

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, MARCH 5, 2008
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

In Chairman William Biller's absence, Vice Chairman Bob Marszalek called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

Mark Gordish
Robert Huffman
Steve Davis
Bob Marszalek
Arlene Colvin
Kent Gurley
John Mroczkowski

Visitors:

Bill Petrites – Highland resident
Elizabeth Johnson – Congressman's Office
Karen Lorenz – Southmoor Road, Hammond
Imad Samara – Corps of Engineers
Ruth Mores – Southmoor Road citizen group

Staff:

Dan Gardner
Sandy Mordus
Jim Pokrajac
Judy Vamos
Lorraine Kray

The minutes of the meeting held on February 6, 2008 were approved by a motion from Bob Huffman after a correction was made on page 3, third paragraph, stating "a resident on Southmoor Road in Munster" was changed to "a resident on Southmoor Road in Hammond"; motion seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report – Executive Director Dan Gardner announced that Chairman Bill Biller could not be attend the meeting because of another meeting conflict in which he had to attend. Also, attorney Lou Casale could not be at the meeting because his wife was having surgery today.

Action Required – Treasurer Kent Gurley presented items for action. He proceeded to make a motion to approve the monthly claims of \$91,292.32; the motion was seconded by Bob Huffman; motion passed unanimously.

• Mr. Gurley then made a motion to approve the O&M claims in the amount of \$282.90; motion seconded by Bob Huffman; motion passed unanimously.

• Mr. Gurley then made a motion to table the action regarding the NIRPC contract for administrative services and the consideration of the independent contractors' contracts approval. We have not been able to schedule a date to meet yet with the Finance Committee. A meeting has now been scheduled for Wednesday, March 12 so we would anticipate action on these items at the April meeting. Motion was seconded by Bob Huffman; motion passed unanimously.

- Land Acquisition Committee Chairman Bob Marszalek referred to Judy Vamos for a report on the requested condemnations. She presented three properties for action on condemnations. Mr. Huffman made a motion to approve filing condemnation on DC1314 (owner has rejected offer); motion seconded by Arlene Colvin; motion passed unanimously. Mr. Huffman then proceeded to make a motion to file condemnation as a last resort if a settlement cannot be reached on DC1377 and DC1378; motion was seconded by Arlene Colvin; motion passed unanimously.

Executive Director's Report – Mr. Gardner informed the Board members that he attended the RDA meeting on February 12 in Indianapolis. The Commission was approved for \$6 million of non-federal share dollars to complete construction on schedule. Starting March 1st, we can submit the first drawdown for \$2.5 million (as per a drawdown schedule previously submitted to the RDA). We are awaiting an agreement from the RDA attorney to be able to draw those funds. The Army Corps has already submitted a letter to the Commission on February 15 requesting \$1,381,000 for 7% local cash contribution. Mr. Gardner extended his thanks to the RDA, as well as the Congressman and Governor who were critical to the approval. Commissioner Bob Huffman thanked Mr. Gardner and staff for their hard work in this endeavor.

- A coordination meeting was held with the town of Griffith on February 13, 2008 for the purpose of obtaining any and all of the information they have on the Griffith levee portion. We do not want to duplicate work if existing documentation is obtainable. Since that meeting, we have received all the information that exists. The Corps is scheduled to do an inspection in April. Available information has been forwarded to the Corps.

- FEMA had requested some additional information regarding the Wicker Park Manor levee in Highland. They wanted some internal statements from the town regarding inspections, to keep the levee certified. The town did submit additional information to FEMA. That should satisfy their request until all levee construction is complete.

- Jim Pokrajac stated that he and Mr. Gardner met with the city engineer in Hammond to discuss the Forest Avenue levee section. They obtained the “as-built” drawings of the levee and Mark Gordish indicated he would check further to see if specs or any correspondence was available. It appears there is no public easement where the levee sits so the Commission will have to eventually acquire an easement from those property owners.

- Jim Pokrajac attended the V-2 progress meeting held at Dyer Construction's field office. On March 5, 2008. A progress meeting is held twice a month on every other Wednesday. He reported that there has been a weather delay. It is too wet/frozen to start the sheet piling work.

Finance Committee – Committee Chairman Kent Gurley reported that finance action was already taken. The financial statement for end of January is in the agenda packet.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek stated action has already been taken. He referred to the report that Judy Vamos had distributed to all.

- Mrs. Vamos informed the Board members that out of 34 offers in Stage VII (Northcote to Columbia), 28 have accepted. In Stage VIII (Columbia to the state line) there are 90

easement acquisitions. To date, 22 offers have been sent; 27 properties are being re-appraised due to modified engineering and real estate changes submitted to the LCRBDC on January 26, 2008; and 41 offers are in process to be sent. We are working toward a May 7 real estate deadline date.

- Mr. Pokrajac reported that there are no land management issues.

