

In the Matter Of:
East Chicago Waterway Management

DISTRICT BOARD OF DIRECTORS MEETING

November 17, 2021



Iseminger & Associates, Inc.
877-337-7379

EAST CHICAGO WATERWAY MANAGEMENT

DISTRICT BOARD OF DIRECTORS

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

November 17th, 2021

Wednesday, 5:00 p.m.

Transcript of the proceedings had in the
above-entitled matter, on the 17th day of November,
2021, at 5:00 p.m., at the City of East Chicago,
Engineering/Annex Building, 4444 Railroad Avenue,
East Chicago, Indiana, via Zoom/Telephonic Conference
before Pamela C. Mokrzycki, Certified Shorthand
Reporter and Notary Public 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. RAYMOND LOPEZ, SR., Treasurer and
Fiscal Officer

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,
via Zoom

MR. TIMOTHY ANDERSON,
BMO Harris

MR. MICHAEL NGUYEN,
Army Corps of Engineers

* * * * *

District Board of Directors Meeting
11/17/2021

1 MR. FEKETE: We call the meeting to
2 order.

3 MR. TREVINO: Okay.

4 MR. FEKETE: Call to order the East
5 Chicago Waterway Management District
6 Special Board Meeting. Today's date is
7 November 17th, and the time is 5:05.

8 The first order of business is the
9 roll call. Um -- John Bakota?

10 MR. BAKOTA: Here.

11 MR. FEKETE: Henry Rodriguez?

12 MR. RODRIGUEZ: Here.

13 MR. FEKETE: Patrick Rodriguez?

14 (No response.)

15 MR. FEKETE: Ted Zaygar?

16 (No response.)

17 MR. FEKETE: Kevin Doyle?

18 (No response.)

19 MR. FEKETE: Ray Lopez?

20 MR. LOPEZ: Here.

21 MR. FEKETE: John Fekete? Here.

22 We have a quorum.

23 Executive Directors' Report,

24 Mr. Trevino.

25 MR. TREVINO: Yes, Fernando Trevino,

District Board of Directors Meeting
11/17/2021

1 with FMT Consulting.

2 I would like to start off by going
3 over the contents of your board packet.

4 You have the board agenda for today's
5 board meeting, the public meeting notice
6 for today's meeting.

7 You have the board minutes for the
8 regular board meeting held on October 20th.
9 And you also have the board minutes for the
10 special board meeting held on November 1st.
11 And, of course, both of 2021.

12 You have the Clifton Larson Allen
13 financial statements report dated
14 October 31st.

15 You have the claim docket for
16 today's board meeting dated November 17th,
17 2021, along with the purchase orders and
18 also a copy of the checklist and the checks
19 that are affiliated with today's claim
20 docket.

21 Let's see. You have First Merchant
22 Bank statements for the month of October
23 of 2021 for accounts ending in 608 and 616.
24 And they were -- You don't have copies of
25 the checks that were cashed for this month

1 because you might recall that we didn't
2 have a quorum on the October 20th meeting
3 so we had to approve the claim docket
4 November 1st. So those checks will show
5 up in the November statement.

6 And you also have the user fee
7 deposit memo that was done in October,
8 which is October 5th, 2021.

9 You have a settlement agreement
10 between the District of East Chicago and
11 the Corps along with the affiliated tolling
12 agreement.

13 You have BMO's ECI Facility Trust
14 Report dated October 31st, 2021.

15 You have Attorney Ellen Gregory's
16 report to the board with a revision date
17 of November 16th, 2021.

18 You have a copy of the Army Corps
19 of Engineers report to the board dated
20 October 17th, 2021.

21 You have Tetra Tech's progress
22 report for November. And the report date
23 is November 15th, 2021.

24 And that concludes the items in
25 your board pocket.

1 To go over a few things to report
2 to the board.

3 So at the conclusion of our special
4 board meeting on November 1st we requested
5 the minutes to be expedited and there is a
6 fee for minutes to be expedited. However,
7 the expedited fee is not part of the
8 contract. So I am going to ask the board
9 to approve the additional cost which is
10 around \$33.00 and some change. So it's less
11 than fifty bucks.

12 Also in your board packet -- or
13 maybe it wasn't, but also the Lakeshore
14 Chamber of Commerce Business Expo luncheon
15 is tomorrow. So in the past the board has
16 approved any board member here, including
17 myself, who is interested in attending.
18 Last year Ray and I attended. This year,
19 however, I won't be able to attend. So if
20 there is any board member interested, you
21 know, let us know. And if the board wants
22 to be consistent with prior years we could
23 approve their payments for that attendance.

24 Regarding the finances, the board
25 approved the 2022 budget at our November

1 1st Special Board Meeting. And I have
2 sent the 2022 Trust Budget Approval Request
3 to both IDEM and EPA. And the board was
4 copied on that email.

5 Regarding user fees just you might
6 recall that in 2021 our user fee collection
7 was at one-hundred percent when you factor
8 in the settlement of the M & M Management
9 user fee. We will be working on the 2022
10 user fees and we hope to have a proposed
11 2022 user fee rate at the December board
12 meeting.

13 Regarding the PCA Amendment, the
14 Corps has asked if we are interested in
15 a PCA Amendment signing ceremony. This
16 is really good news and that at least
17 conceptually it means that the Corps
18 has approved the last draft of the PCA
19 Amendment. We have informed the Corps
20 that we are interested in a signing
21 ceremony. So we are waiting to hear
22 back from the Corps on any developments
23 regarding the signing ceremony.

24 Regarding the Great Lakes Legacy
25 Act Project, the Lake George Canal Middle

1 and East Project, the sheet pile wall
2 ninety percent design is ongoing. A
3 technical project team meeting was held
4 on October 27th where BP presented a summary
5 of the sheet pile wall design and also BP
6 is scheduled to present the sheet pile wall
7 design summary to the City's Technical
8 Review Committee on December 8th and
9 construction of the sheet pile wall is
10 forecasted to be done by the end of 2023.

11 Regarding the Lake George Canal
12 East section it's a reminder that Phase I
13 dredging was completed at the end of 2020.

