

In The Matter Of:
East Chicago Waterway Board of Directors Meeting

December 18, 2013

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IN THE MATTER OF:
EAST CHICAGO WATERWAY BOARD
OF DIRECTORS MEETING

REPORT OF PROCEEDINGS had in the above
entitled matter before the East Chicago Waterway
Management District Board of Directors' Meeting, at
the Engineering/Annex, Building, on the 18th day of
December, 2013, commencing at 5:02 o'clock in the
evening.

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A P P E A R A N C E S :

- MR. JOHN FEKETE, President
- MR. RAY LOPEZ, Secretary
- MR. HENRY RODRIGUEZ, Board Member
- MR. JOHN BAKOTA, Board Member
- MR. ERNEST JONES, Board Member
- MR. MICHAEL EBERT, Board Member
- MR. FERNANDO TREVINO, Executive Director
of the East Chicago Waterway Department
- MS. ELLEN GREGORY, East Chicago Waterway
Board of Directors' Attorney

A L S O P R E S E N T :

- Tim Anderson
- Jim Wescott
- Natalie Mills

- December 18, 2013

1 MR. FEKETE: I would like to call to
2 order the December 18th, 2013 meeting of the
3 East Chicago Waterway Management District
4 Board of Directors. The time is 5:00
5 o'clock.

6 The first order of business is roll
7 call. Now, Mike Ebert.

8 MR. EBERT: Here.

9 MR. FEKETE: John Bakota.

10 MR. BAKOTA: Here.

11 MR. FEKETE: Henry Rodriguez.

12 MR. RODRIGUEZ: Here.

13 MR. FEKETE: Ernest Jones.

14 MR. JONES: Here.

15 MR. FEKETE: John Fekete. Here.

16 Rich Gomez.

17 (No response.)

18 MR. FEKETE: Now, we have a quorum.

19 The next order of business is the
20 consulting engineering report.

21 Fernando.

22 MR. TREVINO: Yes. Fernando Trevino,
23 FMT Consulting. I would first like to start
24 out just reviewing the contents of your
25 board packet.

- December 18, 2013

1 You have the board meeting notes for
2 the meeting held November 20th, 2013.

3 You have the financial statements from
4 Clifton Larson Allen dated November 30th,
5 2013, and the claim docket dated today's
6 date, December 18th, 2013.

7 You have a letter from IDEM dated
8 December 17th, 2013 approving our 2013
9 budget amendment.

10 You have an e-mail from myself to EPA
11 regarding our 2014 proposed budget. They
12 had some additional questions on consulting
13 services which I provided.

14 You have in your packet the contract
15 for FMT Consulting.

16 You have another contract with Tetra
17 Tech.

18 You have a Citizens Bank statement
19 dated November 29th, 2013 for accounts
20 ending in 608 and 616.

21 You have in your board packet the ECI
22 Facility Trust Report dated December 16th,
23 2013.

24 You have in your packet an Arcadis
25 report dated November 26th, 2013 regarding

- December 18, 2013

1 the progress report for the month of
2 September for summarizing the recovery of
3 the containment system.

4 You have in your packet the Army Corps
5 report dated December 18th, 2013 and the
6 report from Attorney Ellen Gregory dated
7 December 17th, 2003.

8 And that concludes the items in your
9 board packet.

10 MR. FEKETE: (Nodding.)

11 MR. TREVINO: As a follow up on
12 reporting on a few items to the board. As
13 a reminder, at the last meeting in November,
14 Board President John Fekete pointed out a
15 typo in the FMT performance evaluation, so I
16 revised that and an updated draft has been
17 provided to all the board members.

18 The 2013 budget, as I mentioned, the
19 IDEM has approved our budget amendment and
20 the Waterway Management District approved
21 and submitted it to them on -- in -- in
22 November.

23 The 2014 proposed budget, as a
24 reminder that was approved by this board in
25 November. Additional information was

- December 18, 2013

1 requested by EPA which I provided and I did
2 hear back from them yesterday that it has
3 been approved by one of their departments
4 and it is now being forwarded to another
5 department within EPA.

