

05/02/19	<p>In attendance: Danielle Gonzalez, (Marion County) Dale Weise, (Gates) Katelynn Kindred (N. Santiam HS Student) Janet Zeyen-Hall, (Mill City) Dan Lawler, (Attorney) McRae Carmichael, (MWVCOG) Traci Martinez,(Idanha) Ken Woodward,(Detroit) Tim Kirsch,(Mill City) Jeff Yohe,(Idanha) Jerry Marr, (Gates) Dan Tucker,(Gates) Christy Monson,(Attorney, via phoned) Mark ? (Lyons)</p> <p>A. Meeting notes from April 4th</p> <p>B. Since Last Meeting:</p> <ul style="list-style-type: none"> • Broadband projects in works <ul style="list-style-type: none"> ○ Working with Detroit and Idanha, and helping get the Grant applications going ○ Rural Utility Service and USDA have approximately 600,000 million dollars that will be put to use throughout the Country on rural broadband service. In March an RFI was put out to get entities to apply for the funding ○ Detroit has a 15 year exclusivity agreement with Frontier it will expire 2022. ○ Broadband will happen in Detroit and Idanha within the next 3-5 years <p>C. Formalization of work- Leadership, Vision, Signing Authority and Communication</p> <ul style="list-style-type: none"> • Public Notice • DECISION POINT : Chain of authority (Chair, Vice Chair, Secretary, Website, Historian) decision Making and financial signatory authority • Sewer Task Group – Formalization of Leadership <i>Chair: Motion was made by Jeff Yohe to nominate Ken Woodward as Chair. Second was made by Tim Kirsch.</i> <ul style="list-style-type: none"> ○ The Chair duties include running the meeting, facilitating discussion points, leading discussion points, calls for motions for action items. <i>Vice Chair: Motion was made by Ken Woodward to</i> <i>nominate</i> <i>Tim Kirsch as Vice Chair. Second was made by Janet Zeyen-</i> <i>Hall.</i> <ul style="list-style-type: none"> ○ Vice Chair acts in chair position when Chair unavailable
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	<ul style="list-style-type: none"> ○ Keeps the task group aware of emerging topics <p>Secretary: Motion was made by Tim Kirsch to nominate Janet Zeyen-Hall as Secretary. Second was made by Jeff Yohe.</p> <ul style="list-style-type: none"> ○ Coordinates the approval of invoices from Mill City ○ Provides reports to task group from fiscal agent Mill City ○ Takes notes of action items and provides them to Marion County for inclusion in minutes <p>Historian: A motion was made by Tim Kirsch to nominate Jeff Yohe as Historian. Second was made by Ken Woodward.</p> <ul style="list-style-type: none"> ○ Takes photos of meeting for use for use in presentations and grant applications and items of interest to the sewer project <p>Communications: A motion was made by Tim Kirsch to Nominate Shelley Engle as Communications. Second was Made by Ken Woodward.</p> <ul style="list-style-type: none"> ○ Manage and update website ○ Coordinate and draft public education ○ Assist with funding presentations <p>All motions/nominations were voted on and approved unanimously.</p> <ul style="list-style-type: none"> ● Signatory authority(one from each city) <ul style="list-style-type: none"> ○ Ken Woodward, Detroit ○ Jeff Yohe, Idanha ○ Daniel Tucker, Gates ○ Tim Kirsch, Mill City ● Rules of the N. Santiam Joint Task Group <ol style="list-style-type: none"> 1. There are eight authorized voting members(no more than two from each city) <ul style="list-style-type: none"> ○ Detroit: Shelley Engle, Ken Woodward ○ Gates: Daniel Tucker, Jerry Marr ○ Idanha: Jeff Yohe, Traci Martinez ○ Mill City, Janet Zeyen-Hall, Tim Kirsch 2. Quorum for action items or votes shall consist of five voting members(tie vote plus one) 3. All tie votes, fail 4. Two signatures on documents and financial documents, but only upon the approval from task group <p>D. Local Law Group-Attorney Christy Monson (by phone at 6:45pm), Dan Lawler will attend</p>
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- **SIGNATURES:** Firm engagement letter
 - Reviewed Firm engagement letter; discussion on procedure of attorney billing hours. Questions should be discussed amongst the group via email and then presented to Danielle. Danielle will in turn bring forward those questions to the attorney's. This will help keep attorney billing hours down.
 - Motion was brought forth by Tim Kirsch accept Firm engagement letter; a second was made by Ken Woodward. Motion was voted on and approved unanimously.
- Memo update: Christy Monson recaps Options for Providing Sanitary Services in the N. Santiam Canyon. The recommendation is to implement an ORS 190 IGA.
 - **Option 1: Special Sanitary District;** which is generally formed by election; however at times it can be done without an election. The formation process would include circulating a petition, required signatures, and then it would go to a general election vote.
 - The Board would also have to provide perspective petitions to the County Board for approval, a hearing process would be held, and during that hearing process electors in the territory may request an election on the petition. If there is no request for election a special district may be formed after the required hearings without an election with the following conditions; 1. If at least 15% of electors or 100 electors within the proposed territory (whichever is lesser) fail to timely request an election, **AND** 2. If the County Board approves the petition, **AND** 3. If no permanent tax rate is proposed or authorized; **OR** 4. If all landowners within the territory petition to form a district ;(ORS 198.830); **OR** 5. If the OHA finds that a danger to the public exists because of conditions within the territory (ORS 431.735 and ORS 198.792) if these conditions are not met, a formation election must be held.
 - Special District option would give all the taxing authority, and all the authority you need to be government, create the sanitary system and protect it.

