

**EAST CHICAGO WATERWAY MANAGEMENT
DISTRICT BOARD OF DIRECTORS' MEETING**

**City of East Chicago, Engineering/Annex Building
4444 Railroad Avenue
East Chicago, Indiana
Via Zoom/Telephone Conference**

JANUARY 20, 2021

5:00 p.m.

**Transcript of the East Chicago Waterway Management
District Board of Directors' Meeting had in the
above-entitled matter on the 20th day of January,
2021, at 5:00 p.m., via Zoom Video/Telephone
conference, before Dawn M. Iseminger, RPR, and
Notary Public, within and for the County of
Porter, State of Indiana.**

1 A P P E A R A N C E S

2 JOHN FEKETE, President

3 RAYMOND LOPEZ, SR., Treasurer and Fiscal Officer

4 HENRY RODRIGUEZ, Secretary

5 PATRICK RODRIGUEZ, Board Member

6 FERNANDO TREVINO, FMT Consulting

7 ELLEN GREGORY, Ellen Gregory Law

8 TIM ANDERSON, CliftonLarsonAllen

9 MIKE NGUYEN, Army Corps of Engineers

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1 MR. FEKETE: I'd like to call to order the
2 board meeting of the East Chicago Waterway
3 Management District. Today's date is
4 January 20th, and the time is 5:03. The first
5 order of business is the roll call.

6 John Bakota?

7 (No response).

8 MR. FEKETE: Not here.

9 Henry Rodriguez?

10 MR. HENRY RODRIGUEZ: Here.

11 MR. FEKETE: Patrick Rodriguez?

12 MR. PATRICK RODRIGUEZ: Here.

13 MR. FEKETE: Ted Zagar?

14 (No response).

15 MR. FEKETE: Kevin Doyle?

16 (No response)

17 MR. FEKETE: Ray Lopez?

18 MR. LOPEZ: Here.

19 MR. FEKETE: John Fekete, here. We have a
20 quorum.

21 The next order of business is the
22 executive director report, Mr. Trevino.

23 MR. TREVINO: Yes. I'd like to start off by
24 going over the contents of your board packet. You
25 have the agenda for today's board meeting, you

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1 have the executive and public meeting posting, a
2 copy of it. You have the board minutes for the
3 December 16, 2020, board meeting. You have an
4 EPA's concurrence on the 2021 budget for the
5 E.C.I. facility trust memo, and that is dated --
6 let's see, I think it's at the end of the letter.
7 Well, there's no date on it.

8 You also have IDEM's approval letter,
9 trust approval letter; and that one is dated
10 January 12, 2021. You have CliftonLarsonAllen,
11 Tim's financial report; and that is dated
12 December 31st, 2020. And you have copies of
13 the claim docket, along with the check
14 register, the purchase orders, and the checks.
15 You have a CliftonLarsonAllen engagement letter
16 for calendar year 2021, and that's on the
17 agenda for approval. You have an agreement
18 letter with BP, and that's also on the agenda
19 for approval consideration. You have First
20 Merchant Bank statements for accounts ending in
21 608 and 616 for the month of December 2020.
22 And you also have the CD, the First Merchants
23 CD report, with a run date of January 18. You
24 have BMO's trust reports in your packet, along
25 with the letter of direction dated January 5,

1 2021. You have the People's Bank report for
2 the tipping fee and the escrow agreements, and
3 that's for the fourth quarter of 2020.

4 You have Attorney Ellen Gregory's report
5 to the board with a revision date of
6 January 28, '21.

7 And you have the Army Corps of Engineers
8 report to the board dated January 20th. Last
9 but not least, you have the letter from the
10 Waterway Management District to Honorable
11 Congressman Pete Visclosky thanking him for his
12 36 years of exceptional service as congressman
13 for our district. And that includes the items
14 in your board packet.

15 I will go over a few things really quick
16 for the board as far as my report.

17 As I mentioned in your board packet, we
18 received the 2021 trust budget approval letter
19 from both EPA and IDEM. So at the February
20 board meeting I plan to have budget transfer
21 requests for the 2020/2021 budget related from
22 the trust and non-trust accounts. The BMO
23 letter of direction that was approved at the
24 December 16 board meeting had a rate of
25 .3 percent. However, when the CD expired at

1 the end of December the rates changed and the
2 best available rate BMO had for us was
3 .25 percent. At the time of the new CD
4 renewal, the board approved the .25 percent by
5 vote and now the board approval of the new CD
6 rate is on today's agenda officially to ratify
7 the .25 percent rate for the public record.