6 The Tetra Tech contract is on the
7 agenda today. Just to recall the last
8 meeting in November the project agreement
9 which is the contract with EPA was approved
10 at the November 20th board meeting. And
11 since then we have received a countersigned
12 signature from the EPA, so we have a
13 contract with them. Tetra Tech was at that
14 November meeting and did a presentation for
15 the board in which the board had an
16 opportunity to ask some questions. Since
17 then we have had several conference calls
18 between Ellen and myself and Tetra Tech
19 working on negotiating a contract and a cost
20 proposal for the remedial investigation
21 feasibility study and remedial design. The
22 draft that is in your board packet is the
23 result of our conference calls and meetings
24 and it is presented to you for approval
25 consideration. If it is approved today it

1 authorizes Tetra Tech to begin on the first
2 three tasks in the proposal. We have a
3 preliminary meeting scheduled for the first
4 week of January with Tetra Tech and EPA to
5 kick off the process if the board approves
6 the contract today. And there is a
7 representative from Tetra Tech present today
8 if the board has any questions regarding the
9 contract proposal
10 or schedule. And as a reminder, Tetra Tech
11 offers unique advantages to the design
12 engineering for the remedial investigation
13 feasibility study and remedial design, that
14 they basically have done all the work on the
15 Grand Cal with the EPA, so they are familiar
16 with all the stake holders, the data, the
17 necessary process and permits and the lay
18 of the land. And they also come with good
19 performance marks from working with the EPA,
20 so they, obviously, offer cost and schedule
21 efficiencies.

22 Let's see.

23 (Brief pause had in the proceedings.)

24 MR. TREVINO: And just to go over any
25 other action items, the financial report

1 which Tim Anderson will be presenting is on
2 the agenda, along with the accounts payable
3 voucher, the FMT Consulting Contract, the
4 Tetra Tech Contract, and also the
5 announcement for the board meetings for
6 2014 which will be every third Wednesday of
7 every month at 5:00 p.m. here at this same
8 location, 4444 Railroad Avenue.

9 That concludes my report.

10 MR. FEKETE: Are there any questions?

11 (No response.)

12 MR. FEKETE: Well, thank you very
13 much.

14 The next order of business is the
15 approval of the November 20th, 2013 board
16 meeting notes. I will entertain a motion
17 for approval.

18 MR. LOPEZ: Motion.

19 MR. BAKOTA: Second.

20 MR. FEKETE: We have a motion and a
21 second. All signify -- All in favor signify
22 by saying, "Aye".

23 ALL: Aye.

24 MR. FEKETE: Any opposition?

25 (No response.)

- December 18, 2013

1 MR. FEKETE: Abstentions?

2 MR. JONES: Abstention. I wasn't
3 here. (Gesturing)

4 MR. TREVINO: (Nodding.)

5 MR. FEKETE: We have one abstention,
6 Ernie Jones.

7 The motion is approved.

8 MR. TREVINO: (Nodding.)

9 MR. FEKETE: The motion is approved.
10 (Said motion so approved.)

11 MR. FEKETE: The county consultant
12 report, Mr. Anderson.

13 MR. ANDERSON: Tim Anderson from
14 Clifton, Larson, Allen. That is for you.

15 MR. FEKETE: Okay.

16 MR. ANDERSON: In your report packet
17 there is a financial statement through
18 November 30th. Page one of the report --
19 actually it is page two. Cash receipts
20 through November including the user fees,
21 the interest income, and the trust
22 reimbursement, 703,000. And then we have
23 our list of disbursements, legal fees,
24 engineering.

25 (Mr. Lopez' cell phone is ringing.)

- December 18, 2013

1 MR. ANDERSON: That will be a \$5.00
2 penalty.

3 (Everyone laughing out loud.)

4 (Brief off-the-record discussion had
5 in the proceedings.)

6 MR. ANDERSON: So our total of
7 disbursements through November, 244,000. So
8 our increase in cash from January through
9 November is 458,000. The cash balances at
10 the beginning of the year were 1.2 million
11 and that is the user fee account and the --
12 our budgeted general checking account. At
13 the end of November those two accounts stood
14 at 1.7 million.

15 Page three shows all the ins and outs
16 monthly of those two accounts, the interest
17 that we earned, the checks that we write and
18 the transfers that we make.

19 Page four shows what we started with
20 as a budget for '13 for each line item.
21 Includes the payables from last year, so we
22 had a total budget of 461,000. Through
23 November we have written 245,000 in checks,
24 so we still have available at November 30th,
25 216,000. And that will cover the bills that

1 we get for December and then any unused
2 budget we will carry over as long as we have
3 payables to -- in hand on -- for December.
4 So we will carry over items that are
5 incurred in December, but present for
6 payment in January.

