

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

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*June 18, 2014*

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1 EAST CHICAGO WATERWAY MANAGEMENT  
2 DISTRICT BOARD OF DIRECTORS' MEETING  
3 City of East Chicago, Engineering/Annex Building  
4 4444 Railroad Ave.  
5 East Chicago, Indiana  
6 June 18, 2014  
7 Wednesday, 5:00 P.M.

8 Transcript of the proceedings had in the  
9 above-entitled matter, on the 18th day of June,  
10 2014, at 5:00 p.m., at the City of East Chicago,  
11 Engineering/Annex Building, 4444 Railroad Avenue,  
12 East Chicago, Indiana, before Dawn M. Iseminger,  
13 Registered Professional Reporter and Notary Public  
14 for the County of Porter, State of Indiana.

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

- MR. JOHN FEKETE, President
- MR. HENRY RODRIGUEZ, Board Member
- MR. JOHN BAKOTA, Board Member
- MR. FERNANDO TREVINO, FMT Consulting
- MS. ELLEN GREGORY, East Chicago Waterway Board of Directors' Attorney

Also Present:

- TIM ANDERSON, CliftonLarsonAllen
- DAVE FRANK, Tetra Tech
- DAVID ALONZO, BMO Harris
- NATALIE MILLS, USACE
- DEANNA DEVINE, Verizon
- SCOTT IRELAND, US EPA, Great Lakes National Program Office

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1           MR. FEKETE: Okay. I would like to call to  
2 order the meeting of the East Chicago Waterway  
3 Management District Board of Directors. Today's  
4 day is June 18, 2014, and the time is 5:13 p.m.  
5 Roll call. John Bakota?

6           MR. BAKOTA: Here.

7           MR. FEKETE: Henry Rodriguez?

8           MR. RODRIGUEZ: Here.

9           MR. FEKETE: Ray Lopez?

10                   (No response.)

11           MR. FEKETE: Ernie Jones?

12                   (No response.)

13           MR. FEKETE: Mike Ebert?

14                   (No response.)

15           MR. FEKETE: John Fekete, here. We do not  
16 have a quorum. So the first order of business is  
17 the Consulting Engineering Report.

18           MR. TREVINO: Yes. Fernando Trevino, FMT  
19 Consulting. Start off by going over the contents  
20 of your board packet. You have the board meeting  
21 notes for May 21, 2014. You have some signature  
22 forms from First Merchant Bank. You have East  
23 Chicago Waterway Management District financial  
24 statements from CliftonLarsonAllen dated May 31,  
25 2014. You have the claim docket that's on the

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1 agenda for approval consideration dated June 18,  
2 2014. You have the BMO Harris Bank ECI facility  
3 trust report dated June 16, 2014. You have a  
4 resolution 2014-2 regarding amending of the  
5 bylaws. You have a proposal from Verizon Wireless  
6 dated June 18, 2014, for the purchase of iPads and  
7 monthly access fees. In your packet are First  
8 Merchants Bank account reports for the month of  
9 May, 2014, for accounts ending in 608 and 616.  
10 You got a brokerage account statement from BMO  
11 Harris for the month of May, 2014. You have in  
12 your packet a spread sheet titled, "Summary of  
13 2014 Past Due Notices," dated June 18, 2014, along  
14 with the deposit memos dated May 29th, June 9th,  
15 and June 11th, all three of 2014. You have in  
16 your packet a memorandum from Attorney Ellen  
17 Gregory dated June 11, 2014, regarding the  
18 authority of ECWMD engaging outreach program. A  
19 Tetra Tech report dated June 12, 2014, for the  
20 month of May, including progress payment. You  
21 have a proposal and invoice from Allied Post 369  
22 regarding the July 29, 2014, public meeting. You  
23 have a copy of the Michigan State University  
24 invoice for 40,000, and that's in reference to the  
25 MOU for the Jeorse Park modeling project. You

