

<p>07/18/19</p>	<p>In attendance: Danielle Gonzalez, (Marion County) Ken Woodward,(Detroit)Tim Kirsch(Mill City) Jeff Yohe(Idanha) Jerry Marr, (Gates) Dale Weise, (Gates) Shelley Engle, (Detroit) Dan Tucker,(Gates) Jeff Crowther(OAOW) Heath Cokeley(OAOW) Dan Lawler, (Attorney) McRae Carmichael, (MWVCOG) Ken Cartwright,(KYBZ Radio) Dean O'Donnell(Detroit) Dave Danielson, Sonia Kellas, Michael Henry,(Idanha) Robert Henry(Idanha) Andrey Chernishov, (HBH Consulting Engineers) Tracy Martinez(Idanha) Jim Tre(Detroit)</p> <p>A. Legal Pathway Final Q&A, direction – Christy Monson</p> <ul style="list-style-type: none"> • Looking at differences in the ORS450 and ORS190 • Concerns with the ORS190 what type of funding may or may not be available. • Per Business Oregon and the State of Oregon an ORS190 is not eligible for special Public Works funds. Although a third party such as Marion County or another entity could potentially get the funding on behalf of the project as long as they become the State fiduciary. • Other concerns brought forth were with liability and additional risk to individual cities. • Christy clarified that there is no longer an option for a County Service District. Also under an ORS190 there is no general bonding authority but there is authority to issue revenue bonds. • Regarding concerns on liability/risk, Christy explained that with an Intergovernmental Agency you can assume as much liability/risk or as little as you decide when the intergovernmental agreement is written, the law is very clear on this. Because an ORS190 is still a governmental agency it is also protected from lawsuits, as well as members of the Board of Directors. <ul style="list-style-type: none"> ○ Q: Could an ORS190 potentially purchase their own insurance? ○ A: Yes ○ Q: How do you determine what is written into the agreement? And how do you go about finding someone who has experience in writing an agreement? ○ A: First step would be to write a draft with all parties involved present, once the draft has been completed the next step would be to have each city attorney go over it and make changes as needed.
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	<ul style="list-style-type: none">○ Q: What if your current individual city attorney is not as skillful in this area as you would like?○ A: Perhaps hire one attorney, who is experienced in this type of area, to represent all cities with this project. Christy is willing to make some recommendations on experienced attorneys, if the group decides to go that route.● With an ORS450, if the group feels that general obligation bonds are an absolute necessity than this is the route to go. ORS450 likely requires an election and if you want to get bonding authority you will most likely have to hold an additional election.<ul style="list-style-type: none">○ Q: What is the ORS450 dissolution process?○ A: The process is similar to any other government dissolution.● If you believe that you can fund the project with revenue bonds, user fees and other options then the ORS190 is the way to go. Also does not require an election.<ul style="list-style-type: none">○ Q: What is the ORS190 dissolution process?○ A: However the group decides what the dissolvent process should be the group can insert that into the agreement.○ Q: Please explain the financial piece in regards to both the ORS450 and ORS190. Who will administer the funds?○ A: With the ORS190 you decide who is going to administer the funds, or you can hire a staff person to do so.○ Q: How is it different from an ORS450? Wouldn't we have to hire someone to administer funds anyway?○ A: Yes.○ Q: Where would the funds for a staff person come from?○ A: Usually with a 190 you would decide where the money is going to come from. Often with a Sanitary District the funds would come from user fees. There are other options grants, revenue bond authorities and possibly state funding through a third party.○ Q: Is it possible to use some of the language from the 450 and use it when writing the 190?○ A: Yes.○ Q: Mill City and staff are taking the lead on billing; liability (legal actions) will not solely be on them. All four cities will be liable, when using the ORS190.