14 Phase II dredging is on pause until
15 the completion of the sheet pile wall design
16 -- construction.

17 Regarding the Lake George Canal
18 Middle Cat Project the Army Corps has
19 awarded the construction project to Brennen
20 and they just recently issued a notice to
21 proceed.

22 BP Pipeline Removal Project. The BP
23 south tank farm pipeline project and west
24 tank farm pipeline removal project is
25 completed. And the project team is going

1 through the process of finalizing the
2 project report for the west tank farm
3 portion of that.

4 Regarding the Grand Cal' River
5 Junction Reaches remedial design the Tetra
6 Tech design work is ongoing. The project
7 team continues to have periodic meetings
8 advancing the design work. Some of the
9 things that we have been working on include
10 assessing the design impact from the two
11 wetlands, review and coordination of the
12 access needs and agreements. Section 106
13 permit coordination. And the bathymetric
14 survey. The project team continues to
15 review cost share calculations affiliated
16 with the PCA and the tipping fee amendments
17 -- agreement amendments which will be used
18 to leverage EPA funds for the remediation
19 phase of that project area.

20 Regarding the work in-kind reporting
21 I submitted a 2021 semi-annual report on
22 behalf of the District and that was sent to
23 EPA on September 1st. And the board was
24 copied on that email. And we have not heard
25 any other comments or feedback from EPA.

1 It is going through their review process.

2 Regarding the Lake George Canal West
3 Project, the project agreement has been
4 fully executed between EPA and BP. BP is
5 the only non-federal partner on this section
6 of the waterway and field activity is
7 ongoing.

8 Regarding the Canal Street Bridge
9 Project, the design of two dolphins in
10 the waterway is ongoing. We are working
11 through the permitting efforts with the
12 appropriate agencies. Before we can be
13 issued any permits from the Corps we need
14 to settle a prior standing violation that
15 had to deal with the improper demolition
16 and removal of the old bridge. And in
17 order to resolve that violation the
18 District and the City will have to enter
19 into a settlement agreement with the Army
20 Corps of Engineers.

21 Since our last meeting that settlement
22 agreement and the affiliated tolling
23 agreement has been finalized. The
24 agreements have been reviewed and approved
25 already by the City. And also signed by

1 the City. And copies of those agreements
2 are in your board packet and/or on the
3 agenda for your approval consideration.

4 Regarding the parcels that BP has
5 inquired about and they are interested
6 in acquiring we continue to periodic
7 meetings with BP to advance that effort.

8 You might recall that the District
9 contracted with two appraisers to develop
10 appraisal reports for these properties.
11 We had drafts from the report -- from the
12 appraisers and BP has reviewed the appraisal
13 report and they have -- we received their
14 comments and the two appraisal reports
15 have now been finalized and I plan to mail
16 copies to the board by Friday.

17 The Army Corps Report to the board
18 is in your packet. And Mr. Mike Nguyen
19 is in attendance to give an update to the
20 board regarding the Corps projects.

21 And Attorney Gregory will be giving
22 an update on various legal matters.

23 And that concludes my report.

24 MR. FEKETE: Any questions for
25 Mr. Trevino?

District Board of Directors Meeting
11/17/2021

1 (No response.)

2 MR. FEKETE: Okay. Hearing none we
3 will move on to the approval consideration
4 of the board meeting notes for both October
5 20, 2021, and the Special Board Meeting on
6 November 1st, 2021.

7 MR. BAKOTA: Motion to approve.

8 MR. LOPEZ: Second.

9 MR. FEKETE: We have a motion and a
10 second. And I will just make a note since
11 all board members are in attendance we will
12 do it by voice vote.

13 All in favor signify by saying aye.

14 ALL: Aye.

15 MR. FEKETE: Any opposition,
16 abstentions?

17 (No response.)

18 MR. FEKETE: Hearing none the
19 motion is passed.

20 MR. BAKOTA: And just as an overlook
21 I didn't get the minutes on the --

22 MR. FEKETE: No, neither did I.

23 MR. BAKOTA: Yeah.

24 MR. FEKETE: They came out late.

25 MR. TREVINO: Yeah, they came out in

1 the updated board packet today.

2 MR. FEKETE: Yeah, and that was after
3 I already left the house.

4 MR. BAKOTA: Yeah, I don't have it.

5 MR. FEKETE: Off the record.

6 COURT STENOGRAPHER: Okay.

7 (Brief off-the-record discussion had
8 in the proceedings.)

9 COURT STENOGRAPHER: Back on the
10 record.

11 MR. FEKETE: Okay. And you had
12 mentioned that we would hold for other
13 business, but I would rather do it now.
14 And that's the approval of the \$30.00 for
15 the -- thirty plus dollars for the expedited
16 minutes for the November 1st meeting.

17 MR. TREVINO: (Nodding.)

18 MR. FEKETE: Since we are on the
19 subject of minutes.

20 MR. TREVINO: Yeah.

21 MR. FEKETE: I would like to clarify
22 that. Do I have a motion to approve?

23 MR. LOPEZ: I make the motion to
24 approve.

25 MR. FEKETE: Okay.

District Board of Directors Meeting
11/17/2021

1 MR. TREVINO: (Nodding.)

2 MR. FEKETE: Do I have a second?

3 MR. RODRIGUEZ: Second.

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

6 ALL: Aye.

7 MR. FEKETE: Any oppositions,
8 abstentions?

9 (No response.)

10 MR. FEKETE: Hearing none that
11 motion is approved.

12 Okay. The next order of business
13 is the accounting consultant report,
14 Mr. Anderson.

15 MR. ANDERSON: Yes, can you guys
16 hear me okay?

17 MR. FEKETE: Yeah.

18 MR. LOPEZ: Yeah.

19 MR. ANDERSON: And you all have a
20 copy of the October financial statements?

21 MR. FEKETE: Yes.

22 MR. ANDERSON: Excellent. Okay.

23 So these financials are as of October
24 31st. The first page with numbers on it is
25 called the Statement of Cash receipts and

1 the Cash Disbursements. And this shows
2 the money that has come in for the ten
3 months ended October 31st, \$5,492.00 in
4 interest.

