

In the Matter Of:
East Chicago Waterway Management

SPECIAL BOARD MEETING

January 20, 2022



Iseminger & Associates, Inc.
877-337-7379

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2 EAST CHICAGO WATERWAY MANAGEMENT
3 DISTRICT BOARD OF DIRECTORS'
4 SPECIAL BOARD MEETING
5

6 City of East Chicago, Engineering/Annex Building
7 4444 Railroad Avenue
8 East Chicago, Indiana
9 Via Zoom/Telephonic Conference

10
11 January 20th, 2022

12 Thursday, 5:00 p.m.
13

14
15 Transcript of the proceedings had in the
16 above-entitled matter, on the 20th day of January,
17 2022, at 5:08 p.m., at the City of East Chicago,
18 Engineering/Annex Building, 4444 Railroad Avenue,
19 East Chicago, Indiana, via Zoom/Telephonic Conference
20 before Pamela C. Mokrzycki, Certified Shorthand
21 Reporter and Notary Public for the County of Porter,
22 State of Indiana.

23
24 ISEMINGER & ASSOCIATES, INC.
25 (877) 337-7379

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

- MR. JOHN FEKETE, President
- MR. KEVIN DOYLE, Vice President
- MR. RAYMOND LOPEZ, SR., Treasurer and Fiscal Officer
- MR. HENRY RODRIGUEZ, Board Member
- MR. JAYLAN ROBINSON, Board Member
- MR. FERNANDO TREVINO, FMT Consulting
- MS. ELLEN GREGORY, East Chicago Waterway Board of Directors' Attorney, via Zoom

A L S O P R E S E N T :

- Mr. Timothy Anderson,
Accounting Consultant;
- Mr. David Alonzo,
BMO Harris Bank;
- Mr. Michael Nguyen,
Army Corps of Engineers;
- Mr. Peter Rutherford,
Ms. Diane Hodeen,
Ms. Laura Green,
BP and Parsons;
- Mr. James Wescott,
Tetra Tech.

* * * * *

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1 MR. FEKETE: Having gone through all
2 the preliminaries and getting the okay
3 from our court reporter, who is always the
4 boss.

5 Okay. I would like to call the East
6 Chicago Waterway Management District Special
7 Board of Directors' meeting. Today's date
8 is January 20th and the time is 5:05.

9 The first order of business is the
10 roll call. John Bakota?

11 (No response.)

12 MR. FEKETE: : Jaylan Robinson?

13 MR. ROBINSON: Present.

14 MR. FEKETE: Kevin Doyle?

15 MR. DOYLE: Here.

16 MR. FEKETE: Ray Lopez?

17 (No response.)

18 MR. FEKETE: Not here. John Fekete.

19 Yes, I am here.

20 (Brief pause had in the proceedings.)

21 MR. TREVINO: (Indicating.)

22 MR. FEKETE: What?

23 MR. TREVINO: Henry.

24 MR. FEKETE: Henry Rodriguez?

25 MR. RODRIGUEZ: Here.

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1 MR. FEKETE: I don't have a quorum.

2 MR. TREVINO: We have four.

3 MR. FEKETE: Are you on the board?

4 MR. RODRIGUEZ: Yeah, I was appointed
5 yesterday by the mayor.

6 MR. FEKETE: Why didn't you tell me
7 that?

8 MR. RODRIGUEZ: (Indicating.)

9 MR. FEKETE: Off the record.

10 COURT STENOGRAPHER: We are off the
11 record.

12 (Brief recess had in the proceedings.)

13 MR. FEKETE: We have a quorum.

14 COURT STENOGRAPHER: Back on the
15 record?

16 MR. FEKETE: Yeah. Good. The
17 Executive Directors Report, Fernando
18 Trevino.

19 MR. TREVINO: Yes, Fernando Trevino
20 with FMT Consulting. I would like to start
21 off by going over the contents of your board
22 packet.

23 You have the board agenda for today's
24 meeting.

25 You have the public meeting posting

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1 for today's meeting.

2 You have the board minutes for
3 December 15th, 2021.

4 You have a copy of the 2022 trust
5 budget approval letter from IDEM dated
6 January 4th of this year. And a 2022 trust
7 budget concurrence letter from EPA dated
8 December 21st of 2021.

9 You have First Merchants Bank
10 statement for the month of December of 2021,
11 for accounts ending is 608 and 616. Along
12 with the copy of the checks that cleared in
13 December. We also have First Merchant
14 Bank's CD for the twenty-one month CD with
15 a report run date of January 17th, 2022.

16 You have the BMO trust reports dated
17 December 31st, 2021.

18 You have a copy of the Army Corps
19 report to the board with the date of
20 January 19th, 2022.

21 Attorney Ellen Gregory's report to
22 the board with also a date of January 19th.

23 You have an email from myself to the
24 Army Corps of Engineer's Project Manager,
25 Mike Nguyen, dated January 6th thanking

1 him and his team for their work on the PCA
2 Amendment.

3 You have a copy of the fully executed
4 PCA Amendment.

5 You have a copy of an email from EPA
6 dated January 13th that summarizes the
7 forecast schedule for the Grand Cal River
8 Junction Reaches proposal and it goes
9 through the schedule of a signed project
10 agreement.

11 You have Tetra Tech's monthly Great
12 Lakes Legacy Act remedial design for the
13 Grand Cal River Project report dated
14 January 14th.

15 You have a copy of three Tetra Tech
16 letters all dated January 17th to the city
17 departments related to access needs for the
18 Grand Cal River Project.

19 You have the EPA letter dated
20 January 11th which accepts BP's pipeline
21 removal report for the west tank farm.

22 You have a Public Notice. A copy
23 of a Public Notice dated December 21st
24 for a Section 408 permit for the Canal
25 Street Bridge dolphin installation.

1 COURT STENOGRAPHER: I'm sorry, for
2 the --

3 MR. TREVINO: For the Canal Street
4 Bridge dolphin installation.

5 COURT STENOGRAPHER: Thank you.

6 MR. TREVINO: You have a copy of the
7 BP's slide presentation for today's board
8 meeting along with their Public Notice for
9 that project also dated December 21st, 2021.

10 You have an email dated January 18th
11 from INDOT to me responding to comments
12 related to the change in bridge operation.

13 And I also included a copy of our
14 October 5th, 2021, letter to the corps
15 regarding the same topic.

16 You have a copy of the renewed
17 INDOT permit affiliated with BP's boom
18 management.

19 And you have the 2022, board
20 orientation summary that I used when
21 I met with our new board member,
22 Jaylan Robinson.

