

EAST CHICAGO WATERWAY MANAGEMENT
DISTRICT BOARD OF DIRECTORS' MEETING
City of East Chicago, Engineering/Annex Building
4444 Railroad Ave.
East Chicago, Indiana
July 20, 2016
Wednesday, 5:00 P.M.

Transcript of the proceedings had in the
above-entitled matter, on the 20th day of July,
2016, at 5:00 p.m., at the City of East Chicago,
Engineering/Annex Building, 4444 Railroad Avenue,
East Chicago, Indiana, before Dawn M. Iseminger,
Registered Professional Reporter and Notary Public
for the County of Porter, State of Indiana.

July 20, 2016

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

MR. JOHN FEKETE, President

MR. KEVIN DOYLE, Vice President

MR. HENRY RODRIGUEZ, Secretary

MR. RAY LOPEZ, Treasurer/Financial Officer

MR. JOHN BAKOTA, Board Member

MR. PATRICK RODRIGUEZ, Board Member

MR. TED ZAGAR, Board Member

MR. FERNANDO TREVINO, FMT Consulting

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

Also Present:

JIM WESCOTT, Tetra Tech

TIM ANDERSON, CliftonLarsonAllen

DAVID ALONZO, BMO Harris

NATALIE MILLS, USACE

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1 MR. FEKETE: I'd like to call to order the
2 East Chicago Waterway Management board meeting.
3 Today's date is July 20th and the time is 5:01.
4 Call to order. Roll call. John Bakota?

5 MR. BAKOTA: Here.

6 MR. FEKETE: Henry Rodriguez?

7 MR. HENRY RODRIGUEZ: Here.

8 MR. FEKETE: Patrick Rodriguez?

9 MR. PATRICK RODRIGUEZ: Here.

10 MR. FEKETE: Ted Zagar?

11 MR. ZAGAR: Here.

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 a
17 quorum -- we have a full board -- even better.

18 The first order of business is the
19 approval consideration of the board meeting
20 notes from June 15th.

21 MR. BAKOTA: Motion to approve.

22 MR. FEKETE: We have a motion. Do I have a
23 second?

24 MR. HENRY RODRIGUEZ: Second.

25 MR. FEKETE: All in favor signify by saying

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1 "aye."

2 (All signify aye).

3 MR. FEKETE: The next order of business is
4 the Boyce license renewal and --

5 MR. TREVINO: The FMT Consulting.

6 MR. FEKETE: Sorry. I'm just trying to speed
7 up the meeting. Go ahead.

8 MR. BAKOTA: Good move, John.

9 MR. FEKETE: I try.

10 MR. TREVINO: All right. Fernando Trevino,
11 FMT Consulting. I'd like to start off by going
12 over the contents of your board packet. You have
13 the board minutes for the June 15, 2016, board
14 meeting. You have the CliftonLarsonAllen
15 financial statement dated June 30, 2016. You have
16 the claim docket for today's board meeting dated
17 July 20, 2016. You have the BMO ECI Facility
18 Trust report dated July 19, 2016. And a BMO
19 Harris Bank account statement for the month of
20 June 2016 for account ending in 761; and a second
21 BMO Harris brokerage account statement also for
22 the month of June 2016 for account ending in 534.
23 You have First Merchant's bank statements.
24 They're both for the month of June 2016, and
25 one is account ending in 608; the second is for

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1 account ending in 616; and also the affiliated
2 user fee deposits that were done in the month
3 of June. You have a June 14, 2016, Rothchild
4 Agency letter regarding the quote for insurance
5 for Waterway Management District property, and
6 a second quote from Acuity through the Bramen
7 Insurance Services also for the property. You
8 have Boyce Systems license renewal agreement.
9 You have a letter dated July 18, 2016, from me
10 to EPA's Brenda Jones, regarding our second
11 quarter work-in-kind report summary. And you
12 have Tetra Tech's monthly progress report for
13 the Great Lakes Legacy Act project dated
14 July 8, 2016. You have the Army Corps of
15 Engineers' monthly report to the board dated
16 July 20, 2016. Attorney Ellen Gregory's report
17 to the board dated July 14, 2016. You have a
18 letter from Attorney Ellen Gregory to Val
19 Gomez, City of East Chicago, dated June 23,
20 2016, regarding city files that we're
21 interested in keeping. You have a copy of an
22 e-mail and written letter from me to Anna Marie
23 Simon of Wisconsin Central -- or this one
24 happens to be Canadian National, I believe, and
25 it's regarding the return of a second check.