7 And then, finally, page five just
8 shows each month the checks that we write
9 and the category that they are in.

10 Any questions?

11 (No response.)

12 MR. ANDERSON: Thank you.

13 MR. FEKETE: Thank you.

14 MR. ANDERSON: (Nodding.)

15 MR. JONES: Thank you.

16 MR. FEKETE: The next order of
17 business is the accounts payable voucher
18 register dated December 18th, 2013, I will
19 entertain a motion to approve this voucher.

20 MR. GREEN: So moved.

21 MR. LOPEZ: Second.

22 MR. FEKETE: We have a motion and a
23 second. Motion was approved by Mr. Ebert
24 and seconded by Mr. Lopez. We will have a
25 roll call vote on this. Mike Ebert.

1 MR. EBERT: Yes.

2 MR. FEKETE: John Bakota.

3 MR. BAKOTA: Yes.

4 MR. FEKETE: Henry Rodriguez.

5 MR. RODRIGUEZ: Yes.

6 MR. FEKETE: Ernest Jones.

7 MR. JONES: Yes.

8 MR. FEKETE: Ray Lopez.

9 MR. LOPEZ: Yes.

10 MR. FEKETE: John Fekete. I vote,
11 yes. Rich Gomez.

12 (No response.)

13 MR. FEKETE: Motion is approved to pay
14 the accounts payable register.

15 The next order of business is the FMT
16 Consulting Contract approval.

17 MR. LOPEZ: Motion to accept.

18 MR. FEKETE: We have a motion by
19 Mr. Lopez.

20 MR. BAKOTA: Second.

21 MR. FEKETE: And a second by John
22 Bakota. We will have a roll call vote.

23 Mike Ebert.

24 MR. EBERT: Yes.

25 MR. FEKETE: John Bakota.

1 MR. BAKOTA: Yes.

2 MR. FEKETE: Henry Rodriguez.

3 MR. RODRIGUEZ: Yes.

4 MR. FEKETE: Ernest Jones.

5 MR. JONES: Yes.

6 MR. FEKETE: Ray Lopez.

7 MR. LOPEZ: Yes.

8 MR. FEKETE: John Fekete. Yes. Rich
9 Gomez.

10 (No response.)

11 MR. FEKETE: The motion has been
12 approved.

13 The next order of business is Tetra
14 Tech Contract approval consideration. Are
15 there any questions that we have for either
16 Mr. Trevino or Mr. Wescott?

17 MR. LOPEZ: No.

18 MR. FEKETE: Hearing none I will
19 entertain a motion to approve the contract
20 approval for Tetra Tech.

21 MR. BAKOTA: Motion to prove.

22 MR. LOPEZ: Second.

23 MR. FEKETE: We have a motion by John
24 Bakota and approval by Ray Lopez. Now, for
25 the roll call. Mike Ebert.

1 MR. EBERT: Yes.

2 MR. FEKETE: John Bakota.

3 MR. BAKOTA: Yes.

4 MR. FEKETE: Henry Rodriguez.

5 MR. RODRIGUEZ: Yes.

6 MR. FEKETE: Ernest Jones.

7 MR. JONES: Yes.

8 MR. FEKETE: Ray Lopez.

9 MR. LOPEZ: Yes.

10 MR. FEKETE: John Fekete. I vote,
11 yes. Rich Gomez.

12 (No response.)

13 MR. FEKETE: The motion to approve
14 the Tetra Tech Contract has been approved.

15 (Gesturing)

16 The next order of business is the
17 Harris BMO Trust Report. Mr. Alonzo, I
18 understand, is not going to be here -- um --
19 are --

20 MR. TREVINO: Yeah, I can give a quick
21 summary if you like.

22 MR. FEKETE: Sure.

23 MR. TREVINO: Page one basically shows
24 a historic value of the trust since 1997 and
25 also distributions from that same year.

1 Page two, the current value of the
2 account is \$6,168,025.00 as of December
3 16th, 2013. This reflects a positive gain
4 of \$49.00 from our last meeting. This gain
5 is attributed only to the interest that was
6 present to the prime money market account,
7 there was no interest from CD credit from
8 our last meeting.