23 So that includes the top -- the
24 items in your board packet.

25 My report is -- Well, before I

1 start my report I would like to welcome
2 our new board member Jaylan Robinson.

3 Mr. Robinson is from East Chicago.
4 Graduated from East Chicago Central. And
5 I met with him last week and we spent
6 some time reviewing the contents of the
7 board orientation that I put together.

8 So welcome, Jaylan, I am looking
9 forward to working with you.

10 We have several approval items
11 on today's agenda. We have two of the
12 traditional approval items, the board
13 minutes and the claim docket.

14 We also have election of officers
15 for this month -- on this agenda for
16 calendar year 2022.

17 We also have a presentation on
18 today's agenda related to the BP
19 pipeline project that's being installed
20 under the Indiana Harbor ship canal.

21 The board might recall that we
22 have asked companies doing work along
23 the waterway to make a presentation at
24 our public board meeting to give the
25 board and stakeholders an opportunity

1 to be made aware of the project schedule
2 and activities that are along the waterway.

3 So I want to thank BP and their
4 consultant, Parsons, for agreeing to
5 provide a presentation of their project
6 today. And I had mentioned this at the
7 December board meeting, as well.

8 Regarding finances, we received
9 2022 trust budget approval letters from
10 both EPA and IDEM. I mentioned those
11 were in your board packet. So at the
12 February board meeting I plan to put
13 together the budget transfers request
14 for -- to finance the 2022 budget and it
15 will basically deduct the 2021 cash
16 balances from the budget. And, as always,
17 I will make sure that our accounting
18 consultant, Mr. Tim Anderson, reviews
19 and concurs with my calculations when
20 we request the transfers.

21 We also have a BMO CD expiring
22 at the end of this month. Mr. Alonzo
23 will be giving a summary of the expiring
24 CD and the recommendation with the expiring
25 funds.

1 Regarding user fees, the board
2 approved a new user fee at the December
3 board meeting. So I am going to start
4 working on the 2022 user fee invoicing
5 process.

6 Ellen and I will be reviewing the
7 current board resolutions related to the
8 user fees. And after our review we may
9 propose modifications to those resolutions
10 and probably -- we are hoping to have that
11 ready at the February board meeting.

12 Regarding the PCA Amendment.
13 After several years of negotiating with
14 the corps on the amendment we finally
15 reached an agreement on the final PCA.
16 The board approved the PCA Amendment at
17 the December board meeting. We forwarded
18 a signed agreement to the corps and on
19 January 5th we received a copy of the
20 corps' counter signature. So we now have
21 a fully executed approved PCA Amendment and
22 a copy of that is -- of the approved PCA
23 Amendment is in your board packet. The
24 PCA Amendment cleared up various
25 uncertainties resulting in several millions

1 of dollars of potential liability on the
2 district's behalf. This amended PCA brings
3 clarity to our financial obligations and
4 clarifying our PCA financial obligations
5 also --

6 COURT STENOGRAPHER: I'm sorry, and
7 clarifying our PCA financial obligations
8 also --

9 MR. TREVINO: -- PCA financial
10 obligations also allows us to effectively
11 bank as cost share, millions of dollars
12 related to the Cleveland Cliffs SEP
13 dredging. S-E-P, SEP.

14 COURT STENOGRAPHER: And Clift,
15 C-l-i-f-t?

16 MR. TREVINO: C-l-i-f-f-s.

17 COURT STENOGRAPHER: All right.
18 I am going to need your notes.

19 MR. TREVINO: I will give them to
20 you.

21 And we will be able to bank the
22 cost share towards Great Lakes Legacy Act
23 Project to help finance future remediation
24 work planned in the Grand Cal River.

25 I want to thank Todd Relue and his

1 law firm, Attorney Ellen Gregory, the
2 District Board of Directors and, of course,
3 the Army Corps of Engineers for all their
4 efforts and support in getting this PCA
5 finalized and approved. I think it's a
6 significant accomplishment.

7 And we continue to explore the
8 scheduling of a signing ceremony for the
9 PCA Amendment.

10 The next step on all of this is
11 to work with Cleveland Cliffs on the
12 tipping fee agreement amendment. And
13 we have a meeting coming up with Cleveland
14 Cliffs on that and I will let Ellen --
15 Attorney Ellen Gregory elaborate on that.

16 Regarding the Great Lake Legacy Act
17 Project, the ninety percent design is
18 ongoing. BP presented their ninety
19 percent design on the sheet pile wall
20 to the project team. Or the ninety
21 percent design has been transmitted
22 to the project team for review on
23 December 17th. And the team has a
24 follow-up meeting to discuss any
25 questions and comments we might have

1 at a meeting scheduled for tomorrow.

2 The sheet pile wall construction is
3 scheduled to be installed by the end of
4 2023.

5 Regarding the Lake George Canal
6 East section, as a reminder that
7 Phase I dredging was completed in 2020.
8 Phase II isn't scheduled to recommence
9 until the sheet pile wall project is
10 completed after 2023.

11 The Lake George Canal middle cap
12 project. The project construction of the
13 cap has been awarded to Brennan. The
14 project team started reviewing the
15 contractor's preconstruction submittals
16 and mobilization is expected to start in
17 the first quarter of this year.

18 BP's pipeline removal project has
19 been completed. And EPA has provided an
20 acceptance letter of BP's report.

21 And as I mentioned a copy of that
22 report is in your packet.

23 Regarding the Grand Cal River Junction
24 Reaches Remedial Design. Tetra Tech's
25 design work continues. We are expecting

1 to have the remedial design completed for
2 the Phase I remediation work by tomorrow,
3 as well as cost data.

4 Some of the work that continues is
5 just assessing the impact of the wetlands.

6 We also continue to work on access
7 needs and agreements.

8 And Jim Westcott project manager
9 for Tetra Tech is in attendance today
10 and will provide a brief update on the
11 project.

12 Our current plan is to submit a
13 project proposal to EPA through the Great
14 Lakes Legacy Act for Phase I remediation.

15 So we are hoping to have that
16 project proposal completed and have that
17 provided to the board at the February
18 board meeting.

19 And the project team continues
20 to review the cost share calculations
21 affiliated with the PCA and the continuing
22 fee amendments. And we anticipate
23 continuing to work on that as the
24 project progresses. And the calculations --
25 The good thing is we have completed the PCA

1 Amendment so we know the finances affiliated
2 with that. And the next step is to work on
3 the tipping fee agreement amendment with
4 Cleveland Cliffs. So depending on how
5 that's concluded will -- you know, will
6 basically impact our cost share
7 calculations.