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1 They accidentally paid a user fee twice; so we're
2 sending the second check back to Wisconsin
3 Central.

4 You have a letter dated June 24, 2016,
5 from the Rothchild Agency, and that's
6 summarizing the director's and officer's
7 insurance that the board approved at the last
8 board meeting. And you have a draft of the --
9 of a cost share report that is being done by
10 Mr. Rodney Humphrey. You have a July 19, 2016,
11 letter from Attorney Ellen Gregory to the
12 Corps' Ronald Pillar regarding the Feddeler
13 Appraisal. And that concludes the items in
14 your packet.

15 Just to update the board on a couple of
16 items. As I was going through the contents of
17 your board packet, I mentioned that there were
18 two insurance quotes for property. For a
19 couple years now we've had Acuity Insurance
20 through Bramen Insurance, and when we were
21 pursuing director's and officer's insurance
22 with Rothchild, they provided a second quote
23 for our consideration. And after reviewing the
24 two options, I think it was more cost effective
25 to maintain our insurance -- or property

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1 insurance with the Bramen agency; so that's on
2 the agenda for approval consideration.

3 We've been working with Rodney Humphrey for
4 CDF Construction cost share summary; and as I
5 mentioned, that draft report is in your packet.
6 Hopefully, that will be finalized by the next
7 board meeting.

8 One of the items that we need Corps' input
9 from is how to calculate fixed costs. And Tim
10 Anderson probably kind of remembers the
11 extensive work we had to do with EPA when
12 calculating fixed cost towards cost share; so
13 hopefully the Corps' process for calculating
14 the cost share won't be as complicated.

15 I've also been working with EnviroForensics
16 on finalizing their cost summary. They have
17 provided a draft and hoping to have that finalized
18 by the next board meeting; and we're also hoping
19 to finalize the appraisal from David Burgoyne on
20 the Feddeler parcel.

21 Board president, John Fekete, and I met with
22 Mayor Copeland a couple weeks ago and several of
23 his department heads to give them an update on
24 various district projects, and the meeting went
25 quite well.

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1 Action items on today's agenda include the
2 board meeting notes for June 15, the Boyce
3 software license renewal, the accounts payable
4 voucher, and the insurance.

5 Quick update on -- well, I'll go over the
6 user fees when we get to that on the agenda.

7 Great Lakes Legacy Act project, the team
8 continues to explore funding options for the
9 remediation phase of the project. Some of the
10 options we're pursuing is a city CSO project, some
11 of the BP adjacent to the waterway projects, and
12 the third is reimbursement from the Corps for the
13 CDF construction. When I went through the board
14 packet, I mentioned that there was a second
15 quarter working cost share report, and it's kind
16 of a draft because it's based on current numbers
17 and forecasted numbers, and once we get to the end
18 of the year, it will be finalized with actual
19 cost -- or expenses.

20 Tetra Tech's project report is in your board
21 packet for additional information, and Mr. Wescott
22 is here to provide an update on the project.

23 Army Corps' report is in your packet.
24 Natalie Mills of the Corps is here to give an
25 update on behalf of the Corps. I'd like to

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1 welcome her back. Welcome back, Natalie.