9 COURT STENOGRAPHER: I'm sorry, CD
10 what?

11 MR. TREVINO: CD credit from our last
12 meeting.

13 COURT STENOGRAPHER: Thank you.

14 MR. TREVINO: Total distributions
15 year-to-date are 236,975.

16 Page three shows the values of the
17 money market essential business checking
18 account and CDs. It also compares each of
19 their values from our last meeting up until
20 December 16th, 2013. There will be CD
21 interest paid on December 28th, 2013 for CD
22 account ending in 724. Three CDs will pay
23 interest at the end of January which will
24 show on our February report.

25 And that is the summary for the BMO

1 facilities trust report.

2 MR. FEKETE: Thank you, Mr. Trevino.

3 MR. TREVINO: (Nodding.)

4 MR. FEKETE: The next order of
5 business is the Army Corps of Engineers
6 Report, Natalie Mills.

7 MS. MILLS: This is my report.

8 COURT STENOGRAPHER: Thank you.

9 MS. MILLS: Good evening, Natalie
10 Mills, with the Army Corps of Engineers.

11 There is not much to report this month
12 on the dredging. The contractor is
13 continuing with their operations on the
14 site and the dredging is scheduled for the
15 spring of 2014.

16 COURT STENOGRAPHER: I'm sorry, the
17 judging is scheduled --

18 MS. MILLS: The dredging for the
19 spring of 2014.

20 COURT STENOGRAPHER: Thank you.

21 MS. MILLS: We are still on schedule
22 for submission of the TSCA permit in January
23 of --

24 COURT STENOGRAPHER: TASSA?

25 MS. MILLS: TSCA, T-S-C-A,

1 abbreviation.

2 -- in January of 2014.

3 Fernando, Ellen will keep you in the
4 loop on the progress we make on that.
5 We're still gathering documents for the
6 preparation of the submission.

7 The oil boom coordination I haven't
8 heard much --

9 COURT STENOGRAPHER: I'm sorry, the
10 oil boom coordination --

11 MS. MILLS: The oil boom coordination
12 I haven't heard anything more on the plan
13 forward for the oil boom when we start
14 dredging come spring. I am just putting it
15 out there for the record. Fernando, I am
16 not sure if you have heard anything more
17 from BP or anything?

18 MR. TREVINO: No.

19 MR. LOPEZ: When you say spring what
20 do you mean, March, April --

21 MS. MILLS: As soon as the weather
22 breaks. They are saying March, but they are
23 saying if they can get out there in February
24 because of the weather they want to, so as
25 soon as they are able.

1 MR. LOPEZ: Okay. Thank you.

2 MS. MILLS: I will now let you speak
3 to the PCA, I think that you had a
4 conversation with Kim or scheduled for that.

5 MS. GREGORY: Yeah, Ellen Gregory,
6 Ellen Gregory Law.

7 We have a call scheduled for a
8 deposition tomorrow to talk with Kim and
9 hopefully Jim Roth.

10 COURT STENOGRAPHER: Jim Noth?

11 MS. GREGORY: Roth, R-o-t-h.

12 MR. TREVINO: Tomorrow or Friday?

13 MS. GREGORY: Day after tomorrow, I
14 said.

15 MS. MILLS: Okay. The last point is
16 Indianapolis Boulevard Parkway improvements.
17 I provided you all with the real estate
18 coordination agreement that needed to be
19 signed, the access agreement, so whenever
20 you guys get an opportunity to sign that we
21 will be able to proceed.

22 Anybody have any questions for me?
23 That is all that I have.

24 MR. BAKOTA: Are we still debating on
25 that real estate on that, beautification of

1 the parkway? Has anything been said on
2 that?

3 MS. GREGORY: Yeah, I will discuss
4 that in my report.

5 MR. BAKOTA: Oh, okay.

6 MR. TREVINO: Well, the corps has
7 rescheduled it for the spring, but there is
8 still a --

9 MS. MILLS: Access agreement.

10 MR. TREVINO: The access agreement
11 which has that real estate issue that has to
12 be straightened out and Ellen can elaborate
13 on that.

14 MR. BAKOTA: But then, again, I don't
15 want that to hold up the beautification,
16 they can beautify up to that point, right?

17 MS. MILLS: Well, I am hoping that we
18 could have that resolved before --

19 MR. BAKOTA: Well, even if we don't I
20 hate to see this go through another year,
21 you know.

22 MS. MILLS: Yeah, there would be a gap
23 you are saying?

24 MR. BAKOTA: That was more at the end
25 of the property, north, right, the right

1 end?