8 Canal Street Bridge Project. The
9 design of two dolphins is ongoing. Our
10 design firm, AECOM, is -- continues to work
11 on the design and permitting. As I
12 mentioned, you have a copy of the 30-day
13 public comment period associated with the
14 408 permit application.

15 Regarding the BP turn sheet agreement
16 for parcels. BP is interested in acquiring
17 so the board might recall that an update to
18 the letter agreement with BP was approved
19 by the board at the December board meeting.
20 We recently received the BP's counter-
21 signature on the letter so we have a fully-
22 executed updated letter agreement. The
23 letter basically includes reimbursement
24 district costs into 2022. The first letter
25 of agreement concluded at 2021.

1 The Army Corps' board report is in
2 your packet. Corps project manager, Mike
3 Nguyen, is in attendance and will be giving
4 an update on behalf of the corps.

5 The INDOT permit related to attaching
6 the booms to the Indy Boulevard Bridge has
7 been updated. A copy of the updated permit
8 is in your packet.

9 And Attorney Ellen Gregory will be
10 providing an update on various legal
11 matters.

12 And that concludes my report.

13 MR. FEKETE: Any questions for
14 Mr. Trevino?

15 MR. RODRIGUEZ: No, sir.

16 MR. FEKETE: Before we move on I
17 would like to make mention of the fact
18 that we just received word today that
19 former -- or board member Ted Zagar has
20 passed away. And, you know, we always
21 appreciated his candor when he was
22 available. And it's sad to hear about
23 his passing.

24 The next order of business is the
25 election of the officers. The current

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1 officers are, president, John Fekete,
2 vice-president, Kevin Doyle, secretary,
3 Henry Rodriguez, treasurer and the fiscal
4 officer is Ray Lopez, and the investing
5 officer is John Fekete.

6 MR. DOYLE: I would like to make a
7 motion to keep the board as it currently
8 is.

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

11 MR. RODRIGUEZ: I second.

12 MR. FEKETE: We have a second.

13 All in favor signify by saying aye.

14 ALL: Aye.

15 MR. FEKETE: Okay. Current board
16 members are remaining in position.

17 At this point in time then I can
18 appoint the finance committee members and
19 chairperson. The current membership is
20 John Fekete, Kevin Doyle, and Ray Lopez.

21 MR. TREVINO: With you as the chair.

22 MR. FEKETE: And John Fekete as the
23 chair.

24 MR. TREVINO: Yeah.

25 MR. FEKETE: So that is by

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1 appointment. So --

2 MR. TREVINO: Okay.

3 MR. FEKETE: Okay. The next order
4 of business is approval consideration of
5 the board meetings notes for our
6 December 15th, 2021, board meeting.

7 Entertain a motion to approve.

8 MR. DOYLE: Motion to approve.

9 MR. FEKETE: And a second.

10 MR. RODRIGUEZ: Second.

11 MR. FEKETE: We have a motion and
12 a second. And a voice vote.

13 All in favor signify by saying aye.

14 ALL: Aye.

15 MR. FEKETE: Motion is approved.

16 The next order of business is the
17 accountant consulting report.

18 Mr. Anderson.

19 (No response.)

20 MR. FEKETE: Tim?

21 (No response.)

22 MR. TREVINO: Tim?

23 MR. ANDERSON: Hi, guys, can you
24 hear me okay?

25 MR. TREVINO: Yeah.

1 MR. RODRIGUEZ: Yeah.

2 MR. TREVINO: Yeah.

3 MR. ANDERSON: I will try and talk
4 real slow, too.

5 In your board packet we have the
6 financial statements as of December 31st.
7 It was the last month-end close. And it
8 is the end of the year for the organization.
9 So if you go down to page two this is
10 our statement of cash receipts and cash
11 disbursements. The receipts for 2021 we
12 have got --

13 MR. TREVINO: You know what, Tim --

14 MR. ANDERSON: Yeah.

15 MR. TREVINO: -- hang on real quick
16 because there was some issues with the
17 report, so it didn't go into the packet.
18 So --

19 MR. ANDERSON: Oh.

20 MR. TREVINO: So what I was going
21 to suggest, John, if we go ahead and go
22 through the others now because I have the
23 printouts in my office.

24 MR. ANDERSON: Do you want me to
25 share my screen, (indicating) or, no, that

1 doesn't work?

2 MR. TREVINO: No, I don't think --
3 not everyone is on Zoom.

4 MR. ANDERSON: Oh.

5 MR. TREVINO: So let me print it
6 out real quick.

7 MR. ANDERSON: Okay.

8 (Brief pause had in the proceedings.)

9 MR. ANDERSON: Well, I guess we can
10 talk about the weather.

11 MR. FEKETE: I was --

12 COURT STENOGRAPHER: Okay. We are
13 off the record.

14 (Brief recess had in the proceedings.)

15 MR. FEKETE: You know while we are
16 waiting for Fernando --

17 COURT STENOGRAPHER: Do you want this
18 on the record?

19 MR. FEKETE: Yeah. Back on the
20 record.

21 COURT STENOGRAPHER: Okay.

22 MR. FEKETE: You know while we are
23 waiting for Fernando, David Alonzo are you
24 on board?

25 MR. ALONZO: Yeah. Thanks, John,

1 I was hoping I could hand off that baton.
2 Maybe I can jump in while we are waiting on
3 that report.

4 MR. FEKETE: Yeah. Okay. David.

5 MR. ALONZO: Okay. This is David
6 Alonzo with BMO Harris Bank. I will go
7 through the trust report that should be
8 in the packet. We will talk about the CD
9 that is coming due and the recommendation.

10 So in general, you know, the four
11 packet the first page of the report just
12 goes to our historical record distribution
13 since account inception. The --

14 On page two the value of the trust
15 as of December 31st was \$4,526,074.96.
16 There was a positive gain of \$898.91 from
17 our last meeting. And then for the entire
18 year total distributions from the trust
19 were two million -- I'm sorry, \$250,013.
20 Again, that's \$250,013.00 for a total
21 distribution from the trust.

22 On the third page this goes through
23 the balances of each account. As of
24 December 31st the value that's sitting in
25 cash in the money market is \$3,323,002.08.

