

In the Matter Of:
East Chicago Waterway Management

DISTRICT BOARD OF DIRECTOR'S MEETING

November 16, 2023



Iseminger & Associates, Inc.
877-337-7379

1 EAST CHICAGO WATERWAY MANAGEMENT
2 DISTRICT BOARD OF DIRECTOR'S MEETING
3 CITY OF EAST CHICAGO, ENGINEERING/ANNEX BUILDING
4 4444 RAILROAD AVENUE
5 EAST CHICAGO, INDIANA
6 November 16, 2023
7 THURSDAY 5:00 P.M.

8
9 TRANSCRIPT OF PROCEEDINGS had in the
10 above-entitled matter on the 16th day of November, 2023
11 at 5:00 p.m. taken before GWEN BEDFORD, a Certified
12 Shorthand Reporter taken through a multi-video
13 conferencing device.

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A P P E A R A N C E S

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- MR. JOHN FEKETE, PRESIDENT
- MR. KEVIN DOYLE, BOARD MEMBER
- MR. JOHN DAKOTE, BOARD MEMBER
- MR. HENRY RODRIGUEZ, BOARD MEMBER
- MR. RAY LOPEZ, BOARD MEMBER
- MR. JALAN ROBINSON, BOARD MEMBER

- MR. FERNANDO TREVINO, FMT CONSULTING
- MS. ELLEN GREGORY, ELLEN GREGORY LAW

- ALSO PRESENT:
- MS. MONIKA JOHNSON,
- MR. MICHAEL NGUYEN, ARMY CORPS OF ENGINEERS

P R O C E E D I N G S

1
2 MR. FEKETE: I guess we are ready to go. I
3 would like to call to order the East Chicago Waterway
4 Management District Board. Today is November 16, 2023.
5 The time is 5 o'clock. The first order of business is
6 roll call. Jaylan Robinson.

7 MR. ROBINSON: Yes.

8 MR. FEKETE: John Bakota?

9 MR. BAKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez.

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Ray Lopez.

13 MR. LOPEZ: Yes.

14 MR. FEKETE: Here. We have a quorum. Next
15 order of business is the FMT Report.

16 MR. TREVINO: FMT Consulting. I would like
17 to start off by going over the contents of your Board
18 packet. You have a couple of things on today's agenda.
19 You have a copy of the Public Meeting. The posting of
20 the Board Minutes from the October 19th Board Meeting
21 for the month of October. You have the Claim Docket,
22 the November 16, 2023 along with copies of First
23 Merchant's for the month of October, 2023 for account
24 ending in 608 and 6226 along with a copy of the
25 Pre-User Fees that were last month. You have a copy of

1 the District's COVID policy and you have a fully
2 executed settlement agreement. And third extension
3 agreement and waiver and Release of Restrictive
4 Covenant signed by the Board, Mr. Fekete, with our
5 board resolution finalizing the Settlement Agreement.

6 We have a copy of the Project Report and
7 schedule and invoicing for the Canal Bridge Project.
8 And you have the BMO Trust Report dated October 1st
9 along with an e-mail from Robert Santori.

10 And, we have a copy of the Army Corps Board
11 Report. And Attorney Gregory's Report of November 13,
12 2023. And you have a Tetra Report dated November 13,
13 2023. And you have a copy of the Sheet Wall Project
14 and report for the month of August and the month of
15 October. I sent that to the Board in a separate e-mail
16 a couple of hours ago. You should have that as well,
17 updating the Board on a couple of items.

18 Regarding finances, the CliftonLarsenAllen
19 Plan was included in your Board packet. That was
20 e-mailed yesterday evening. And you also have the 2024
21 Proposed Operating Budget for your review and approval
22 consideration.

23 Regarding the 2023 User Fees, last month we
24 had four unpaid User Fees that I would like to report
25 an update on. Of those four, we have received and

1 deposited one of the checks and payment. We've
2 received a second check this week. And we also
3 received a phone call from a representative of Anocki
4 stating that we should expect their User Fee payment
5 check by the end of this week. So I anticipate having
6 to pursue one outstanding balance of \$966 which is
7 from -- so I'll be working on finalizing that one. And
8 after that, we will be at 100 percent receipt of
9 payments for the 2023 User Fees.