2 MS. GREGORY: Well, partly it was
3 delayed because of funding from their end.

4 MR. FEKETE: I understand.

5 MS. GREGORY: And then the issue came
6 up that the Feddeler stuff is right there in
7 the middle and the corps basically said
8 that, "We can do everything except for the
9 Feddeler property." And we have a new local
10 real estate lawyer on board who is going to
11 be helping us deal with the access issue.
12 So we are going to try to get all of that
13 coordinated and have a meeting sometime in
14 January.

15 MR. FEKETE: Yeah. Make sure that we
16 bring that up again, because I agree with
17 you that if this is going to hang up the
18 completed project we can certainly do
19 something.

20 MR. BAKOTA: Yeah, yeah.

21 MS. MILLS: Okay.

22 MR. FEKETE: If it takes us a year to
23 resolve that issue, it will take us a year,
24 but we will still get something done.

25 MR. BAKOTA: Yeah.

1 MR. FEKETE: Okay. Any other items to
2 hear?

3 MR. RODRIGUEZ: Is there any reason
4 for these barges to be going up and down
5 right now, up and down the canal? Because
6 somebody came to me a couple weeks ago and
7 said, "Hey, I thought the dredging was over,
8 I saw one of the rigs," you know, "going by
9 just to stop and raise the bridge."

10 MS. MILLS: Ugh-ygh. No, I am not
11 familiar with them doing anything that would
12 require any barges to be going through.

13 MR. RODRIGUEZ: Yeah.

14 MS. MILLS: I can ask what they are
15 doing.

16 MR. RODRIGUEZ: Yeah, they were just
17 wondering, you know, what had happened, so
18 that --

19 MS. MILLS: No, they are not doing
20 anything with the dredging.

21 MR. RODRIGUEZ: Yeah, that is what I
22 told them. I said they are probably just
23 moving one of their barges.

24 MS. MILLS: Right.

25 MR. JONES: About twelve barges or

1 tugboats come through the canal everyday.

2 (Gesturing)

3 MR. RODRIGUEZ: She said she saw the
4 rig and everything --

5 MR. EBERT: The Indianapolis Road
6 bridge was opened about two weeks ago, I
7 don't know why.

8 MR. RODRIGUEZ: Yeah. It was just --
9 Okay. All right. Thanks.

10 MS. MILLS: I can find that out, and
11 get that information.

12 MR. RODRIGUEZ: Okay.

13 MR. JONES: I had one question
14 regarding the Stonewater Maintenance Plan.
15 Is there such a thing as a Stonewater
16 Maintenance Plan for the entire site?

17 MS. MILLS: We do have as far as how
18 the water is going to be maintained in the
19 ditches and going out to the canal.

20 MR. JONES: Right, right.

21 MS. MILLS: There is something there.

22 MR. JONES: Okay. Do you have a
23 sheet, or a site plan, or have the --

24 MS. MILLS: It should be on the site,
25 that information is posted on the site.

1 MR. JONES: Okay. But do you have a
2 sheet in your plan that maybe we can direct
3 Fernando to the right location to retrieve
4 the storm water plan.

5 MR. TREVINO: A copy of it?

6 MR. JONES: Yes, just to look at, so
7 that we can see that.

8 MS. MILLS: Okay.

9 MR. JONES: Just to look at it.

10 MS. MILLS: Okay.

11 MR. FEKETE: I think this is basically
12 a state requirement that you are talking
13 about.

14 MR. JONES: Yeah, the state
15 requirement, also federal requirements, too,
16 regarding how you handle storm water.

17 MS. MILLS: We can check that.

18 MR. JONES: Okay.

19 MR. FEKETE: Any other questions
20 for Natalie?

21 (No response.)

22 MR. FEKETE: Thank you very much.

23 MS. MILLS: Thank you.

24 MR. FEKETE: The next order of
25 business is our attorney's report, Ellen

1 Gregory.

2 MS. GREGORY: Well, I will start with
3 the real estate issues since those were
4 brought up in Natalie's report.

5 So the outstanding real estate issues
6 are trying to summarize what the easements
7 are on the persons that are owned by the
8 Water Management District and other
9 easements that impact either BP's work or
10 the Great Lake Legacy Act work or the
11 dredging. We have Municipal Real Estate
12 Advisers working on putting together an
13 easement summary which will include a
14 pictorial demonstration of where the
15 easements are and all the parcels.