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1 have in your packet a report titled, "Innovating  
2 for the Blue Economy From the Water Research at  
3 URC," and that's dated May 29, 2014. You have in  
4 your packet a couple forms from Republic Services  
5 and the accompanying analytical report, and that's  
6 for waste certification. You have an ARCADIS  
7 report dated June 16, 2014, summarizing the  
8 recovery containment system and boom maintenance.  
9 You have in your packet three articles from The  
10 Times. One dated May 30th, 2014, titled "Indiana  
11 Tops in US in Jobs Tied to Water Industry."  
12 Another dated June 9th, 2014, titled "Students  
13 Return to Roxanna Marsh to See Fruits of Their  
14 Labor," and another dated June 15, 2014, "Steps  
15 Taken to Avoid Another Indiana Harbor Dredging  
16 Delay." You have the Army Corps of Engineers'  
17 monthly board report dated June 18, 2014.  
18 Attorney Ellen Gregory report dated June 18, 2014.  
19 And a draft of a policy for board consideration  
20 regarding electronic meetings policy.

21 That concludes the items in your packet.  
22 I'd like to go over a few things. The Jeorse  
23 Park beach study. As a reminder, at the last  
24 board meeting the board approved a memorandum  
25 of understanding with Michigan State

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1 University, and since then we received a  
2 \$40,000 invoice. That was -- that's referenced  
3 in the MOU which is included in your claim  
4 docket today for your consideration.

5 Also on the agenda is the second reading  
6 of the bylaws, and, if approved, it will be the  
7 final approval process officially amending the  
8 bylaws.

9 Great Lakes Legacy Act project. Been  
10 working with Tetra Tech on access clearances.  
11 The bathymetry proposals have been received by  
12 Tetra Tech and they are in the process of  
13 reviewing them and they've been attending the  
14 Roxanna Marsh area development project team  
15 meetings.

16 The community and stakeholder public  
17 meeting is scheduled for July 29th and  
18 scheduled to start at noon and it's currently  
19 planned to be at the East Chicago Post 369. I  
20 mentioned that there is a proposal on the  
21 invoices in your packet.

22 I mentioned at the last meeting that I was  
23 going to be researching the proposals for the  
24 purchase of iPads. I've had a couple meetings  
25 with Verizon's staff. A proposal is included

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1 in your packet for your consideration.  
2 Representatives from Verizon are present today  
3 if you have any questions regarding their  
4 proposal, and I think they'd like to  
5 communicate some possible discounts that are  
6 being offered right now.

7 Regarding the 2014 user fees. Past due  
8 notices were sent to eight companies along with  
9 the outstanding balances. Per the letter, any  
10 unpaid balances by the mid of this month would  
11 be referred to the Indiana Attorney General's  
12 office. Of the eight, three have paid the  
13 outstanding balance and two have communicated  
14 their intent to pay. One of the companies has  
15 been dissolved, and we're making sure the  
16 remaining two companies have received the  
17 notification at their appropriate addresses.  
18 Matt Light from the attorney general's office  
19 was copied on the past due letters, and if we  
20 can't resolve the remaining unpaid balances  
21 within our office, we'll plan to meet with Matt  
22 to initiate their involvement.

23 I met with board member Ray Lopez and  
24 First Merchants Bank to process necessary  
25 paperwork to have board member Ray Lopez be



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1 authorized -- to be the authorized signator for  
2 our account. Part of that process included  
3 board secretary signature, Mr. Henry Rodriguez,  
4 which he met with us -- or met with me to  
5 execute the documents, and a copy of those  
6 documents are in your packet.

7 The dredging observation tour is scheduled  
8 for June 26th, and I'll follow up with the  
9 Corps, and they've mentioned that there's a  
10 limit as to how many people can attend, so  
11 we'll have to make two trips. So I'll be  
12 coordinating with the Corps on the final  
13 itinerary.

14 A draft policy to allow board members to  
15 attend monthly board meetings via conference  
16 call is in your packet for review. Attorney  
17 Gregory has researched state laws regarding the  
18 policy, which is reflected in the draft policy  
19 that's in your packet.