10 Regarding the PCA Amendment and continued to
11 meet regarding their final accounting and progress
12 closeout and the transfer of funds.

13 Regarding the Great Lakes Legacy Act Project,
14 St. George Canal East and Little, the South Tank
15 construction sheet pile wall construction is ongoing.
16 As I mentioned, a copy of the progress report for the
17 month of October didn't make it into your original
18 board packet. So I sent it in a couple of hours ago.
19 So you should have that in your inbox.

20 Both the Nipsco and Buckeye -- finishings
21 have been reported within Lake County. And copies of
22 the report have been disseminated to stakeholders.

23 The sheet pile wall is forecasted to be
24 completed by early 2024 regarding the Lake George Canal
25 East Construction. Phase 2 dredging of the Lake George

1 Canal East are scheduled to be done in 2025, which is
2 after the sheet pile wall project is completed and
3 after the Board completes its federal navigation
4 dredging with this forecast to be done in 2024.

5 The -- dredging project on ECM's behalf, the
6 Board has completed the collection of additional seven
7 sampling, or several samples and reviewing the data.

8 Regarding the Lake George Canal Little
9 project the Army Corps of Engineers is also managing
10 this project on behalf of EPA. The main part of the
11 cap is completed rather than it's subcontractors
12 working on the ecological construction activities for
13 that area.

14 Regarding the Lake George Canal
15 Remediation Project, that work is ongoing and that is
16 between BP and EPA.

17 Regarding the Grand Cal River Junction
18 Reaches Remediation Project, TetraTech Remedial Design
19 work is ongoing. The project team which includes
20 TetraTech, EPA and the District continues to have
21 weekly project meetings to discuss additional Site
22 Investigation Plan. And prompter acse, coordination it
23 canner permit, applications coordination with the
24 junction mar. Are coordination with the City dump site
25 and the coordination planning and management of

1 Remedial, the entire Grand Cal' River junction area,
2 one phase versus two phases.

3 The additional site investigation work
4 that I mentioned is forecasted to be done in early
5 2024. The project will continue to work on resolving
6 the source control concerns. The expectation is that
7 EPA will submit a source of -- levels stating that all
8 potential known contaminations sources are of no
9 concern. That drafting, that memo is an EPA action
10 item.

11 I mentioned in the past that the project
12 team exploring remediation of the Grand Cal' River in
13 one phase rather than in two phases, and that concept
14 is starting to get really good support from project
15 stakeholders. Our current scheduled forecast is to
16 complete the project agreement in 2024 and begin
17 remediation construction in 2025.

18 Jim Wescott of TetrTech is not able to
19 attend tonight's board meeting.

20 Regarding the Canal Street Bridge
21 project, Thacher, the contractor installing the Canal
22 Street Bridge dolphins has been busy mobilizing for the
23 last few days. They are present today to give a
24 project presentation and update on the project.

25 Regarding the Atlantic Richfield

1 settlement agreement, since the other three parties
2 entered into the settlement agreement, the District and
3 Atlantic Richfield has been working on various action
4 items to finalize the -- of the properties. VLZ has
5 completed the dolphin survey. Attorney Weiser and I
6 plan to meet at lake County to go through the exercise
7 of modifying the necessary parcels and parcel numbers
8 that's consistent with the properties that are being
9 transferred to Atlantic Richfield per the settlement
10 agreement.

11 Since our last board meeting, there have
12 been two documents that Board President Fekete has to
13 sign on behalf of the District, which is consistent
14 with the Board resolution that authorizes President
15 Fekete to sign on behalf of the District. Those two
16 documents are -- for board ratification. The
17 settlement agreement third extension. And the
18 Waiver -- covenants.

19 The Army Corps report is in your board
20 packet. Arthur or Mike Nguyen will be provided an
21 update report to the Board. Attorney Ellen Gregory
22 will give an update on various legal matters. And
23 update on other items.