8 As I mentioned, the CliftonLarsonAllen
9 2021 engagement letter is in your board packet
10 and also on the agenda for approval. I plan to
11 start working on the 2021 user fee packets in
12 the next few weeks.

13 Regarding real estate, the board might
14 recall at the December board meeting you
15 approved two appraisal proposals related to
16 easement and lease inquiries from west shore
17 pipeline and NIPSCO for portions of property
18 located within the south tank farm, which is
19 owned by the district. We received draft
20 appraisal reports, and we have also been
21 working on the new lease and easement
22 agreements with both west shore and NIPSCO, and
23 we hope to have the appraisal report and
24 agreements finalized in time for the February
25 board meeting.

1 Regarding the PCA, the Army Corps
2 headquarters continues on their review of the
3 amended PCA. The current sentiment from the
4 Corps is that the change in the presidential
5 administration shouldn't impact the approval
6 process, and that's our hope as well.

7 Regarding the Great Lakes Legacy Act
8 project, so I'll give an update on the Lake
9 George canal middle and east sections
10 remediation. The south tank farm, sheet pile
11 wall project and potential redevelopment of the
12 south tank farm is ongoing. The city has
13 informed us that they can handle the projected
14 100-gallon per minute flow rate from the south
15 tank farm, which is affiliated with the
16 groundwater management. The next step is for
17 BP to submit groundwater chemistry to the city
18 to evaluate retreatment requirements of the
19 groundwater.

20 The south tank farm easement summary
21 report was sent to BP and Wood, which is
22 related to the sheet pile wall design and
23 construction. There is an agreement letter
24 with BP that's in your packet I mentioned, and
25 it's on today's agenda, and that's related to

1 reimbursement of costs for BP for the
2 district's work related to negotiating the sell
3 and transfer of various parcels owned by the
4 district. And it also includes reimbursement
5 of work related to the Great Lakes Legacy Act
6 project.

7 Phase one dredging of the Lake George
8 canal east section was completed on December
9 13. The Lake George canal middle cap design is
10 ongoing. The west tank farm and south tank
11 farm pipeline removal work will recommence in
12 the summer of this year, and I've also started
13 working on the 2020 year end work-in-kind
14 report.

15 The project team continues to work on the
16 fourth modification of the project agreement.
17 This modification was triggered due to an
18 increase of more than five percent of the total
19 project costs; so we'll continue to work on
20 that fourth modification.

21 Remediation of the Indiana harbor ship
22 canal and Grand Cal' River area, the board
23 might recall that Rick Nagle of the EPA
24 presented at our December board meeting
25 regarding their determination that prior year

1 spending of the ArcelorMittal SEP sediment
2 dredging can qualify towards cost share. This
3 is a significant and optimistic development in
4 the district's goal to remediate the entire
5 waterway in East Chicago. The project team
6 will be assessing the best strategies for
7 utilizing the ArcelorMittal cost share toward
8 future Great Lakes Legacy Act sediment
9 remediation work, and I'll be giving the board
10 updates reports as we progress on that effort.

11 A Great Lakes Legacy Act area of concern
12 sediment remediation group meeting was held on
13 January 12th to discuss strategies and
14 opportunities for remediating the Indiana
15 Harbor ship canal and Grand Cal river portions
16 of the East Chicago waterway. And the group
17 agreed to meet periodically to continue towards
18 sediment remediation of the AOC.

19 Canal street bridge project, the board
20 might recall that we have a contract with ACOM
21 to provide engineering services for the Canal
22 Street bridge project. As part of their design
23 work to install two waterway dolphins, they
24 need to basically go through two soil borings
25 as part of their design work. The soil boring

1 work started this past Monday and work was
2 completed today around noon. One boring went
3 approximately 80 feet deep and the other around
4 a hundred feet deep. So they'll be putting a
5 soil boring report as a result of the fieldwork
6 that was done this week.

