



## Malheur County Development Corporation

Tuesday, May 20, 2025

10:00am (Mountain Time Zone)

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**Attendees:** Grant Kitamura, Board Chair; Kay Riley, Board Member; Mike Walker, Board Member; Ralph Poole, Board Member; Jason Pearson, Board Member; Corey Maag, Board Member; Shawna Peterson, Executive Director; Emily Conlon, S Peterson Law, LLC; Ron Jacobs, Malheur County Commissioner; Taylor Rembowski, Malheur County Economic Development

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### 1. Call meeting to order.

Board Chair Grant Kitamura called the meeting to order at 10:01am.

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### 2. Review and acceptance of previous meeting minutes.

Board members reviewed the April 15, 2025 and April 21, 2025 meeting minutes. Kay Riley made a motion to approve the April 15, 2025 and April 21, 2025 meeting minutes. Corey Maag seconded the motion and all present board members voted in favor.

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### 3. Reports:

**a. Update from Executive Director: Shawna Peterson.** Executive Director Peterson provided an update since the last board meeting.

**Status of rail completion.** Peterson circulated the biweekly summary on the project status prepared by Axiom. The summary details the work that has been completed what work will be completed next. Board members reviewed the Axiom summary, progress photos of the site, as well as RailWorks' schedule for the next three weeks. The progress of the project is steady and the target date for completion of construction remains June 13<sup>th</sup>, with inspections and clean up to follow

Executive Director Peterson briefly reviewed the process of updating scope of work via change orders. With the help of Axiom, she is closely monitoring the scope and billings. Peterson believes the budget remains accurate and the rail completion will be on time and within the budget approved by ODOT.

Peterson reported that communication with ODOT has been frequent with respect progress at the site and billings. Peterson manages and shares a spreadsheet with Hytrek's office and ODOT showing what expenditures have been preapproved and where MCDC is to date against those numbers; the spreadsheet has facilitated a more efficient reimbursement process.

Unanticipated agenda items may or may not be included.

The meeting is accessible to persons with disabilities. For any special accommodations, please email [malheurcountydevelopmentcorp@gmail.com](mailto:malheurcountydevelopmentcorp@gmail.com) at least 48 hours prior to the meeting.

Board Member Mike Walker inquired about an official sign off on the industry track agreement by Union Pacific. Peterson reported that this is expected to occur by June 30. An ODOT contractor is actively involved in the current work and is provided regular updates to ensure this goes smoothly.

**Project workflow.** Executive Director Peterson reviewed project workflow and payment process: Peterson receives an invoice, MCDC reviews and approves it, the invoice is submitted to Hytrek's office for payment, and is then submitted to ODOT for reimbursement. Peterson again noted that she, along with Axiom, are closely monitoring the invoices relative to budget. The County Court recently approved an increase in the line of credit, which will help facilitate minimal delays in payments.

The board reviewed an MCDC Funding Summary worksheet prepared by Peterson detailing the funding. There is approximately \$400,000 remaining from the original Connect Oregon grant and e-board funding. There was then a new \$5 million appropriation. Then, there was approximately \$600,000 remaining from the County Track C funding. The ODOT Amendment 8, approved at the last meeting, added \$1.6 million from the \$5 million legislative appropriation to the Connect Oregon grant. Peterson is working at the legislative level to get reauthorization of the balance, \$3.4 million, for the broader project.

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#### 4. Discussion and Action Items:

a. **Letter of Intent Addendum.** Executive Director Peterson circulated an addendum to the Jaguar Letter of Intent. The addendum includes contingencies that would allow for a return of the payment held in escrow if: 1) MCDC fails to complete rail, or 2) Jaguar is unable to secure a track agreement for servicing the site by Union Pacific. The addendum also extends the target closing date to on or before August 31<sup>st</sup>. Corey Maag made a motion to approve the Addendum to the Letter of Intent. Ralph Poole seconded the motion and all present board members voted in favor.

b. **Approval of Invoices.** The board reviewed three invoices submitted by Hytrek & Associates (1) and Warrington Construction (2). Mike Walker made a motion to approve the Hytrek & Associates Invoice in the amount of \$1,591.37 and the Warrington Construction invoices in the amounts of \$202,628.00 and \$95,289.00. Ralph Poole seconded the motion and all present board members voted in favor.

The board briefly discussed the role of MCDC as the track agreement is completed and as Jaguar takes the project over.

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5. **Next Meeting Agenda Build.** The next board meeting is scheduled for June 17, 2025 at 10:00am at the Malheur County Courthouse.

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6. **Adjournment.** The meeting ended at 10:50am.

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