

EAST CHICAGO WATERWAY MANAGEMENT  
DISTRICT BOARD OF DIRECTORS' MEETING  
City of East Chicago, Engineering/Annex Building  
4444 Railroad Avenue  
East Chicago, Indiana  
July 15, 2015  
Wednesday, 5:00 p.m.

Transcript of the proceedings had in the  
above-entitled matter, on the 15th day of  
July, 2015, at 5:00 p.m., at the City of East  
Chicago, Engineering/Annex Building, 4444 Railroad  
Avenue, East Chicago, Indiana, before Peggy S.  
LaLonde, Certified Shorthand Report and Notary  
Public for the County of LaPorte, State of  
Indiana.

ISEMINGER & ASSOCIATES, INC.  
14 Indiana Avenue - Suite A  
1st Source Bank Building  
Valparaiso, Indiana 46383  
(219) 464-2178

July 15, 2015

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

MR. JOHN FEKETE, President

MR. HENRY RODRIGUEZ, Secretary

MR. JOHN BAKOTA, Board Member

MR. TED ZAGAR, Board member

MR. KEVIN DOYLE, Member

MR. RAY LOPEZ, Member

MR. FERNANDO TREVINO, FMT Consulting

MS. ELLEN GREGORY, East Chicago Waterway Board  
of Directors' Attorney

ALSO PRESENT:

NATALIE MILLS, U.S. Army Corps of Engineers

DAVID ALONZO, BMO Harris

CHERYL VACCARELLO, Tetra Tech

TIM ANDERSON, CliftonLarsonAllen

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1 MR. FEKETE: I'd like to call to order the  
2 East Chicago Waterway District Board of Directors  
3 meeting for July. The time is 5:08. We'll have a  
4 roll call. Mr. Bakota?

5 MR. BAKOTA: Here.

6 MR. FEKETE: Henry Rodriguez?

7 MR. HENRY RODRIGUEZ: Here.

8 MR. FEKETE: Patrick Rodriguez?

9 (No Response)

10 MR. FEKETE: Ted Zagar?

11 (No Response)

12 MR. FEKETE: Kevin Doyle?

13 MR. DOYLE: Here.

14 MR. FEKETE: Ray Lopez?

15 MR. LOPEZ: Here.

16 MR. FEKETE: John Fekete? Here. We have  
17 a quorum.

18 First order of business is the  
19 executive director's report. Mr. Trevino?

20 MR. TREVINO: Yes. I'd like to start off  
21 going over the contents of your Board packet. We  
22 have the meeting notes from June 17, 2015.

23 We have a maintenance agreement  
24 with Keystone Systems for our software license  
25 that's on the agenda for approval consideration.

3

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1 We have the CliftonLarsonAllen  
2 financial report dated June 30, 2015, and the claim  
3 docket for today's meeting as well, and that's dated  
4 July 15, 2015.

5 You have a resolution 2015-3  
6 regarding withdrawal from the public retirement  
7 system fund. That's on the agenda for approval  
8 consideration.

9 You have the First Merchant's  
10 Bank statement for the month of June 2015 for  
11 accounts ending in 608 and 616. And you also have  
12 the affiliated User Fee deposits that were made for  
13 the month of June.

14 You have the BMO Harris Bank  
15 Facility Trust report dated 7/13/2015. Mr. David  
16 Alonzo will be giving a report and update on Trust  
17 monies. You have BMO Harris account statement  
18 ending in 534 for the month of June 2015.

19 You have an e-mail from Mr. Mike  
20 Goych from LB Steel regarding past due User Fee bill  
21 and you have a letter to General Machine slash M & M  
22 Management from myself regarding 2015 unpaid User  
23 Fees.

24 You have a report from Acardis  
25 dated June 22, 2015. It's a progress report, 23rd

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1 the month of March, 2015 and summarizes the recovery  
2 containment system, field work and boom maintenance.

3 You have Tetra Tech's monthly  
4 progress report dated July 9, 2015, and that's for  
5 the month of June. And you also have in your packet  
6 a summary of the questions and answers that are from  
7 the June 25th, 2015 public meeting.

8 You have the U.S. Army Corps of  
9 Engineers report to the Board dated July 15, 2015.

10 And you have Attorney Ellen  
11 Gregory's report to the Board with the revision date  
12 of July 13, 2015. That summarizes the contents of  
13 your Board packet.