20 As part of our Section 10 permit agreement  
21 with BP, they're asking us to fill out  
22 necessary forms for the disposal of  
23 petroleum-contaminated absorbents and soil  
24 material. Those forms and the accompanying  
25 analytical reports are in your packet for your

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1 information, and once -- I had some minor  
2 comments that they're working on revising, and  
3 once they revise that, I'll be sending that --  
4 or signing the forms and forwarding them to  
5 ARCADIS and BP.

6 I mentioned that there's an article in  
7 your packet regarding Indiana ranking number  
8 one in the country for water-related jobs. I  
9 reached out to a Professor Turko, who was  
10 quoted in the article, and I introduced myself  
11 and I introduced the district to see if there  
12 was any overlap between his and our efforts.  
13 He mentioned they were working with the Indiana  
14 State Department of Commerce and the State  
15 Chamber of Commerce on a statewide water  
16 management plan intended to help understand  
17 Indiana's water resources for business  
18 opportunities, so -- and that report is  
19 scheduled to be out later this year. I asked  
20 Professor Turko to keep us in mind if there's  
21 anything we can do to help with their efforts  
22 or if they'd be interested in doing a before  
23 and after research project with our Great Lakes  
24 Legacy Act Project. He mentioned that there  
25 was a research report that was done for the

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1 State of Michigan regarding their importance of  
2 the Great Lakes to their economy, and a copy of  
3 that report is included in your packet.

4 There's also been progress on the consent  
5 decree, PCA with the Corps, and real estate  
6 efforts, which I'll let Attorney Ellen Gregory  
7 elaborate on.

8 Regular meetings that I've been  
9 participating on behalf of the district include  
10 the BP biweekly meeting, the Great Lakes Legacy  
11 Act Project meetings, Roxanna Marsh area  
12 development meetings with the EPA and the city  
13 and other stakeholders, dredging project  
14 meetings, and the canal tech review committee.  
15 That includes my report.

16 MR. FEKETE: Thank you very much. Any  
17 questions for Mr. Trevino?

18 (No response.)

19 MR. FEKETE: Thank you again. Since we don't  
20 have a quorum, are there any comments with regard  
21 to the board meeting notes for the May 21st  
22 meeting?

23 (No response.)

24 MR. FEKETE: We can't approve them, but we  
25 can certainly make note of the fact that we are

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1 accepting them, and it's important that we do  
2 approve them since we made some board changes at  
3 that particular meeting, and we need to get that  
4 documented. So at the earliest opportunity, we'll  
5 make sure that we do approve them.

6 I'm going to insert, at this point in  
7 time, a presentation by the representatives  
8 from Verizon. If you would just introduce  
9 yourself.

10 MS. DEVINE: My name is Deanna Devine, I'm a  
11 government accounting staff executive for Verizon  
12 wireless, and I support this area. We support up  
13 to 90 percent of the Northwest Indiana territory.  
14 So we are here today to discuss some of the iPad  
15 options to implement into the administration here  
16 to help improve efficiencies in productivity and  
17 also help reduce the cost of paper. As you guys  
18 can see, the paper packets are pretty substantial  
19 and as a way to help, you know, with paper and  
20 waste costs, we have proposed some iPad  
21 limitations for the board members to help reduce  
22 those costs. So does anyone have any questions  
23 for me?

24 (No response.)

25 MR. TREVINO: You had mentioned that there

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1 was some discounts available if we acted on --

2 MS. DEVINE: Yes.

3 MR. TREVINO: -- the proposals?

4 MS. DEVINE: Absolutely, so for this month,  
5 we have a really good promotion, which is why  
6 Fernando invited us to this meeting. You guys --  
7 if they were to want to implement these iPads, you  
8 guys can save up to \$400 doing it this month  
9 because of the promotions that we have going on  
10 this month.

11 MR. TREVINO: Okay. Thanks.

12 MR. FEKETE: Thank you. The next order of  
13 business is the accounting consultant report.  
14 Mr. Anderson.

15 MR. ANDERSON: Tim Anderson from  
16 CliftonLarsonAllen. You guys all have a copy of  
17 the financial in your packet.