16 In January, we are going to try to set
17 up a meeting with Jim Weiser who is the new
18 local real estate lawyer with Municipal
19 Advisers and Fernando and me to try and move
20 forward and get that report finalized.

21 The Feddeler issue is still out there
22 which impacts the parkway beautification
23 project, but also just the claim from
24 Feddeler which we are hoping with the
25 assistance of the new local real estate

- December 18, 2013

1 lawyer to get that resolved along with Army
2 Corps of Engineer's real estate lawyer.

3 The last consent decree, a conference
4 call was held last Thursday, December 12th,
5 the next call is supposed to be scheduled
6 for next Thursday. I am assuming that
7 probably will be put off since it is the
8 day after Christmas, so the next call on
9 the consent decree will probably be the
10 second week of January.

11 The Department of Justice attorney
12 said that he was going to try and have his
13 comments to the last version of the consent
14 decree before the next call.

15 Fernando had mentioned the Great Lakes
16 Legacy Act and where we stand on that with
17 the Tetra Tech contract, we have been
18 working on finalizing that. And I also
19 motioned previously the conference call that
20 we had scheduled for this coming Friday with
21 the corps to talk about those revisions to
22 the PCA and also PCA credits. We are going
23 to try to get moving on those.

24 And, finally, we have a proposed
25 Clifton Larson Engagement Agreement for 2014

- December 18, 2013

1 and we have just had that for a day or so,
2 and Fernando and I will be working with
3 Clifton Larson to try and negotiate some of
4 the contract language and hope to have that
5 for the next board meeting for approval.

6 MR. TREVINO: Okay.

7 MS. GREGORY: And that is all that I
8 have.

9 MR. FEKETE: Okay. Any questions for
10 Ms. Gregory.

11 (No response.)

12 MR. FEKETE: Thank you very much.
13 Fernando, you wanted to announce our
14 public board meeting schedule.

15 MR. TREVINO: Sure. I wanted to
16 announce our schedule for 2014 for monthly
17 public board meetings which will be
18 consistent with our 2013 schedule, every
19 third Wednesday of the month, 5:00 p.m. at
20 this same location, (gesturing) 4444
21 Railroad Avenue.

22 MR. FEKETE: Okay. Thank you very
23 much.

24 Any new business to come before the
25 board?

1 (No response.)

2 MR. FEKETE: Hearing none. Other
3 business?

4 (No response.)

5 MR. FEKETE: I have a piece of
6 information and a request. On December 2nd,
7 Mr. Lopez and I attended a meeting in
8 Valparaiso at the IDEM Northwest Regional
9 Office concerning the Jeorge Park matter.
10 And there were a number of parties
11 represented at that meeting and we thought
12 it was a very good meeting, a lot of
13 information was shared. Mr. Lopez made a
14 good and passionate plea on behalf of a
15 citizen of East Chicago saying that we
16 really need to get the Jeorge Park issue
17 resolved because we need an access to a
18 clean beach in order for the citizens of
19 East Chicago to utilize the Lake Michigan
20 for swimming and other recreational needs.

21 In any event, there were presentations
22 made by SEH on behalf of the work that they
23 have been doing for the City of East Chicago
24 as well as a presentation made by the Army
25 Corps of Engineers who also have a plan and

- December 18, 2013

1 a design for the Buffington Harbor area.
2 These are all plans and hopefully they could
3 be coordinated, but the main issue that we
4 are interested in is the Michigan State
5 Study that was promised about a year ago
6 and this board has agreed to finance the
7 first phase of the funding requirement of
8 \$40,000.00 to Michigan State. The delay was
9 basically due to basically MSU, Michigan
10 State University and the Indiana Department
11 of Natural Resources in agreeing to what was
12 required in actually getting the DNR to
13 approve funding their half which will be an
14 additional \$40,000.00 that will be paid to
15 Michigan State upon completion of the study.
16 Without that particular piece there was very
17 little progress, if any, and so we are --
18 where we are today is that Michigan State
19 now has approval from the DNR to go ahead
20 and start gearing up to do the work. What I
21 need permission from this board is to work
22 with Michigan State and get them to agree
23 that they will provide to us certain -- and
24 meet certain conditions and then provide to
25 us certain information. I need an updated

- December 18, 2013

1 proposal with new dates. I will also need
2 the name of a contact person at Michigan
3 State who will actually be that person
4 requesting the funds of \$40,000.00 from us.
5 And I also need from that person a mechanism
6 for transferring the funds electronically,
7 presumably, from our account to their
8 particular account.