14 I have a couple items to go  
15 over. As I mentioned, there's a Keystone annual  
16 software contract renewal in your packet and also in  
17 the claim docket is the affiliated invoice. It's  
18 come to our attention that Boyce and Keystone has  
19 merged, so we probably will have a revised license  
20 agreement at the next Board meeting. But I would  
21 recommend that we approve the agreement that's in  
22 your packet contingent upon any final attorney  
23 revisions from Ellen Gregory.

24 Last month the Board approved  
25 the transfer of non trust dollars to several

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1 investment instruments. However, after the meeting  
2 it came to our attention that the investments might  
3 not be consistent with our investment policy. So we  
4 held off on the transfers and we are reviewing the  
5 current investment policy. And our plan is to have  
6 a revised policy for Board consideration at our next  
7 Board meeting.

8 Also on the agenda is the  
9 District's hosting IDEM's Care Committee public  
10 meeting, and if approved I will start working with  
11 IDEM. Last year we had that at Post 369. If that's  
12 the pleasure of the Board, I can start coordinating  
13 the date and time and whatever fees are affiliated  
14 with the use of that Post 369.

15 On User Fees, nonpayment letters  
16 for the 2015 User Fees went out in early June.  
17 Since then we have received all payments except for  
18 two companies. One of them has expressed interest  
19 to pay but asked for more time. I recommended we  
20 grant them an extension till the end of August. The  
21 second company we had found out was a new owner of  
22 the affiliated parcel for that User Fee and  
23 therefore they might not have been receiving the  
24 invoices or the notices. So we sent out a certified  
25 letter to the registered agent of the new company

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1 and gave them also till the end of August. So  
2 that's the current update and current plan for the  
3 two companies and that's how we'll proceed unless I  
4 hear otherwise.

5 The Great Lakes Legacy Act  
6 Project. We had a third stakeholder meeting for the  
7 general public on June 25th, at 6:00 p.m. at East  
8 Chicago main Library. Just to summarize, the  
9 meeting was advertised in Spanish and English in the  
10 City water bill mailings and also in the local  
11 newspapers. Also we sent, or I think, Henry, didn't  
12 you present it to the City Council?

13 MR. HENRY RODRIQUEZ: Yes, I did.

14 MR. TREVINO: And also gave them an update  
15 and announced at the meeting. And today is  
16 July 15th, which concludes the 30-day public comment  
17 period. Just as a reminder, the hard copies of the  
18 feasibility study and the fact sheets were available  
19 at the main library and here at the District, as  
20 well as on our website. Also there was an article  
21 in the Times which I forwarded to the other  
22 stakeholders. I want to thank Paul for giving us  
23 the press on that. We appreciate it. And as I  
24 mentioned, the Q and A from the public meeting is  
25 also in your packet. We continue to meet with BP

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1 and other project partners to explore remediation  
2 cost strategies for Great Lakes Legacy Act Project.  
3 We are working on an amendment to EPA that would  
4 include BP as a project partner and once that draft  
5 is ready, we'll present to the Board for  
6 consideration.

7 Last month we sent a letter to  
8 the Army Corps of Engineers regarding reimbursement  
9 for monies contributed toward CDF Construction.  
10 Ellen and I met with the Corps yesterday to  
11 follow-up on that letter and it does appear that  
12 there are funds that would be available and the  
13 Corps is finalizing their internal accounting and  
14 we'll be submitting a response letter.

15 Our accounting consultant, Tim  
16 Anderson, is working on the fixed cost proposal for  
17 EPA and I will let him give us an update during his  
18 report. And the City informed me that they had  
19 received a grant just over a million dollars on the  
20 bike trail that is currently planning to go along  
21 the waterway. So we'll be working with the City on  
22 that project just to make sure they're in synergy  
23 with our project and how we can help each other out.

24 Tetra Tech Project. The report  
25 is in your packet. Jim Wescott wasn't able to be

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1 here, so Cheryl Vaccarello is here in his stead, so  
2 she will be giving us an update on the project.

3 The Army Corps CDF and dredging  
4 project. Natalie Mills, project manager for the  
5 Corps is here to give us an update on the dredging  
6 project and her report is in your packet as I  
7 mentioned.

