

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 July 18, 2024

7 THURSDAY 5:00 P.M.

8
9 TRANSCRIPT OF PROCEEDINGS had in the
10 above-entitled matter on the 18th day of July, 2024 at
11 5:00 p.m. held at the City of East Chicago
12 Engineering/Annex Building, 444 Railroad Avenue, East
13 Chicago, Indiana.

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A P P E A R A N C E

MR. JOHN FEKETE, PRESIDENT

MR. JOHN BAKOTA, 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:

MR. MICHAEL LARK, BUCKEYE PARTNERS

MS. VANESSA VARGAS, CLA

MR. JAMES WESCOTT

MR. ROBERT SANTORI, BMO HARRIS BANK

MR. VAUGHAN COOLMAN, ARMY CORPS OF ENGINEERS

MS. ELLEN GREGORY,

P R O C E E D I N G S

1
2 MR. FEKETE: I'd like to call to order the
3 East Chicago Waterway Management District Board of
4 Directors regular public meeting. Today's date is
5 July 18, 2024 and the time is 5:03. First Order of
6 business, the roll call. Jalan Robinson?

7 MR. ROBINSON: Here.

8 MR. FEKETE: John Bakota?

9 MR. BAKOTA: Here.

10 MR. FEKETE: Henry Rodriguez?

11 MR. RODRIGUEZ: Here.

12 MR. FEKETE: Ray Lopez.

13 MR. LOPEZ: Here.

14 MR. FEKETE: John Fekete, here. We have a
15 quorum. Next.

16 Order of business is the Executive Director's
17 Report -- Mr. Trevino.

18 MR. TREVINO: -- yes. I'd like to start off
19 by going over the contents of your Board packet. You
20 have a copy of today's agenda. You have a copy of the
21 public meeting posting for today's meeting. You have
22 the CliftonLarsenAllen Financial Report dated June 30,
23 2024 for the month of June. You have today's claim
24 docket dated July 18, 2024, along with copies of the
25 purchase order and the check register.

1 You have copies of First Merchant Bank
2 statements for the month of June 2024 for accounts
3 ending in 608 and 616, along with copies of the checks
4 that cleared for Account 608. Also included is a copy
5 of two First Merchant Bank CDs reports for accounts
6 ending in 063 and 321, both dated July 15, 2024.

7 You have a copy of the BMO Trust reports
8 dated June 30, 2024. You have a copy of the assignment
9 and assumption contract between the District Iseminger
10 and Veritext regarding Court Reporting Services.

11 You have a copy of a Tax Exemption
12 Certificate with Gateway. You have a copy of the
13 Gateway invoice for the purchase of the printer and
14 copier, associated and associated necessary equipment
15 and the sales proposal that was approved at last
16 month's Board meeting.

17 You have a copy of Tetra Tech's Monthly
18 Progress Report and invoice for June dated July 9,
19 2024. You have a copy of a letter from Congressman
20 Mrvan to EPA dated June 28, 2024 supporting our Grand
21 Cal River Remediation Project.

22 You have a copy of the Army Corps report to
23 the Board dated July 18, 2024. You have a copy of
24 Attorney Ellen Gregory's Report to the Board with the
25 revision date of July 17, 2024.

1 You have a copy of Jacobs Sheet Pile Wall
2 Construction Project Monthly Progress Report through
3 June, report dated July 1, 2024.

4 You have a copy of the District's 2024
5 Communicator and its attachments dated July 19, 2024.

6 You have a letter from Buckeye's Michael Lark
7 dated July 15, 2024 and emails to and from me and
8 Mr. Lark regarding a Pipeline Maintenance Project that
9 Buckeye is planning to undertake within the South Tank
10 Farm in the next couple months.

11 You have a letter dated July 3, 2024 from
12 Attorney Todd Releu to the Corps Vaughan Coolman
13 regarding the balance due payment to the District of
14 \$316,000 and some change that's due from
15 Cleveland-Cliffs related to the amended Tipping Fee
16 Agreement.

