

**DSPC MINUTES OF BOARD MEETING
 Public Session**

February 2, 2026, at 12:00 p.m.
 Buena Vista, 661 S. Dupont Hwy, New Castle, DE
 And Virtual

DSPC Board of Directors:

Charuni Patibanda-Sanchez	Chair	Present
Fred Sears, II	Vice Chair	Present*
Karen Bifferato	Director	Present*
Darius Brown	Director	Present
David Burt	Director	Present
Joshua Bushweller	Director	Not Present
Ronald “Kimoko” Harris	Director	Present
Shante Hastings	Director	Present
Debra Heffernan	Director	Present*
Robert “Jerry” Medd	Director	Present
Ruth Ann Miller	Director	Present*
Michael Smith	Director	Present*

Also Present:

Bobbi DiVirgilio, DSPC Secretary
 Joel Heller, DSPC Treasurer
 Brian Devine, DSPC Executive Director
 Katherine Betterly, Morris Nichols
 Tom McGonigle, Barnes & Thornburg
 Andrew Saunders*
 Angela Harris
 Brian Neckermann*
 Carter Dillon*
 Diego Lopez, Enstructure
 Eugene Young, Enstructure
 Jordan Seemans*

Karl Baker, Spotlight Delaware*
 Michael Evanko, Enstructure*
 Nick Murray*
 Richard Korn*
 Sarah Mueller*
 Scott Sipple*
 Shannon Tiberi*
 Simeon Hahn*
 Zoom User Identified as “Alex” *
 Zoom User Identified as “jgrah” *
 Zoom User Identified as “Linda W.” *

**Attended Virtually*

I. Chair Welcome

The meeting was called to order at 12:01 p.m. with Charuni Patibanda-Sanchez, Chair of the Board, presiding. The Chair welcomed everyone to the public session and each of the Board of Directors introduced themselves.

II. Executive Session

A motion was made and seconded at 12:04 p.m. to enter executive session to discuss strategy sessions involving legal advice and to discuss the content of documents excluded from the definition of public record in §10002 of Title 29.

III. Public Session

At 12:42 p.m. the meeting returned to Public Session. The Chair welcomed everyone back to the public session.

IV. Consideration of Public Session Minutes of the December 11, 2025 Meeting

The Chair asked if all the members received and reviewed the minutes from December 11, 2025, public session. **Board Director Darius Brown made a motion to approve the public session minutes, and Board Director David Burt seconded the motion. With no opposition, the motion was carried unanimously.**

V. Consideration of the Executive Session Minutes of December 11, 2025 Meeting

The Chair asked if all the members received and reviewed the minutes from December 11, 2025, executive session. **Board Director Darius Brown made a motion to approve the executive session minutes, and the Board Director Shante Hastings seconded the motion. With no opposition, the motion was carried unanimously.**

VI. DSPC Update

The Chair opened the meeting thanking both Doug Catts and Peaches Whalen for their many years serving as Board of Directors on DSPC. She noted that they would be missed and that the Board truly appreciated their time and service. The Chair also thanked the DSPC Board Secretary Bobbi DiVirgilio for her work on the DSPC Board meetings.

The Chair announced that DSPC hired Brian Devine as the Interim Executive Director. The Chair stated that going forward there will be a place on the agenda for the Interim Executive Director to present information to the Board.

The Chair then provided a brief update on the status of the permits. The Chair noted that DSPC had requested a Statement of No Objection from PhilaPort. This was not received; therefore, a legal analysis was filed requesting the Army Corps apply an exception to this requirement. In January, the Army Corp agreed that the exception did apply. The resubmittal for DSPC's permits is currently under review by the Army Corp.

The Chair asked Mr. McGonigle to provide an update on the DNREC permits. Mr. McGonigle began by giving a brief overview of the subaqueous land permit appeal, which has now been fully briefed, and awaiting a decision. The second appeal, filed by several individuals that challenged the DNREC Secretary's decision, was scheduled for a hearing on February 24th, where these issues will be considered by the Environmental Appeals Board. This appeal focused mainly on the mitigation plan and the environmental impacts.

VII. Enstructure/Port Wilmington Update

The Chair welcomed Michael Evanko, Chief Commercial Officer of Enstructure, and Eugene Young, Senior Vice President of Enstructure, to the meeting and asked that they provide an update on the Port.

Mr. Evanko began by stating that the Chilean fruit season began the week of January 27th and that Enstructure is working in cooperation with the ILA and local service providers. He added that they have partnered with Agile Cold Storage to utilize the Claymont DE facility for storage of fruit cargoes. He also noted that they have handled heavy salt volumes in preparation for the winter season. Mr. Evanko went on to provide that the container & bulk tonnage was in line with FY24 with the overall labor hours being up by 22%. He also noted that Port Wilmington saw a 31% increase in labor wages since December of 2024.

VIII. Edgemoor Expansion Updates

The Chair invited Enstructure to proceed with its presentation to provide an update on the expansion project.

Diego Lopez of Enstructure provided a brief update on the Edgemoor expansion, stating that the site investigations were finalized and they had 60% of the design finalized at this time. Mr. Lopez noted that the next milestone was the cost proposal from the EPC contractor.

Mr. Evanko announced that Eryn Dinyovszky will join as President of Enstructure Mid-Atlantic, effective April 2026. She most recently served as CEO of the Nordic region for Yilport Holding Inc. and will oversee operations and commercial activities across Enstructure's Delaware facilities, including development of the Delaware Container Terminal.

The Chair asked whether there were any updates related to the ice on the river. Mr. Evanko stated that the river continued to freeze and with the current forecast of even colder weather, it was not currently expected to melt. He noted that the best-case scenario would be a rain event that would help dissolve the ice quickly. Enstructure advised that they were getting frequent updates from the Army Corp and the dredging company. The Chair added that DSPC had also reached out to the Army Corp to see if there is anything it could do to assist in this effort.

There being no further questions or discussion, Enstructure thanked DSPC for their continued support.

IX. Action Items/Resolutions

There were no action items or resolutions heard at this meeting.

X. General Public Comment

Being no further questions or comments from the Board, the Chair opened the meeting for public comments. The following public comments were made:

- Simeon Hahn: Mr. Hahn stated that he is part of the appeal regarding the subaqueous permits and expressed hope for a favorable outcome at the February hearing. He also commented on the freezing of the river and the dredging activities, stating that he did not believe the public had received notice of the dredging and questioned how the work was being conducted without the permits being issued. Additionally, he mentioned hearing about a transportation study for

Hay Road included in the mini bond bill and noted that this topic was not discussed during the meeting.

No further public comments were made.

With there being no further questions or comments, the Chair thanked all for attending. **The Board Director Jerry Medd made a motion to adjourn, and Board Director Shante Hastings seconded the motion. With no opposition, the meeting was adjourned at 1:02 p.m.**

Minutes Respectfully Submitted by Bobbi DiVirgilio