24 Both Board member Ray Lopez and I were
25 able to attend the Lake Shore Chambers Eighteenth

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1 Annual Business Expo that was held November 2nd at the
2 Dynasty regarding the 2023 performance evaluation. All
3 board members have submitted their evaluation forms. I
4 want to thank the full Board for their cooperation on
5 providing their evaluation. I plan to have a summary
6 report for the Board at the December 4th board meeting.
7 And that concludes my report to the Board.

8 MR. FEKETE: Any questions for Mr. Trevino?
9 Hearing none, we thank you very much.

10 The next order of business is the approval
11 and consideration for the Board meeting notes for
12 October 19, 20 and 23. I'm going to have a roll call
13 vote because myself and one other Board member are not
14 present. So we'll start with Jaylan Robinson

15 MR. TREVINO: You've got to make a motion.

16 MR. FEKETE: I thought I was making a motion.

17 MR. LOPEZ: Ray Lopez motion.

18 MR. FEKETE: We are going to have to keep
19 that in mind. When you make a motion and a second,
20 announce your name for the recorder.

21 MR. FEKETE: Proceeding along this order of
22 business is the approval for the minutes of last
23 month's meeting. Jaylan Robinson?

24 MR. ROBINSON: Yes.

25 MR. FEKETE: John Bakota?

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1 MR. BAKOTA: Yes.

2 MR. FEKETE: Henry Rodriguez?

3 MR. RODRIGUEZ: Yes.

4 MR. FEKETE: Ray Lopez?

5 MR. LOPEZ: Yes.

6 MR. FEKETE: John Fekete. I vote yes. That
7 motion is approved.

8 Q Next order of business is the Accounting
9 Consulting Report. Is Vanessa with us?

10 A Vanessa is not. But Monika Johnson is here.

11 MR. FEKETE: Oh, hello, Monika. Welcome
12 aboard. Okay, you're up.

13 MS. JOHNSON: On Page 2 you'll find the
14 Statement of Cash Receipts and Cash Disbursements for
15 the ten-month ended October 31, 2023. You have
16 receipts from -- interest and income of \$70,123.23.
17 User Fees of \$507,688.15. And the Trust Transfer of
18 \$170,191.38 for total receipts of \$748,002.76.

19 You had total disbursements of \$819,664.13.
20 That resulted in a decrease in cash of \$71,661.37.
21 Applied to your beginning of the year, January 1, 2023,
22 Cash Balance of \$4,300,335.44. Resulting in your Cash
23 Balance on October 31, 2023 of \$4,228,674.07.

24 This is comprised of an Operating Account of
25 \$1,194,004.09. A User Fee Account balance of

10

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1 \$671,468.99 and a Certificate of Deposit balance of.
2 \$2,363,299 for a total amount of \$4,228,674.07.

3 Continuing on to Page 3, you'll find the
4 Schedule of Cash Account activity for the ten-month
5 ended October 31, 2023. Within your Operating Account
6 you had a Cash Balance on January 1, 2023 of
7 \$1,439,851.14. You earned interest of \$296.47. And a
8 trust transfer of \$170,191.38 as well as a budget
9 transfer of \$403,829.23. This brings your total debit
10 to \$573,817.08. You have total Cash Disbursements
11 resulting of credits of the \$819,664.13 for a decrease
12 of \$245,847.05. This brings your Operating Cash
13 balance on October 31, 2023 to \$1,194,004.09.

14 Your User Fee had a Cash balance on
15 January 1, 2023 of \$560,484.30. You had interest
16 earned in 2023 \$6,625.77. User Fees of \$507,688.15 for
17 total debits of \$514,313.92.

18 You had a credit in the form of a budget
19 transfer of \$403,329.23 resulting in an increase of
20 \$110,984.69, bringing your User Fee Account balance on
21 October 31, 2023 to \$671,468.99.

22 Your Certificate of Deposit balance on
23 January 1, 2023 was \$2,300,000. Interest earned in 2023
24 totaled, \$63,200.99. This brings your Certificate of
25 Deposit balance on October 31, 2023 to \$2,363,200.99.

