Chairman Bill Biller called the meeting to order at 6:05 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. Chairman Biller thanked the visitors for coming.

**Development Commissioners:**
Mark Gordish
Robert Huffman
Arlene Colvin
William Baker
Ron McAhron
Kent Gurley
Bill Biller
Dave Burrus
Dan Dernulc

**Visitors:**
Dean Button – SEH, Munster
Sheldon Edd – USACOE, Griffith
Jerry Iwachiw - Munster
Vanessa Villarreal - USACE
Lynne Whelan - USACE
Steve Enger - Munster
Bill Howard - Munster
David Kusiac - Munster
Dennis/Les Rittenmeyer - Munster
Brian Miller – Hammond
Marty Wielgos – City of Hammond
Don/Carol Goldman - Munster
Jennifer Pellar - Schererville
Herb/Joy Kunka -Munster
Josephine Whelan - Munster
Dan Repay - Hammond councilman
Mike Zarantonello- Southmoor Road
Doug/Karen Lorenz – Southmoor Road
Chuck Kreis -Hammond
J. Calaway- Munster
H. Hnatusko - Munster
Vicki Williams - Munster
Robert/Julie Lavin- Munster
Rich/Delores Kunicich- Munster
Davis/Elizabeth Jones - Munster
Elizabeth Howard - Munster
Susan Wood -Munster
Patricia Huber - Munster
Patricia Piekarczyk - Munster
Tom Keilman - Whiting
Mike Gauthier - Hammond
Linda Poltrock - Munster
Robert Farag – Griffith Golf Center
Emil Poppa - Munster
Frankie Jones - Munster
Ken/Debbi Pitts
Barbara Whitaker - Munster
Carol Milici – Munster
Joan Hlinka - Munster
Senator Frank Mrvan

**Staff:**
Jim Pokrajac
Sandy Mordus
Lou Casale
Judy Vamos
Lorraine Kray
Jody Melton

**Visitors:**
Thomas Hayes – Munster
Mark Lopez - Congressman’s Office
Emery Vamos- Valparaiso
Robert/Virginia Gauger- Munster
Jason Reeves - Gary
John Harrigan – Hammond
Linda Verduco - Hammond
Terry Rudy – Munster
Greg Starrrett -- Munster
Ron Johnson – Northwest IN
News Bureau
Jim Wachel - Munster
Jim Grunewald – Munster
Erik Potter – Post Tribune
Robert Krol – Munster
Leon/Alice Kozlowski – Munster
Joe/Charlotte Miletary
Ruth Mores – Hammond
John/Priscilla Mulesa – Munster
David Nellans – Munster Town Council
Bill Petrites – Highland
Visitors (continued)
Janet Moran - Munster
Anthony Broadax - Munster
Ronnie Smith - Munster
Brian Grskovich - Hammond
Christine Kutasoki - Southmoor Road
Marc Campagna - Crestwood Avenue
John Edington - Munster Town Council
Robert Raffin - Hohman Avenue

Steve Hadrnak - Hammond
Sam Colfen - Munster
John Domanik - Munster
Steve Yekel - Baring Avenue
Stan Slazyk - Oakwood Avenue
J. Miller - Munster
Roland Raffin - Munster
Mike Wood - Munster

Bob Huffman made a motion to approve the minutes of the November 5 regular Board meeting; motion seconded by Kent Gurley; motion passed unanimously.
Mr. Huffman then made a motion to approve the minutes of the Special meeting held November 17; motion seconded by Kent Gurley; motion passed unanimously.

Chairman’s Report – Chairman Biller recognized Hammond Mayor Tom McDermott from the floor and allowed him to address the Board. The Mayor thanked the Board for allowing him to speak and expressed his condolences to those residents who endured flooding in September. He emphasized that the levee construction project has always been important to him; the project area of construction also lies within the city of Hammond. He realizes that continued funding is a problem the Commission is faced with, not only to complete our 25% cost share for construction but, in the long term, the operation and maintenance of the project levee. Since the flooding in September, no significant progress has been made to move toward the next phase of construction. To this end, he proposed a solution to the problem. The city of Hammond is one of five communities in the state of Indiana that has a STIF District (sales tax increment financing). He proposes using a portion of the sales tax generated from Cabela’s sales to complete the Commission’s cost to finish the levee construction and then to continue using it for O&M after construction is completed. He stated that Councilman Dan Repay will present a resolution to the City Council as early as Monday to start the process moving forward. The proposition would not only benefit Hammond, but Munster, Highland, Griffith and Gary as well. The State has told us to come up with a plan for local funding rather than State funding; the Mayor feels this is exactly what he is proposing. Although he expects opposition from the State, the Commission members stated that they support the idea and would write letters to the communities and ask them to support the concept as well. Chairman Biller thanked the Mayor for coming and sharing his proposal with us; maybe this idea will show the State that this is a regional effort and solution to the funding situation.

Chairman’s Report – Chairman Biller read a letter from member Robert Marszalek who has submitted his resignation from the Commission.
• Mr. Biller stated that he, as well as Senator Frank Mrvan, has written a letter to Bruce Hartman, State Examiner for the State Board of Accounts, inquiring about the release of the audit report. Mr. Biller stated he received a message back saying that the field portion of the audit is completed; they are reviewing it and will schedule an exit conference with the Commission soon, but probably not until after the holidays.
**Action Required** – Treasurer Kent Gurley presented items for action.