2 Legal update: Attorney Ellen Gregory will
3 be giving an update on various legal matters.

4 And that concludes my report.

5 MR. FEKETE: Any questions for Mr. Trevino?
6 My apologies for skipping over you earlier.

7 MR. TREVINO: No problem.

8 MR. FEKETE: Now, the next order of business
9 is the Boyce license renewal.

10 MR. TREVINO: Yes. In your board packet, as
11 I mentioned, is the Boyce license renewal. It's
12 an annual renewal. The Boyce software is the
13 software that we use for the collection of user
14 fees. It's part of the annual maintenance, and
15 this is probably our third or fourth year that
16 we've paid it, and it's part of the approved
17 budget. So the recommendation is to approve the
18 license renewal.

19 MR. LOPEZ: Motion to approve.

20 MR. FEKETE: I hear a motion. Do I have a
21 second?

22 MR. HENRY RODRIGUEZ: Second.

23 MR. FEKETE: And we have a second. All in
24 favor signify by saying "aye."

25 (All signify aye).

1 MR. FEKETE: Any opposition?

2 (No response.)

3 MR. FEKETE: Hearing none, the motion is
4 approved.

5 The accounting consultant report.
6 Mr. Anderson.

7 MR. ANDERSON: Tim Anderson with
8 CliftonLarsenAllen. In your board packet is our
9 financial statement on the district as of June 30,
10 2016. Page 2 is the first page with numbers on
11 it. The cash receipts through June, we got the
12 trust transfer which hasn't changed, \$276,000, and
13 then the user fees that have been collected
14 through June, \$365,000; so our total cash receipts
15 into our operating cash accounts, \$644,911. And
16 then you can see our list of disbursements that
17 we've cut checks through June, \$310,000. So our
18 increase in our cash accounts has been \$334,000
19 through June of '16. Cash at the beginning of the
20 year was \$2,058,000; at the end of June,
21 \$2,392,00; and that's broken down. We have
22 \$398,000 in the operating account and \$1,994,000
23 in the user fee account.

24 Page 3 shows the breakdown of each of
25 those accounts. The interest that we -- that

1 gets deposited each month and the checks that
2 are written out of the operating account shows
3 the ins and outs of both of those accounts.

4 Page 4 is the important page. Does
5 everybody have a copy of Page 4 that they can
6 read?

7 (All respond "uh-huh").

8 MR. ANDERSON: Okay. So the left most column
9 shows the budget adding the payables from last
10 year; so the total appropriation is \$708,000.
11 We've written checks through June of \$310,000, and
12 then your voucher register today has \$31,069 of
13 checks on it. And so the right most column, the
14 unused budget, shows after you cut those checks
15 that are on the docket for today, how much budget
16 we have left for each line item. And so there's
17 nothing on the docket today that would exceed what
18 you guys approved in the very beginning. And in
19 the unused budget, plus the items that you approve
20 today, roughly equate the balance in our operating
21 checking account. That's how that works.

22 Any questions on the financials?

23 (No response).

24 MR. ANDERSON: Okay. That's my report.

25 Thank you.

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1 MR. LOPEZ: Thank you.

2 MR. FEKETE: Thank you.

3 That leads us to the next order of business,
4 the approval of the accounts payable voucher
5 register dated July 20, 2016. I'll entertain a
6 motion for approval.

7 MR. PATRICK RODRIGUEZ: Motion to approve.

8 MR. FEKETE: Do I have a second?

9 MR. HENRY RODRIGUEZ: Second.

10 MR. FEKETE: I have a second. I'll have a
11 roll call vote. John Bakota?

12 MR. BAKOTA: Yes.

13 MR. FEKETE: Henry Rodriguez?

14 MR. HENRY RODRIGUEZ: Yes.

15 MR. FEKETE: Patrick Rodriguez?

16 MR. PATRICK RODRIGUEZ: Yes.

17 MR. FEKETE: Ted Zagar?

18 MR. ZAGAR: Yes.

19 MR. FEKETE: Kevin Doyle?

20 MR. DOYLE: Yes.

21 MR. FEKETE: Ray Lopez?

22 MR. LOPEZ: Yes.

23 MR. FEKETE: John Fekete, I vote yes. The
24 motion has been approved.

25 The Great Lakes -- I'm sorry -- BMO Harris

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1 Bank trust report.