	<ul style="list-style-type: none"> ○ The Governance for the District is comprised of either 3 or 5 resident electors or landowners electors in the proposed territory. The election for the board seats must comply with the normal election statutes (ORS Chapters 198 and 255). There are also laws regarding the board member terms, officers, successors and the process to change the method of the election and number of board members. ○ <u>Option 2: Sanitary Authority;</u> The Sanitary Authority is formed the same way a Special District is formed as mentioned above, however you can avoid the petition process if government within the proposed territory believes the formation is necessary for the protection of public health, safety and welfare. (ORS 450.785) ○ The Sanitary Authority has a 5 member Board. All other board rules apply, similar to the Special District and you would have taxing and funding authority. ○ The County Treasure is the custodian of the Sanitary Authority taxes, fees, and pays out all the monies to the Authority. ○ <u>Option 3: County Service District;</u> The County can form a County Services District. Under this formation the County is solely responsible for forming the district and an election is not required. The County Commissioners are the sole governing body. ○ Funding and taxing authority is a very broad funding authority to construct and provide facilities. However there is a statutory process in order to do so. ○ The County Services District may use money from a fund established under an appropriate statute to be repaid by the district without interest. ○ County District that has not previously imposed ad valorem property taxes may vote at a later time to establish a permanent rate, however there are procedural requirements. ○ All monies received by the County District must be paid directly to the County Treasurer and deposited into an appropriate district fund and will be managed by the County Treasurer.
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	<ul style="list-style-type: none"> ○ Option 4: ORS 190 IGA; is an intergovernmental agreement between two or more agencies, they create a new agency and it is determine how many board members they would like to have. There is no petition or election required. With cities and counties, this means that they can give their broad inherent authority to other local governmental entities that may not have such a broad authority. The contractual parties are able to share resources, infrastructures, or employees to participate in joint projects. ○ The agencies have no authority to levy taxes or issue general obligation bonds. ○ The intergovernmental agency is subject to all the same rules and regulations as the governments which form it. You must also comply with Oregon’s public meeting and records laws. However, Oregon’s local budget laws and public contracting laws can be waived. Suggest following the public contracting rules. ○ This IGA contract must be ratified by ordinance and properly filed with the Secretary of State. Subjects that must be in such an IGA include the entities functions and means to accomplish the functions and, if applicable: funding details personnel details, how and if property is transferred, term and termination. IGA partners may also agree to other more specific details. <ul style="list-style-type: none"> ● Christy Suggests a motion is brought forth to direct Legal Counsel and staff to further research an ORS 190, and if it is a viable option with the USDA, direct the Firm in drafting the ORS 190 for the group to review. <p><u>Discussion:</u></p> <ul style="list-style-type: none"> ○ Concerns with Grant issues. ○ Verify with USDA and make sure they work under ORS 190 ○ If there is no taxing and bonding is the only option to raise rates. ○ The group has the authority in deciding what fees will be charged to users and non-users ○ OHA could be of assistance <p><u>Motion:</u> Motion was brought forth by Ken Woodward a motion to direct Legal Counsel and staff to further research an ORS 190, and if it is a viable option with the USDA, direct the Firm in drafting the ORS 190 for the group to review. A second was made by Tim Kirsch. Motion was voted on and approved unanimously.</p>
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E. MWVCOG McRae Carmichael – Status of draft sewer master plan, wastewater facilities plan design and engineer RFQ

- *Content draft review; scoring*
- **Discussion of what the group thought was important to have as scoring criteria:**
- **Discussion of revised criteria from 4/4 meeting:**
 1. Proposed budget hourly rates, Staff/Admin.
 - 10 points max, agreed
 2. Relevant project experience in similar communities
 - 20 points max, agreed
 3. Past construction of Wastewater Treatment Facilities with a Class A discharge both surface and subsurface water
 - Originally max points were at 30, agreed to change max points to 20
 4. Project design schedule
 - 10 points max, agreed
 5. Experience working with the 3-Basin Rule
 - 10 points max, agreed
 6. Knowledge of working with the 3-Basin Rule
 - 10 points max, agreed
 7. References (on-time, on-budget, will work with them again)
 - 10 points max, agreed
 8. Firm qualifications and experience
 - 10 points max, agreed

Discussion:

- Will the scoring be blind scoring or at face?
- Will all references be called?
- How will RFQ be advertised?
- Asking for 2 designs
- Draft Schedule for RFQ, review group, technical advisory
 - Possibly have RFP out by June
 - Possibly have RFQ open for at least 4 weeks.(2 weeks open and 2 weeks to ask questions and get responses)
 - Potentially meet for secondary meeting in July
 - Task force would like to review draft of RFQ before it gets posted

	<p>F. Assignments – Who is doing what for the next 6/6 meeting? N/A</p> <p>Meeting Adjourn</p>
	<p><i>NEXT MEETING will be June 6,2019 from 6-8 pm at City Hall in Mill City</i></p>