5 The user fees, \$360,000.00, and
6 then we get the transfer from the trust.
7 So our cash receipts for 615,000 and then
8 the disbursements are listed in the -- on
9 that -- in the next section. So we have
10 had cash receipts of 615,000 and we have
11 written checks for 410. So the increase
12 in the cash balances in our accounts was
13 \$204,000. So cash at this January 1st of
14 2021 was 3.9 million. And then the cash
15 balance at October 31st is 4.1. And there
16 is a little -- on the bottom of page two
17 there is a summary of how that shakes out
18 with the operating account, the user fees,
19 and the CD that Fernando purchased with the
20 user fee excess cash.

21 Page three just shows each of those
22 accounts. The goings on each month of
23 the account. And it just summarizes
24 each one so that you can see the interest
25 that's earned on the account and the money

1 has come in and gone out.

2 The last page, the important page,
3 so this shows what our budget appropriation
4 was in the left-most column. We get to add
5 to that our unpaid payables from the prior
6 year, and then whatever budget amendments
7 that you guys have passed. So our 2021
8 total appropriation is 1.9 million. We
9 have spent \$10,000.00 to date. And then
10 you have got a claims docket before you
11 with \$78,782.00 in disbursements.

12 And then if you look at the right-most
13 column that's what we have left, basically,
14 in each of those accounts, which we watch
15 very carefully to make sure that we are not
16 getting too close. But as of October --
17 or as of November 17th, actually, we have
18 got plenty of budget on every line that we
19 have there. So banks are reconciled, all
20 tax account --

21 COURT STENOGRAPHER: I'm sorry, all
22 the tax accounts what?

23 MR. TREVINO: Tim, hold on. Can you
24 repeat the last sentence, she didn't hear
25 you?

District Board of Directors Meeting
11/17/2021

1 MR. ANDERSON: I'm sorry, I have to
2 speak into this.

3 The bank accounts have all been
4 reconciled. All the tax returns that the
5 District is required to file have been
6 filed. And we are in full compliance at
7 this point.

8 COURT STENOGRAPHER: Thank you.

9 MR. FEKETE: Okay. Any questions for
10 Mr. Anderson?

11 (No response.)

12 MR. LOPEZ: Thank you.

13 MR. FEKETE: Thank you.

14 MR. ANDERSON: Thank you, guys.

15 MR. FEKETE: Have a good Thanksgiving.

16 MR. ANDERSON: Thank you. You all
17 do the same.

18 MR. FEKETE: Thank you.

19 MR. ANDERSON: Bye.

20 MR. TREVINO: Okay.

21 MR. FEKETE: Okay. The next order
22 of business is the approval consideration
23 of the accounts payable voucher dated
24 November 17th, 2021.

25 And I will entertain a motion to

District Board of Directors Meeting
11/17/2021

1 approve.

2 MR. BAKOTA: Motion to approve.

3 MR. FEKETE: Do I have a second?

4 MR. RODRIGUEZ: A second.

5 MR. FEKETE: For this we will have
6 a roll call vote.

7 John Bakota?

8 MR. BAKOTA: Yes.

9 MR. FEKETE: Henry Rodriguez?

10 MR. RODRIGUEZ: Yes.

11 MR. FEKETE: Patrick Rodriguez?

12 (No response.)

13 MR. FEKETE: Ted Zaygar?

14 (No response.)

15 MR. FEKETE: Kevin Doyle?

16 (No response.)

17 MR. FEKETE: Ray Lopez?

18 MR. LOPEZ: Yes.

19 MR. FEKETE: John Fekete, and I vote
20 yes.

21 Okay. That's approved. And the next
22 order of business is approval consideration
23 for the Canal Street Bridge Settlement
24 Agreement and the Tolling Agreement.

25 MR. TREVINO: Ellen, did you want

1 to provide any additional updates or
2 explanation?

3 MR. FEKETE: For the record.

4 MS. GREGORY: (No response.)

5 (Ms. Gregory is speaking but there is
6 no audible.)

7 MR. TREVINO: We can't hear you,
8 Ellen.

9 COURT STENOGRAPHER: We can see that
10 your lips are moving, but we can't hear you.

11 MR. TREVINO: We can't hear you,
12 Ellen.

13 MS. GREGORY: (No response.)

14 MR. TREVINO: Are you on mute?

15 MS. GREGORY: I was on mute. Sorry.

16 COURT STENOGRAPHER: I thought I was
17 going deaf.

18 (Everyone laughing out loud.)

19 MS. GREGORY: Can you hear me?

20 COURT STENOGRAPHER: Yes.

21 MS. GREGORY: So, yes, so I will
22 provide a little bit of the background for
23 what the settlement agreements are. And
24 tell you about the status of the agreements.
25 So the Canal Street Bridge was the bridge

1 that was built back in the 1920s.

2 By 1952 it had been closed, but
3 remained still in place. As early as 1957
4 the bridge was found to be a nuisance and
5 obstruction to navigation, but nothing was
6 done about it.

7 In 1983 the Corps sent a violation
8 to the City and about three years ago in
9 2018 the District entered into an MOU, a
10 memorandum --

11 COURT STENOGRAPHER: I'm sorry, into
12 a MOU?

13 MR. TREVINO: Hang on, Ellen.

14 COURT STENOGRAPHER: We have got a
15 whistle here.

16 MR. TREVINO: Yeah, we have got a
17 train going by so it is kind of --

18 MS. GREGORY: I know.

19 MR. TREVINO: It is kind of loud.

20 COURT STENOGRAPHER: I am still
21 having a hard time so can you kind of
22 maybe slide that up a little bit.

23 MR. FEKETE: Yeah.

24 MR. TREVINO: Okay. So you won't
25 be able to see Henry now.

1 MR. FEKETE: That's okay.

2 MR. RODRIGUEZ: Yeah.

3 COURT STENOGRAPHER: So about three
4 years ago the District had entered into
5 an MOU --

6 MS. GREGORY: -- with the City of East
7 Chicago entered into an MOU -- Memoranda of
8 Understanding under the terms of which the
9 District would take the lead in coordinating
10 whatever work was required to meet the Army
11 Corps and the Coast Guard's requirements to
12 resolve the liability of the City and the
13 District and allow the Corps to proceed with
14 issuing permits in the work to install the
15 dolphins. The Corps has proposed the
16 parties including the City enter into a
17 settlement agreement. The Corps regulations
18 also require that a tolling agreement be
19 entered into. The Corps agrees not to
20 pursue the violations and to issue
21 appropriate permits for the dolphin work.
22 The local parties agree to perform the work
23 which involves installation of dolphins and
24 nighttime lighting so mariners can see the
25 dolphins and any other private aids to