2 MR. ALONZO: David Alonzo with BMO Harris
3 Bank. So I'm going to run through the report.
4 This was printed off on July 19th; so not a whole
5 lot of changes from our last meeting just because
6 the interest is accredited quarterly. Of course,
7 the first page goes through our historical data
8 from 1997 up until now, and also the distributions
9 by each year. As we go to that second page, it
10 should be the one with the two charts on the sides
11 (indicating). I don't know if I put them in the
12 wrong order or not for you, but the value on
13 July 19 was \$5,557,394; so that was a difference
14 of about \$30 from our last meeting from the money
15 market account. The money market, if we go to the
16 third page, is going to show where that interest
17 is coming from. So the yield on that money market
18 is .15, which unfortunately is not too bad in this
19 environment. When we look at the CD rates, you
20 guys are doing pretty well comparable to where the
21 rates are right now. We do have the three-year
22 flex CD that will mature on October 21st of this
23 year. The goal, of course, is probably to put 250
24 of that back into that money market, keep that up
25 at about half million, and then we should have

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1 about 1.3 to work with on the CDs. And just
2 again, to keep things in context, the 10-year
3 treasury is again at historic lows from 2001.
4 It's about 1.5 percent yield right now on a
5 ten-year treasury. Obviously, we're not going
6 that long term, but we'll take a look at where
7 rates are and, of course, work with you guys to
8 get some good rates on this money.

9 Any questions? I'd probably say, if we
10 look -- go ahead.

11 MR. LOPEZ: Is that \$30?

12 MR. ALONZO: That is a big 3-0. If we knew
13 that -- maybe the idea is keeping 300 in there and
14 then the rest in a CD because we know,
15 historically, we've been using less than 300 for
16 the budget. But as things come up, maybe we do
17 need to keep that much in there.

18 MR. LOPEZ: Okay.

19 MR. ALONZO: But, yeah, unfortunately those
20 are where the rates are.

21 MR. LOPEZ: Better than 00.

22 MR. ALONZO: Exactly.

23 MR. LOPEZ: Thank you.

24 MR. ALONZO: No problem.

25 MR. FEKETE: User fee update, 2016.

1 MR. TREVINO: Yes. As a reminder, the board
2 approved extending the deadline at the last -- I
3 think at the May board meeting, to July 15th. And
4 since then we received all 2016 user fees except
5 for one, which is the same unpaid user fee that
6 was in 2015; and that unpaid account is being
7 pursued by the Attorney General. We're working
8 with attorney Jim Wieser to develop an engagement
9 letter for his office to provide services --
10 collection services -- for unpaid user fees in
11 future years. So we hope to have that next month.
12 But we won't -- there's no urgency on that since
13 all of our user fees are paid up to date other
14 than the one that the Attorney General is
15 pursuing. So that's the update.

16 MR. FEKETE: Very good. Thank you.

17 Any questions?

18 (No response.)

19 MR. FEKETE: The next order of business is
20 our insurance.

21 MR. TREVINO: Yes. As I mentioned, there's
22 two insurance quotes in your packet. One is from
23 Rothchild Agency dated June 14, 2016. The second
24 one is from Acuity, as being provided by Bramen
25 Insurance Services. We've used Bramen Insurance

1 in the past. Dean Rothchild provided a quote a
2 couple -- last month when we were pursuing the
3 director's and officer's insurance, and it was a
4 good way to see if what we were paying for was
5 cost effective or not; and it is. And so I
6 recommend that we continue with Acuity, or the
7 Bramen Insurance Services. It's the same
8 aggregate amount of insurance for less cost and
9 less deductible.