9 In addition to that we are going to
10 ask that they provide us regular progress
11 reports, whether they be in the form of
12 invoices or in time sheets on work that is
13 being done by Michigan State personnel.
14 This is the same requirement that the
15 Indiana Department of Natural Resources is
16 going to require in order to demonstrate
17 that work actually has been done so that at
18 the end of the project they, themselves, can
19 then sign-off on it and submit their
20 component. But we thought that we would
21 need this kind of information as a work in
22 progress in order to justify the expenditure
23 of the \$40,000.00 which comes upfront,
24 (gesturing) and we, basically, would need
25 this in order to support our resolution to

1 offer the \$40,000.00 when it comes to
2 meeting one of our state board of accounts.
3 So what I need, basically, is permission
4 from this board, and I will offer it in the
5 form of a motion, to pursue the procedural
6 requirement with Michigan State University
7 and to advance the \$40,000.00 upon agreement
8 of the conditions that I just stated and
9 their formal request of us for the funds, so
10 that is the motion.

11 MR. LOPEZ: Okay. I -- How do I say
12 that? I approve the motion the way that you
13 read it.

14 MR. FEKETE: Okay.

15 MR. LOPEZ: And then that you be
16 allowed the authority to follow through on
17 that.

18 MR. FEKETE:: Okay. And we need a
19 second to that motion.

20 MR. BAKOTA: Second.

21 MR. FEKETE: John Bakota is the
22 second. Since it is a transfer of funds we
23 will have a roll call vote.

24 Mike Ebert.

25 MR. EBERT: Yes.

1 MR. FEKETE: John Bakota.

2 MR. BAKOTA: Yes.

3 MR. FEKETE: Henry Rodriguez.

4 MR. RODRIGUEZ: Yes.

5 MR. FEKETE: Ernest Jones.

6 MR. JONES: Yes.

7 MR. FEKETE: Ray Lopez.

8 MR. LOPEZ: Yes.

9 MR. FEKETE: John Fekete. I vote,
10 yes. Rich Gomez.

11 (No response.)

12 MR. FEKETE: That motion is approved.

13 Any other business to come before the
14 board?

15 (No response.)

16 MR. FEKETE: Any public comment?

17 (No response.)

18 MR. FEKETE: I will entertain a
19 motion -- Our next board meeting is
20 January 15th at 5:00 p.m. at this building.

21 MR. TREVINO: Merry Christmas to
22 everyone.

23 MR. FEKETE: What?

24 MR. TREVINO: Merry Christmas to
25 everyone.

1 MR. FEKETE: Yeah, and Merry Christmas
2 to all the board members and for all the
3 attendees who have been regular attendees,
4 we appreciate your input and your
5 attendance.

6 I will entertain a motion of
7 adjournment.

8 MR. BAKOTA: Motion to adjourn.

9 MR. FEKETE: Do I have a second?

10 MR. RODRIGUEZ: Second.

11 MR. FEKETE: All in favor signify by
12 saying, "Aye".

13 ALL: Aye.

14 (Said proceedings were adjourned until
15 January 15th, 2014.)
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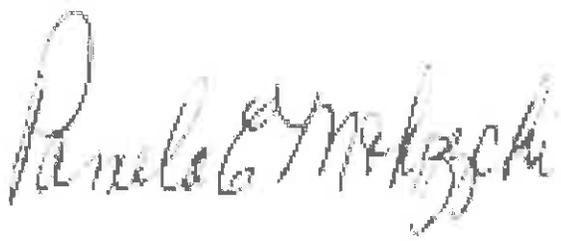
25 CERTIFICATE

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I, PAMELA C. MOKRZYCKI, a competent and
duly qualified court stenographer, C.S.R., do hereby
certify that I did report in machine shorthand, the
foregoing proceedings and that my shorthand notes so
taken at said time and place were thereafter reduced
to typewritten transcript under my personal
direction.

I further certify that the foregoing
typewritten transcript constitutes a complete record
of the said proceedings taken at said time and place,
so ordered to be transcribed.

Dated at Valparaiso, Indiana, this 2nd day
of January, 2014.



Pamela C. Mokrzycki