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1 Moving to Page 4, you will find the schedule
2 of 2023 available as of November 16, 2023. In 2023 you
3 have a Budget Appropriation total of \$1,709,850. Add
4 to this your Accounts Payables 12-31-2022 totaled
5 \$32,521.75, plus your 2023 Budget Amendment of
6 \$271,000. It brings the 2023 Total Appropriation to
7 \$2,013,371.75. You had Cash disbursements for the
8 ten-month ended October 2023 totaling, \$819,664.13.
9 And the Claims Docket for today, November 16, 2023,
10 totals \$31,627.14. Leaving your unused budget for 2023
11 to \$1,162,080.48.

12 MR. FEKETE: Any questions for Monica? Thank
13 you. The next order of business is the Approval of the
14 Accounts Payable Voucher Register. We can take a roll
15 call vote on that. Fernando, I'll leave it up to you
16 to get all the appropriate signatures.

17 MR. TREVINO: Yeah, so I'll get the three
18 Board members here. And then I'll circle back for the
19 signatures.

20 MR. FEKETE: I need a motion to approve the
21 accounts payable voucher.

22 MR. BAKOTA: Motion to approve.

23 MR. FEKETE: I need a second.

24 MR. RODRIGUEZ: Second. Henry Rodriguez.

25 MR. FEKETE: Roll call Vote. Jalan Robinson?

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1 MR. ROBINSON: Yes.

2 MR. FEKETE: John Bakota.

3 MR. BAKOTA: Yes.

4 MR. FEKETE: Henry Rodriguez.

5 MR. RODRIGUEZ: Yes.

6 MR. FEKETE: Ray Lopez.

7 MR. LOPEZ: Yes.

8 MR. FEKETE: John Fekete? I vote yes. That
9 motion is approved.

10 MR. FEKETE: Moving on. The next item is the
11 2024 Operating Budget. Do I have a motion to approve?

12 MR. LOPEZ: Motion to Approve.

13 MR. FEKETE: Is there a second?

14 MR. RODRIGUEZ: Second.

15 MR. FEKETE: Roll call vote. Jaylan Robinson?

16 MR. ROBINSON: Yes.

17 MR. FEKETE: John Bakota?

18 MR. BAKOTA: Yes.

19 MR. FEKETE: Henry Rodriguez?

20 MR. RODRIGUEZ: Yes.

21 MR. FEKETE: Ray Lopez?

22 MR. LOPEZ: Yes.

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

24 The next item is the termination of the
25 Districts COVID-19 Safety Plan. I'll entertain a motion

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1 to remove it.

2 MR. RODRIGUEZ: Motion to approve. Henry
3 Rodriguez.

4 MR. FEKETE: Remove it?

5 MR. RODRIGUEZ: Yes, motion to remove the
6 District's COVID-19 Safety Plan. Henry Rodriguez.

7 MR. FEKETE: Is there a second?

8 MR. BAKOTA: Second.

9 MR. FEKETE: Roll call vote. Jaylan
10 Robinson?

11 MR. ROBINSON: Yes.

12 MR. FEKETE: John Bakota?

13 MR. BAKOTA: Yes.

14 MR. FEKETE: Henry Rodriguez?

15 MR. RODRIGUEZ: Yes.

16 MR. FEKETE: Ray Lopez?

17 MR. LOPEZ: Yes.

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

19 MR. TREVINO: Can I add something to that?

20 MR. FEKETE: Sure.

21 MR. TREVINO: Even though we are terminating
22 the existing policy as it stands, I think we still ask
23 all those attending in person to exercise good
24 judgment, exercise on protecting themselves and others,
25 if they have any symptoms, but it just makes sense to

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1 terminate what we had going. It's consistent with what
2 hospitals are doing, schools are doing and it just
3 makes sense.