1 navigation that the Coast Guard requires.
2 The local parties also agree to coordinate
3 the work with the Coast Guard. Once the
4 agreements are fully executed the Coast
5 Guard has agreed to issue a letter
6 confirming that the proposed work will
7 suffice to resolve the past violations.

8 MR. FEKETE: Thank you.

9 COURT STENOGRAPHER: Thank you.

10 MR. FEKETE: Any questions of Ellen
11 or Fernando?

12 MR. TREVINO: No. And as I mentioned
13 before these agreements have been forwarded
14 to the City already. They reviewed them,
15 approved them, and have signed them. So
16 the next step is for us to approve and sign
17 and then we will forward them to the Corps
18 for --

19 MR. FEKETE: Okay.

20 MR. TREVINO: -- for final signature.

21 MR. FEKETE: Okay. I will entertain
22 a motion to approve the aforementioned
23 agreements.

24 MR. RODRIGUEZ: Make a motion to
25 approve.

District Board of Directors Meeting
11/17/2021

1 MR. FEKETE: Do I have a second?

2 MR. BAKOTA: Second.

3 MR. FEKETE: Okay. We have a motion
4 and a second. I have a roll call vote.

5 John Bakota?

6 MR. BAKOTA: Yes.

7 MR. FEKETE: Henry Rodriguez?

8 MR. RODRIGUEZ: Yes.

9 MR. FEKETE: Patrick Rodriguez?

10 (No response.)

11 MR. FEKETE: Ted Zaygar?

12 (No response.)

13 MR. FEKETE: Kevin Doyle?

14 (No response.)

15 MR. FEKETE: Ray Lopez?

16 MR. LOPEZ: Yes.

17 MR. FEKETE: John Fekete, and I vote
18 yes.

19 That motion is approved. Okay.

20 The next order of business is the
21 U.S. Army Corps Board Report.

22 Mr. Nguyen.

23 MR. NGUYEN: Yes, this is Mike Nguyen
24 with the Army Corps of Engineers.

25 For the CDF Construction and dredging

1 update I have --

2 COURT STENOGRAPHER: For the CF
3 Construction --

4 MR. TREVINO: CDF.

5 COURT STENOGRAPHER: Okay.

6 MR. NGUYEN: For the CDF Construction
7 and dredging update I have a -- we could
8 update the contractor had demobilized the
9 barges from the time. They actually moved
10 them yesterday. So the update should be --
11 the contractor has demobilized all the
12 barges on November 16th. And there -- And
13 for the dike raise contract the Corps
14 received additional funds and we awarded
15 the remaining option on the dike raise
16 contract to raise the dike --

17 MR. FEKETE: I'm sorry, to raise the
18 dike --

19 MR. TREVINO: Hold on, Mike, can you
20 back up a little bit?

21 MR. NGUYEN: -- raise the dike
22 to the full height of an additional
23 eleven feet. And we awarded that option
24 on 29, October. The construction is
25 currently ongoing. Okay?

1 The next update for the oil boom
2 there is nothing to report.

3 COURT STENOGRAPHER: I'm sorry, the
4 next update for the --

5 MR. TREVINO: For the oil boom.

6 COURT STENOGRAPHER: Okay.

7 MR. NGUYEN: The next update for the
8 oil boom there is nothing to report.

9 COURT STENOGRAPHER: Okay.

10 MR. NGUYEN: For the PCA we received
11 the certification from the local sponsor
12 and the certification of authority and
13 certification regarding lobbying.

14 The PCA Amendment package is currently
15 at the AFACW. The Assistant Secretary of
16 the Army Civil Works office and they are
17 currently reviewing the package.

18 And for the Feddler parcel the Corps
19 real estate staff requested additional
20 information for the LERR credit, LERR
21 spelled L-E-R-R credit and we received it
22 on the 24th of July. The Corps is -- The
23 Corps received an updated letter from ECWD
24 on 18, May, with the correct amount and we
25 are finalizing our review of the LERR's

1 credit.

2 And for the Parkway Improvement
3 Contract we're still working on the close
4 down of that contract. The contractor has
5 continued to submit some request for
6 equitable adjustment which have been
7 denying those requests and we are trying
8 to move forward on closing out the contract.

9 And that's all that I have for the
10 Corps report.

11 MR. TREVINO: Okay.

12 MR. FEKETE: Any questions for
13 Mr. Nguyen, wherever you are. There you
14 are.

15 COURT STENOGRAPHER: Sorry.

16 (No response.)

17 MR. FEKETE: No, that's okay.

18 Hearing none, I thank you Mr. Nguyen.

19 MR. NGUYEN: Okay.

20 MR. FEKETE: And have a great
21 Thanksgiving.

22 MR. NGUYEN: Okay. And just to let
23 the board know I have a lot of vacation
24 time that I will be using up next month
25 so I up not be attending the board meeting.

1 MR. FEKETE: Well, enjoy your
2 vacation.

3 MR. NGUYEN: Okay. Thanks everyone.

4 MR. TREVINO: Thanks, Mike.

5 MR. FEKETE: Okay. The next order
6 of business is the Attorney Ellen Gregory
7 report.

8 MS. GREGORY: Ellen Gregory with
9 Ellen Gregory Law.

10 Nothing new to add on the PCA. Both
11 Fernando and Mike Nguyen mentioned that
12 the PCA amendments are with the Corps. We
13 expect positive response on that shortly.