18 MR. FEKETE: Yep.

19 MR. ANDERSON: Page 2 of that report shows  
20 the cash receipts for the group so far; five  
21 months, ended May 31st. We've got the  
22 reimbursement from the trust and the user fees,  
23 and a little bit of interest on the checking  
24 accounts, and then there's a list of the checks  
25 that we've written, the disbursements. There's

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1        been an increase of cash of 428,000 for the five  
2        months ended May 31st. Cash in the bank at the  
3        beginning of the year was 1.6 million, and the  
4        cash in the two accounts at the end of May is  
5        2.1 million. And then there's a breakdown of an  
6        operating user fee. And this does not include the  
7        trust money. This is just the operating account  
8        and the user fee checking account. Page 3 just  
9        shows the monthly activity, the interest earned on  
10       both accounts, and the checks that we write. Then  
11       the last page is probably most important for you  
12       guys, is the budget that was passed and the checks  
13       that have been written from January through May.  
14       And then this second column to the right, cash  
15       disbursements, June, that's what you would be  
16       approving today. And then the very last column is  
17       what we've got to spend, and it's important  
18       because we can't go over on any line item. So you  
19       can see what we've got left there and  
20       approximately what we pay each month; and so far,  
21       no problems. So we've got a budget left of  
22       936,000 after we -- after the board approves this  
23       current check. I'm not sure how that will work  
24       now that you don't have a quorum.

25                MR. FEKETE: We'll probably have a special

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1 meeting, because we can't --

2 MR. ANDERSON: Right.

3 MR. FEKETE: -- go along.

4 MR. ANDERSON: I'm glad to hear that,  
5 actually, that you can't. So the 70,000, once  
6 that's written -- or approved and written, our  
7 budget will be 936,000. Any questions?

8 (No response.)

9 MR. ANDERSON: Thank you.

10 MR. FEKETE: One quick question. Well,  
11 Fernando stepped out. Should we proceed ahead  
12 with the Verizon proposal? That's going to be an  
13 ongoing expense monthly. Do we need to make the  
14 line item adjustment?

15 MR. ANDERSON: Well --

16 MR. FEKETE: Think about it.

17 MR. ANDERSON: I'm not sure what line.  
18 Fernando should not have gotten up. I'm not sure  
19 what line.

20 MR. FEKETE: Okay.

21 MR. ANDERSON: If it wasn't -- if it was not  
22 in the budget for -- you guys can have a meeting  
23 and approve the addendum to the --

24 MR. FEKETE: Sure.

25 MR. ANDERSON: What line item was the iPads?

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1 MR. TREVINO: I was going to suggest that it  
2 come out of the contractor consultant budget line  
3 item, and then there's a -- for the monthly  
4 operating, there's the -- let's see.

5 MR. ANDERSON: Broadband service?

6 MR. TREVINO: Yes.

7 MR. ANDERSON: And that's budgeted for 3,000  
8 for the year.

9 MR. FEKETE: That would be more than -- okay.

10 MR. ANDERSON: And those have a useful life,  
11 right? I mean, we have to add that to our capital  
12 list of equipment that we have.

13 MR. TREVINO: Yeah. The third party  
14 contractor's consultant line item is for 20,000,  
15 so there'd be sufficient in the purchase of the  
16 items, and then the Broadband service is 3,000,  
17 and that would be sufficient for the balance of  
18 the year.

19 MR. FEKETE: And then you would establish a  
20 schedule for replacement or depreciation or  
21 whatever?

22 MR. ANDERSON: Yeah. State board of accounts  
23 is a little different on that. They let you  
24 expense it really on here, but then we have to  
25 keep track of desks and some various things, file



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1 cabinets.