8 And Attorney Ellen Gregory will  
9 be giving an update on legal matters. And that  
10 concludes my report.

11 MR. FEKETE: Any questions?

12 (No Response)

13 MR. FEKETE: I will entertain a motion to  
14 accept Executive Director's report along with his  
15 recommendation that we go ahead and pursue the  
16 activity for hosting the next environmental  
17 update --

18 MR. TREVINO: The Care Committee,

19 MR. FEKETE: Yes.

20 MR. TREVINO: That's on the list.

21 MR. FEKETE: So do that separately, okay.  
22 Then we really don't need a motion. We accept your  
23 report. Thank you. I would entertain a motion to  
24 approve the Board minutes for June 17th.

25 MR. BAKOTA: Motion to except.

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1 MR. FEKETE: I have a motion to accept.  
2 Is there a second?

3 MR. HENRY RODRIQUEZ: Second.

4 MR. FEKETE: All in favor signify by  
5 saying aye.

6 (All signify aye.)

7 MR. FEKETE: I'd also like to make note  
8 that Mr. Zagar is now in attendance. I need a  
9 motion for the approval consideration for the  
10 Keystone software and maintenance agreement.

11 MR. LOPEZ: Motion to accept.

12 MR. FEKETE: I have a motion. Do we have  
13 a second?

14 MR. DOYLE: Second.

15 MR. FEKETE: Roll call vote. John Bakota?

16 MR. BAKOTA: Yes.

17 MR. FEKETE: Henry Rodriquez?

18 MR. HENRY RODRIQUEZ: Yes.

19 MR. FEKETE: Patrick Rodriquez?

20 (No Response)

21 MR. FEKETE: Ted Zagar?

22 MR. ZAGAR: Yes.

23 MR. FEKETE: Ray Lopez?

24 MR. LOPEZ: Yes.

25 MR. FEKETE: John Fekete. I vote yes.

10

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1 Motion is approved. The accounting consultant  
2 report.

3 MR. ANDERSON: Tim Anderson, for  
4 CliftonLarsonAllen. In your packet you have our  
5 financial statement through June 30th and I will run  
6 over that with you. Page 2 shows the cash receipts  
7 through June 30th for the six months. We have got  
8 the budget transfer from the Trust and some interest  
9 income earned on those checking accounts, and the  
10 User Fees for a total cash receipt of 671,000  
11 through June 30th. Our disbursements from those  
12 checking accounts is listed -- are listed. Legal  
13 fees, engineering, accounting services, and the big  
14 item is the Great Lakes Legacy Act Project of  
15 173,000. Through June 30th our total cash receipts  
16 or total cash disbursements through June 30,  
17 335,000. So our increase in cash in those two  
18 checking accounts from January through June of  
19 \$336,000. We started the year in those two  
20 operating accounts with 2,006,000 and at June 30th  
21 we have reconciled cash accounts of 2,343,000, and  
22 there is two accounts that make up that total. They  
23 are the Operating Account, which is our budget  
24 account, of 612,000. And then the User Fee checking  
25 account has a million 730.

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1                   Page 3 of the report just shows  
2 the two operating accounts and monthly activities.  
3 The operating account is the account we write the  
4 checks out of, and you can see each month how those  
5 checks come out. That account has got the 612 in  
6 it. And then the User Fee account, which we only  
7 make deposits to, it's got a million 730,000 in.

8                   Page 4 is the landscape page  
9 which shows what we have budgeted for each line item  
10 that we spend money on, what was approved in the  
11 budget. Cash disbursements through June which will  
12 tie out to that other page, the 335,000 that we have  
13 written, and then roughly 59,000 of cash  
14 disbursements that are on the claims docket for  
15 today. Which nothing is over budget and it shows  
16 that we have the 553,000 left in our budget as of --  
17 after we cut the checks for today. So everything is  
18 in line with what we budgeted and basically that  
19 unused budget is the balance in the operating  
20 checking account. Any questions on the report?

21                   (No Response)

22                   As Fernando mentioned, we are  
23 working on wrapping up the indirect cost rate  
24 proposal for the EPA and the indirect cost rate  
25 computation. We are calculating the indirect pool

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1 of cost for 14 and the direct base amounts that are  
2 used in this computation. I plan to have a draft of  
3 the report to Fernando this week and then we'll pass  
4 it by Diana Mally and Jackie Smith from the EPA to  
5 get their blessing on the methodology. We should be  
6 able to wrap that up in the next couple of weeks.  
7 That's all I have.