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	<ul style="list-style-type: none">○ A: Yes, the protection can be written into the agreement.● Christy's needs to move forward:<ul style="list-style-type: none">○ Vote on using a ORS190 or ORS450○ Direction from the Board to begin whatever process is needed on the 450 or 190. <p>Action: A motion was made by [redacted] to move forward in using an ORS190. A second was made by [redacted].</p> <p>Discussion:</p> <ul style="list-style-type: none">○ Q: Why would we use a 190 vs. a 450, talk about the pros and cons of both entities?<ol style="list-style-type: none">1. 450- Could petition for an election2. 190- No election3. 450- All bonds go to election4. 190- No general obligation bond and no tax5. 450- Taxing would have to go to an election6. 190- Revenue bond available7. 190- Lots of flexibility8. 450- Less flexibility9. 190- Liability issues for each city but Christy is confident the protection from liability can be written into the agreement.10. 190- Cost less money○ Q: Why would it cost more money to go with a 450 vs. 190?○ A: An election costs money.○ With ORS190, there is local control. <p>Action: The motion on the table made by [redacted] is to move forward in using an ORS190. A second was made by [redacted] Motion was voted on and approved unanimously.</p> <p>B. Drafted RFQ review and approval – McRae Carmichael</p> <ul style="list-style-type: none">● COG is drafting the project master plan RFQ and presenting it to the joint sewer task group for approval.● COG will post the RFQ to ORPIN.● COG will except the proposal on behave of the N. Santiam Sewer Task Group; they will also organize the scoring and a selection of the Firm at the direction of the Task Group. As well as a selected technical advisory and selection committee.● COG will draft and negotiate contract costs and scope of work with selected Firm.● Marion County approval of the firm negotiated costs,(not necessarily the decisions the cost only) authorize funds to COG for the firm.
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	<ul style="list-style-type: none"> • COG and Marion County, in advisory role, and technical advisory to assist the N. Santiam Sewer Task Group in managing the Firm contract and facilitating the master plan development. • COG facilitates master plan approval decisions with N. Santiam Sewer Task Group. • N. Santiam Sewer Task Group approval of master plan and direction of next steps decision. • RFQ Discussion: <ul style="list-style-type: none"> ○ Q: Will the bids be kept locally or all over the State ○ A: RFQ will be open statewide. ○ Q: McRae asked does the general statement of the RFQ look accurate to the group. ○ A: The consensus is yes. • Proposal Scoring <ol style="list-style-type: none"> 1. Proposed budget and hourly rates for staff and admin. 10pts. 2. Relevant project experience in similar communities. 20pts. 3. Project design and schedule 10pts 4. Depth of experience and knowledge working with the 3 Basin Rule 30pts. 5. Project approach and innovation 10pts. 6. References, on time, on budget, will work with them again 10pts 7. Firm qualifications and experience. 10pts • Scope of Work: <ul style="list-style-type: none"> ○ Master Plan – Phase I ○ Wastewater Treatment – Phase II ○ Project Management – Phase III • Suggested Tasks: <ul style="list-style-type: none"> ○ Mill City is in need of capacity study sooner than later ○ Under Scope of Professional Services & Responsibility <p>It is suggested in rewording the sentence that reads. The consultant shall provide a wide range of responsible and responsive professional engineering services including, but not limited to, project management, design, permitting and construction drawings/specifications. Perhaps to change last portion to read, design and project management oversight of construction. McRae will work on the wording and update and review with Danielle and COG legal. As well as group via email.</p>
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	<ul style="list-style-type: none">○ Staffs review of minimum qualifications in schedule push to second week of September. <p>C. Logo – Shelley</p> <ul style="list-style-type: none">● Discussion of Logo:<ul style="list-style-type: none">○ Shelley will take ideas and changes on the logo from group and have Dave make those changes for approval. <p>D. KYAC Radio Show</p> <ul style="list-style-type: none">● Is there a possibility to get it on a podcast<ul style="list-style-type: none">○ Will need to contact Ken Cartwright○ There is a copy on a CD that can be shared with those who are interested.○ Not a whole lot of response from the public.● <p>Meeting Adjourn</p>
<p><i>NEXT MEETING - August 1, 2019 from 6-8 pm at City Hall in Mill City</i></p>	