10 MR. LOPEZ: Motion to accept.

11 MR. FEKETE: Do I hear a second?

12 MR. RODRIGUEZ: Second.

13 MR. FEKETE: Okay. Your roll call vote.

14 John Bakota?

15 MR. BAKOTA: Yes.

16 MR. FEKETE: Henry Rodriguez?

17 MR. HENRY RODRIGUEZ: Yes.

18 MR. FEKETE: Patrick Rodriguez?

19 MR. PATRICK RODRIGUEZ: Yes.

20 MR. FEKETE: Ted Zagar?

21 MR. ZAGAR: Yes.

22 MR. FEKETE: Kevin Doyle?

23 MR. DOYLE: Yes.

24 MR. FEKETE: Ray Lopez?

25 MR. LOPEZ: Yes.

1 MR. FEKETE: John Fekete, I vote yes. The
2 motion is approved.

3 Great Lakes Legacy Project report.

4 MR. WESCOTT: Hi. Jim Wescott. It's been
5 just kind of slow and steady, as Fernando
6 mentioned. The main issue is just waiting to see
7 what EPA approves for the non-federal partner
8 match. In the last month, I provided Fernando and
9 EPA a more detailed schedule and cost assessment
10 for a couple options. One would be dredging
11 everything in East Chicago city limits, and the
12 other is really focusing more on just completing
13 the Grand Calumet and the southern part of the
14 Indiana Harbor Canal. They're both about the same
15 costs, right around 20 million, and they can be
16 reduced if, you know, the non-federal partner
17 money doesn't -- isn't sufficient to get all of
18 EPA's money. But EPA is supposed to make a
19 decision or at least review the non-federal
20 partner match in the next few weeks. The attorney
21 is out on vacation right now; so I've -- as
22 Fernando and I have conveyed to the federal
23 partner, EPA, they -- you know, the issue becomes
24 if you want to do construction 2017, they really
25 need to start their procurement process in

1 September; and so we really need to know how much
2 money is available pretty soon so that we can kind
3 of get the last details together so that EPA can
4 have somebody out doing something in the spring.
5 Right now we're still on track. It's just getting
6 up to where they -- there isn't a lot of room for
7 error if they kind of keep waiting.

8 Any questions?

9 MR. LOPEZ: You guys are working on it,
10 right?

11 MR. WESCOTT: We are. It's really in EPA's
12 court with just reviewing -- when Fernando
13 mentioned the different non-federal partner
14 funding options, like the CSO and the Corps, I
15 think the focus right now is getting the East
16 Chicago CSO project approved in its entirety or at
17 least a lot of that expenditure, and that would
18 cover a lot of the -- that would cover pretty much
19 all the anticipated construction costs that we
20 would do in 2017. And the project would pretty
21 much -- the vision would be to kind of start in
22 the March/April time frame, start dredging in
23 June, and pretty much go right up until December
24 and then be done.

25 So hopefully when I come back in

1 September, we kind of know what we're doing at
2 that point.

3 MR. FEKETE: Okay.

4 MR. WESCOTT: Any questions? Ted.

5 MR. ZAGAR: They're taking out the bad stuff,
6 but bad stuff is still going in, right?

7 MR. WESCOTT: Um, I mean, I think in general
8 the expectation is there isn't a lot of bad stuff
9 coming back into the system. We've looked at a
10 bunch of the sources, the sewers that empty into,
11 especially like the Grand Calumet Indiana Harbor
12 Canal, and there doesn't appear to be any ongoing
13 sources that would recontaminate anything. I
14 mean, you're always going to have run off from
15 streets and things that are minor. But most of
16 the significant sources of contamination that
17 existed years ago have been eliminated or
18 controlled, and now with the CSO being re-routed
19 at East Chicago Sanitary District, that also kind
20 of eliminates a potential source of
21 recontamination. And Fernando has been working
22 closely with EPA to kind of make them understand
23 how important the CSO is to the overall project
24 and why that project should count toward the
25 non-federal match.