8 MR. FEKETE: Thank you. Next order of  
9 business, approval consideration of the accounts  
10 payable voucher dated July 15, 2015. I hear a  
11 motion to accept?

12 MR. HENRY RODRIQUEZ: Motion to accept.

13 MR. FEKETE: Do I have a second?

14 MR. DOYLE: Second.

15 MR. FEKETE: Roll call vote. John Bakota?

16 MR. BAKOTA: Yes.

17 MR. FEKETE: Henry Rodriquez?

18 MR. HENRY RODRIQUEZ: Yes.

19 MR. FEKETE: Patrick Rodriquez?

20 (No Response)

21 MR. FEKETE: Ted Zagar?

22 MR. ZAGAR: Yes.

23 MR. FEKETE: Kevin Doyle?

24 MR. DOYLE: Yes.

25 MR. FEKETE: Ray Lopez?

13

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1 MR. LOPEZ: Yes.

2 MR. FEKETE: John Fekete? I vote yes.

3 Motion is approved. Now the item to accept the  
4 recommendation to host the IDEM Care Committee  
5 public meeting since we in essence are approving the  
6 potential for expenditures, I think it's only  
7 appropriate that we have a roll call vote on this.  
8 So I will entertain a motion to approve the  
9 consideration to host IDEM.

10 MR. LOPEZ: So move.

11 MR. DOYLE: Second.

12 MR. FEKETE: Motion and second. John  
13 Bakota?

14 MR. BAKOTA: Yes.

15 MR. FEKETE: Henry Rodriquez?

16 MR. HENRY RODRIQUEZ: Yes.

17 MR. FEKETE: Patrick Rodriquez?

18 (No Response)

19 MR. FEKETE: Ted Zagar?

20 MR. ZAGAR: Yes.

21 MR. FEKETE: Kevin Doyle?

22 MR. DOYLE: Yes.

23 MR. FEKETE: Ray Lopez?

24 MR. LOPEZ: Yes.

25 MR. FEKETE: John Fekete? I vote yes.

14

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1 Motion is approved. Approval consideration to  
2 terminate the PERF account, resolution to terminate  
3 the PERF account. Did you want to explain that a  
4 little, Ellen, for the public record? We had  
5 discussed it in the Executive Committee, but for the  
6 public record maybe make an explanation.

7 MS. GREGORY: So this is a resolution to  
8 basically notify the Indiana Public Retirement  
9 System of the Waterway Management District's  
10 intention to withdraw from the fund. In the past  
11 the Waterway Management District has employed  
12 employees, not for awhile and currently have no  
13 employees, and the District doesn't have any current  
14 plans to employ employees in the future. So there  
15 is an option to withdraw from the public retirement  
16 fund. The way that works is that you make a  
17 notification to the State Board and there is a  
18 two-year waiting period. After the two-year waiting  
19 period, then the participation in the fund can be  
20 technically terminated.

21 So the resolution is basically  
22 the first step in the process to make the public  
23 notification and then there will be the two-year  
24 waiting period. And then as long as all of the  
25 appropriate deposits have been made into the fund,

15

1 there is sufficient money there to cover any past  
2 employees, then the State Board would terminate the  
3 Waterway Management District's participation in the  
4 fund. So that's basically what the resolution is.  
5 Any questions about that that I can answer?

6 MR. ZAGAR: Are there past employees that  
7 still have monies coming out of PERF?

8 MS. GREGORY: Fernando and I need to  
9 figure out if there is sufficient funds that have  
10 been put into it. I think Fernando mentioned to me  
11 he believes that all the people who are past  
12 employees are not yet retired. So there would not  
13 have been withdrawals yet, I believe. Is that  
14 right?

15 MR. TREVINO: Yes.

16 MR. LOPEZ: For your information, prior to  
17 this we had employees, but we didn't -- we hired the  
18 consultant and we didn't do it. It saved a lot of  
19 money.

20 MR. FEKETE: Okay. Motion to approve the  
21 resolution and we'll have a roll call vote. I would  
22 entertain a motion to approve the resolution.

23 MR. BAKOTA: Motion to approve.

24 MR. FEKETE: Do I have a second?

25 MR. HENRY RODRIQUEZ: Second.



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1 MR. FEKETE: Motion and a second. Roll  
2 call vote. John Bakota?