14 Nothing new to add beyond what I have
15 already reported on the Canal Street Bridge
16 and the agreements that are in the board
17 packet.

18 The property transfer as Fernando
19 mentioned we continue to have periodic
20 calls with BP including Jim Wieser.

21 There is also a letter agreement
22 with BP that was entered into earlier this
23 year regarding reimbursing the District for
24 costs related to the property transfer work.
25 That letter agreement covered only through

1 the end of the 2021 calendar year,
2 therefore, we are going to be going back
3 and modifying that letter agreement so that
4 it will include work going into 2022 since
5 the property transfer work will not be
6 completed before the end of year. That
7 modified agreement should be ready and
8 presented to the board at the (indicating)
9 board meeting.

10 And that's all that I have.

11 MR. FEKETE: Okay. And that concludes
12 your report.

13 MS. GREGORY: (No response.)

14 MR. TREVINO: Does that conclude your
15 report?

16 MS. GREGORY: Yes, that's it.

17 MR. FEKETE: Okay. Any questions for
18 Ms. Gregory?

19 (No response.)

20 MR. FEKETE: Thank you very much.

21 Any new business to come before the
22 board?

23 (No response.)

24 MR. FEKETE: The one thing that we
25 didn't cover was a quick summary on either

1 BMO Harris or our bank statements.

2 MR. TREVINO: Yeah, you want me to do
3 that?

4 MR. FEKETE: Yeah, if you would.

5 MR. LOPEZ: I said the same thing, he
6 missed it.

7 MR. TREVINO: Let me call it up.
8 Okay?

9 So a quick summary on the BMO Trust
10 report page one highlights the historical
11 value of the trust since 1997. And also
12 the distributions each year since '97.

13 Page two, the current value of the
14 trust was 4.5 million as of October 31st.
15 The increase of \$93,979.05 from in the last
16 meeting was from a deposit on October 18th.

17 There was an interest earned of
18 \$135.79 in the month of October from the
19 money market as a part of the total
20 increase.

21 Page three shows the values of the
22 money market and CDs. The only remaining
23 CD matures on January 31st of 2022.

24 Rates on short-term CDs are still
25 equivalent to rates on the money market and,

1 you know, that's basically why we have left
2 the money in the money market --

3 MR. FEKETE: Uh-huh.

4 MR. TREVINO: -- because there is
5 no value in locking it in for a duration
6 since the rates are the same. So that way
7 it would be -- So that if something comes
8 up and we need it.

9 MR. FEKETE: Okay. How about First
10 Merchants?

11 MR. TREVINO: Yeah.

12 MR. FEKETE: Just an overview.

13 MR. TREVINO: Yeah. So I mentioned
14 that the First Merchants Bank statements
15 are in your packet. And these are -- These
16 statements are summarized in Tim's report.

17 MR. FEKETE: Okay.

18 MR. TREVINO: So these are reconciled
19 in the financials that Tim Anderson reports
20 on. So account ending in 608 at the end of
21 October was 1.569 million and some change.
22 And the account ending in 616 at the end of
23 October is \$1,000,076.00 and some change.

24 And then the -- So for whatever
25 reason the CD report is not in here, but it

1 was summarized in Tim's report.

2 And also I wanted to note that board
3 member Bakota mentioned that the minutes
4 were not in the original board packet, but
5 I did -- one of the minutes weren't
6 received until today along with the
7 financial statement from Tim. So those
8 were included in the packet and resent
9 this afternoon.

10 MR. FEKETE: (Nodding.)

11 MR. TREVINO: So in your email you
12 should have the revised and updated board
13 packet which includes the minutes and the
14 financials from Tim Anderson.

15 MR. FEKETE: Okay. Very good. Any
16 other business to come before the board?

17 (No response.)

18 MR. FEKETE: Any public comments?

19 (No response.)

20 MR. LOPEZ: Everybody have a nice
21 Thanksgiving. Get fat.

22 MR. FEKETE: Likewise.

23 MR. TREVINO: Yeah, Happy
24 Thanksgiving, everyone.

25 MR. FEKETE: And hearing no other

1 comments -- And for the record we did
2 acknowledge a good Thanksgiving for all.

3 The next board meeting will be
4 December 15th, 2021 at 5:00 p.m. This
5 meeting is adjourned.

6 Thank you.

7 MR. BAKOTA: Good meeting.

8 MR. TREVINO: All right.

9 MR. LOPEZ: There you go.

10 T H E E N D .

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C E R T I F I C A T E

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

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

Dated at Valparaiso, Indiana, this 7th day
of December, 2021.