2 MR. TREVINO: And I think our capitalization  
3 policy is for anything above 10,000.

4 MR. ANDERSON: Right again. So we wouldn't.

5 MR. FEKETE: Okay. We're on top of things.

6 MR. ANDERSON: Will they accept a check each  
7 month?

8 MR. TREVINO: Yeah. I covered that with them  
9 and made sure they understand we're a little old  
10 fashioned.

11 MR. ANDERSON: Well, not old fashioned. We  
12 follow the rules of the state. We can't have  
13 automatic withdrawals and things. We have to  
14 actually give them a check each month, because you  
15 guys have to approve it each month.

16 MR. TREVINO: We've discussed that and they  
17 said they'd even have the flexibility of changing  
18 the billing cycle, so it coincides with our  
19 meetings every month.

20 MR. ANDERSON: Or how about just pay them up  
21 front for the year?

22 MR. TREVINO: I guess that's an option.

23 MR. ANDERSON: Instead of keep approving it  
24 each month.

25 MR. FEKETE: Yeah, that's a thought.

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1 MR. ANDERSON: Because at a doughnut an  
2 approval, that gets pretty expensive.

3 MR. FEKETE: Right. So I thank you very  
4 much. The next order of business was to have been  
5 the second reading of the Waterway Management  
6 District bylaws and for final approval, and we'll  
7 defer that to the next full board meeting.

8 Next order of business would be the BMO  
9 Harris Bank trust report, Mr. Alonzo.

10 MR. ALONZO: David Alonzo of BMO Harris Bank.  
11 All right. So I'm going to run through our normal  
12 trust report. Nothing too exciting happened this  
13 last month, as we got most of the interest  
14 credited last month on these CD's. Again, the  
15 first page goes through the values from 1997 to  
16 2013; the withdrawals; and then, of course, the  
17 historical values from that time.

18 Page 2 is the account value -- I'm sorry,  
19 the report, it should be on 6/16. The value  
20 was \$5,958,273. That was a \$46 difference from  
21 our last meeting, and that interest was  
22 strictly just from that money market account.  
23 There was no CD's at credit interest.

24 And then distributions year-to-date,  
25 \$234,110. So there's a typo on the bottom.

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1 That should be, instead of 4-15, it should be  
2 6-16 on the bottom there.

3 MR. TREVINO: Which one, Dave? Say again,  
4 please.

5 MR. ALONZO: That's on the second page. The  
6 blue line at the bottom says -- that should be  
7 June 16, 2014, not April 15th. The value is  
8 correct, though, the dollar amount.

9 So the third page shows the account values  
10 for each account that we have. Of course the  
11 most recent activity was the three-year CD,  
12 which is highlighted with the word "new" next  
13 to it, and that's at .9 percent interest. We  
14 gave you guys a better rate than what the  
15 current rates were going at that time.

16 Really, we don't have anything coming due  
17 this year. We've got stuff coming due next  
18 year, a couple CD's in June, but beyond that,  
19 we've got the half million dollars liquid in  
20 the money market account. We also have our  
21 three-year flex CD that we can pull up. Up to  
22 a million dollars, if we needed to.

23 And the last piece was when we had done  
24 that three-year CD, we didn't believe we had to  
25 have you guys sign any paperwork to set up that

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1 new three-year CD. Well, they got back to us  
2 and said, Yeah, we do need some signatures for  
3 that. On this one, we do have it correct where  
4 John is the president to sign that, but then we  
5 also have Ray Lopez listed as the secretary.  
6 At the time when we approved this CD, he was  
7 the secretary. So I'll leave this. If you  
8 guys are going to have that special meeting, if  
9 you can scan this over to me. And so John  
10 would sign on the first two pages, the third --  
11 I mean, the second page. And Ray just signs on  
12 the last page. That's it.

13 That's all I had. Any questions?

14 (No response.)

15 MR. FEKETE: Any questions for Mr. Alonzo?

16 (No response.)