1 We had one CD that will be coming due at
2 the end of this month. The value as of
3 December 31st of the CD was \$1,202,172.88.
4 With that CD coming due a few things.
5 The interest rate environment has not moved
6 a whole lot. A 13-month CD right now is
7 at .1. The bank had come out with a couple
8 intermediate duration CDs at twenty-five
9 months --

10 COURT STENOGRAPHER: I'm sorry, with a
11 couple --

12 MR. ALONZO: -- percent --

13 COURT STENOGRAPHER: I'm sorry, with
14 a couple --

15 MR. ALONZO: I'm sorry. The bank had
16 come out with a couple of CD new rates that
17 have come out for certificate of deposit.
18 The interest rate for twenty-five months
19 is .25. And then the interest rate for
20 thirty-five months is .5. With all the news
21 that we have heard about inflation and the
22 Fed looking to try to get a grasp on it we
23 have historical high rate -- readings on
24 inflation. We do anticipate the Fed
25 looking to make some changes here

1 throughout the year which would likely be
2 rate hikes more than likely within the
3 first half of the year potentially into
4 this quarter. So with this CD that's
5 coming due I feel that if we -- when the
6 CD matures we -- my recommendation would
7 be that we add it to the money market,
8 raise -- raise -- (inaudible)

9 COURT STENOGRAPHER: I'm sorry, you
10 broke up.

11 MR. ALONZO: -- in anticipation of
12 the --

13 COURT STENOGRAPHER: I'm sorry, you
14 broke up a little bit.

15 MR. ALONZO: My recommendation --

16 COURT STENOGRAPHER: Okay.

17 MR. ALONZO: Yeah. So my
18 recommendation would be to put the --
19 would be to put the maturing CD into the
20 current money market account and then we'd
21 monitor the interest rate environment. And
22 as things improve I will keep Fernando in
23 the loop and then we could reconvene with
24 the finance committee to make some decisions
25 on maybe entering back into CDs. So upon

1 maturity my recommendation is to put it
2 into the money market in anticipation for
3 the rates to come.

4 MR. FEKETE: Okay. David, thank you
5 very much. You heard David's presentation
6 and his recommendation. I would like to --
7 to entertain a motion to approve his
8 recommendation.

9 MR. RODRIGUEZ: I will make a motion
10 to approve.

11 MR. DOYLE: Second.

12 MR. FEKETE: Okay. We have a motion
13 and a second.

14 We will approve it by a roll call
15 vote.

16 Jaylan Robinson?

17 MR. ROBINSON: Yes.

18 MR. FEKETE: Kevin Doyle?

19 MR. DOYLE: Yes.

20 MR. FEKETE: Henry Rodriguez?

21 MR. RODRIGUEZ: Yes.

22 MR. FEKETE: John Fekete? And I
23 vote yes.

24 So that motion has been approved.

25 Are you ready now for --

1 MR. TREVINO: Yeah. So you have a
2 copy of the -- everyone has a copy of the
3 financial --

4 MR. FEKETE: Yes.

5 MR. TREVINO: -- financial statements.
6 And we ran into a glitch when they were
7 printing them out so that's why they weren't
8 sent earlier. So I apologize.

9 MR. FEKETE: Okay.

10 MR. TREVINO: Go ahead, Tim, they
11 have a copy of the report.

12 MR. FEKETE: Okay. Tim, you are back
13 on.

14 MR. ANDERSON: Okay, guys, so good.
15 So everybody can still hear me? It seems
16 like this connection is a little weak. But
17 if you --

18 MS. GREGORY: Yeah, it's my computer
19 and it never has had a problem with a Zoom
20 before. I am going to look into it.

21 (Indicating)

22 MR. ANDERSON: All right. No big
23 deal. So you got the paper copies now?

24 MR. TREVINO: Yes.

25 MR. ANDERSON: All right. So page

1 two. This money that's reported here is
2 not the same money that Dave Alonzo just
3 talked about.

4 These two accounts, or this money, I
5 should say, this is the user fee money in
6 our operating accounts. We are trying to
7 get a statement that would also have David's
8 information on it so that we can show, you
9 know, the total money that's, you know, on
10 deposit with the waterway, but this is where
11 we are at right now. David reports on the
12 \$4,526,000.00 that's sitting at BMO. And
13 this report that you have in your hands
14 reports on the roughly \$4,000,000.00 that's
15 sitting in the operating and the user fee
16 group. So we are going to try for 2022 to
17 get those things consolidated together. So
18 this report that you have is just on our
19 operating and the user fee. So the
20 receipts of just those two accounts for
21 the year you can see the transfer and the
22 \$250,000.00 at the top. That money came
23 from the money at BMO. The user fees did
24 not. Those user fees came from users.
25 And the interest income is the interest

1 that we earn on the user fee account and
2 the operating account. So the total of
3 those three items is \$617,000. You can
4 see our list of disbursements there that's
5 in the middle of the page we spent
6 \$536,000.00 during the year 2021 on all
7 those items that you see delineated there.
8 The increase in cash so we show the balance
9 of the cash in those three accounts, or,
10 you know, the user fee and the operating,
11 the balance was \$3,911,000.00 at the
12 beginning of 2021. And it's -- it increased
13 \$81,000.00 for the year. Our cash receipts
14 were greater than our cash disbursements by
15 \$81,000.

16 And at the bottom of the page two you
17 can see how it's -- how that cash fell at
18 December 31st. The operating account had a
19 million four in it and the user fee account
20 had one million seventy-six. Those are both
21 checking accounts.

22 And the certificate of deposit that's
23 part of the user fee money was 1.5.

24 The following page, number three,
25 shows how that all happened within those

1 three accounts. It starts with the
2 beginning cash balance, shows the money
3 coming in, the money going out, and the
4 ending balance at December 31st. And it's
5 those same three accounts that you saw on
6 page two. It just shows the actual goings
7 on of each of those accounts on that
8 schedule.

9 Page four shows the 2021 budget,
10 what's available, and it gets a little
11 tricky in December because we were writing
12 checks for both years budgets. That's why
13 you have a page four and a page five is some
14 of the money on your claims docket today is
15 for a bill for 2022, but most of the bills
16 that you have on your claims docket today
17 are actually for 2021. So -- But it's
18 important that you guys know that you have
19 unused budget to cover everything on your
20 claims docket. So that first page, page
21 four, shows the 50,000 that's on your claims
22 docket that goes against the 2021 budget,
23 and if you look at the right-most column
24 you can see -- You can see, you can't have
25 a negative number over there because that

1 means that you spent more than your budget.
2 As you can see in that right-most column you
3 have plenty of budget left for every item
4 on that claims docket.