4 MR. FEKETE: Anybody want to add to that?

5 The next item is the Settlement
6 Agreement Deadline Extension. I'll entertain a Motion
7 to Approve.

8 MR. RODRIGUEZ: Motion to approve.

9 MR. LOPEZ: Second.

10 MR. FEKETE: Okay. Roll call vote. Jaylan
11 Robinson.

12 MR. ROBINSON: Yes.

13 MR. FEKETE: John Bakota?

14 MR. BAKOTA: Yes.

15 MR. FEKETE: Henry Rodriguez.

16 MR. RODRIGUEZ: Yes.

17 MR. FEKETE: Ray Lopez.

18 MR. LOPEZ: Yes.

19 MR. FEKETE: I vote yes. And the last item
20 up for approval consideration is the Settlement
21 Agreement Waiver and Release of the Restrictive
22 Covenant. I'll entertain a Motion to Approve.

23 MR. RODRIGUEZ: I'll make a Motion to
24 Approve.

25 MR. FEKETE: As a second?

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1 MR. BAKOTA: Second.

2 MR. FEKETE: Okay, roll call vote. Jaylan
3 Robinson.

4 MR. ROBINSON: Yes.

5 MR. FEKETE: John Bakota?

6 MR. BAKOTA: Yes.

7 MR. FEKETE: Henry Rodriguez.

8 MR. RODRIGUEZ: Yes.

9 MR. FEKETE: Ray Lopez.

10 MR. LOPEZ: Yes.

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

12 Fernando, is there anything to add to
13 the Canal Street Project update?

14 MR. TREVINO: So, Mr. John Andershock should
15 be present from Thatcher to present the status of the
16 construction project. And also present is Tim Dull to
17 elaborate on any of the updates that are ongoing.

18 John, you want to take over?

19 MR. ANDERSHOCK: Hi, thanks, Fernando. John
20 Andershock with Thatcher Foundations. I'm the Project
21 Manager that is overseeing Thatcher's work installing
22 these two 36-inch diameter FRP pile dolphins in the
23 Indiana Harbor canal. I'll give you an update of what
24 is being completed so far this week and what we expect
25 to see moving forward.

1 On Monday, Thatcher mobilized our crane
2 barge, our material barge from the 106th Street dock in
3 the Calumet River. We came across the lake and into
4 position to begin work on the Canal Street Dolphins.

5 On Tuesday, we loaded up the boom on our
6 crane and we surveyed out the location of the dolphins
7 in the canal. And as we were surveying it out, we
8 noticed that the boom of our crane was going to be in
9 conflict with some of the power lines that were coming
10 across the canal. According to our nautical chart, our
11 sailing charts, those power lines were about 180 feet
12 in the air. And our crane boom is about 140 feet tall
13 when it's fully erect. There was some sag in the power
14 lines that brought them down to about 150 feet. It's
15 only about a ten-foot clearance between our crane boom
16 and these electrical lines, which is not enough
17 clearance. It is not safe for us to work under that.
18 OSHA regulations are 15 feet.

19 So thanks to the guys in the field.
20 From Thatcher, from AECOM, from NIPSCO, we came up with
21 the idea of taking some boom out of our crane. So we
22 took 30-foot of boom out of the crane. Brought out our
23 ultimate height to 140 feet, which let us clear the
24 power lines by about 34 feet. So we are well within
25 OSHA regulations and we were able to get under the

1 power lines safely.

2 So we completed that on Wednesday. We
3 took the boom out of the crane. And today, we began
4 installing the South dolphin. I have some pictures.
5 Is it possible that I can share my screen?

6 MS. GREGORY: Let me do that. I think I need
7 to make you the host.

8 MR. ANDERSHOCK: Awesome. Can you guys see
9 that?

10 MR. FEKETE: Yes. That is our crane barge
11 and our material barge sitting in the Calumet River, in
12 the Indiana Harbor. I apologize. We're picking up
13 this 80 foot long FRP pipe pile to install in the south
14 side of the canal right about where this tugboat is.
15 That is after we placed -- it's sitting on the bottom
16 of the canal right now. It is about 31 feet deep and
17 it's held in place on our barge by this bracket. And
18 then we pick up the leads which is going to hold our
19 hammer seen right here in place. And then we place the
20 hammer on top of the dolphin and we begin driving. And
21 we took the dolphin down to about 20 feet above the
22 water. That allows us to install what we are calling
23 is the "shelf", which will ultimately be underwater
24 when we finish driving. So we glue this on and then we
25 slide --