Project Engineering Committee – Committee Chairman Bob Huffman gave the committee report. Mr. Huffman reported that a Stage VIII review meeting was held on February 28. Mr. Pokrajac added they had the 100% review meeting; municipalities at 10:00 a.m. and utilities at 1:00 p.m. at Munster town hall. He added that the Corps Buffalo District did a good job on the engineering and, on behalf of the Commission, he submitted a favorable performance survey of their work. They worked well with staff as well as the residents. They have gone as far away from homes and structures as possible. There will be a final drawings back-check in a few weeks with design. Utility issues are ongoing. Buffalo did a field walk-thru on February 29th.

- The Stage VII Alpha is a drainage structure west of Northcote and north of the river, that will help address interior drainage problems in that particular area while V-2 construction is ongoing. It will help with landside drainage issues due to the installation of V-2 construction.
- Mr. Pokrajac reported that the Phase 2 Pump Station contract will be broken up into two contracts. The first contract is Pump Station Phase 2A and will include two stations – Forest Avenue and Tapper Avenue. The second contract is Pump Station Phase 2B and will include Indianapolis Blvd, Jackson Avenue, and Southside pump stations. The pump station construction will be going the same time as levee construction.
- Regarding the status of the Pump Station 1A contract, a meeting was held on February 27, 2008 to go over the work scope. The Corps has worked out details with the bonding company and they confirmed that Thieneman Construction will do the work that Overstreet failed to complete.
- Mr. Pokrajac informed the Board members that the Corps has approved the sample utility agreement. The agreement will be sent to all pipelines in the utility corridor in V-2. The first agreement will be sent to NIPSCO with the others to follow. We are hoping to have all agreements mailed out with a week.
- There was discussion regarding the work site at Hawthorne. Mr. Huffman stated that there were a lot of trees taken down. Although that may be the case, the contractor is taking down only the trees he has to take down for construction. No complaints have been received by the local Corps office.

Operation & Maintenance Committee – Committee Chairman Bob Huffman referred to a news article stating that the INDOT flood report of the August 2007 flooding situation that closed I-80/94 has been delayed. The Army Corps needs to submit additional information.

- Jim Pokrajac reported that Austgen is still trying to finish up the sluice/flap gate repair. Due to bad weather, completion is delayed. The 2008 inspection is to be scheduled no later than the end of June, 2008.
- Mr. Pokrajac is coordinating “as-built” drawings for the Burr Street betterment-Gary turnover to the city of Gary. He will be meeting with them next week to turn over some of the drawings that will be filed in various locations.

• Regarding Stages VI-1 North and South, some completed drainage features will be turned over to Highland and Hammond. Commissioner Mark Gordish inquired if Hammond would be the one to close sluice gate at Carlson-OxBow Park north of the river. Mr. Pokrajac replied that it would be Hammond's responsibility. He will get them an instructional. Some information will go to Jeff Miller of the Lake County Emergency Management group. Commissioner Gurley expressed concern about the O&M process. He stressed that the O&M process needs the same real effort to get the turnover completed as the physical construction is completed. Concern is that the LCRBDC will keep paying O&M costs to assure operation and compliance of flood control features until these agreements are in place. There must be more we can do. Mr. Gardner added that monies for O&M funding for the cities are a real concern. The O&M funding Committee will look at that and into funding sources to be used by the cities and towns. FEMA will never approve flood plain removal if an O&M plan is not in place. A lengthy discussion was held on the actual status of the O&M turnover to the city of Gary. Mr. Gardner reiterated that all levee construction components have to be in "as-built" condition. Once the city signs the O&M agreement, we will turn over the existing surplus property. There is a draft agreement. Mr. Gardner will ask the attorney to give an updated report at the next meeting.

Legislative Committee – There was no report.

Environmental Committee – There was no report.

Recreation Committee – Mr. Pokrajac stated that the preliminary coordination will be starting for Recreation Phase 2. There will be a coordination meeting with the Corps and LCRBDC in the near future. Imad Samara added there are still a lot of outstanding issues and an actual contract will probably not be until next year.

Policy Committee - There was no report.

Other Business – Commissioner Kent Gurley inquired about the status of a contract with Umbaugh. Mr. Gardner replied there is no contract. Discussion on this issue will be held at an O&M Funding Committee meeting. A meeting will be scheduled before the next Board meeting.

Statements from the Floor – Ruth Mores of Southmoor Avenue in Hammond referred to a letter she had sent the Commission and asked when she could expect a response. Mr. Gardner answered that he will send a response as quickly as he is able. He is waiting for re-appraisals to be done on some of the residents' properties so that all of the residents would have received an offer before we meet with them. We are hoping to have those in by the end of March. Imad Samara added that the re-design was done based on meeting with some of the residents and what they wanted. The changes are at the request of the residents. Those changes are reflected in the final plans. If residents have questions on their offers, they should call Judy Vamos directly.

• Resident Karen Lorenz of Southmoor Avenue in Hammond expressed dissatisfaction with the Corps entering her backyard without her permission. Mr. Gardner apologized for the Corps and it was brought to their attention to obtain permission first, as promised to them.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on Wednesday, April 2, 2008.