5 And then the last page shows we
6 paid one payment of \$1,050.00 that's in
7 your claims docket for today, but that's
8 not against the '21 budget, that's against
9 the '22 budget. So here is your '22 budget
10 and the unused amount over in the right-hand
11 column that's for '22. So we wanted you
12 to see that you have budget unused for '21
13 and '22 for all the claims on the docket
14 today. And you do.

15 Any questions?

16 That's my report.

17 Mr. Chairman.

18 MR. FEKETE: Any questions for the
19 board?

20 MR. RODRIGUEZ: No.

21 MR. FEKETE: Thank you for going
22 patiently slowly so that we could follow
23 with you, Tim. Good job.

24 MR. ANDERSON: It's the only way my
25 brain works anymore, John.

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1 MR. FEKETE: Well, very good. Thank
2 you. Thank you, Tim. See you next week --
3 next month.

4 MR. ANDERSON: Bye-bye.

5 MR. FEKETE: Okay. So before us we
6 have approval considerations for the payable
7 voucher register dated January 20th, 2022.

8 Entertain a motion to approve?

9 MR. RODRIGUEZ: Motion to approve.

10 MR. DOYLE: Second.

11 MR. FEKETE: And a second.

12 I will have a roll call vote.

13 Henry Rodriguez?

14 MR. RODRIGUEZ: Yes.

15 MR. FEKETE: Jaylan Robinson?

16 MR. ROBINSON: Yes.

17 MR. FEKETE: Kevin Doyle?

18 MR. DOYLE: Yes.

19 MR. FEKETE: John Fekete?

20 And I vote yes.

21 That motion is approved.

22 Okay. We got all that out of the
23 way.

24 Now -- Okay. We are into report outs,
25 Fernando. The Great Lakes Grand Cal --

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1 MR. TREVINO: Yeah.

2 MR. FEKETE: -- Junction Remedial
3 Design Project update.

4 MR. TREVINO: Yeah, Mr. Jim Westcott.
5 (No response.)

6 MR. FEKETE: Jim, are you on mute?
7 (No response.)

8 MR. TREVINO: Jim, are you on mute?
9 (Brief pause had in the proceedings.)

10 MR. TREVINO: Jim, are you there?
11 (No response.)

12 MR. FEKETE: Jim?

13 MR. WESCOTT: Okay. Can you hear me
14 now?

15 MR. TREVINO: Yes, now we can hear
16 you.

17 MR. WESCOTT: Okay. God, that took
18 forever to find unmute.

19 I will try to talk slowly.

20 As Fernando mentioned the expectation
21 is we will send in the draft design for what
22 we are calling Phase I tomorrow. And get
23 that to EPA and the other project partners,
24 including the Corps of Engineers. And the
25 design will include essentially dredging and

1 capping the west branch from the confluence
2 over to Indianapolis Boulevard. And then
3 dredging the Indiana Harbor Canal north of
4 151st Street and south of, I think that is
5 Chicago. Basically, adjacent to what used
6 to be the Calumet housing complex. And it
7 will also include -- So that will include
8 the drawings and the specifications. Most
9 of the permit applications we are not quite
10 done with one. We're still doing some
11 modeling. And then the cost estimate. And
12 then -- So we will get that into everybody's
13 hands and give everybody about four weeks
14 to kind of review things. And then we
15 will make any corrections and fixes and
16 have it ready for -- essentially in a
17 file configuration for EPA to move to
18 contracting. There might be some
19 additional tweaks required over the
20 summer once the EPA technical people
21 kind of look at it and the contractor
22 looks at it, but -- So essentially the
23 bulk of the design will be in the project
24 partners hands tomorrow for the initial
25 look. That doesn't include the Junction

1 Reach Marsh, which --

2 COURT STENOGRAPHER: I'm sorry, the
3 function --

4 MR. WESCOTT: -- the Junction Reach
5 Marsh. And hopefully that's resolved in
6 the next couple months so that we can kind
7 of include that with the rest of the
8 package.

9 (Brief pause had in the proceedings.)

10 Were there any questions or comments?

11 MR. FEKETE: I do have one question.
12 You mentioned the canal from 151st to
13 Chicago Avenue?

14 MR. WESCOTT: Uh -- You are kind of
15 reverberating there. The first phase we
16 are just dredging. There is a high PCB hot
17 spot.

18 MR. FEKETE: Okay.

19 MR. WESCOTT: North of 151st, south of
20 Chicago, right where the --

21 MR. FEKETE: Right.

22 MR. WESCOTT: So we dredge all that
23 in Phase I and then we will come back
24 hopefully in the next -- once the USS
25 Lead site is resolved I would think that

1 is going to --

2 COURT STENOGRAPHER: That is lead?

3 MR. WESCOTT: Yes. Lead site. So
4 once the USS lead site is resolved we will
5 -- we will cap the east branch of the Grand
6 Calumet River and we will cap the Indiana
7 Harbor Canal, Calumet Bridge.

8 MR. FEKETE: Okay. What I have
9 not heard is what we are going to
10 do from Chicago Avenue to Columbus Drive.

11 MR. WESCOTT: (No response.)

12 MR. TREVINO: Jim?

13 (No response.)

14 MR. TREVINO: That part of the work
15 will be part of Phase II.

16 MR. FEKETE: Okay.

17 MR. TREVINO: Phase I --

18 MR. FEKETE: I understand.

19 MR. TREVINO: Okay.

20 MR. FEKETE: I just haven't heard
21 it.

22 MR. TREVINO: Yeah.

23 MR. FEKETE: Okay. All righty.

24 That's it.

25 MR. TREVINO: Okay. Thanks, Jim.

1 (No response.)

2 MS. GREGORY: We lost Jim and now he
3 just rejoined.

4 MR. WESCOTT: Okay. I am back.

5 MR. TREVINO: John had a question
6 that it wasn't clear what was happening
7 with the section between 151st Street to
8 which section?

9 MR. FEKETE: Chicago to Columbus
10 Drive.

11 MR. TREVINO: Oh, Chicago to Columbus.

12 MR. WESCOTT: Right. I hit a button
13 and turned my computer off there for a
14 second while I was talking.

15 So Phase I is we dredge -- We want
16 to get all the dredging done on Phase I,
17 which would be the west branch and the PCBs
18 that are located on the south end of the
19 Indiana Harbor Canal.

20 And then Phase II will happen after
21 the USS Lead site kind of issue is resolved
22 and we will cap the entire Indiana Harbor
23 Canal from the south end all the way to
24 Columbus where the navigation channel
25 inserts as well as the east branch.