1 MR. ZAGAR: How about industry?

2 MR. WESCOTT: Well, there's no -- if the
3 question is, "Are there industries inputting?"
4 there doesn't seem to be any industries, at least
5 on the Grand Cal and Indiana Harbor Canal, that
6 are discharging -- and even on the Lake George
7 Canal -- that are discharging, purposely
8 recontaminating the area. I mean, Lake George
9 Canal, BP has got a couple outfalls, but they're
10 permitted outfalls; so they're approved by the
11 State and they're within their operating limits.
12 So there doesn't -- we did a large investigation
13 in 2014 and didn't find anything on the Grand
14 Calumet or Indiana Harbor Canal. So ... and the
15 project can't really happen if there is an ongoing
16 source of contamination. So I think all the
17 project partners are pretty comfortable that if
18 there's any investment, you know, from East
19 Chicago and the federal partner, to clean up that
20 section on the Grand Cal and the Indiana Harbor
21 Canal that it wouldn't be recontaminating
22 anything. So there isn't -- at least in the
23 non-navigation channel, there doesn't seem to be
24 any significant sources of input for pollution.

25 MR. ZAGAR: Okay.

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1 MR. FEKETE: Any other questions?

2 (No response.)

3 MR. WESCOTT: Okay.

4 MR. FEKETE: Thank you very much.

5 MR. LOPEZ: Thank you.

6 MR. FEKETE: U.S. Army Corps' report. And
7 welcome back.

8 MS. MILLS: Thank you. Good evening.
9 Natalie Mills with the U.S. Army Corps of
10 Engineers.

11 The facility and dredging operations
12 contract: They resumed the wastewater
13 treatment in March of 2016 and that has been
14 ongoing since then. The contractor is planning
15 to resume dredging mid to late August; and so
16 that is dependent on removal of the water from
17 the facility, but it sounds like we're on track
18 for either the third or fourth week in August.

19 The equipment storage facility contract: The
20 foundation work is complete and they have erected
21 the steel building itself. They're still working
22 with us on finalizing some design submittals in
23 order for them to complete the interior of the
24 building.

25 CDF documentation: There was a meeting with

21

1 U.S. EPA and IDEM and the Corps 27 April and 16
2 May to discuss the TSCA permit. We're told that a
3 draft permit is coming soon, but we haven't seen
4 it yet. And that was today that I saw an e-mail
5 that it's coming soon. So once we get it, of
6 course, we'll share that information with you all.

7 The PCA and Feddeler: I'll defer to Ellen,
8 because I don't know what's happening on that.

9 The new contracts, the FY16 and 21
10 dredging and operations contract, we're working
11 to get the contract re-advertised any day now;
12 so that should be coming out pretty soon.
13 We're still tracking 30 September award for
14 that work. But Kokosing will complete -- they
15 will continue their operation and dredging
16 until the new contractor gets on board.

17 And then lastly, I have the annual
18 dredging public meeting on 15 June 2016.
19 That's all I have at this time.

20 MR. FEKETE: Any questions for Natalie?

21 MR. PATRICK RODRIGUEZ: Natalie, you talked
22 about starting dredging next month?

23 MS. MILLS: Uh-huh.

24 MR. PATRICK RODRIGUEZ: Maybe the first week?

25 MS. MILLS: They said the third or fourth

1 week.

2 MR. PATRICK RODRIGUEZ: Third or fourth week
3 of August?

4 MS. MILLS: Uh-huh.

5 MR. PATRICK RODRIGUEZ: Thanks.

6 MS. MILLS: You're welcome.

7 MR. FEKETE: Two things for you, can we get a
8 copy of the presentation --

9 MS. MILLS: Sure.

10 MR. FEKETE: -- from last week's -- or last
11 month's meetings?

12 And then the second thing is I noticed
13 last month on the report that the IDEM
14 inspector had issued, there were a couple
15 things that need to be addressed, and I just
16 wonder if there was any follow up to that.