17 Those are the items in your Board packet.
18 Regarding -- just to give you an update on several
19 projects regarding -- well, let me start off by going
20 over the action items on today's agenda. On the agenda
21 is the Board Minutes for June 20th. However, we did
22 not receive the minutes in time. So we will have to
23 push that action item to the August Board meeting.

24 We have today's Claim Docket dated July 18,
25 2024 for approval consideration. We have the Iseminger

1 Contract Assignment and Assumption for approval
2 consideration.

3 We have the Gateway Tax Exemption Application
4 and the Gateway Copier Purchase agreement Amendment.
5 The new printer purchase from Gateway was received and
6 successfully installed this past Monday and the old
7 printer was hauled off for disposal as approved by the
8 Board.

9 Regarding finances, the transfers approved at
10 last Board's meeting related to -- the Board approved
11 budget amendments have been executed. \$29,200 was
12 transferred from the BMO Trust account and \$2300 was
13 transferred from First Merchant's non-operating account
14 and both were transferred into our operating account.

15 This year's State Board of Account Audit
16 Report that covers the years 2019 through 2023 has been
17 posted on our website.

18 Regarding user fees. Work on the 2024 user
19 Fee Assessment is ongoing. The communicator has been
20 completed and a copy provided in your Board packet.
21 We're hoping to be able to mail out all the invoice
22 packets by this weekend. The due date for the invoices
23 will be two months from tomorrow, so September 19th.

24 Regarding the PCA and Tipping Fee Agreement
25 Amendments, I've mentioned in the past that we have

1 received payments from the Corps and Cleveland-Cliffs
2 related to those agreements. However, I reported to
3 the Board that based on our calculations, it had
4 appeared to us that we were shorted approximately
5 \$316,463 and some change. We initiated the contract
6 dispute resolution process with Cleveland-Cliffs, and
7 after a few back and forth emails and a couple
8 conference calls, Cleveland-Cliff agreed that the
9 District was unintentionally shorted that amount. And
10 there's a letter in your packet from Attorney Todd
11 Relue to the Army Corps of Engineers, Vaughan Coolman
12 that the District is okay to receive the shortfall from
13 the Corps from monies held in Cleveland-Cliff's
14 dredging escrow account.

15 Regarding the Lake George Canal East and
16 Middle projects, the South Tank Farm Sheet Pile Wall
17 construction is pretty much completed. However, the
18 groundwater management system will continue to be fine
19 tuned for at least a couple years. A copy of Jacobs
20 Monthly Progress Report for the month of June is in
21 your packet.

22 Regarding the Lake George Canal's East
23 section, the Army Corps is managing the dredging
24 project on EPA's behalf. The Corps has received and is
25 reviewing data from additional environmental sediment

1 samples collected last year, and they're in the process
2 of collecting additional geotechnical samples this
3 summer, which may be completed.

4 Phase II dredging of the Lake George Canal
5 East and a Feasibility Study of the orphan areas are
6 scheduled to be done in 2025. And discussions on
7 modification to the project agreement affiliated with
8 the Lake George Canal area are ongoing.

9 Regarding the Lake George Canal Middle Cap
10 Project, the Army Corps of Engineers is also managing
11 this project on EPA's behalf. The main part of the CAP
12 project was completed in 2023, and monitoring and
13 maintenance activities related to the CAP Construction
14 and restoration efforts began in the fall of 2023 and
15 are scheduled to continue through 2026.

16 Regarding the Lake George Canal West
17 Remediation Project, that project is between BP and EPA
18 and that work is ongoing.

19 Regarding the Grand Cal River Junction
20 Reaches Remedial Design, TetraTech Remedial design work
21 is ongoing. The project team continues to have
22 biweekly project meetings to work on various ongoing
23 project activities, including remedial design
24 completion, coordination of additional site
25 investigation plan, property access coordination,

1 permit applications, coordination of the Junction marsh
2 work, community engagement, and regarding the schedule
3 in 2024, we're forecasting to complete the additional
4 site investigation work, finalizing the remedial
5 design, and finalizing the project agreement.