Pamela C. Mokrzycki

Pamela C. Mokrzycki

District Board of Directors Meeting

11/17/2021

Index: \$10,..boar

<hr/>	29 24:24	24:14,22 25:19	area 9:19
\$	<hr/>	adjustment 26:6	Army 5:18 8:18 10:19
\$10,000.00 16:9	3	advance 11:7	11:17 21:10 23:21,24
\$204,000 15:13	3.9 15:14	advancing 9:8	25:16
\$30.00 13:14	31st 4:14 5:14 14:24	AFACW 25:15	assessing 9:10
\$33.00 6:10	15:3,15	affiliated 4:19 5:11	Assistant 25:15
\$360,000.00 15:5	<hr/>	9:15 10:22	attend 6:19
\$5,492.00 15:3	4	aforementioned	attendance 6:23 11:19
\$78,782.00 16:11	4.1 15:15	22:22	12:11
<hr/>	410 15:11	agencies 10:12	attended 6:18
1	<hr/>	agenda 4:4 11:3	attending 6:17 26:25
1.9 16:8	5	agree 21:22 22:2	Attorney 5:15 11:21
106 9:12	5:05 3:7	agreed 22:5	27:6
15th 5:23	5th 5:8	agreement 5:9,12 9:17	audible 19:6
16th 5:17 24:12	<hr/>	10:3,19,22,23 18:24	authority 25:12
17th 3:7 4:16 5:20	6	21:17,18 27:21,25 28:3,	awarded 8:19 24:14,23
16:17 17:24	608 4:23	7	aye 12:13,14 14:5,6
18 25:24	615,000 15:7,10	agreements 9:12	<hr/>
1920s 20:1	616 4:23	10:24 11:1 19:23,24	B
1952 20:2	<hr/>	22:4,13,23 27:16	back 7:22 13:9 20:1
1957 20:3	8	agrees 21:19	24:20 28:2
1983 20:7	8th 8:8	aids 21:25	background 19:22
1st 4:10 5:4 6:4 7:1 9:23	<hr/>	Allen 4:12	Bakota 3:9,10 12:7,20,
12:6 13:16 15:13	A	Amendment 7:13,15,	23 13:4 18:2,7,8 23:2,5,
<hr/>	abstentions 12:16	19 25:14	6
2	14:8	amendments 9:16,17	balance 15:15
20 12:5	access 9:12	16:6 27:12	balances 15:12
2018 20:9	account 15:18,23,25	amount 25:24	bank 4:22 17:3
2020 8:13	16:20	and/or 11:2	banks 16:19
2021 4:11,17,23 5:8,14,	accounting 14:13	Anderson 14:14,15,19,	barges 24:9,12
17,20,23 7:6 9:21 12:5,	accounts 4:23 15:12,	22 17:1,10,14,16,19	basically 16:13
6 15:14 16:7 17:24 28:1	22 16:14,22 17:3,23	appraisal 11:10,12,14	bathymetric 9:13
2022 6:25 7:2,9,11 28:4	acquiring 11:6	appraisers 11:9,12	behalf 9:22
2023 8:10	Act 7:25	appropriation 16:3,8	bit 19:22 20:22 24:20
20th 4:8 5:2	activity 10:6	approval 7:2 11:3 12:3	BMO's 5:13
24th 25:22	add 16:4 27:10,14	13:14 17:22 18:22	board 3:6 4:3,4,5,7,8,9,
27th 8:4	additional 6:9 19:1	approve 5:3 6:9,23	10,16 5:16,19,25 6:2,4,
		12:7 13:22,24 18:1,2	8,12,15,16,20,21,24
		22:16,22,25	7:1,3,11 9:23 11:2,16,
		approved 6:16,25 7:18	17,20 12:4,5,11 13:1
		10:24 14:11 18:21	
		22:15 23:19	

23:21 26:23,25 27:16 28:8,9,22	Chamber 6:14	consultant 14:13	December 7:11 8:8
boom 25:1,5,8	change 6:10	Consulting 4:1	demobilized 24:8,11
bottom 15:16	checklist 4:18	contents 4:3	demolition 10:15
BP 8:4,5,22 10:4 11:4,7, 12 27:20,22	checks 4:18,25 5:4 15:11	continue 11:6 27:19	denying 26:7
Brennen 8:19	Chicago 3:5 5:10 21:7	continued 26:5	deposit 5:7
bridge 10:8,16 18:23 19:25 20:4 27:15	City 10:18,25 11:1 20:8 21:6,12,16 22:14	continues 9:7,14	design 8:2,5,7,15 9:5,6, 8,10 10:9
bucks 6:11	City's 8:7	contract 6:8 24:13,16 26:3,4,8	develop 11:9
budget 6:25 7:2 16:3,6, 18	Civil 25:16	contracted 11:9	developments 7:22
built 20:1	claim 4:15,19 5:3	contractor 24:8,11 26:4	dike 24:13,15,16,18,21
business 3:8 6:14 13:13 14:12 17:22 18:22 23:20 27:6 28:21	claims 16:10	coordinate 22:2	Directors' 3:23
Bye 17:19	clarify 13:21	coordinating 21:9	disbursements 15:1,8 16:11
<hr/> C <hr/>	Clifton 4:12	coordination 9:11,13	discussion 13:7
	close 16:16 26:3	copied 7:4 9:24	District 3:5 5:10 9:22 10:18 11:8 17:5 20:9 21:4,9,13 27:23
	closed 20:2	copies 4:24 11:1,16	docket 4:15,20 5:3 16:10
	closing 26:8	copy 4:18 5:18 14:20	dollars 13:15
	Coast 21:11 22:1,3,4	Corps 5:11,18 7:14,17, 19,22 8:18 10:13,20 11:17,20 20:7 21:11,13, 15,17,19 22:17 23:21, 24 24:13 25:18,22,23 26:10 27:12	dolphin 21:21
	collection 7:6	correct 25:24	dolphins 10:9 21:15, 23,25
	column 16:4,13	cost 6:9 9:15	Doyle 3:17 18:15 23:13
	comments 9:25 11:14	costs 27:24	draft 7:18
	Commerce 6:14	COURT 13:6,9 16:21 17:8 19:9,16,20 20:11, 14,20 21:3 22:9 24:2,5 25:3,6,9 26:15	drafts 11:11
	Committee 8:8	cover 28:25	dredging 8:13,14 23:25 24:7
	completed 8:13,25 28:6	covered 27:25	<hr/> E <hr/>
	completion 8:15	credit 25:20,21 26:1	earlier 27:22
	compliance 17:6	<hr/> D <hr/>	early 20:3
	conceptually 7:17	date 3:6 5:16,22 16:9	earned 15:25
	conclude 28:14	dated 4:13,16 5:14,19 17:23	East 3:4 5:10 8:1,12 21:6
	concludes 5:24 11:23 28:11	deaf 19:17	ECI 5:13
	conclusion 6:3	deal 10:15	ECWD 25:23
	confirming 22:6		effort 11:7
	consideration 11:3 12:3 17:22 18:22		efforts 10:11
	consistent 6:22		
	construction 8:9,16, 19 23:25 24:3,6,24		