3 MR. BAKOTA: Yes.

4 MR. FEKETE: Henry Rodriquez?

5 MR. HENRY RODRIQUEZ: Yes.

6 MR. FEKETE: Patrick Rodriquez?

7 (No Response)

8 MR. FEKETE: Ted Zagar?

9 MR. ZAGAR: Yes.

10 MR. FEKETE: Kevin Doyle?

11 MR. DOYLE: Yes.

12 MR. FEKETE: Ray Lopez?

13 MR. LOPEZ: Yes.

14 MR. FEKETE: John Fekete? I vote yes.

15 Next order of business, the BMO Harris Bank Trust  
16 report. Mr. Alonzo?

17 MR. ALONZO: David Alonzo with BMO Harris  
18 Bank. I'll just run through our Trust report here.  
19 Page 1 really shows the historical values of course  
20 and then disbursements from 1997 up until this  
21 point.

22 Page 2 goes through the  
23 historical values. The value as of July 13, 2015,  
24 was \$5,751,708. And from our last meeting that was  
25 a difference positive gain of \$6,100 in interest.

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1 So far this year the disbursements have been  
2 \$268,519 year-to-date.

3 Going on to the third page, that  
4 really highlights some of the movement of money. We  
5 had really on the yellow highlights two  
6 certificates, which were the ones that had been  
7 matured. The two green ones I have highlighted are  
8 the replacement ones. So we have pretty much  
9 invested 1.5 million in the three-year, earning  
10 1.25 percent and then we put 850,000 in the  
11 four-year CD earning 1.75 percent. The remaining  
12 balance between the maturing CD was deposited in the  
13 prime money market. We are keeping \$486,412 in our  
14 District at this point. Any questions at all on the  
15 movement of the funds, the rates? That should do  
16 it.

17 The graph on the bottom isn't  
18 updated. I didn't catch till the end it was messed  
19 up. I'll update that for next meeting.

20 MR. LOPEZ: Thank you for your  
21 presentation and it was very good.

22 MR. ALONZO: Appreciate it.

23 MR. FEKETE: Great Lakes Legacy Act  
24 Project, Cheryl Vaccarello.

25 MS. VACCARELLO: Thank you. As Fernando

18

1 stated, Jim Wescott could not be here today. They  
2 asked me to provide you with an update. We had the  
3 public meeting for general comments, getting public  
4 comments for the feasibility study and risk  
5 assessment that was done on the Waterway Project.  
6 We had about 22 people attend the meeting. A lot of  
7 questions asked, a lot of discussion going back and  
8 forth. I don't think we received -- we received one  
9 other comment on the feasibility study; is that  
10 correct?

11 MR. TREVINO: That's correct. We received  
12 one e-mail comment. We didn't receive any at this  
13 office. I have not had a chance to check the  
14 library, but I plan to go there tomorrow. So there  
15 have been minimal, other than the questions that we  
16 received at the public meeting, minimal input.

17 MS. VACCARELLO: We captured in the report  
18 you were given the addendum to the remediation will  
19 be submitted by the end of July. The preliminary  
20 design will be submitted by the end of August. And  
21 the project completion was still scheduled for the  
22 end of the year. Any questions?

23 MR. FEKETE: Very good.

24 MR. LOPEZ: Thank you for the report.

25 MS. VACCARELLO: Thank you.

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1 MR. FEKETE: I think, again to reiterate,  
2 I think what we mentioned earlier, the presentation  
3 was very well done. I think it was comprehensive as  
4 you could expect without getting overly burdensome  
5 on detail. But enough of the information was there  
6 and the background presented I think was useless for  
7 people who hadn't been involved in any of this.

8 MS. VACCARELLO: That's always the  
9 challenge on the community outreach side of things  
10 is taking that technical report and making it so  
11 that the general public can understand it.

12 MR. FEKETE: I think the poster displays  
13 that you had, poster like displays that you had  
14 around the room helped out a lot. There were enough  
15 people to answer just about any question that do  
16 come up.

17 MS. VACCARELLO: Good.

18 MR. FEKETE: That's good.

19 MS. VACCARELLO: Thank you.

20 MR. LOPEZ: Thank you.

21 MR. FEKETE: U.S. Army Corps report. Miss  
22 Mills?

23 MS. MILLS: Natalie Mills with the U.S.  
24 Army Corps of Engineers. CDF Construction. The  
25 dredging is ongoing. They dredged approximately

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1 250,000 cubic yards of material. They have about  
2 30,000 cubic yards remaining for the Corps and  
3 40,000 cubic yards remaining for Arcelormittal.  
4 That contract will be awarded to Kokosing to go  
5 forth with Arcelormittal dredging. So I would  
6 predict they'd be dredging till about the end of  
7 July based on that.