1 MR. TREVINO: Sorry, go ahead.

2 MR. ANDERSHOCK: And then we slide this
3 protective sleeve over the top of the shelf. And then
4 tomorrow we plan on going back in and final driving
5 this pile to finish elevation and installing the cap
6 with the navigation light on top. And also we will
7 move it across and begin installing the North dolphin.
8 We will do the same process. We will install the
9 shelf, the sleeve, the cap and the navigation light.
10 We hope to finish all that tomorrow, weather pending.
11 And if we are able to accomplish that, we'll get out of
12 way and we will stop blocking the canal and we'll be
13 wrapped up.

14 MR. FEKETE: Very good. Thank you.

15 MR. ANDERSHOCK: No problem. Thank you.

16 MR. FEKETE: Any other questions for
17 Mr. Andershock?

18 MR. TREVINO: John e-mailed me the photos
19 from this presentation. So I'll forward those
20 presentations slides to the Board. Thanks, John.

21 MR. FEKETE: Okay. No other questions? We
22 thank you for the presentation.

23 And moving on to the BMO Trust Report.
24 Mr. Santori?

25 MS. GREGORY: He sent me an e-mail saying

1 that he told you that he wasn't going to be available.
2 Sorry.

3 MR. TREVINO: I'll do the update.

4 MR. FEKETE: Fernando, you are going to do
5 the update?

6 MR. TREVINO: So, there is a couple of
7 updates on the BMO Summary Report. The Certificate of
8 Deposit, at the end of the month, October 31st is
9 \$3,588,531.96. And the Prime Money Market part of the
10 account at the end of October 31, 2023 is \$474,413.15.
11 The maturity date on the Certificate of Deposit is
12 December 18th of 2024. And that kind of concludes some
13 of the highlights of Mr. Santori's Summary Report.

14 MR. FEKETE: He gave us some listings of
15 other interest rates. We can take a look at that
16 offline. Thank you.

17 The next order of business is the U.S.
18 Army Corps Progress Report.

19 MR. NGUYEN: Yes. This is Mike Nguyen. So
20 this should be brief. For the -- operation, for the
21 water treatment, the clean harbors has demobilized the
22 waste water treatment plant. And we are still trying
23 to advertise and award a new contract. The technical
24 staff is still working with our contracting branch to
25 work out some issues with our evaluation criteria to

1 try to pick how we are going to evaluate the new
2 contract, contractor and so forth to pick the best one.
3 So we are still working that internal issue to try to
4 advertise the new contract.

5 For the dyke raise, construction is still
6 ongoing due to the warm weather. I believe they're
7 going to be doing the winter shutdown in December and
8 then the contract was extended for a completion in June
9 of 2024.

10 For the dredging contract, we actually
11 finished up the plant specs. We received the proposal
12 from Rowan Salvage today and we're currently evaluating
13 their proposal. And we should be awarding a contract
14 by sometime next week for the dredging to start after
15 the completion of the dyke raise in June of 2024.

16 Nothing to report on the oil coordination.
17 The PCA closeout, so we received the tipping fees funds
18 from Cleveland Cliffs. We are still working with our
19 resource management branch to try to create a new cost
20 share record for the future -- that was agreed upon for
21 the PCA amendment. This is something that we don't
22 normally do for -- projects. So we are still having
23 some difficulty trying to create that. Once that is
24 created, we should be requesting a check from our
25 Finance Department to send ECWD the final closeout of

1 \$2.6 million or so. And so that's -- I'm still
2 working that process.

3 And for the Parkway, we are still inspecting
4 and cleaning as needed. Anything else? I don't have
5 anything else.

6 MR. FEKETE: Any questions for Mr. Nguyen

7 MR. TREVINO: I'm sorry, we covered it, but
8 the Board had awhile back requested a tour of the CDF.
9 And I think you were kind of waiting for a good time
10 when the dust settled of the CDF dyke raising project.
11 Any update?