6 As I mentioned, there's a letter in your
7 packet from Congressman Mrvan to EPA supporting our
8 Grand Cal River Remediation Project. So I'd like to
9 thank Congressman Mrvan for his support of projects
10 affiliated with cleaning up our waterways and
11 recognizing the recreational economic benefits that
12 this investment brings. And in 2025, we're scheduled
13 to start construction and construction is scheduled to
14 go through 2026.

15 Regarding the work In Kind Reporting, I
16 submitted the District's work In Kind Annual Report for
17 2023. We have not received any feedback on that
18 report. And I've started gathering the semiannual
19 report for the first half of 2024. And we will
20 continue to discuss cost share planning to fund the
21 Grand Cal River Remediation Project.

22 Jim Wescott of Tetra Tech is present today
23 and can provide additional update and answer any
24 questions.

25 Regarding the old Cline Avenue Bridge

1 Project, representatives from Lake County, Idem,
2 NIPSCO, and Attorney Weiser and myself continue to work
3 on the initial due diligence related to the removal of
4 the bridge.

5 Regarding the Atlantic Richfield Settlement
6 Agreement, as I mentioned in the past, \$4.5 million
7 affiliated with the agreement was received and
8 deposited in our account. Half was transferred to the
9 city per our agreement. The property transfer was
10 completed in January. However, the project team
11 continues to work on completing various ancillary
12 action items affiliated with the Settlement Agreement.

13 Regarding the Corps CDF and Dredging project,
14 the Corps Report is in your Board packet. And project
15 manager Vaughn Kuhlman will be providing an update to
16 the Board on another matter.

17 Buckeye, a representative from Buckeye,
18 Mr. Michael Lark, recently contacted me regarding a
19 Pipeline Maintenance Project that they're planning on
20 undertaking in the next couple of months. Copies of
21 the correspondence are in your packet. However, the
22 property that they identified where the work will occur
23 is within the South Tank Farm, which is no longer owned
24 by the District. So I advised Mr. Lark to contact the
25 new owner, which is Atlantic Richfield, and make sure

1 they notify the city and schools of their project.

2 Also, because the project is quite a distance
3 from the Waterway, we didn't think a presentation to
4 the Board was necessary. However, as I mentioned, I
5 did share the project details with the Board. That's
6 in your packet. Mister Lark is present today. So he's
7 welcome to share additional details of their project,
8 if he wishes, during public comments.

9 And on another note, I attended the Lakeshore
10 Chamber of Commerce Board Meeting this morning, and
11 Mr. Tim Anderson was there and he wanted to say hi to
12 everybody. He told me to tell you guys hi. So, that
13 concludes my report.

14 MR. FEKETE: Okay. Hold for just a second.
15 Who are you representing?

16 MR. LARK: I'm Michael Lark from Buckeye.

17 MR. TREVINO: He's Michael Lark.

18 MR. FEKETE: You know what I'd like to do?
19 I'd like to hear your presentation now, so you don't
20 have to sit through the whole meeting. Is that okay?

21 MR. LARK: My name is Michael Lark. I'm a
22 Representative from Buckeye Partners. Buckeye has a
23 number of pipelines, as do numerous other oil and gas
24 piers to cross that South Lake George property, as you
25 guys refer to it. We have a pipeline in there that's

1 going to need some repair. We intend to dig that up
2 sometime in the September/October timeframe and cut out
3 a section of pipe. We're going to have approximately
4 600 linear feet of pipe exposed. It will be removed
5 and new sections of pipe will be placed inside. We're
6 not anticipating any problems. And I've already made
7 the notifications recommended to the school and the
8 City. We have a good working relationship. Arco is a
9 subsidiary of BP. So we have a good working
10 relationship with BP. So one way or another, they'll
11 work it out.

12 I actually did call, I placed a call to the
13 Recorder's Office today, and they said that they didn't
14 have any recorded document transferring ownership over
15 to Arco at this time. I'm sure it's coming or, you
16 know, they could have it. It's, you know, in the
17 Auditor's Office or whatever. But anyways, they said
18 they didn't have anything, didn't have anything at this
19 time. So either way, we're making notification to you
20 guys. We'll make notification to BP at some point in
21 time. We have, obviously, a good working relationship
22 with them as they're a customer of ours. So if anybody
23 has any questions?