eleven 24:23	feet 24:23	good 7:16 17:15	increase 15:11
Ellen 5:15 18:25 19:8, 12 20:13 22:10 27:6,8,9	Fekete 3:1,4,11,13,15, 17,19,21 11:24 12:2,9, 15,18,22,24 13:2,5,11, 18,21,25 14:2,4,7,10, 17,21 17:9,13,15,18,21 18:3,5,9,11,13,15,17,19 19:3 20:23 21:1 22:8, 10,19,21 23:1,3,7,9,11, 13,15,17 24:17 26:12, 17,20 27:1,5 28:11,17, 20,24	Grand 9:4	indicating 28:8
email 7:4 9:24		great 7:24 26:20	information 25:20
end 8:10,13 28:1,6		Gregory 11:21 19:4,5, 13,15,19,21 20:18 21:6 27:6,8,9 28:13,16,18	informed 7:19
ended 15:3		Gregory's 5:15	inquired 11:5
ending 4:23		Guard 22:1,3,5	install 21:14
Engineers 5:19 10:20 23:24		Guard's 21:11	installation 21:23
enjoy 27:1	Fernando 3:25 15:19 22:11 27:11,18	guys 14:15 16:7 17:14	interest 15:4,24
enter 10:18 21:16		<hr/> H <hr/>	interested 6:17,20 7:14,20 11:5
entered 20:9 21:4,7,19 27:22	field 10:6	Hang 20:13	involves 21:23
entertain 17:25 22:21	fifty 6:11	hard 20:21	issue 21:20 22:5
EPA 7:3 9:18,23,25 10:4	file 17:5	hear 7:21 14:16 16:24 19:7,10,11,19	issued 8:20 10:13
equitable 26:6	filed 17:6	heard 9:24	issuing 21:14
estate 25:19	final 22:20	Hearing 12:2,18 14:10 26:18	items 5:24
Excellent 14:22	finalized 10:23 11:15	height 24:22	<hr/> J <hr/>
excess 15:20	finalizing 9:1 25:25	held 4:8,10 8:3	January 15:13
executed 10:4 22:4	finances 6:24	Henry 3:11 18:9 20:25 23:7	Jim 27:20
Executive 3:23	financial 4:13 14:20	hold 13:12 16:23 24:19	John 3:9,21 18:7,19 23:5,17
expect 27:13	financials 14:23	hope 7:10	July 25:22
expedited 6:5,6,7 13:15	FMT 4:1	house 13:3	Junction 9:5
explanation 19:2	forecasted 8:10	<hr/> I <hr/>	<hr/> K <hr/>
Expo 6:14	forward 22:17 26:8	IDEM 7:3	Kevin 3:17 18:15 23:13
<hr/> F <hr/>	forwarded 22:13	II 8:14	kind 20:17,19,21
Facility 5:13	found 20:4	impact 9:10	<hr/> L <hr/>
factor 7:7	Friday 11:16	important 16:2	L-E-R-R 25:21
farm 8:23,24 9:2	full 17:6 24:22	improper 10:15	Lake 7:25 8:11,17 10:2
favor 12:13 14:4	fully 10:4 22:4	Improvement 26:2	Lakes 7:24
Feddler 25:18	funds 9:18 24:14	in-kind 9:20	Lakeshore 6:13
fee 5:6 6:6,7 7:6,9,11 9:16 15:20	<hr/> G <hr/>	include 9:9 28:4	Larson 4:12
feedback 9:25	George 7:25 8:11,17 10:2	including 6:16 21:16 27:20	late 12:24
fees 7:5,10 15:5,18	give 11:19		laughing 19:18
	giving 11:21		
	goings 15:22		

Law 27:9	member 6:16,20	note 12:10	part 6:7
lead 21:9	members 12:11	notes 12:4	parties 21:16,22 22:2
left 13:3 16:13	memo 5:7	notice 4:5 8:20	partner 10:5
left-most 16:4	Memoranda 21:7	November 3:7 4:10,16 5:4,5,17,22,23 6:4,25 12:6 13:16 16:17 17:24 24:12	passed 12:19 16:7
Legacy 7:24	memorandum 20:10		past 6:15 22:7
legal 11:22	mentioned 13:12 22:12 27:11,19	nuisance 20:4	Patrick 3:13 18:11 23:9
LERR 25:20	Merchant 4:21	numbers 14:24	pause 8:14
LERR's 25:25	Middle 7:25 8:18	<hr/> O <hr/>	payable 17:23
letter 22:5 25:23 27:21, 25 28:3	Mike 11:18 23:23 24:19 27:4,11	obstruction 20:5	payables 16:5
leverage 9:18	million 15:14 16:8	October 4:8,14,22 5:2, 7,8,14,20 8:4 12:4 14:20,23 15:3,15 16:16 24:24	payments 6:23
liability 21:12	minutes 4:7,9 6:5,6 12:21 13:16,19	off-the-record 13:7	PCA 7:13,15,18 9:16 25:10,14 27:10,12
lighting 21:24	modified 28:7	office 25:16	percent 7:7 8:2
lips 19:10	modifying 28:3	oil 25:1,5,8	perform 21:22
listed 15:8	money 15:2,25	one-hundred 7:7	periodic 9:7 11:6 27:19
lobbying 25:13	month 4:22,25 15:22 26:24	ongoing 8:2 9:6 10:7, 10 24:25	permit 9:13
local 21:22 22:2 25:11	months 15:3	operating 15:18	permits 10:13 21:14,21
Lopez 3:19,20 12:8 13:23 14:18 17:12 18:17,18 23:15,16	motion 12:7,9,19 13:22,23 14:11 17:25 18:2 22:22,24 23:3,19	opposition 12:15	permitting 10:11
lot 26:23	MOU 20:9,12 21:5,7	oppositions 14:7	phase 8:12,14 9:19
loud 19:18 20:19	move 12:3 26:8	option 24:15,23	pile 8:1,5,6,9,15
luncheon 6:14	moved 24:9	order 3:2,4,8 10:17 14:12 17:21 18:22 23:20 27:5	pipeline 8:22,23,24
<hr/> M <hr/>	moving 19:10	orders 4:17	place 20:3
mail 11:15	mute 19:14,15	overlook 12:20	plan 11:15
make 12:10 13:23 16:15 22:24	<hr/> N <hr/>	package 25:14,17	plenty 16:18
Management 3:5 7:8	navigation 20:5 22:1	packet 4:3 6:12 11:2,18 13:1 27:17	pocket 5:25
mariners 21:24	news 7:16	parcel 25:18	point 17:7
matters 11:22	Nguyen 11:18 23:22,23 24:6,21 25:7,10 26:13, 18,19,22 27:3,11	parcels 11:4	portion 9:3
means 7:17	nighttime 21:24	Parkway 26:2	positive 27:13
meet 21:10	ninety 8:2		present 8:6
meeting 3:1,6 4:5,6,8, 10,16 5:2 6:4 7:1,12 8:3 10:21 12:4,5 13:16 26:25 28:9	Nodding 13:17 14:1		presented 8:4 28:8
meetings 9:7 11:7	non-federal 10:5		prior 6:22 10:14 16:5
			private 21:25
			proceed 8:21 21:13
			proceedings 13:8
			process 9:1 10:1
			progress 5:21
			project 7:25 8:1,3,18,