7 The Army Corps of Engineers dredging
8 project, the 2020 dredging season was completed
9 on December 13th. The Corps board report is in
10 your packet, and Corps manager, Mike Nguyen,
11 will be giving an update report to the board.

12 The section 10 permit, the INDOT permit
13 related to the canal booms has been renewed.
14 Attorney Gregory will provide an update on this
15 and other various legal matters.

16 So we did update our website with the 2021
17 board meeting dates and times, and it's also
18 reflecting that our meetings will be done via
19 video and phone attendance. Officer elections
20 and finance committee and investing officer
21 appointments are on today's agenda. And that
22 concludes my report.

23 MR. FEKETE: Any questions for Mr. Trevino?

24 (No response)

25 MR. FEKETE: I'd highlight the fact that your

1 last comment made reference to the investment
2 officer. It's not an elected position but an
3 appointed position and will be presented when we
4 discuss the finance committee.

5 MR. TREVINO: Yes.

6 MR. FEKETE: John, the next order of business
7 is, in fact, the election of officers. The first
8 position is for president. At this point in time,
9 I'd like to hand the gavel over to Henry
10 Rodriguez.

11 MR. HENRY RODRIGUEZ: Mr. Fekete, are there
12 any nominations for president of the East Chicago
13 Waterway District?

14 MR. PATRICK RODRIGUEZ: I'd like to nominate
15 Mr. John Fekete as president of the East Chicago
16 Waterway Management District.

17 MR. HENRY RODRIGUEZ: Okay. It's John
18 Fekete. Are there any other nominations?

19 MR. PATRICK RODRIGUEZ: You've got to have a
20 second, Henry.

21 MR. HENRY RODRIGUEZ: Okay. Do we have a
22 second?

23 (No response.)

24 MR. LOPEZ: You don't need a second, but I'll
25 second it.

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1 MR. HENRY RODRIGUEZ: Okay. Ray, second. We
2 have a first and we have a second.

3 I guess since we have no other
4 nominations, John Fekete would continue to be
5 president of this board.

6 MR. FEKETE: Thank you.

7 MR. HENRY RODRIGUEZ: I hand it back to John.

8 MR. FEKETE: Thank you. The next position is
9 vice president.

10 MR. PATRICK RODRIGUEZ: Mr. President, I
11 would like to nominate Mr. Kevin Doyle as vice
12 president of the East Chicago Waterway Management
13 District.

14 MR. FEKETE: Thank you. Are there any other
15 nominations?

16 MR. HENRY RODRIGUEZ: I second that on Kevin
17 Doyle.

18 MR. FEKETE: Okay. Hearing no other
19 nomination and having a motion and a second, Kevin
20 Doyle is the vice president.

21 The next position is secretary.

22 MR. PATRICK RODRIGUEZ: Mr. President, I'd
23 like to nominate Henry Rodriguez as the secretary
24 of the East Chicago Waterway Management District.

25 MR. FEKETE: Any other nominations?

1 (No response).

2 MR. FEKETE: Hearing none, Henry Rodriguez is
3 the secretary of the East Chicago Waterway
4 Management District.

5 The next position is treasurer and fiscal
6 officer.

7 MR. PATRICK RODRIGUEZ: Mr. President, I'd
8 like to nominate Mr. Ray Lopez as treasurer and
9 financial officer for the East Chicago Waterway
10 Management District.

11 MR. FEKETE: Are there any other nominations?

12 (No response)

13 MR. FEKETE: Hearing none, Mr. Lopez is the
14 treasurer and fiscal officer of the East Chicago
15 Waterway Management District.

16 Moving on to the appointment of finance
17 committee members and chairperson. It's up to
18 me to make the appointments. I nominate myself
19 as chairman and investment officer.

20 Kevin Doyle is a member of the committee and so
21 is Ray Lopez.

22 The next order of business is the approval
23 consideration of the board minutes for our last
24 meeting, which was December 16, 2020.

25 MR. LOPEZ: Motion to accept.

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1 MR. FEKETE: Do we have a second?

2 MR. PATRICK RODRIGUEZ: I'll second.

3 MR. FEKETE: We'll have a roll call.

4 John Bakota?

5 (No response).