24 MR. TREVINO: If you would like, we could,
25 you know, schedule a conference call between us and

1 Eric Larson, just try to help coordinate what you need
2 to be done.

3 MR. LARK: I don't anticipate us having any
4 problem. Like I said, we have a lot of industry
5 contacts back and forth. So that's at least from my
6 opinion, it's just, that's going to be a formality at
7 this point.

8 MR. FEKETE: So is there any chance of
9 discharge of a product into the atmosphere?

10 MR. LARK: No. It will be -- the line will
11 be -- the lines will be purged, literally purged before
12 we go in there. We cut them out. They'll be cut out.
13 And then any groundwater that we encounter will be put
14 in a frack tank and then transported off site for
15 processing before release.

16 MR. TREVINO: And how will the line be cut?
17 Would it be cold cut, or how --

18 MR. LARK: It will probably be hot cut. If
19 that is going to be a determination at the time of May,
20 they actually go cut into it.

21 MR. TREVINO: And how deep is it?

22 MR. LARK: I think that they told me -- the
23 guys told me that it's fairly shallow in there. Maybe
24 two, two and a half feet deep, something like that.
25 I'm not exactly sure.

1 MR. FEKETE: Is that an oil line or product?

2 MR. LARK: All the lines up there for Buckeye
3 are all refined product lines.

4 MR. TREVINO: Yeah. Well, I want to thank
5 Mr. Lark for reaching out to us and, you know,
6 attending the meeting and putting out his -- the
7 project work to the public. He shared it with the
8 schools.

9 MR. LARK: I sent both of them letters very
10 similar to what you --

11 MR. FEKETE: Thank you.

12 MR. TREVINO: Thank you.

13 MR. FEKETE: Thank you for coming. You're
14 welcome to stay.

15 MR. LARK: As interesting as this is, I don't
16 know. I'll save that for you.

17 MR. FEKETE: Okay.

18 MR. LARK: All right. Thank you very much.

19 MR. TREVINO: Thanks, Mike.

20 MR. FEKETE: Well, thanks for coming, Nate.
21 All righty. Well, that's good. Got that squared away.

22 MR. TREVINO: Yeah. That was a good idea.

23 MR. FEKETE: Okay. Next order of business is
24 the approval and consideration of the Board meeting
25 notes and --

1 MR. TREVINO: Yeah, yeah. As I mentioned, we
2 didn't receive them in time, so they're not -- I left
3 it. I left the item on the -- action item on the
4 agenda in the event that we received them. So we'll
5 have to push that to the August board meeting.

6 MR. FEKETE: We'll hold that for the next
7 meeting -- the Accountant Consultant Reports. Vanessa?

8 MS. VARGAS: Good afternoon, everyone.
9 Vanessa with CLA. Can you hear me okay?

10 MR. FEKETE: Yeah.

11 MR. LARK: Okay.

12 MS. VARGAS: In front of you, you have a copy
13 of the June 30, 2024 financial statements on a cash
14 basis. If you turn to Page 2, we will begin with a
15 statement of cash receipts and cash disbursements for
16 the six months ended June 30, 2024. You've received
17 interest income totaling \$249,210.56. You've collected
18 User Fees in the amount of \$3,760.85. You've received
19 a trust transfer in the amount of \$280,283.25, as well
20 as other income, which is the District's portion of the
21 MOU net to \$4,913,996.81. Bringing your total receipts
22 to \$5,447,251.47.

23 Total disbursements made up of the line items
24 above equals \$542,465.07. This brings you to an
25 increase in cash in the amount of \$4,904,786.40. Your

1 cash balance as of January 1, 2024 totaled
2 \$8,709,684.13. Your cash balance as of June 30th was
3 \$13,614,470.53. If you turn to Page 3, we will
4 continue with the schedule of cash account activity for
5 the six months ended June 30, 2024.

6 Your operating account began the year with a
7 cash balance of \$1,121,983.80. You've earned interest
8 totaling \$22,738.91. You had a trust transfer in the
9 amount of \$280,283.25 as well as a budget transfer in
10 the amount of \$281,130.16.