19,22,23,24,25 9:2,6, 14,19 10:3,9	remained 20:3	roll 3:9 18:6 23:4	statement 5:5 14:25
projects 11:20	remaining 24:15	<hr/>	statements 4:13,22 14:20
properties 11:10	remedial 9:5	S	status 19:24
property 27:18,24 28:5	remediation 9:18	scheduled 8:6	STENOGRAPHER
proposed 7:10 21:15 22:6	reminder 8:12	Secretary 25:15	13:6,9 16:21 17:8 19:9, 16,20 20:11,14,20 21:3 22:9 24:2,5 25:3,6,9 26:15
provide 19:1,22	removal 8:22,24 10:16	section 8:12 9:12 10:5 15:9	step 22:16
public 4:5	repeat 16:24	semi-annual 9:21	Street 10:8 18:23 19:25 27:15
purchase 4:17	report 3:23 4:13 5:14, 16,19,22 6:1 9:2,21 11:11,13,17,23 14:13 23:21 25:2,8 26:10 27:7 28:12,15	sentence 16:24	subject 13:19
purchased 15:19	reported 27:15	September 9:23	submit 26:5
pursue 21:20	reporting 9:20	settle 10:14	submitted 9:21
<hr/>	reports 11:10,14	settlement 5:9 7:8 10:19,21 18:23 19:23 21:17	suffice 22:7
Q	request 7:2 26:5	shakes 15:17	summarizes 15:23
<hr/>	requested 6:4 25:19	share 9:15	summary 8:4,7 15:17 28:25
questions 11:24 17:9 22:10 26:12 28:17	requests 26:7	sheet 8:1,5,6,9,15	survey 9:14
quick 28:25	require 21:18	shortly 27:13	<hr/>
quorum 3:22 5:2	required 17:5 21:10	show 5:4	T
<hr/>	requirements 21:11	shows 15:1,21 16:3	<hr/>
R	requires 22:1	sign 22:16	tank 8:23,24 9:2
<hr/>	resolve 10:17 21:12 22:7	signature 22:20	tax 16:20,22 17:4
raise 24:13,15,16,17,21	response 3:14,16,18 12:1,17 14:9 17:11 18:12,14,16 19:4,13 23:10,12,14 26:16 27:13 28:13,19,23	signed 10:25 22:15	team 8:3,25 9:7,14
rate 7:11	returns 17:4	signify 12:13 14:4	Tech 9:6
Ray 3:19 6:18 18:17 23:15	review 8:8 9:11,15 10:1 25:25	signing 7:15,20,23	Tech's 5:21
Reaches 9:5	reviewed 10:24 11:12 22:14	slide 20:22	technical 8:3,7
ready 28:7	reviewing 25:17	south 8:23	Ted 3:15 18:13 23:11
real 25:19	revision 5:16	speak 17:2	ten 15:2
recall 5:1 7:6 11:8	right-most 16:12	speaking 19:5	terms 21:8
receipts 14:25 15:7,10	River 9:4	special 3:6 4:10 6:3 7:1 12:5	Tetra 5:21 9:5
received 11:13 24:14 25:10,21,23	Rodriguez 3:11,12,13 14:3 18:4,9,10,11 21:2 22:24 23:7,8,9	spelled 25:21	Thanksgiving 17:15 26:21
recently 8:20		spent 16:9	thing 28:24
reconciled 16:19 17:4		sponsor 25:11	things 6:1 9:9
record 13:5,10 19:3		staff 25:19	thirty 13:15
regular 4:8		standing 10:14	thought 19:16
regulations 21:17		start 4:2	Tim 16:23
reimbursing 27:23			
related 27:24			

time 3:7 20:21 24:9
26:24

W

tipping 9:16

waiting 7:21

today 13:1

wall 8:1,5,6,9,15

today's 3:6 4:4,6,16,19

watch 16:14

tolling 5:11 10:22
18:24 21:18

waterway 3:5 10:6,10

tomorrow 6:15

west 8:23 9:2 10:2

total 16:8

wetlands 9:11

train 20:17

whistle 20:15

transfer 15:6 27:18,24
28:5

Wieser 27:20

Trevino 3:3,24,25
11:25 12:25 13:17,20
14:1 16:23 17:20 18:25
19:7,11,14 20:13,16,19,
24 22:12,20 24:4,19
25:5 26:11 27:4 28:14

work 9:6,8,20 21:10,14,
21,22 22:3,6 27:24
28:4,5

working 7:9 9:9 10:10
26:3

Works 25:16

trust 5:13 7:2 15:6

written 15:11

U

Y

U.S. 23:21

year 6:18 16:6 27:23
28:1,6

Understanding 21:8

years 6:22 20:8 21:4

unpaid 16:5

yesterday 24:10

update 11:19,22 24:1,
7,8,10 25:1,4,7

Z

updated 13:1 25:23

Zaygar 3:15 18:13
23:11

updates 19:1

user 5:6 7:5,6,9,10,11
15:5,18,20

V

vacation 26:23 27:2

violation 10:14,17 20:7

violations 21:20 22:7

voice 12:12

vote 12:12 18:6,19
23:4,17

voucher 17:23