6 MR. FEKETE: Henry Rodriguez?

7 MR. HENRY RODRIGUEZ: Yes.

8 MR. FEKETE: Patrick Rodriguez?

9 MR. PATRICK RODRIGUEZ: Yes.

10 MR. FEKETE: Ted Zagar?

11 (No response)

12 MR. FEKETE: Kevin Doyle?

13 (No response)

14 MR. FEKETE: Ray Lopez?

15 MR. LOPEZ: Yes.

16 MR. FEKETE: John Fekete, I vote yes.

17 The next order of business is the
18 accountant consulting report. Is Mr. Anderson
19 available?

20 MR. ANDERSON: I am here. Can you hear me?
21 Hello.

22 MR. LOPEZ: Yes.

23 MR. ANDERSON: In your board packet you have
24 our financial report through December 31st. Does
25 everybody have that?

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1 MR. FEKETE: Uh-huh.

2 MR. LOPEZ: I don't have a copy but you'll
3 send me one.

4 MR. TREVINO: It's included in your board
5 packet, but I can send you a hard copy.

6 MR. LOPEZ: When I printed it out, I don't
7 have it.

8 MR. ANDERSON: I got it in late. We had an
9 extra page this month.

10 The first page with numbers on it is
11 Page 2, and that shows our cash receipts and
12 disbursements for the year now, January through
13 December. Cash receipts, interest income,
14 \$43,000; user fees, 357,000; and then we
15 transferred some money from the trust for our
16 budget. So our total cash receipts \$678,000
17 for the year, and spent \$372-. And you can see
18 the lines as to what we spent the money on.
19 The increase in cash for the year was \$305,000.
20 So we started the year with \$3.6 million in the
21 accounts, and we ended the year with
22 \$3.9 million in our operating accounts.

23 So the balances are below on Page 2. We
24 have \$722,000 in our operating checking
25 account, \$1.6 million in the user fee checking

1 account, and certificates of deposit of a
2 million and a half. And these are not trust
3 assets. These are the three accounts that the
4 Waterway has mostly from user fees over the
5 years.

6 The next page, Page 3, pretty much the
7 same thing, shows the different accounts and
8 how we got to the year end balances in those
9 accounts. So then there's two pages, Pages 4
10 and 5, that are a little cumbersome in the
11 first month of the year. So you have a claims
12 docket before you that's got a total of
13 \$32,000. Some of those are December payables,
14 and some are for January and February of 2021.
15 So we have to show you -- at least I feel like
16 we do -- that you have budget available to
17 cover these expenses. So the first one,
18 Page 4 -- and I see it has a cell problem.

19 MR. TREVINO: Yeah.

20 MR. ANDERSON: I'll get you revised copies,
21 Fernando. But the balance of those lines on our
22 budget are all positive. So the first group, the
23 \$30,000 that's on the claims docket that's related
24 to 2020, you've got plenty of unused budget to
25 cover that \$30,000 in expenditures.

1 And then the next page, Page 5 -- we pay
2 one bill for rent. That was actually for 2021,
3 and we've got plenty of budget to cover that as
4 well.

5 So I just wanted to show you guys that of
6 the \$32,000 that's on the claim docket, you've
7 got plenty of budget to cover all of it. So I
8 think that's important for the board to know.

9 So you guys can approve the claims docket.
10 There's plenty of budget. And it's just this
11 one month it's kind of screwy because you have
12 to look at basically both years' budget because
13 not all of the checks you're writing today are
14 for 2020. There's one that's for 2021.

15 MR. FEKETE: It's for?

16 MR. ANDERSON: The rent.

17 MR. FEKETE: The rent.

18 MR. ANDERSON: Yeah. I have to make it
19 complicated, right? So any questions on the
20 accounts? We've reconciled the accounts every
21 month, and we actually load up the bank statements
22 into Gateway for the state board each month. We
23 will be doing the special district annual report.
24 I believe it's due end of February. We'll put
25 that in there again, and then we file a trust

1 return for the trust, Form 1041. And we'll be
2 doing all that before April 15th. So that's all I
3 have, Mr. Chairman.

4 MR. LOPEZ: Can I make a comment? I want to
5 thank Tim for all he's done for us for the last
6 year. And you're always coming up with something,
7 but you're always there for us. I appreciate it.
8 Thank you so much.