11 Cash disbursements through June 30 totaled
12 \$542,403.07. This brings your operating cash balance
13 as of June 30 to \$1,163,733.05.

14 Your User Fee account began the year with a
15 cash balance in the amount of \$5,224,499.34. You've
16 earned interest in the amount of \$175,438.66. You had
17 a redeemed CR in the amount of \$506,208.33. Collected
18 User Fees in the amount of \$3,760.85 as well as
19 received other income from the MOU of \$7,163,996.81.

20 You've had cash disbursements, which includes
21 the split of the MOU, as well as a budget transfer of
22 \$281,130.16 which brings cash disbursements to
23 \$4,031,192.16. This brings your User Fee account
24 balance as of June 30th to \$9,042,711.83.

25 You began the year with CDs in the amount of

1 \$2,363,200.99. You've earned interest in the amount of
2 \$51,032.99. You purchased a CD in the amount of
3 \$1 million and purchased a SDAR in the amount of
4 \$500,000. You redeemed the SDARs for \$506,208.33,
5 which brings your CD balance as of June 30th to
6 \$3,408,025.65.

7 If you turn on to Page 4. We will continue
8 with the schedule of 2024 available budget as of
9 July 18, 2024. Your 2024 budget appropriation totaled
10 \$1,306,000. Adding back in accounts payable dated
11 12/31/2023 totaling \$345,897.21, as well as budget
12 amendments netting to \$31,500, brings your 2024 total
13 appropriation to \$1,683,397.21.

14 You've had cash disbursements for the six
15 months ended June 2024 totaling \$542,465.07. In front
16 of you, you have a claims docket dated July 18, 2024
17 totaling \$42,040.85. This brings your total unused
18 budget to \$1,098,891.29.

19 Are there any questions?

20 MR. FEKETE: Thank you, Vanessa.

21 The next order of business is the approval
22 consideration for the accounts payable voucher. The
23 register, July 18th. I'll entertain a Motion to
24 Approve.

25 MR. RODRIGUEZ: I make a Motion to Approve.

1 MR. FEKETE: We have a motion. I have a
2 second?

3 MR. ROBINSON: Second.

4 MR. FEKETE: Have a roll call vote Jalan
5 Robinson? I'm doing a roll call vote because it's
6 financial.

7 MR. ROBINSON: Yes.

8 MR. FEKETE: John Bakota?

9 MR. BAKOTA: Yes.

10 MR. RODRIGUEZ: Henry Rodriguez?

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Ray Lopez?

13 MR. LOPEZ: Yes.

14 MR. FEKETE: John Fekete? I vote yes. That
15 motion is approved.

16 Next order of business is the Iseminger
17 Contract Assignment and Assumption of Contract
18 Agreement. I'll entertain a motion to approve.

19 MR. RODRIGUEZ: Make a Motion to Approve.

20 MR. FEKETE: And a second?

21 MR. ROBINSON: Second.

22 MR. FEKETE: A second from Jalan Robinson.
23 Roll call. Jalan Robinson?

24 MR. ROBINSON: Yes.

25 MR. FEKETE: John Bakota?

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.

7 Next item is approval consideration for the
8 Gateway Tax Exemption Application.

9 MR. TREVINO: Yeah. This is an application.
10 So when we purchased the copier and other services and
11 equipment from Gateway, we won't be charged taxes.

12 MR. FEKETE: Okay. I'll entertain a motion
13 to approve.

14 MR. BAKOTA: Motion to Approve.

15 MR. FEKETE: I have a second.

16 MR. RODRIGUEZ: Second.

17 MR. FEKETE: We can take a voice vote on
18 this. All in favor signify by saying "aye".

19 (A CHORUS OF AYES)

20 MR. FEKETE: Any opposition, abstentions?

21 (NO RESPONSE)

22 MR. FEKETE: Hearing, none. The motion is
23 approved.

24 And the final item for approval consideration
25 is the Gateway Copier/Printer Purchase Amendment for an

1 item totaling \$50.