1 MR. FEKETE: Okay. Sounds good.

2 MR. WESCOTT: And just to clarify,
3 too, tomorrow's drawing design package is
4 basically all of the Phase I material.

5 MR. TREVINO: Right.

6 BY MR. WESCOTT: But we still intend
7 by the end of March or April to get the
8 Phase II design stuff still completed so
9 that Fernando has that in hand. So in a
10 couple years, you know, hopefully they kind
11 of follow one after each other. But we
12 will see how it goes. The district will
13 have a complete design to Phase I and Phase
14 II at the end of this current effort.

15 MR. FEKETE: And we are waiting for
16 a decision on the -- is it Buckeye Pipeline
17 Marsh?

18 MR. WESCOTT: We are. There was a
19 meeting yesterday, it went pretty well.
20 EPA and -- Buckeye needs to talk to their
21 management. We are hoping to get some sort
22 of feedback from them in a couple weeks.
23 It sounded promising.

24 Fernando, I don't know if you had
25 anything else. You were on the call, too.

1 MR. TREVINO: No, I agree. I think
2 the meeting went well. When we started we
3 didn't know what level of participation
4 Buckeye was going to, you know, offer.
5 But, you know, our initial feedback from
6 the folks that we did meet with yesterday
7 was positive. You know, as can be expected,
8 they had to talk to their upper management
9 to see, you know, exactly what level of
10 cooperation that they were going to offer.
11 There was some uncertainty of what their --
12 if they do participate in the wetlands
13 restoration work there is a potential O&M
14 commitment on their behalf that's post Great
15 Lakes Legacy Act exercise and costs. So
16 there is a few things that they had to go
17 to their management to entertain.

18 (Indicating)

19 MR. FEKETE: Okay. Sounds good.
20 Any other questions for Mr. Westcott?

21 MR. RODRIGUEZ: No, sir.

22 MR. FEKETE: Okay. Thank you, Jim.

23 MR. TREVINO: Thanks.

24 MR. WESCOTT: Sure.

25 MR. FEKETE: Okay. Alrighty.

1 Our apologies to the folks from BP
2 with regard to the River Roug Pipeline
3 Project presentation.

4 MR. FEKETE: Yeah, River, R-o-u-g.

5 COURT STENOGRAPHER: Okay. Thank
6 you.

7 MR. TREVINO: River Roug, R-o-u-g.

8 COURT STENOGRAPHER: Okay.

9 MR. FEKETE: And I would like to call
10 on them as of now.

11 FEMALE VOICE: Peter?

12 (No response.)

13 FEMALE VOICE: Peter, are --

14 MR. RUTHERFORD: Yes.

15 COURT STENOGRAPHER: Whoa, whoa, who
16 is talking?

17 MR. RUTHERFORD: Yeah, this is Peter
18 Ruth --

19 COURT STENOGRAPHER: No, no, no, the
20 lady who was talking.

21 MR. RUTHERFORD: I am -- I am on a
22 cell phone so hopefully you -- Can you hear
23 me okay?

24 MR. TREVINO: Yes.

25 MR. FEKETE: Just speak slowly.

1 (Mr. Fekete laughing out loud.)

2 MR. RUTHERFORD: Okay. I will try
3 to speak slowly. And I have also got an
4 English accent which may cause some problems
5 as well.

6 MR. FEKETE: No prob --

7 MR. RUTHERFORD: Good evening,
8 everyone.

9 MR. FEKETE: No problem there.

10 (Mr. Fekete laughing out loud.)

11 MR. RUTHERFORD: I appreciate the
12 opportunity to call into your meeting.

13 I am Pete Rutherford, I am a project
14 manager with BP. And I work in our BP
15 pipelines and terminals group based out
16 of our Chicago office.

17 And also on the call, as we discussed
18 earlier, is Laura Green and Diane Hodeen
19 with Parsons who handle the environmental
20 aspects of the project.

21 Once I introduce the project and a
22 little bit about this project scope I will
23 then hand over to -- it's going to be Diane
24 and then she can discuss the permitting
25 status.

1 COURT STENOGRAPHER: Okay. Thank you.

2 MR. RUTHERFORD: Okay. So I believe
3 that everyone has got a few slides. So
4 let me just -- If you can follow along
5 through the slides.

6 Slide one was about the project
7 description. And the BP River Roug line
8 is a 12-inch pipeline which transports
9 gasoline and diesel fuel from the BP Whiting
10 refinery to the River Roug terminal, which
11 is on the outskirts of Detroit in Michigan
12 and approximately a mile from the origin
13 station in Whiting and the line crosses the
14 Indiana Harbor Canal. We see the Whiting
15 refinery being on the northwest side of the
16 canal and the American Terminal on the
17 southeast side of the canal.

18 We use cathodic protection --

19 COURT STENOGRAPHER: I'm sorry, we
20 use.

21 MR. TREVINO: Cathodic --

22 COURT STENOGRAPHER: Thank you.

23 MR. RUTHERFORD: Cathodic protection,
24 sometimes just called CP. We use that on
25 all of our pipelines to protect the steel

1 pipe from corroding.

2 In the case of the line under the
3 canal we have identified issues with the
4 cathodic protection whereby the impressed
5 current which is supposed to be on the
6 pipe has been shorted out, we think by
7 the metal bulkhead of the canal wall,
8 resulting in our pipe -- in our pipes not
9 having adequate protection and leaving us
10 exposed to potential corrosion effects in
11 the future.

12 (Mr. Ray Lopez has just entered the
13 meeting.)

14 MR. RUTHERFORD: We have also run
15 inspection tools through the pipeline to
16 meet DOT requirements and our integrity
17 management requirements. And our most
18 recent to run -- our most recent to run
19 identified an anomaly under the bank of
20 the canal. So our approach to resolving
21 the CP issue and this anomaly will be to
22 perform a horizontal directional drill,
23 or I will just abbreviate that as HDD,
24 to replace all the pipe under the canal.

25 Just a little bit of details about

1 the HDD. There is approximately 2,000
2 feet of pipe to be replaced. 1,700 feet
3 will be installed by the HDD methods and
4 the remaining 300 feet will be more by
5 conventional pipe lay techniques to allow
6 the pipe to be tied into existing line on
7 either side of the canal. All the new pipe
8 will be installed within our permanent pipe
9 line easement on the American Terminal side.
10 The HDD entry point will be on the American
11 Terminal side and the exit point on the
12 Whiting refinery side. There is going to
13 be no excavation work -- actually, no
14 excavation work in the canal and the line
15 will end up approximately 40 feet beneath
16 the canal bed. And also to protect -- I
17 mean, to protect our new line the pipe will
18 be coated and
19 has a fusion bonded epoxy coat --

20 COURT STENOGRAPHER: I'm sorry, it
21 will be coated and has --

22 MR. RUTHERFORD: Yes, it has a fusion
23 bonded epoxy coat.

24 COURT STENOGRAPHER: Thank you.

25 MR. RUTHERFORD: And in addition

1 to that it has an abrasive or abrasion
2 resistant overlay which is an epoxy-based
3 concrete to protect it when it gets pulled
4 through the bulk hole.