17 MR. FEKETE: Thank you, David.

18 MR. ALONZO: Yep.

19 MR. FEKETE: The next order of business is  
20 the Great Lakes Legacy Act update.

21 MR. FRANK: I'm Dave Frank with Tetra Tech.  
22 I'm sitting in for Jim Wescott. The update:  
23 There isn't too much. We still haven't received  
24 all the subcontractor bids for the bathymetric  
25 survey. Jim had told me -- he assured it wouldn't

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1 be over \$50,000 still. Once we receive all the  
2 bids, we'll select the subcontractor and get that  
3 work going. After that, that will be followed by  
4 the field sampling efforts, and he had mentioned  
5 that although it's slightly beyond schedule, it  
6 shouldn't affect the overall schedule of how the  
7 project proceeds. Any questions?

8 (No response.)

9 MR. FEKETE: Any questions?

10 (No response.)

11 MR. FEKETE: Thank you.

12 MR. TREVINO: You want to add anything?

13 MR. IRELAND: Scott Ireland, US EPA, Great  
14 Lakes National Program Office. We are currently  
15 working with the Army Corps of Engineers to get  
16 the contract led out for the actual sampling that  
17 Mr. Frank talked about. So we're going to  
18 hopefully get that finalized in the next week or  
19 so, and get that out, and I think the sampling  
20 will begin soon after that.

21 MR. FEKETE: Okay. Very good. Thank you.  
22 Army Corps report. Natalie.

23 MS. MILLS: Natalie Mills with the U.S. Army  
24 Corps of Engineers. The CDF construction: The  
25 facility and dredging operations contract, the

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1 contractor is dredging as of 13, June. They were  
2 shut down about two weeks from the 31st of May  
3 based on some equipment failure, but now they've  
4 got their crane part back in place and they've  
5 repaired the cane, so now they're working.  
6 They've dredged approximately 90,000 cubic yards  
7 of the 204,000 cubic yards. I would project that  
8 barring any more break downs, they will probably  
9 have another month of work to do. But, I mean, of  
10 course that's based on everything going well.

11 Permits: We haven't heard anything else  
12 on our TSCA permit, which was submitted on the  
13 27th of March. We're waiting to see when the  
14 public meeting is going to be established, and,  
15 of course, we'll let you guys know in case you  
16 want to attend the meeting at the time. I  
17 would guesstimate it would be in the fall of  
18 this year. Again, the permit can take up to  
19 one year to be issued after the initial  
20 submission.

21 PCA revisions: I don't have anything new  
22 on the PCA revisions. I know that the ball is  
23 in our court. We were going to look at and  
24 talk to headquarters to discuss, like, what are  
25 our options if we want to re-open if there's

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1 some interest in dredgers in the future after  
2 we -- if we went forward with our option of,  
3 like, closing out the cost share. So I haven't  
4 heard anything more from Kim on that, so I'm  
5 sure she'll let you know when she hears  
6 something more.

7 So I provided, like, a cost sharing guide,  
8 which includes or highlights what the allowable  
9 costs are for working time. We have prepared  
10 an updated cost share summary, but it's being  
11 reviewed, and so once we, you know, we've  
12 vetted it within our office, we can share that  
13 with you all.

14 Indianapolis Boulevard parkway  
15 improvements: Our staff, they have initiated  
16 some clean up efforts. They sprayed some  
17 Roundup, and they're going to continue to clear  
18 up that parkway. Unfortunately, the stone is  
19 not scheduled to arrive on site until  
20 September. I've certainly encouraged them if  
21 they can do anything to make it happen earlier,  
22 to do whatever they can to do that.

23 MR. BAKOTA: I could go to Menards and get it  
24 for you.

25 MS. MILLS: If only it were that simple for

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1 us. Like that commercial says, "That's not how  
2 any of this works."

3 MR. BAKOTA: Government in action.

4 MS. MILLS: Yes. Yes. So once I know more,  
5 I'll let you guys know.

6 MR. FEKETE: Yeah, please keep us informed.

7 MS. MILLS: Yes.

8 MR. FEKETE: I know you do.

9 MS. MILLS: Yes. I have tried to get it  
10 earlier. It is what it is. As Fernando  
11 indicated, the boat tour is scheduled for the 26th  
12 of June. The boat can take up to six people at a  
13 time. So that's why Fernando mentioned there  
14 would be a couple of trips. We're also trying to  
15 see if Colonel Drew might want to attend. I'm  
16 trying to see what his schedule availability is  
17 like, so then that would give you guys an  
18 opportunity to meet him.