2 MR. TREVINO: Right. Yeah. So when we
3 approved the proposal at the last Board meeting, it was
4 just -- it was for \$33,967. But when they came out to
5 install it, our switch was bad, which is a little piece
6 of equipment that they had to bring -- you know,
7 replace it and it was \$50. So just to cover ourselves,
8 I think it's a good idea to just --

9 MR. FEKETE: I'll entertain a Motion to
10 Approve.

11 MR. ROBINSON: Motion to approve.

12 MR. FEKETE: Do we have a second?

13 MR. BAKOTA: Second.

14 MR. FEKETE: And we have a second. We'll
15 take a voice vote on this. All in favor, signify by
16 saying "aye".

17 (A CHORUS OF AYES)

18 MR. FEKETE: Any oppositions? Abstentions?

19 (NO RESPONSE)

20 MR. FEKETE: Motion is approved.

21 Next item is the Great Lakes Legacy Act Grand
22 Cal River Junction Reaches Remedial Design Project
23 Update.

24 MR. TREVINO: Yeah. Jim, you with us?

25 MR. WESCOTT: I am. Can you hear me okay?

1 MR. TREVINO: Yes, we can.

2 MR. WESCOTT: So I won't cover what Fernando
3 covered at the beginning. We are continuing to make
4 progress. We're actually out on the Grand Cal starting
5 this week collecting samples for EPA. We kind of
6 talked about that in the past couple months. That
7 sampling should continue into August, probably in the
8 end of August. And then with those results, we can
9 kind of finalize some of the design drawings. In the
10 interim, we'll finalize some of the permit applications
11 that are affected by the sampling and try to get those
12 into the agencies for review and approval.

13 So, as Fernando mentioned, we're still set up
14 pretty well so that the design components will all be
15 complete by the end of the calendar year so that
16 construction can start next year.

17 Are there any questions?

18 MR. FEKETE: Thank you. Thank you, Jim. All
19 right. Next order of business is the BMO Trust Report.
20 Mr. Santori.

21 MR. SANTORI: Yes.

22 MR. TREVINO: Hey, Bob.

23 MR. SANTORI: Hello. Hi, guys. Yeah, so,
24 first page, Money Market CD Holdings, June 30, 2024.
25 This page shows the combined balance of your Money

1 Market Account and Certificate of Deposit with BMO.
2 The current value on June 30th was \$3,994,308.93.
3 There was a total decrease in deposit balances of
4 \$28,812.18. And this was due to a combination of the
5 distributions of \$29,200. And then the interest earned
6 on the Money Market in June was \$387.20.

7 And HQ, the trust historical data showing
8 this picture of the historical values of the trust
9 account from 1997 and its current distribution in the
10 year 2024 of \$280,283.25. That, I believe, covers both
11 of those charts. If there's any questions, I'd be
12 happy to answer those for you.

13 MR. FEKETE: Any questions for Mr. Santori?

14 MR. TREVINO: Yeah, Bob, you mentioned that
15 in your report there's a -\$28,812.18. And our
16 withdrawal to support the budget amendment was for
17 \$29,000. Is there something else embedded in that
18 number?

19 MR. SANTORI: Yeah. Actually, so the
20 interest earned for that month kind of brings that
21 \$29,200 down. So, \$387.82, if you were to add that
22 interest number, do that, it should get you the --

23 MR. TREVINO: Oh, I see. Okay.

24 MR. FEKETE: Yeah.

25 MR. TREVINO: All right. I would have just

1 thought that credit, which should have been \$29,200 and
2 then the positive was the \$387.82. Okay.

3 MR. SANTORI: Yeah, it's a combination.
4 Maybe what I could do is have two separate columns for
5 credit and debits that we don't -- or actually, I guess
6 the interest earned would be a credit column as well.