8 The permanent well installation  
9 contract. They have completed the installation of  
10 all eight extraction wells. So they are just  
11 testing the system today and tomorrow and they will  
12 have some additional testing of the system in the  
13 next few weeks to make sure the system is operating  
14 as it's suppose to and it's tied into the other  
15 wells appropriately.

16 CDF documentation. The Corps is  
17 going to propose to meet in August on the TSCA  
18 permit. So we'll see what dates are available for  
19 everyone. So we'll be coordinating with Ellen and  
20 she can promote the date to the larger group. The  
21 permit coordination for boom, oil booms, which  
22 permission has not been approved yet.

23 MR. LOPEZ: I drive by that every day  
24 because I take my granddaughter to Chicago to  
25 school, and there's a lot of guys there today and

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1 yesterday, where you drive down to the river. What  
2 was all that about?

3 MS. MILLS: On the opposite side?

4 MR. LOPEZ: On this side. Right by the  
5 boom. Are they working on the boom or something,  
6 there's a whole bunch of guys down there?

7 MR. BAKOTA: Are they still painting there  
8 underneath the bridge?

9 MS. MILLS: Not that I'm aware of.

10 MR. BAKOTA: I know few weeks ago they  
11 were still painting underneath the bridge.

12 MR. TREVINO: That's an INDOT project, the  
13 painting. That's my understanding.

14 MR. BAKOTA: You might have seen that, I  
15 don't know.

16 MR. LOPEZ: You'd drive down to the river  
17 on this side and I seen all kinds of guys there  
18 moving real quick, and seen the boom just on this  
19 side. I just thought something was happening.

20 MS. MILLS: No. We had a meeting today.  
21 They didn't report anything to the Corps.

22 MR. LOPEZ: I've never seen so many guys  
23 in the boat park there. Thank you.

24 MS. MILLS: I'll ask and find out. PCA  
25 and nonfederal funding. As Fernando indicated, we

22

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1 did meet yesterday to discuss proposed response to  
2 the letter, your letter of 17th June. So I have  
3 started the draft of how we are going to respond and  
4 still trying to figure out the exact numbers so I  
5 can make sure what we provide to you all is  
6 accurate. So certainly there is something there,  
7 I'm just trying to make sure we have got the numbers  
8 right provided to you all.

9 I'll let Ellen give the update  
10 on the Feddeler parcel resolution.

11 Website. We are continuing to  
12 work with Argonne National Laboratory for hosting  
13 the air monitoring data. So looks like that's going  
14 to be -- we'll be able to do that and go forward  
15 with that.

16 MR. TREVINO: So, Natalie, does it look  
17 like it's going to go through the State of Indiana?  
18 Remember you were exploring that.

19 MS. MILES: It's going to go through  
20 Argonne, that's the current plan right now. We  
21 already have a relationship with them that they do  
22 some, they host some other data; so we are going to  
23 continue that relationship with them.

24 MR. BAKOTA: Who monitors the air stations  
25 now? Every once in awhile I see a van parked there.

23

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1 MS. MILLS: Argonne.

2 MR. BAKOTA: That's Argonne?

3 MS. MILLS: Yes.

4 MR. BAKOTA: They monitor all the sites.

5 MS. MILLS: On the ones on top of the  
6 dikes, our four.

7 MR. DOYLE: John, we're talking about our  
8 site.

9 MR. TREVINO: That's outside the perimeter  
10 at Central High School?

11 MS. MILLS: I don't know. I think it  
12 might be Argonne, I'm not sure, or a university.

13 MR. BAKOTA: Regardless, Kevin, I think  
14 air monitors out there vary with stations. There  
15 are four at the project. I see somebody out there.

16 MS. MILLS: Right. The new contract for  
17 the equipment storage facility. That's going to be  
18 a sole source to attach. We are waiting there on  
19 the proposal that's due at the end of this month and  
20 was planning to award that hopefully by the end of  
21 the month.

