needed) as a last resort on DC-1229, DC-1236, DC-1245, and DC-1248.

Executive Director’s Report – Mr. Gardner reported that Colonel John Drolet, accompanied by District Director Roy Deda and project manager Imad Samara, visited the office on September 10. Several Commissioners were able to meet with them. In attendance were Charlie Ray, Arlene Colvin, Steve Davis, Bob Huffman, John Mroczkowski, and Mark Reshkin. Discussion topics included construction scheduling for remainder of project, efforts to get funding to complete construction, recent flooding issues, operation & maintenance of project and emergency response issues. Mr. Gardner stressed to the Colonel

that it is important for the Commission not to have to change any real estate because of design change. Appraisals are already complete for Stage VII and property owners are signing the easements. In Stage VIII, staff has had several meetings with residents and have showed them the staked out easement lines and the center line of the line of protection. Mr. Gardner stressed the need for real estate not to change to keep to the project schedule.

- Mr. Gardner talked about the need for \$6 million for the LCRBDC to meet their funding needs to complete the project to the state line. Mr. Gardner referred to an extremely positive and supportive letter from Congressman Visclosky and Governor Daniels addressed to John Clark (Governor's appointment to the RDA Board) requesting the RDA to "loan" the Commission the needed \$6 million. Senator Frank Mrvan is also writing a support letter. Mr. Gardner has met with the RDA Executive Director Tim Sanders and it appears that things are progressing to make those funds available. Without any additional funding, Stage VIII will not get built. Staff will be meeting with the RDA Board within the next month. No formal request has been made to them at this point in time. Mr. Gardner and the Board thanked Elizabeth Johnson from Congressman Visclosky's office.

Finance Committee – Finance action was already taken. The financial statement for end of August can be found on page 23 of the agenda packet. The Burr Street Phase II Gary account has been closed. That project is complete.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek stated action has already been taken. He referred to Judy Vamos to give the report. Ms. Vamos distributed a real estate report to all members. In V-2, there are only two remaining options to the right-of-entry, those being NIPSCO and NSRR. Staff would work diligently to resolve these.

- Ms. Vamos reported that we have received 20 signed offers for easements in Stage VII in Munster. Munster has approved up to \$302,000 to finance those offers being made to Munster residents. We expect Munster to donate the easements they hold to the LCRBDC. There may be a few condemnations because all current owners cannot be located.

- In Stage VIII, we have seven appraisers currently doing over 90 appraisals; those appraisals are being turned into the review appraisal firm as they are completed. Staff has met with some residents on Southmoor Road who have significant questions; we will continue to meet with them to try to resolve some of the issues. We have had some survey staking done in their backyards so the owners can see exactly where the floodwall and the permanent easement lines are located.

- Mr. Gardner is working on an RFP for the 32 acres east of Clay Street.

- Mr. Gardner is also hopeful that some of the property we own between the levees can be put into a wetland reserve program with the Soil Conservation Service. He has met with Bill Moran and it appears to be a good program. They will create wetlands and pay us to dedicate these lands for their use and purpose at no cost to the Commission. We will continue to pursue this coordination with them.

Project Engineering Committee – Committee Chairman Bob Huffman announced that Dyer Construction was the low bidder on Stage V-2. Imad Samara added that the contract was officially awarded to Dyer. Discussion ensued on the length of the allowable construction days (750 days). There is an urgency to complete V-2 before then so future development can

take place. The Corps contract does not allow for them to provide “incentive to finish early”. Options will be explored to see what can be done. A pre-construction meeting will be held shortly.

- Mr. Pokrajac stated that he has been working with Huntington District for coordination of the pipelines. Six out of eleven have submitted cost re-location estimates that is being reviewed by Huntington to see if they are “fair and reasonable”. We also have to obtain subordinated agreements with the individual pipeline companies. As soon as we have received the additional cost estimates from the pipelines and written concurrence acknowledging the costs to be fair and reasonable, Mr. Gardner will request the remaining \$1,250,000 from IEDC.

- Discussion was held on FEMA coordination. We need to work with them so that when construction is complete, it will not be a lengthy process to complete the re-mapping and eliminate the flood insurance requirement. We have also learned that additional information has to be submitted to keep Wicker Park Manor (Indianapolis Blvd. to the NSRR, south of the river) out of the floodplain. Mr. Gardner is talking to Siavash Biek from Christopher Burke Engineering, who was instrumental in getting that segment originally removed from the floodplain.

- Mr. Gardner hopes to have more information by the next meeting regarding the Griffith levee. Instead of going out for a RFP in this area, he is considering a RFQ. Additional information will be given once it is available. A greater Corps role than first thought may be possible.

- Discussion was held about the pump station that INDOT is scheduled to construct as part of their last phase of Indianapolis Blvd construction from Ridge Road to 81st Street. It appears they have delayed this contract. Once the Corps contract is let for the V-2 levee, it is hoped that INDOT will revisit the importance of completing the construction of their pump station. The LCRBDC will send them a request letter to urge their re-engagement.

Operation & Maintenance Committee – Committee Chairman Bob Huffman stated that a committee meeting was held on October 1. There will be sluice gate inspections on October 10 and 11. INDOT will be invited.

- A letter was sent to the Gary Sanitary District requesting O&M turnover coordination.
- O&M manuals were sent out to locals. Comments were due by October 1; none were received.

Legislative Committee – There was no report.

Environmental Committee – There was no report.

Recreation Committee – Committee Chairman Bob Huffman reported that the trail was finally graded and stoned between Cline and Kennedy in Highland.

Policy Committee - There was no report.

Other Business – Jim Pokrajac added that Stage VI-1 South is basically complete. Final inspection is scheduled for October 10.

- Chairman Biller added that the grand opening for Cabela's is October 19, with the pre-opening being October 18.

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, November 7, 2007.