7 MR. TREVINO: That's what I was thinking.
8 Okay.

9 MR. SANTORI: That will be a separate column
10 going forward.

11 MR. LOPEZ: Just keeping you on your toes.

12 MR. TREVINO: All right. Thank you.

13 MR. FEKETE: Any other questions? Thank you,
14 Bob.

15 MR. SANTORI: You're welcome.

16 MR. FEKETE: Okay. U.S. Army Corps Board
17 Report. Vaughn, you're up?

18 THE COURT REPORTER: What's your name?

19 MR. COOLMAN: Vaughan, V-A-U-G-H-A-N.
20 Coolman, C-O-O-L-M-A-N.

21 MR. FEKETE: Do you have a card?

22 MR. COOLMAN: I do not.

23 MR. FEKETE: A card? No. Maybe one of these
24 days.

25 MR. COOLMAN: Okay. For the second half of

1 June, half of July, don't have much on the CDF
2 Construction. Again with the wastewater treatment,
3 they'll resume as soon as we have the new contract in
4 place. And they're still doing a few punch list items
5 on the Phase II Dyke Race and dredging in the fall
6 will begin after Labor Day. And even though we had the
7 dredging public meeting on the 20th, after the last
8 Board meeting, due to some internal miscommunications
9 with our Public Affairs Office, it wasn't very well
10 publicized. So we're going to try to have one after
11 next month's meeting, August 15th, if possible or
12 another date so that the community can come in and ask
13 questions of the Corps or the contractor, if they have
14 any.

15 And there's been some activity the past few
16 weeks. I think Fernando had mentioned it. We're doing
17 some sediment sampling in various locations over the
18 past few weeks, and we'll use that analysis to
19 determine the composition and what we'll need for
20 dredging equipment in 2025 for that effort. And also
21 the past few weeks, Corps teams, and I think in
22 conjunction maybe with -- I think maybe there was EPA
23 people there as well. They're doing inspections and
24 assessments of the new CDF structures and existing
25 structures and the equipment and compiling reports.

1 And I do know that some of those reports will go to
2 various Indiana agencies, but I'm not sure of the
3 public availability of those at this time. But I'll
4 inquire about that and find out.

5 And then we don't have nothing significant on
6 the oil boom. And still parkway maintenance, cleaning,
7 and removing debris as needed as usual. And we are in
8 receipt of both of the letters you mentioned between
9 yourselves and Cleveland-Cliffs. And I had our office
10 of Counsel with us over, and everything is in order.
11 And so once we get the ball rolling, we should be able
12 to do the disbursement, I would hope, probably by the
13 end of next week at the latest. And I'll send you an
14 update.

15 MR. FEKETE: Are there any questions for
16 Vaughn?

17 MR. TREVINO: No, but I think if the Board's
18 okay, we can give Vaughn the okay now that August
19 15th -- they can do their presentation at the August
20 15th Board meeting, after the August 15th Board
21 Meeting. Everyone okay with that?

22 MR. FEKETE: Fine.

23 MR. COOLMAN: Okay. So, I mean, I'll do it.
24 And hopefully we'll have someone from Rowan as well.
25 It might be over Zoom for them or might be in person,

1 like last time. I don't know if it'll be the same
2 person. Jack, he did a great job. So hopefully
3 they'll be able to attend again as well.

4 MR. TREVINO: Yeah, and when you do advertise
5 it, if you could share a copy of it so I can include it
6 in my posting as well.

7 MR. COOLMAN: Yeah. And we're going to try
8 to get it in the paper and everything.

9 MR. FEKETE: Put it on the billboard on
10 Columbus Drive.

11 MR. TREVINO: Well, and I want to thank the
12 Corps for taking the lead on rescheduling another
13 presentation because it was unfortunate that obviously
14 it was unintentional. But I think when it's advertised
15 for 7:00 and it was held at 6, it just, you know,
16 doesn't look good. And I think it, you know, to be
17 fair to the community and the public, I think it was a
18 good idea for you guys to decide to reschedule it and
19 give the public and community another opportunity to
20 attend.

21 MR. COOLMAN: We were disappointed as well
22 with that error.

23 MR. FEKETE: These things happen.

24 MR. COOLMAN: Yeah. Yeah. They do. But
25 we're going to try to make sure that they don't happen

1 again.