9 MR. ANDERSON: Thank you.

10 MR. FEKETE: Very good. Any questions?

11 MR. PATRICK RODRIGUEZ: This is Patrick. So,
12 Tim, what you're saying is because we're carrying
13 over the debts from December to January, that's
14 why the pay out is so high, the bills; is that
15 correct?

16 MR. ANDERSON: No. I don't know that the
17 bills are any higher than they usually are. I
18 just wanted to explain to you why there's an extra
19 page. Our expenditures -- that's a good question.
20 If you look at Page 3 of that report, you'll see
21 what our cash disbursements are each month, and
22 I -- it looks like the highest was \$56,000 back in
23 June. Now we sort of average like 30- a month.
24 So it was kind of an average month. The way it
25 works is you take your payables and sort of add it

1 to your appropriation for the following year. So
2 presuming you have budget to cover those payables,
3 you get to add that unused budget to the next
4 year's budget so that you don't -- you know, what
5 I mean?

6 MR. PATRICK RODRIGUEZ: Yeah, I follow you.

7 MR. ANDERSON: So that a 2020 disbursement is
8 not going to make you go over budget for 2021 just
9 because you didn't have the invoice in hand at the
10 end of the year. So it's kind of tricky. I never
11 want you guys to write a check when you don't have
12 budget for it, and I went to lengths here to make
13 sure you understood you have budget to cover every
14 check you wrote. So next month it will be a
15 non-issue because next month the bills will be for
16 all 2021.

17 MR. PATRICK RODRIGUEZ: I got you. Thank
18 you, Tim.

19 MR. TREVINO: Yeah. The one distinction
20 that, as Tim mentioned, the invoices, all the
21 invoices except the rent were for services
22 rendered from 2020. The rent is for January and
23 February of 2021; so that's why those will go
24 against the 2021 budget.

25 MR. PATRICK RODRIGUEZ: Got it.

1 MR. ANDERSON: Correct.

2 MR. PATRICK RODRIGUEZ: Thank you, gentlemen,
3 for the clarification.

4 MR. ANDERSON: Fernando, I'll get you a new
5 Page 4 that doesn't -- it looks like there's some
6 problem with the cell. I apologize. We'll get
7 you a revised one.

8 MR. TREVINO: Yeah, so you'll just send the
9 whole report as one, right?

10 MR. ANDERSON: Correct.

11 MR. TREVINO: Thank you.

12 MR. LOPEZ: Fernando, don't forget to send me
13 a copy because it wasn't in my minutes when I
14 copied it.

15 MR. ANDERSON: It's not Fernando's fault. I
16 got it in late because of that extra page. Nobody
17 was counting on having an extra page this month,
18 so I had to draft it myself.

19 MR. LOPEZ: Okay. You can e-mail it to me
20 and then I'll have a copy.

21 MR. TREVINO: I'll e-mail the updated report
22 to the full board.

23 MR. FEKETE: Okay. Thank you, Mr. Anderson.

24 MR. ANDERSON: Thank you.

25 MR. FEKETE: The next order of business is

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1 the approval of the presented claim voucher dated
2 January 20, 2021.

3 MR. PATRICK RODRIGUEZ: So moved. Patrick.

4 MR. FEKETE: We have a motion.

5 MR. PATRICK RODRIGUEZ: So moved.

6 MR. FEKETE: And a second?

7 MR. HENRY RODRIGUEZ: Second?

8 MR. FEKETE: We have a second.

9 MR. LOPEZ: Second.

10 MR. FEKETE: We'll have a roll call vote.

11 John Bakota?

12 (No response)

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 (No response).

19 MR. FEKETE: Kevin Doyle?

20 (No response).

21 MR. FEKETE: Ray Lopez?

22 MR. LOPEZ: Yes.

23 MR. FEKETE: John Fekete, I vote yes. That
24 motion is approved.

25 The next order of business is the approval

1 consideration for the CliftonLarsonAllen 2021
2 engagement. Do I have a motion to approve the
3 engagement letter.?

4 MR. HENRY RODRIGUEZ: I make a motion to
5 approve.

6 MR. FEKETE: And do we have a second?

7 MR. PATRICK RODRIGUEZ: This is Patrick.
8 Second.

9 MR. FEKETE: Any discussion?

10 (No response).