12 MR. NGUYEN: So right now we had a progress
13 meeting today. They are still working on the ramp and
14 some of the seepage issues right now. More likely,
15 they are going to be ramping up construction for the
16 season probably in early December to mid December. And
17 I'm not going to try to skip -- during the Christmas or
18 New Year's timeframe. So I'm looking for probably some
19 time in January as a visit, potential visit. I know I
20 brought this up. They are still trying to figure it
21 out. I indicated to them that I don't want to impact
22 any construction at the site. So it's better just to
23 wait until they are completely done with the heavy
24 equipment and so forth. Unfortunately, it's going to
25 be during the winter time when you have the site visit

1 to try to minimize the disturbance from the
2 construction. Are you looking for maybe delay it until
3 closer to the spring?

4 MR. TREVINO: If there is a window of
5 opportunity, let us know.

6 MR. NGUYEN: Sure. I'll let you know. Does
7 the weather matter? Does it matter if it's cold?

8 MR. TREVINO: Yeah. It does matter. Thank
9 you.

10 MR. NGUYEN: Unfortunately, they want to take
11 advantage. They are behind schedule and they are
12 trying to take advantage of the warm weather that we've
13 been having.

14 MR. TREVINO: Thank you.

15 MR. FEKETE: Thank you, Michael. Any other
16 questions? Attorney Ellen Gregory's Report.

17 MS. GREGORY: Yes, Ellen Gregory with Ellen
18 Gregory law. Two things that have been mostly going in
19 terms of legal work is the property transfer. Jim
20 Weiser is taking the lead on the legal aspects of
21 preparing for closing. The closing is not going to be
22 an in person closing. So soon as all the documents are
23 ready and prepared, we'll move forward with the
24 closing. We have the extension that the Board approved
25 just now to extend the deadline to December 12th, as I

1 said --

2 MR. TREVINO: December 11th.

3 MS. GREGORY: -- December 11th. So the hope
4 is that we'll get everything done before the 11th.
5 There was some delay because the auditor who was
6 responsible for dealing with assigning new parcel IDs
7 had a death in the family. So there were some delays
8 there. The other item that you approved was the Labor
9 and Release of a Restrictive Covenant which is an
10 agreement that was entered into with ARBP and will be
11 part of the closing documents.

12 And the other legal issue was the COVID-19
13 Safety Plan, which Mr. Trevino mentioned. Most of
14 other employers and healthcare centers are allowing
15 people to not wear masks. So we decided to terminate
16 that policy, but he said encourage people who do appear
17 in person to be respectful of other people's health.
18 And if you have some symptoms, running noses or
19 certainly if you test positive for COVID, we ask you to
20 participate remotely. That is it.

21 MR. FEKETE: Any questions for Miss Gregory?
22 Thank you very much. Any other New Business to come
23 before the Board? Any public comments?

24 Our next board meeting is December 21, 2023
25 at 5 p.m., I'll entertain a motion to adjourn this

1 meeting.

2 MR. BAKOTA: Motion to adjourn.

3 MR. RODRIGUEZ: Second.

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

6 (A CHORUS OF AYES)

7 MR. FEKETE: Any abstentions? Hearing none,
8 this meeting is concluded.

9
10 (WHEREUPON the meeting was
11 adjourned at 5:34 p.m.)

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1 STATE OF INDIANA)

2)

3 COUNTY OF LAKE)

4

5 C E R T I F I C A T E

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7 The within and foregoing meeting was taken
8 before GWENDOLYN BEDFORD, Certified Shorthand Reporter
9 and in the City of Gary, County of Lake and State of
10 Indiana.

11 The undersigned is not interested in the
12 within meeting, nor of kin or counsel to any of the
13 members.

14 IN TESTIMONY WHEREOF, I have hereunto set my
15 hand this 7th day of January, 2024.



Gwendolyn Bedford

GWENDOLYN BEDFORD, C.S.R.
No. 084-003700

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25

District Board of Director's Meeting

11/16/2023

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