2 MR. TREVINO: Okay.

3 MR. FEKETE: But you forgot to mention it was
4 7:00 Eastern Time.

5 MR. COOLMAN: Yeah. My parents live in
6 Indiana. So I'm used to that. But I'm not, because I
7 used to live on the East Coast before I came back. And
8 so for a long time we were on -- both on the same time
9 zone. Now I'm Central and I keep forgetting and I'm
10 like, oh, I can't call them now. It's too late at
11 night. They're in bed.

12 MR. FEKETE: Okay. Well, thank you very
13 much.

14 The next order of business is the Ellen
15 Gregory Report.

16 MS. GREGORY: Yes, Ellen Gregory with Ellen
17 Gregory Law. I've been working with Mr. Trevino on the
18 assignment and assumption of contract of Veritext,
19 which is the company that bought the assets of
20 Iseminger. And making sure that contract was prepared.
21 Also, the Sales Tax Exemption application and the
22 printer purchase contract, worked with Fernando on
23 putting those together as well. And then I've also
24 been involved in numerous conference calls with ARBP,
25 the Corps and EPA regarding the fifth modification for

1 the -- River Project Agreement and the various
2 discussions regarding cost share allocation with AR/BP.
3 And then finally working to help Mr. Trevino prepare
4 the User Fee communicator that's going to be going out
5 later this month. That's all I have.

6 MR. FEKETE: Any questions for Miss Gregory?
7 Thank you very much.

8 MR. FEKETE: Okay. Any other New Business to
9 come before the Board?

10 MR. TREVINO: Yes. So I've reported in the
11 past that we have a Cost Share Agreement with Atlantic
12 Ritchfield BP that's related to the Lake George Canal
13 Great Lake Legacy Act projects. So we've been in kind
14 of negotiations and debating some of the provisions
15 affiliated with that cost share. And we've been
16 working hard to compromise and find a win win
17 situations between the District and AR/BP. But in the
18 event that we don't find that common ground, we'll have
19 to initiate the dispute resolution affiliated with the
20 agreement.

21 So Ellen and I would like to ask the Board to
22 delegate that authority to Ellen and I that if we feel
23 we need to initiate that dispute resolution process, we
24 can do it without having to come back if it happens to
25 occur in between Board meetings.

1 So, Ellen, did you want to add anything?

2 MS. GREGORY: No. I think you got it all.

3 MR. FEKETE: Okay. I'll entertain a Motion to
4 Approve the possibility of entering into a dispute
5 resolution process, if it's necessary. And just only
6 ask that you would inform the Board via text or phone
7 call at the appropriate time if you think it's between
8 Board meetings.

9 MR. LOPEZ: I make the motion.

10 MR. FEKETE: Okay. Second?

11 MR. BAKOTA: Second.

12 MR. FEKETE: All those in favor signify by
13 saying "aye".

14 (A CHORUS OF AYES)

15 MR. TREVINO: Okay.

16 MR. FEKETE: Any oppositions or abstentions?

17 (NO RESPONSE)

18 MR. FEKETE: Hearing, none. The Motion is
19 approved.

20 Any other new business or any public
21 comments? I think that's it. Our next Board meeting
22 will be August 15, 2024 at 5:00 p.m. I'll entertain a
23 Motion to Adjourn.

24 MR. RODRIGUEZ: Motion to adjourn.

25 MR. BAKOTA: Second.

1 MR. FEKETE: All those in favor, signify by
2 saying "aye".

3 (A CHORUS OF AYES)

4 MR. FEKETE: This meeting is adjourned.

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6 (Meeting adjourned at 5:48 p.m.)
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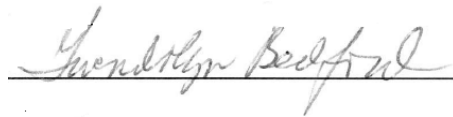
1 STATE OF INDIANA)
2)
3 COUNTY OF LAKE)
4)

5 C E R T I F I C A T E
6

7 The within and foregoing meeting was taken
8 before GWENDOLYN BEDFORD, Certified Shorthand Reporter
9 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 12th day of August, 2024.

16 
17

GWENDOLYN BEDFORD, C.S.R.

No. 084-003700

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