19 MR. FEKETE: Good. That would be great.

20 MS. MILLS: That's all I have.

21 MR. RODRIGUEZ: You said at the beginning  
22 that they dredged 90,000 cubic out of how many?

23 MS. MILLS: 204.

24 MR. RODRIGUEZ: 204. Okay. Thank you.

25 MS. MILLS: You're welcome.



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1           MR. FEKETE: I have one question. Not a  
2 question but a statement. On July 29th there's  
3 going to be a presentation or an event here in  
4 East Chicago. It will be in the afternoon and it  
5 will be -- the theme of the event is all of the  
6 work that's going on in East Chicago, and it will  
7 be basically IDEM putting on their annual state of  
8 the Grand Calumet River area of concern report.  
9 It will be hosted by the East Chicago Waterway  
10 Management District, and we would like to have the  
11 Army Corps put on, like, a 15 or 20-minute  
12 presentation on the dredging. You can either do  
13 it yourself or you can have your dredging  
14 contractor.

15           MS. MILLS: Okay.

16           MR. FEKETE: So we're basically putting  
17 together an agenda now, but I wanted to give you a  
18 heads up.

19           MS. MILLS: You said it will be during the  
20 day or in the evening?

21           MR. FEKETE: It will be from noon to 5:00.

22           MS. MILLS: Okay. And you want us there the  
23 whole time?

24           MR. FEKETE: Pardon?

25           MS. MILLS: You want us there the whole time

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1 or just a certain time?

2 MR. FEKETE: We'll let you know when the  
3 schedule comes out.

4 MS. MILLS: Okay.

5 MR. TREVINO: They're welcome to attend the  
6 whole session. We would like for them to have a  
7 10 to 15-minute presentation regarding the  
8 dredging project.

9 MS. MILLS: PowerPoint?

10 MR. TREVINO: That would be fine.

11 MR. FEKETE: That would be perfect.

12 MS. MILLS: Okay. Yeah. Once you know more  
13 information, let me know.

14 MR. FEKETE: That would satisfy your public  
15 presentation requirement.

16 MS. MILLS: Yeah. I like that.

17 MR. FEKETE: So we'll make it a win/win  
18 situation.

19 MS. MILLS: Yeah. Just keep me abreast of  
20 the details.

21 MR. FEKETE: Okay. Very good.

22 MS. MILLS: And we will plan to have someone  
23 out there.

24 MR. TREVINO: The date and the block of time  
25 has been -- I mean, that's set. It's just a

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1 matter of what time during that time.

2 MS. MILLS: Okay.

3 MR. TREVINO: If you could start whatever  
4 coordination you need to, we would appreciate it.

5 MS. MILLS: All right.

6 MR. FEKETE: That's it. Thank you.

7 MS. MILLS: Thank you.

8 MR. FEKETE: Attorney Ellen Gregory report.

9 MS. GREGORY: Ellen Gregory with Ellen  
10 Gregory Law. The consent decree is moving  
11 forward. We have a conference call tomorrow  
12 scheduled with the Department of Justice attorney,  
13 the EPA attorney, the BP attorney, to go over the  
14 Department of Justice's most recent version of the  
15 consent decree. So that's moving forward. Also  
16 tomorrow, we have a meeting scheduled with BP to  
17 talk about real estate issues. We had provided  
18 the BP attorney with various easement and  
19 right-of-way documents related to parcels in East  
20 Chicago and a couple in Hammond, so tomorrow we're  
21 going to be going over that information that was  
22 provided to BP at the end of April. We've also  
23 had discussions on the Feddeler issue. The Army  
24 Corps of Engineer real estate attorney that was  
25 handling the matter retired, so a new attorney has

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1        been assigned to the matter. We've had a  
2        conference call with him. He seems very up to  
3        speed on the matter, so there wasn't a whole lot  
4        of getting him back up to speed, which we had  
5        feared might be the case. He's going to be taking  
6        the lead and approaching the Feddeler attorney to  
7        present our findings, which are basically that the  
8        interest that he owns is a right-of-way rather  
9        than a fee simple interest, and we're hoping to  
10       get the negotiations going on that.