22 And then the next dredging and  
23 operation contract will be scheduled to be awarded  
24 some time December or January timeframe. We have  
25 one more option with Kokosing and then we can award

24



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1 another contract so we have continuity of service.  
2 One will be demobilizing and one will be mobilizing.  
3 That's all I have.

4 MR. LOPEZ: That's enough.

5 MR. DOYLE: Thank you.

6 MR. FEKETE: Very good. Thank you. And  
7 the last report is the attorney's report.

8 MS. GREGORY: Ellen Gregory with  
9 Bamberger, Foreman, Oswald & Hahn. On the Feddeler  
10 issue that Natalie just mentioned, there are two  
11 separate interests. The fee interest which is owned  
12 by BP, we have Jim Wieser, the real estate attorney  
13 working on putting together a legal description that  
14 BP has requested and then we'll submit that to them,  
15 and hopefully getting a transfer of BP's interest to  
16 the District for the underlying, basically the  
17 ownership of the parcel.

18 And then there is another  
19 interest associated with the same parcel, which is  
20 easement interest, owned by Feddeler. We have been  
21 coordinated with the Army Corps about transferring  
22 that interest. We had an appraiser put together a  
23 draft appraisal that was submitted to the Army  
24 Corps. Our appraiser, David Begoin, had a  
25 conversation with the Army Corps real estate person.

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1 They had a couple of items that we're following up  
2 on and once the Army Corps responds to David Begoin,  
3 our appraiser, we'll hopefully be in a position to  
4 be going back to Feddeler with a proposal for the  
5 transfer of that easement interest in the Feddeler  
6 parcel.

7 On the PCA. We had been kind of  
8 stalled. There was a change in the assignment of  
9 attorney for the Army Corps who was overseeing that.  
10 Kim Sabo has been back on it. So we'll be  
11 reinitiating our biweekly calls to hopefully get  
12 going on the negotiations of the new PPA which is  
13 the revision to the PCA.

14 On the AOC, the administration  
15 order on consent, which is basically BP's  
16 investigations of the south parcel. We got Arco's  
17 monthly status report yesterday. They had submitted  
18 a draft investigation work plan to EPA on June 8th.  
19 They are still waiting apparently on EPA approval or  
20 additional comments on that. The work for the AOC  
21 is pretty much on hold until EPA approves what Arco  
22 has submitted.

23 And on the consent decree, we  
24 are still waiting for BP's draft language back. The  
25 Department of Justice and BP were negotiating

26

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1 language to that. The entire group hasn't seen a  
2 draft of the consent decree I think for about a  
3 year. And that's all I have for today.

4 MR. FEKETE: Okay. Any questions?

5 (No Response)

6 MR. FEKETE: Hearing none, thank you very  
7 much. Any new business to come before the Board?

8 (No Response)

9 Any other business?

10 (No Response)

11 The one thing, again reflecting back  
12 on Mr. Trevino's presentation, he did make a  
13 recommendation to extend the time for the collection  
14 of the User Fees and I think we need to approve that  
15 and we can do it by voice vote. Do I hear a motion  
16 to accept that?

17 MR. LOPEZ: Motion to accept.

18 MR. FEKETE: And do I have a second?

19 MR. HENRY RODRIQUEZ: Second.

20 MR. FEKETE: All in favor signify by  
21 saying aye.

22 (All signify aye.)

23 Any opposition?

24 (No Response)

25 Hearing none, motion approved.

27

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1 Thank you. Any public comments?

2 (No Response)

3 Hearing none, the next Board meeting  
4 will be August 19th, 5:00 p.m., at this facility.

5 I'll entertain a motion for adjournment.

6 MR. BAKOTA: Motion to adjourn.

7 MR. FEKETE: Second?

8 MR. ZAGAR: Second.

9 MR. FEKETE: All in favor signify by  
10 saying aye.

11 (All signify aye.)

12 Any opposition?

13 (No Response)

14 Hearing none, we are adjourned at  
15 5:45.

16 (MEETING ADJOURNED.)

17 \* \* \* \*

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C E R T I F I C A T E

I, Peggy S. Lalonde, Certified Shorthand Reporter (CSR), and Notary Public within and for the County of LaPorte, 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 15th day of July, 2015, 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 is a true and accurate record of said proceedings had.

Dated this 31st day of July, 2015.

*Peggy S. Lalonde*

Peggy S. LaLonde, CSR

My Commission expires: 3/14/2018

