

Malheur County Development Corporation

Board Meeting Minutes

Tuesday, January 26, 2022

9:00 am (Mountain Time)

Conference Call Number: 541-896-1824

Meeting held via telephone

Members Present:

- Lynn Findley
- Jason Pearson
- Kay Riley
- Corey Maag

Guests:

- Brad Baird, Anderson Perry
- Jim Maret, City Manager of Nyssa

Staff:

- Ryan Bailey

Regular Board Meeting Call to Order and Acceptance of Minutes:

Board Vice- President Lynn Findley called the meeting to order at 9:01 am. Findley referenced minutes of the January 11th board meeting. Kay Riley moved to accept the meeting minutes as presented and Jason Pearson offered a second. Minutes for the board meeting held January 11th were accepted unanimously.

Findley asked Ryan Bailey for an update for Greg Smith. Items discussed were:

- Milestones are complete, other than construction related items.
- A pre-construction meeting with Union Pacific, TVRC contractors, Verizon, the County, RailPros, and Anderson Perry was held last week. Work can now begin in Union Pacific's right-of-way as a result.
- A meeting with the building department is scheduled for today to go over the building design.

Findley then asked Brad Baird, President of Anderson Perry, for an update. Items discussed were:

- Earthwork contractor working hard, getting past the moisture issues. They are continuing on schedule.
- Meeting with Union Pacific will allow for work in the right of way and demolition of the Nutrien Building.
- Meeting with Adele at noon today to ensure that the building design is going to meet all required codes.
- Building bid has been delayed slightly so that we can ensure that specs will work for Americold.
- Two items need approved by the board today:
 - The Railworks contract. All forms are in order, signed by the contractor. One thing the board should note is that Railworks changed their time between the time they bid and the current time. To keep MCDC safe, Anderson Perry has asked for a letter from them explaining the change. Findley asks for a motion to accept the Railworks contract and allow for Kay Riley to sign on MCDC's behalf. Jason Pearson makes a moved to accept the motion. Corey Maag seconded the motion. The motion passed unanimously.
 - The building order from R&M Steel. R&M Steel was the lowest, qualified bidder that could deliver material on time. They require 30% down, around \$400,000 dollars to get the order placed. Anderson Perry has reviewed, everything is in order, and we need to submit our payment. Corey Maag moves to accept the building order and allowing Kay to sign on MCDC's behalf. Jason Pearson provided a second. The motion passed unanimously.

Findley asks for questions from the public. None were received.

Findley asks for any other business to come before the board. Corey Maag asked about the retainage on project funds. Brad said that it is standard to retain 5% of funds for construction contracts, as it is a way to make sure the job gets finished. The ConnectOregon funding stipulates that this retainage is held for our grant as well. The board provided a directive for Greg Smith, Officer to the Board, to check with ODOT to see if any changes could be made.

Maag also asked about the invoicing procedure, and if there is a way to streamline payments from ODOT. The board has asked Smith to check into our options and to report back at the next meeting.

With no further discussion, Lynn Findley adjourned the meeting at 9:28 am.

Respectfully Submitted,

Greg Smith, Officer to the Board