- Mr. Gurley referred to the Budget Transfer for approval. He made a motion to approve the transfer of $1,478.53 from Budget Line 5825 (meeting expenses) into Budget Line 5812 (NIRPC services) to cover NIRPC expense, and a second transfer of $508.51 from Budget Line 5825 (meeting expenses) into Budget Line 5824 (telephone expenses) to cover incurred telephone expense; motion seconded by Arlene Colvin; motion passed unanimously.
- Mr. Gurley referred to the itemized October monthly invoice from NIRPC for a total of $11,405.37 (which is reflected on the Claims Payable sheet).
- Mr. Gurley referred to the Monthly Budget Report, as presented in the agenda packet. The Report clearly shows the two negative line items that will be adjusted with the budget transfer just approved. After December claims are paid next month, the budget report will be zeroed out.
- Mr. Gurley proceeded to make a motion to approve the Claims Payable in the amount of $109,904.36; motion seconded by Bob Huffman; motion passed unanimously. He explained the claims in yellow are administrative claims; the claims in pink are land acquisition/project development claims that have been drawn from the State; the remaining claims in white will be drawn from the State. He added that staff is restraining any further activities at this time since there is only a limited amount of monies left down State.
- Mr. Gurley proceeded to make a motion to approve the O&M claims in the amount of $5,450.93; motion seconded by Dave Burrus; motion passed unanimously. Mr. Gurley added another item for O&M approval. A proposal was received by Austgen Electric to repair a pump station at Marshalltown. As it is now, it is left to exposure and requires immediate repair. Dave Burrus made a motion to authorize staff to have Austgen do the repair at a cost not to exceed $6,000; motion seconded by Bob Huffman; motion passed unanimously. Commissioner Baker asked if staff has an accounting of what O&M claims have been paid to Austgen; we do not keep a running total of individual items by company but claims can be pulled out of the total for O&M at any time.

**Search Committee** – Search Committee Chairman Dave Burrus stated that the committee has completed the RFP for a management firm to fill the role of Executive Director. The Committee will then begin a sorting process and plan to interview the top three firms. Attorney Casale stated that the proposals should be opened publicly at the stated time of 4:00 p.m., read aloud as to the firm name, and then taken under advisement. Mr. Burrus stated that with the holidays coming up, they may be calling a special meeting. No decision will be made by the committee without the input from the whole Commission. Copies of the RFP will be emailed to the Commission members. Mr. Gurley inquired as to how you can select a firm with no identified money in place to pay them.

**Finance Committee** – Treasurer Kent Gurley referred to the Financial Statement in the agenda packet. He explained the committed funds of land acquisition monies (A) and the committed funds of Army Corps construction money (B) cannot be spent elsewhere. If you subtract the total of (A) and (B) from the total of all accounts (C), you have the remaining funds that the Commission has to spend. In this case, that is $109,161.68. The Financial Statement has also been revised to show the total of what is remaining down State (about $60,000). Given the small amount of funds left to draw on, that is the reason the Commission is suspending the ordering of new work until additional funds become available. Mr. Gurley asked Ron McAhron for an update of any progress made toward securing additional funds. Mr. McAhron stated that the Finance Committee has been
working with staff to identify all funds to complete the levee construction through Munster and Hammond. That amount does not allow any crediting adjustments or any O&M costs. Mr. McAhron stated that he met with the State Budget Agency earlier today to discuss needed monies. The Commission is very close to identifying a project-end number. It is not as easy as it appears because costs increase daily. The Commission members committed to having a number for the next meeting. We will not set up a 2009 budget until funding is identified.

*Land Acquisition/Land Management Committee* – No Report.

*Engineering Committee* – Chairman Bob Huffman asked Jim Pokrajac about the V-2 pipeline corridor. Mr. Pokrajac replied that the Army Corps final paperwork submittals have been completed by Dyer Construction and the construction scheduling of activities with the pipelines should be able to start at the beginning of the year. Pipeline coordination has been ongoing and will be finalized prior to flood protection construction activities. The pipelines are currently reviewing the emergency response plans. There is still ongoing V-2 construction in other areas.

* In Stage VII, the BP Pipeline agreement is still outstanding. The language for the agreement has been agreed upon but the revised utility relocation cost estimate is still being reviewed. Treasurer Gurley commented that we will not sign the agreement with BP until funds are identified and we will be able to pay them. That means that the Commission will not sign a right-of-entry for the Army Corps to begin advertising the Stage VII segment. Funding must be in place.
* For Stage VIII utilities, there are three utility agreements needed at a total estimated cost of $550,000. One agreement is completed; one is pending; one has yet to go out.

*Operation & Maintenance Committee* – No report. Claims already approved.

*Operation & Maintenance Funding Committee* – No report.

*Legislative Committee* – The State Budget Committee is meeting to formulate requests for the 2009/2011 Biennium.

*Environmental Committee* – No report.

*Recreation Committee* – Commissioner Bob Huffman inquired whether there were any other canoe launches west of the Carlson OxBow park area. Jim Pokrajac replied there were none.

*Policy Committee* – No report.

*Statements from the Floor* - Numerous statements were received from the floor.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, January 7, 2009. Meeting site will be determined at a later date.