

Board Meeting Minutes

Tuesday, November 5, 2019
10:00 am (Mountain Time)
Baker and Murakami Produce
1431 Se 1st Street, Ontario, OR 97914
Conference Call Number: 541-896-1824

Members Present:

- Grant Kitamura, Board President
- Greg Smith, Officer to the Board (via phone)
- Kay Riley (via phone)
- Toni Parish (via phone)

Staff:

- John L. Braese
- Julie Hicks (via phone)

Regular Board Meeting Call to Order:

The meeting was called to order at 10:03 am with special guests present:

- Jim Maret, City of Nyssa
- Pat Caldwell, Malheur Enterprise (via phone)
- Mike Walker

Discussion and Action: Review and approval of October 29, 2019 meeting minutes.

Board Member Kay Riley made a motion to approve the minutes of October 22, 2019 with the deletion of the second sentence on page two. The motion was seconded by Officer to the Board Greg Smith. By unanimous vote, the minutes were approved.

Discussion and Action: Update

Board President Grant Kitamura handed the meeting over to Officer to Smith for updates on the project.

Smith started the briefing stating a contractors' update was held the previous day. A survey crew will begin work next week. The survey is needed for Rail Pros to determine elevation planning.

Smith announced a shippers/packers meeting on Wednesday, November 13 will be held. This will be a private meeting to determine an entity to negotiate with Union Pacific and the anticipated operating entity. This will not be a meeting of the Malheur County Development Corporation.

Mike Walker questioned if this meeting would violate antitrust laws. Smith said legal counsel would act a moderator.

Smith said the modified public works application had been completed and submitted for the land purchase. The application includes the parcel identified as Nyssa Industries. With the title report ordered, the application is two weeks ahead of schedule. For the application, Malheur County is the applicant, not Malheur County Development Corporation. In addition, the county will incur associated costs.

The county will also be the applicant on the RSIS application. This application is also currently in process.

Smith announced he will appear before the Malheur County Court on Wednesday, November 13 to discuss a line of credit.

Smith expressed concern with the upcoming holidays and Union Pacific's timeline in signing off on 30 percent design.

Walker requested clarification on items being discussed at the shippers meeting. In response, Kitamura stated rate schedules and delivery guarantees.

Discussion: Other Business Before the Board

Regarding a recent newspaper article, Smith explained to the board Commissioner Larry Wilson was assigned by the County Court to oversee the rail project. Smith requested Wilson to attend the Oregon Department of Transportation board meeting and wore the shirt to identify to the board he was a commissioner. Smith urged the board to directly contact him to any further clarification on the matter.

Adjournment:

With no further discussion, the meeting was adjourned at 10:24 am.

Respectfully Submitted:

Greg Smith, Officer to the Board