5 And in addition to the pipe on the --
6 on the -- we will have a new gate valve on
7 the refinery side and a new check valve on
8 the American Terminal side which is standard
9 practice when crossing bodies of water as
10 a means to isolate the pipeline if ever an
11 issue were to occur.

12 Just where we are with the project
13 we are currently in the process of
14 finalizing the design and the scope of
15 work document for the job to bid it out
16 to a number of HDD contractors with the
17 goal that we will start work around April
18 of 2022. And the work is expected to
19 take about four months.

20 And on the next slide it just shows
21 the routing of the new line. So it shows
22 the routing of the new line with the BP
23 refinery property on the left-hand side
24 and the American Terminal on the right-hand
25 side. And the new line essentially follows

1 the route of the old. Fairly closely on
2 the American Terminal side to stay within
3 our permanent easement of 50-foot permanent
4 easement. And then it diverges away
5 slightly from the existing line to the
6 refinery side in order to give us space
7 for construction on that side of the
8 property. And really all the equipment
9 for the HDD will be located on American
10 Terminal's property and all the stringing
11 of new pipe, welding operations, hydro
12 testing of the new pipe will take place
13 from the refinery side. And the HDD
14 operation will start with a drill -- a
15 pilot hole -- a four-inch pilot hole
16 and then there will be several reaming
17 operations to enlarge the hole to allow
18 the new pipe to be pulled through. And
19 then for tie-ins to the existing line.
20 The existing line under the canal will
21 be purged to insure that there is no
22 product remaining in the line. We will
23 cut the line on either side and we will
24 swab the line and then we will fill the
25 line with grout and cap -- cap it off.

1 and that's a brief summary of the scope
2 of work.

3 And moving on to the next, slide
4 three, is the permitting slide. So if
5 Diane or Laura can talk about that that
6 would be great.

7 FEMALE VOICE: Does anybody have
8 questions so far about the design --

9 COURT STENOGRAPHER: I need --

10 FEMALE VOICE: -- before --

11 COURT STENOGRAPHER: I need to
12 know who's speaking.

13 MR. TREVINO: Who is speaking, please?

14 MS. HODEEN: Oh, I'm sorry. This is
15 Diane Hodeen with Parsons.

16 MR. TREVINO: Okay.

17 COURT STENOGRAPHER: And you said?

18 MS. HODEEN: I was just asking does
19 anybody have any questions about the
20 design before I move on to the permitting?

21 MR. TREVINO: Any questions?

22 MR. LOPEZ: No.

23 MR. RODRIGUEZ: No.

24 MR. FEKETE: No.

25 MR. TREVINO: No questions.

1 MS. HODEEN: Okay.

2 MR. TREVINO: Thank you.

3 MS. HODEEN: So we are applying for
4 several permits for this project. The first
5 one is the Army Corps River & Harbors Act
6 Section 10 permit for installing a new
7 facility under a navigable river, the
8 Indiana Harbor canal. And that permit
9 is pending. The Exception 408 review,
10 which involves the seawall structure
11 that's being done in coordination with
12 the Section 10 review. So the Army Corps
13 is handling all of that in-house.

14 So the Public Notice was posted
15 right before Christmas on December the 21st
16 and the comment period ends, actually,
17 today, the 20th.

18 State permits. So we are asking
19 for a nation wide permit twelve, you know,
20 which includes the Section 10. And it
21 typically also includes a blanket 401
22 water --

23 COURT STENOGRAPHER: I'm sorry, a
24 blanket --

25 MS. HODEEN: -- quality --

1 MR. TREVINO: Hold on, Diane.

2 (Indicating)

3 COURT STENOGRAPHER: And it typically
4 also includes a blanket 401 --

5 MS. HODEEN: -- a blanket 401 water
6 quality certification.

7 COURT STENOGRAPHER: (Nodding.)

8 MS. HODEEN: But because we are not
9 actually digging in the canal we do not
10 anticipate needing to use that.

11 The IDEM utility crossing regulations
12 we believe that we are exempt from those
13 for floodplain management because we are
14 very deep underneath the river. So we
15 just wanted to mention that, that we did
16 review those and we believe that we are
17 exempt.

18 We are also applying for a temporary
19 discharge permit. Temporary NPPES permits
20 from IDEM for excavation dewatering.

21 And we will likely have a water
22 treatment system on site to treat the
23 ground water during construction to make
24 sure that we meet state levels.

25 MR. FEKETE: (Nodding.)

1 MS. HODEEN: The Section 106 for
2 historic resources that review was done as
3 part of our submittal to the Army Corps.
4 We don't have any call for resources at
5 these areas.

6 The river bank was identified as a
7 notable structure, but it's -- um -- you
8 know, we are going under it so that it
9 shouldn't be an issue. I don't think
10 that it would even be a show stopper,
11 but I just wanted to mention that.

12 And the fish and wildlife clearance.
13 That's just part of Army Corps review
14 process and these areas do not involve
15 any sensitive wildlife.

16 Local permits. Obviously, we are
17 applying for approval with your office,
18 which is why we are on the call today.
19 We have submitted an application to East
20 Chicago Sanitary Group. We are asking
21 for a permit to discharge groundwater
22 into their sewer system so that we are
23 looking at multiple options for the
24 excavation dewatering, one of which I
25 mentioned above to treat water and put it

1 back into the canal. And the other one is
2 to discharge into the sanitary sewer system
3 with East Chicago.

4 Um -- Relevant building permits.
5 This is going to be a new pipeline, but
6 we do not anticipate getting building
7 permits from the City of East Chicago,
8 but our office is awaiting just a
9 confirmation of that.

10 Um -- And then, you know, we have a
11 few approvals on our end, you know, working
12 internally with the BP refinery. We --
13 You know, we are getting, you know, some
14 soil management approvals and dewatering
15 approvals to use their -- the lakefront
16 wastewater treatment plant at the refinery.
17 They will be handling our hydro test water
18 which we will push through the pipe after
19 we do the hydro test and that will be
20 treated at the refinery. And that's pretty
21 much it for permits.