11 MR. FEKETE: Hearing none, roll call vote.
12 John Bakota?

13 (No response)

14 MR. FEKETE: Henry Rodriguez?

15 MR. HENRY RODRIGUEZ: Yes.

16 MR. FEKETE: Patrick Rodriguez?

17 MR. PATRICK RODRIGUEZ: Yes.

18 MR. FEKETE: Ted Zagar?

19 (No response)

20 MR. FEKETE: Kevin Doyle?

21 (No response).

22 MR. FEKETE: Ray Lopez?

23 MR. LOPEZ: Yes.

24 MR. FEKETE: John Fekete, I vote yes. That
25 motion is approved.

1 The next order of business is the approval
2 consideration for the reimbursement of costs
3 from BP regarding the transfer of properties.
4 We have the letter before you. Do I have a
5 motion to approve?

6 MR. LOPEZ: Motion to approve, Lopez.

7 MR. FEKETE: Okay. Do I have a second?

8 MR. HENRY RODRIGUEZ: Second. Henry
9 Rodriguez.

10 MR. FEKETE: Okay. Any questions?

11 (No response).

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

13 (No response).

14 MR. FEKETE: Henry Rodriguez?

15 MR. HENRY RODRIGUEZ: Yes.

16 MR. FEKETE: Patrick Rodriguez?

17 MR. PATRICK RODRIGUEZ: Yes.

18 MR. FEKETE: Ted Zagar?

19 (No response).

20 MR. FEKETE: Kevin Doyle?

21 (No response).

22 MR. FEKETE: Ray Lopez?

23 MR. LOPEZ: Yes.

24 MR. FEKETE: John Fekete, I vote yes.

25 Our next order of business is the BMO

1 Harris trust report, Mr. Trevino.

2 MR. TREVINO: Yes. Just a quick review of
3 the BMO trust documents sent over to us by
4 Mr. David Alonzo. Page 1 highlights the
5 historical value of the trust since 1997 and the
6 distributions of each year. The current value of
7 the trust is approximately \$4.574 million. The
8 increase of \$24,732 from the last meeting is for
9 interest that was accrued from the 13-month CD.

10 Page 3 shows the values of the money
11 market CDs. And again a copy of the letter of
12 direction that was approved is in your board
13 packet and it has a 13-month CD at .25 percent.
14 And that's for \$1.2 million, and then the
15 balance would be put into the money market.
16 The current value of the money market is
17 \$874,383.

18 Any questions? As we've practiced in the
19 past, we try to keep approximately \$500,000
20 liquid in the money market. So with the 874-
21 once we subtract the dollars that are needed
22 for the 2021 budget, we'll have approximately
23 \$500,000 in the money market. And the next CD
24 maturity will be on July 25th of this year.

25 And that concludes the BMO trust report.

1 MR. FEKETE: Okay. Did you want to mention
2 the change in the interest rate?

3 MR. TREVINO: Yeah. So on your agenda as
4 part of the BMO trust report there is an action
5 for the approval to ratify the BMO CD rate at
6 .25 percent. So if the board would like to ratify
7 that.

8 MR. LOPEZ: Motion to approve.

9 MR. FEKETE: We have a motion. Do we have a
10 second?

11 MR. HENRY RODRIGUEZ: Second. Henry
12 Rodriguez.

13 MR. FEKETE: Okay. Any questions?

14 (No response).

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

16 (No response).

17 MR. FEKETE: Henry Rodriguez?

18 MR. HENRY RODRIGUEZ: Yes.

19 MR. FEKETE: Patrick Rodriguez?

20 MR. PATRICK RODRIGUEZ: Yes.

21 MR. FEKETE: Kevin Doyle?

22 (No response).

23 MR. FEKETE: Ray Lopez?

24 MR. LOPEZ: Yes.

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

1 motion is approved.