17 MS. MILLS: There was a letter. Do you want
18 a copy of the IDEM response letter?

19 MR. FEKETE: Yeah.

20 MS. MILLS: Okay.

21 MR. FEKETE: That's all I have. Any other
22 questions?

23 MR. TREVINO: I can forward that presentation
24 to you, John.

25 MR. FEKETE: Oh. You have it?

1 MR. TREVINO: They sent it to me.

2 MR. FEKETE: Okay.

3 MR. TREVINO: Unless you want to send it.

4 MS. MILLS: I'd have to track it down.

5 That's okay.

6 MR. TREVINO: You just got back, so I'm
7 assuming --

8 MS. MILLS: I'm like, "Last month, what
9 happened?"

10 MR. BAKOTA: Saved.

11 MR. FEKETE: The question comes up, you know,
12 when I go to other meetings, "What's in store?
13 Where are they?" That would be a nice reference
14 point.

15 MS. MILLS: Sure. Okay.

16 MR. FEKETE: There was a lot of good
17 information presented there that we can use.

18 MS. MILLS: Okay.

19 MR. FEKETE: Thank you very much.

20 MS. MILLS: Thank you.

21 MR. FEKETE: The next item is the Attorney
22 Ellen Gregory report.

23 MS. GREGORY: Ellen Gregory with Ellen
24 Gregory Law. On the Feddeler issue Natalie
25 referred to: Yesterday I sent a letter, I think

1 you were copied on. It was late last night. You
2 might not have seen it yet.

3 MS. MILLS: Okay.

4 MS. GREGORY: A letter went out yesterday to
5 the Army Corps on the Feddeler issue. We had
6 received a letter from Ron Pillar, the attorney
7 for the Corps, last week with comments to the
8 latest version of the appraisal for the Feddeler
9 parcel. We responded with a letter, responses to
10 the Corps' comments on the appraisal; and
11 hopefully we will be either having a call or get a
12 response from the Corps on those comments shortly.
13 In the meantime, the Feddeler appraisal is on hold
14 and we won't be making any communications with the
15 Feddeler attorney.

16 And the consent decree, the next bi-weekly
17 call is occurring tomorrow. We haven't seen
18 any updates or new language to the consent
19 decree from BP or the Department of Justice.
20 Hopefully, tomorrow we'll hear an update on
21 where they are on that.

22 On the PCA, the last call we had was July
23 8th. On that call Kim Szabo, the Army Corp's
24 lawyer, indicated that she was opening up the
25 opportunity to the district to present legal

1 arguments regarding the cost share going
2 forward for splitting up the costs of the CDF
3 construction and O&M. And so Fernando and I
4 are going to be working on putting together a
5 package to submit to the Corps within the next
6 couple weeks.

7 On the Section 10 permit, we're still
8 waiting for Deidre on that. You might want to
9 mention that to her. I'll send her an e-mail,
10 too.

11 MS. MILLS: Okay.

12 MS. GREGORY: So we're waiting to hear from
13 the Army Corps permit writer on the Section 10
14 permit. And that's all I have.

15 MR. FEKETE: Any questions?

16 (No response.)

17 MR. FEKETE: Thank you very much. Any new
18 business to come before the board?

19 (No response.)

20 MR. FEKETE: I just have one piece. The IDEM
21 annual meeting for work going on on the Grand Cal
22 area of concern is being scheduled for the first
23 week of October. The specific date hasn't been
24 picked yet. The site is yet to be determined. I
25 did mention to them that we had offered the

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1 location that we had done two years ago and for
2 them to consider that into their deliberations; so
3 just to keep you updated on that.

4 Any other business to come before the board?

5 (No response.)

6 MR. FEKETE: Any public comments?

7 (No response.)

8 MR. FEKETE: Hearing none, the next board
9 meeting will be August 17, 2016, at 5 p.m. at this
10 building. Do I have a motion for adjournment?

11 MR. BAKOTA: Motion to adjourn.

12 MR. FEKETE: Second.

13 MR. HENRY RODRIGUEZ: Second.

14 MR. FEKETE: Hearing none, this meeting is
15 adjourned.

16 (All signified aye):

July 20, 2016

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 20th day of July, 2016, 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 15th day of August, 2016.

Dawn M. Iseminger

Dawn M. Iseminger, RPR

My Commission expires: 7/22/2017