22 Are there any questions?

23 MR. FEKETE: No.

24 MR. TREVINO: I just wanted to
25 clarify something that you had mentioned in

1 your presentation. This is Fernando
2 Trevino.

3 You had mentioned that you were
4 applying for a permit through our agency
5 or our board. So we are not part of any
6 of the city permitting process. So I
7 just wanted to make sure that that was
8 clarified so there was no misunderstanding
9 or maybe there is a process that you need
10 to be -- to take on as part of the city
11 process, but I just wanted to make sure
12 that that was clarified.

13 MS. HODEEN: Okay. Thank you.

14 MR. FEKETE: This is John Fekete,
15 the president of the board. Our position
16 basically is to encourage people doing work
17 in and around the waterways in East Chicago
18 to make a presentation to us, which also
19 I believe satisfies some obligation on
20 the permit of fees part to make a public
21 presentation.

22 And so, in essence, we offer our
23 meeting time to allow that to happen.

24 MR. TREVINO: So we appreciate BP
25 and Parsons cooperation in presenting

1 your project at a public meeting.

2 Thank you.

3 MS. HODEEN: Yeah, and we appreciate
4 the opportunity.

5 Thanks.

6 MR. RUTHERFORD: Yeah, thanks very
7 much.

8 MR. FEKETE: Okay.

9 MR. TREVINO: Does that conclude your
10 presentation?

11 MS. HODEEN: Yeah, pretty much. And
12 this is the last slide which basically just
13 provides the addresses for the drill entry
14 and the drill exit locations.

15 MR. TREVINO: Yeah. And I am assuming
16 any properties that you don't own you have
17 already secured access agreements?

18 MS. HODEEN: Yeah, we are working
19 with the American Terminals property and
20 the railroad there which we'll have to
21 cross to get to our job site.

22 MR. TREVINO: Okay.

23 MS. HODEEN: We have had meetings
24 and discussions with them including the
25 easement discussion so --

1 MR. TREVINO: Thank you.

2 MR. RUTHERFORD: Like I said, we
3 have the permanent easement on the American
4 Terminal property and we are working with
5 American Terminal for a construction
6 easement.

7 MR. TREVINO: All right. Thank you.
8 Any other questions?

9 MR. RODRIGUEZ: No.

10 MR. TREVINO: Okay.

11 MR. FEKETE: Hearing none.

12 MR. TREVINO: Okay. Thanks, folks.

13 MR. FEKETE: Okay.

14 MS. HODEEN: Thank you.

15 MR. FEKETE: The next order of
16 business is U.S. Army Corps board report,
17 Mr. Nguyen.

18 MR. NGUYEN: Yes, this is Mike Nguyen
19 with the U.S. Army Corps of Engineers.

20 I will make me report short.

21 So for the CDF construction dredging
22 for the dredging project we are preparing
23 the close out package for the dredging
24 project.

25 COURT STENOGRAPHER: The close out

1 package?

2 MR. TREVINO: The close out package.

3 MR. NGUYEN: And we awarded a stand-
4 alone contract to Clean Harbors for the
5 water treatment on December 2nd and water
6 treatment will resume in early summer of
7 2022.

8 The Phase II Dike Raise Contract
9 construction is ongoing. Nothing to report
10 or nothing significant to report on the oil
11 boom coordination.

12 COURT STENOGRAPHER: For the eye
13 boom --

14 MR. TREVINO: Oil boom coordination.

15 MR. NGUYEN: And for the PCA the
16 district commander, our Kernel Culberson,
17 signed the PCA Amendment on January 5th of
18 20 -- actually it should have been 2022, so
19 2022.

20 And for the real estate, the Feddeler
21 parcel resolution the corps -- um -- the
22 corps real estate staff is reviewing and
23 finalizing the LERR credit. The land
24 easements right-of-ways and the location
25 credit.

1 (Brief off-the-record discussion had
2 in the proceedings.)

3 MR. NGUYEN: And for the parkway
4 improvement we are working on closing out
5 that project with the contract.

6 And that's it for my report.

7 MR. FEKETE: Thank you, Mr. Nguyen,
8 and thank you for hanging in there.

9 MR. NGUYEN: Right.

10 MR. FEKETE: I would just
11 like to report, for the record, that
12 Mr. Lopez has joined us.

13 MR. LOPEZ: How are you doing, Mike?

14 MR. NGUYEN: Good. How are you?

15 MR. LOPEZ: Okay.

16 MR. FEKETE: Okay. The next order
17 of business is the Attorney Ellen Gregory
18 report.

19 MS. GREGORY: Yes, Ellen Gregory with
20 Ellen Gregory Law.

21 Before I get into my report I just
22 wanted to mention, and maybe I missed it,
23 but I don't think that there was an agenda
24 item for approving the minutes for the
25 December meeting.

1 MR. FEKETE: Yes, there was. We did
2 it.

3 MS. GREGORY: Okay. You can do that
4 after I give my report.

5 MR. FEKETE: Yes, we did it.

6 MS. GREGORY: We did do that?

7 MR. DOYLE: Yep.

8 MR. TREVINO: Yes.

9 MR. FEKETE: It was a voice vote
10 because everybody -- nobody was on Zoom
11 so we --

12 MS. GREGORY: Okay. So for my report
13 the property transfer project is ongoing.
14 As Fernando mentioned we got an updated
15 letter agreement with BP to cover the time
16 period lasting through -- uh -- the end of
17 2022.

18 Also, the INDOT permit for connecting
19 the boom to the Indianapolis Boulevard
20 bridge has been renewed by INDOT up through
21 January 18th, 2023. Next week we have a
22 call scheduled with representatives from
23 Cleveland Cliffs, EPA, the Army Corps to
24 begin discussion of amending the tipping
25 fee agreement and possibly extending

1 Cleveland Cliffs financial obligations
2 under their existing consent decree with
3 EPA.

4 And that's all that I have.

5 MR. FEKETE: Okay. Any questions for
6 Ms. Gregory?

7 (No response.)

8 MR. FEKETE: Thank you very much.

9 Any other new business to come before
10 the board?

11 (No response.)

12 MR. FEKETE: Any public comments?

13 (No response.)

14 MR. FEKETE: Hearing none.

15 Our next board meeting will be
16 February 17th, 2022, at 5:00 p.m. at this
17 facility.

18 This meeting is now adjourned.

19 COURT STENOGRAPHER: All right. We
20 are off the record.

21

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23

24

25

C E R T I F I C A T E

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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 31st day of January, 2022.



Pamela C. Mokrzycki

Pamela C. Mokrzycki

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