2 The next order of business would be the
3 Attorney Ellen Gregory report.

4 MS. GREGORY: Ellen Gregory, with Ellen
5 Gregory Law. The legal matters that have been
6 ongoing over the past month include, as Fernando
7 had mentioned, the PCA amendments have been routed
8 through the Corps. We're still waiting on an
9 answer from them. Property transfer discussions
10 are ongoing with BP. And the letter agreement
11 that Fernando mentioned in the board packet today,
12 that relates to reimbursement for ECWMD's costs
13 related to that process. We are continuing to
14 have periodic group calls with IDEM and EPA to
15 resolve ongoing RICRA closure issues for E.C.I.
16 properties. The INDOT permit, which is for
17 authorization to attach absorbent boom on the
18 Indianapolis Boulevard bridge, was extended and it
19 is now set to expire on January 18, 2022. And we
20 continue to have negotiations with the GLLA
21 project group related to the fourth modification
22 of the project agreement.

23 And that's all I have.

24 MR. FEKETE: Any questions for Miss Gregory?

25 (No response).

1 MR. FEKETE: Thank you very much. Next order
2 of business is the U.S. Army Corps of Engineers
3 report, Mr. Trevino.

4 MR. TREVINO: Okay.

5 MR. NGUYEN: This is Mike Nguyen. I'm on for
6 the Army Corps of Engineers. I was off last month
7 because I had to take vacation time before the end
8 of the year.

9 So for my report: Dredging was completed
10 on December 13th, and we completed the post
11 dredge survey for final payments. The total
12 volume that we removed was 125,689 cubic yards.
13 As each one we removed 21,433 cubic yards.
14 Reach 13 we removed 51,709 cubic yards. And
15 the LTV, which was a continuation of last
16 year's dredging we removed 28,743 cubic yards.
17 But the contractor did not receive additional
18 payments. They only received payments for the
19 20,212 cubic yards that was the volume that we
20 placed. They didn't get the additional payment
21 for the over dredge.

22 For the Lake George canal east, we removed
23 23,804 cubic yards.

24 For the oil boom coordination, nothing to
25 report.

1 The PCA revision, the PCA amendment is
2 still at USACE headquarters for review, and we
3 received some comments, and we provided
4 responses to those comments. And we haven't
5 received any other comments since probably the
6 5th of January.

7 And for the Lake George, we completed that
8 dredging on December 13 with 23,804 cubic
9 yards.

10 For the Feddler parcel, nothing new to
11 report. We're still currently reviewing the
12 information. And the Parkway improvements,
13 we're still working on contract closeout. And
14 that's all I have.

15 MR. FEKETE: Okay.

16 MR. NGUYEN: Any other questions?

17 MR. FEKETE: Any questions for Mr. Nguyen?

18 (No response).

19 MR. FEKETE: Thank you very much, Michael.

20 MR. NGUYEN: And I have one more. So since
21 dredging has stopped, I will still continue to
22 submit my monthly reports, but I won't be calling
23 into this meeting until probably the beginning of
24 March or April when the CDF dike raise starts.
25 And then at that point, I'll go brief on the

1 progress of the construction.

2 MR. FEKETE: Okay. We'll miss you.

3 MR. NGUYEN: Hopefully, we'll be seeing each
4 other in person by then.

5 MR. FEKETE: Looking forward to that. Okay.
6 Any new business to come before the board?

7 (No response).

8 MR. FEKETE: Any other business?

9 (No response).

10 MR. FEKETE: Okay. Any public comments?

11 (No response).

12 MR. FEKETE: Hearing none, our next board
13 meeting is February 17, 2021. Presumably, it will
14 be a Zoom meeting. With that I'll call for an
15 adjournment, a motion for adjournment.

16 MR. PATRICK RODRIGUEZ: So moved.

17 MR. FEKETE: Seconded. Okay.

18 All in favor, signify by saying aye.

19 (All signified "aye").

20 MR. FEKETE: This meeting is adjourned.

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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 on the aforementioned date, time, and location, for the East Chicago Waterway Management District Board of Directors' Meeting.

I further certify that I then and there reported in machine shorthand the proceedings of said Special Meeting, 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 the proceedings.

I further certify that I am not related by blood or marriage to any of the parties, nor am I an employee of any of the parties or of their attorneys or agents, nor am I interested in any way, financially or otherwise, in the outcome of said litigation.

Dated this 15th day of February, 2021.



Dawn M. Iseminger, RPR
My Commission expires: 9/22/2025



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