11       On the PCA, as Natalie said, we are  
12       waiting on the Army Corps to get back to us on  
13       some proposals to modify kind of how we had  
14       originally thought of the PCA negotiations.

15       And lastly, user fees. Mr. Trevino  
16       mentioned that there are a couple of issues on  
17       the user fees that we've been looking at. One  
18       company had dissolved, so we're trying to  
19       figure out how to proceed with that. Another  
20       couple of parcels had changes in ownership, so  
21       we're trying to sort through that. And then  
22       finally we had a couple of railroad parcels  
23       that it was unclear if it was pending or if it  
24       was Norfolk Southern that owned it, so we're  
25       trying to sort through that. But, in general,

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1 the user fee collection efforts are going well,  
2 and we're hopeful that we may not even have to  
3 use the attorney general's office to enforce  
4 against anybody, but we'll know in a few weeks  
5 about that. That's all I have. Any questions?

6 MR. FEKETE: Did you want to make mention of  
7 the question we had asked about outreach and --

8 MS. GREGORY: In your packet is a very brief  
9 memo that I put together on whether or not the  
10 board has authority to participate in outreach  
11 meetings where either the meeting occurs outside  
12 of jurisdiction or if the meeting includes topics  
13 that are -- that relate to issues outside of the  
14 jurisdiction, and basically the conclusion is that  
15 the -- since the board's purposes include anything  
16 that related to environmental development of the  
17 waterways within East Chicago and the economic  
18 development of East Chicago, as long as there's  
19 some relationship between that outreach meeting  
20 and those broad purposes of the district, then the  
21 board has authority to do that.

22 MR. FEKETE: Very good. Any questions?

23 (No response.)

24 MR. FEKETE: Any new business?

25 (No response.)

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1 MR. FEKETE: Just to reiterate, on July 29th  
2 there will be this meeting that will be held at  
3 the American Legion.

4 MR. TREVINO: Post 369.

5 MR. FEKETE: Post 369. And it will be  
6 scheduled from 12 noon to 5:00, and it will be an  
7 update on basically the activities going on in  
8 East Chicago. Last year, it was held at Purdue  
9 Cal and had kind of a broader perspective. This  
10 year, we felt there were so many things going on  
11 in East Chicago, that we could just kind of use  
12 the City as a focus of the work that's going on.  
13 So the basic theme is tieing it together.

14 Okay. Any other business?

15 (No response.)

16 MR. FEKETE: Any public comment?

17 (No response.)

18 MR. FEKETE: Hearing none, I will  
19 entertain -- I'll make mention that the next board  
20 meeting is July 16, 2014, at 5:00 p.m. I'll  
21 entertain a motion for adjournment.

22 MR. BAKOTA: Motion to adjourn.

23 MR. RODRIGUEZ: Second.

24 MR. FEKETE: Since we don't have a quorum, we  
25 can't vote on it, but we can certainly accept it.

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Anyone arguing the point or debating it, can stick  
around. I declare this meeting over. The time is  
5:50 p.m.

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C E R T I F I C A T E

I, Dawn M. Iseminger, Registered Professional Reporter (RPR), and Notary Public within and for the County of Porter, State of Indiana, do hereby certify that I appeared at The City of East Chicago, Engineering/Annex Building, 4444 Railroad Avenue, East Chicago, Indiana, on the 18th day of June, 2014, to report the proceedings had of the District Board of Directors' Meeting.

I further certify that I then and there reported in machine shorthand the proceedings given at said time and place, and that the testimony was then reduced to typewriting from my original shorthand notes, and the foregoing transcript consisting of thirty-one (31) pages is a true and accurate record of said proceedings had.

Dated this 14th day of July, 2014.



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Dawn M. Iseminger, RPR  
My Commission expires: 7/22/2017