

**Regular Commission Meeting
and TEFRA Hearing
November 10, 2020 – 1:30 pm
2 Marine Drive, Boardman, Oregon 97818**

I. CALL TO ORDER AND INTRODUCTIONS

Marv called the meeting back to order at 1:31 p.m.

Commissioners Present: Marv Padberg, Joe Taylor and John Murray

Commissioners Present via Video Conference: Rick Stokoe and Jerry Healy

Staff Present: Ryan Neal, Lisa Mittelsdorf, Eileen Hendricks, Mark Patton, Jacob Cain, and Brandy Warburton

Staff via Video Conference: Tim Patton, Marcine Brangham, Kalie Davis, Erika Lasater, Pat Tolar, Miff Devin, Andrea Orcutt

Guests via Video Conference: Torrie Griggs, Kirby Garrett, Andrew Sykes, Karen Pettigrew, Lillie French, Jeff Manternach, James Shannon, Mike Schrader, Molly Tucker, JR Cook, Courtney Dausz, Ryan DeGrofft and Heppner Chamber

II. RED ROCK PRESENTATION

Jeff Manternach, CFO of Red Rock Biofuels gave a presentation to the group on the background of Red Rock Biofuels and their operation plans. Mike Schrader from Orrick Herrington, counsel for Red Rock Biofuels, explained the project and their need for tax exempt completion bonds. Jim Shannon with Mersereau Shannon LLP, bond counsel for Red Rock Biofuels, explained how the Port of Morrow can validly issue bonds outside of their geographic boundaries and that Resolution 2020-23 has a provision in it requiring a court to validate it being legal to do so. Joe and Jerry asked a few questions for clarification.

III. OPEN TEFRA HEARING AND CALL FOR COMMENTS

Marv opened the TEFRA hearing with an introduction and asked for comments. No comments were voiced at the time.

IV. CLOSE TEFRA HEARING

Marv closed the TEFRA hearing.

V. NEW BUSINESS

A. Resolution 2020-23 – Revenue Bonds Red Rock Biofuels, Inc.

Joe moved to approve Resolution 2020-23, authorizing the issuance, negotiated sale, execution and delivery of special revenue bonds, series 2021 (Red Rock Biofuels, LLC Clean Energy Project) in an aggregate principal amount not to exceed \$65,000,000 for the purpose of financing a portion of the cost of a biofuels production facility; authorizing the execution and delivery of a bond purchase agreement, indenture of trust, loan agreement, tax agreement and other documents in connection therewith, approving of the distribution of a limited offering memorandum and related matters.

Jerry seconded the motion. No further discussion was had, and the motion passed unanimously.

B. Resolution 2020-22 – Port of Morrow Transmission Facilities Revenue Bonds (Bonneville Cooperation Projects)

Molly Tucker, attorney with Monahan, Grove & Tucker, explained to the group that this is a typical BPA transaction and very similar to the one we did in July 2020. The amount of the refinancing is not to exceed \$210,000,000 and is expected to close December 16, 2020. She also did point out that the Port of Morrow is not liable for the bonds.

John moved to approve Resolution 2020-22, a bond resolution of the Port of Morrow, authorizing the issuance, sale, execution and delivery of its Port of Morrow transmission facilities revenue bonds (Bonneville Cooperation Project #8), in one or more series, approving the bonds and other documents to be executed and delivered or distributed in connection therewith; appointing Ryan Neal as authorized representative and delegating authority and certain other matters related thereto. Joe seconded the motion. No further discussion was had, and the motion passed unanimously.

C. Resolution 2020-24 – Authorize Refunding of SPWF Interim Loan with Oregon IFA

Eileen explained that in 2016 we approved financing for the pipeline that goes south and approximately two years after that, we borrowed an additional \$4,000,000. This will be the refinancing of the SPFW into an Oregon bond bank transaction through the Oregon Infrastructure Finance Authority Business Development Department.

Joe moved to approve Resolution 2020-24, authorizing refunding of an interim loan from the special public works fund with the Oregon Infrastructure Finance Authority. John seconded the motion. No further discussion was had, and the motion passed unanimously.

D. Purchase and Sales Agreement of 99.9 Acres

Ryan explained that there is a prospective new client interested in 99.9 acres of property in East Beach and he would like approval to negotiate with them.

John made a motion to approve Ryan Neal to negotiate the purchase and sales agreement of 99.9 acres and sign any necessary documents. Joe seconded the motion. Jerry asked about the potential buyer and if Ryan knew who it was. Ryan noted that it was data center related. Jerry and Marv both declared a potential conflict of interest in the matter and didn't vote. No further discussion was had, and the motion passed unanimously by Rick, Joe and John.

E. NOWA Regional Letter

JR Cook presented a copy of the letter to the group in the packet and asked for the Commission support of it. He briefly explained the background and necessity of the letter to the group.

Joe made a motion to approve adding Port of Morrow's name and logo to the NOWA letter addressed to Oregon Water Resources Commission and authorizing Ryan Neal to sign. John seconded the motion. No further discussion was had, and the motion passed unanimously.

F. Updated Face Covering Guidance

Brandy presented the group with a summary of the October 19, 2020 updated guidance from Oregon Health Authority and reviewed it with everyone. Much discussion was had on how that impacts daily operations for our facilities.

G. Other

No other new business was discussed at the time.

VI. APPROVAL OF MINUTES –October 14th Regular Commission Meeting Minutes and the October 14th Strategic Planning Workshop Minutes

John moved to approve both the October 14th Regular Commission Meeting Minutes and the October 14th Strategic Planning Workshop Minutes. Joe seconded the motion. No further discussion was had, and the motion passed unanimously.

VII. OLD BUSINESS

A. Legislative Updates

State Representative Greg Smith was not available for an update.

Kirby Garrett from CFM Advocates had to take another call and couldn't give an update.

B. East Beach Unit Train Expansion & B.U.I.L.D. Update

Mark reported that all materials are on-site now, and we have about 65% of it installed. We will need to ask for an extension on the project until March of 2021.

Jacob reported that we got engineering approval from UP last week and now it's being sent to their signal and operations teams for approval.

C. Early Learning Expansion

Mark reported that the final completion is delayed until at least December due to the flooring sub-contractor contracting COVID and having to shut down the site for a couple weeks.

D. New South Lift Station

Mark said there is nothing new to report on the project.

E. Heppner Update

Mark reported that we are getting closer on the partitions.

F. Mader/Rust Reuse Expansion

Tim reported that our crews are still putting up the building around manifold 10 and it's projected to be done by the end of the month. We are still waiting for Mader/Rust to hook up to manifold 9 before we put up a building around it.

Miff reported that our temporary permit has expired and DEQ is working on the permitting process right now for spring. Winter application is not looking like it will be an option for us.

G. Airport Well

Miff reported that we made a final acceptance of bid for Yellow Jacket Drilling from Arizona and it looks like they will start drilling in January. Permitting process has not had any issues raised yet.

H. Gar Swanson Extension

Jacob reported that the design plans are completed and almost ready for construction. Mark reported that as soon as a crew is available, they will start working on it.

I. Other

No other old business was discussed at the time.

VIII. STAFF REPORTS

A. SAGE Center Update

No update was given since the SAGE Center is closed to the public.

B. Warehousing Update

Marcine reported on the numbers for the month of October which was down a little from last year. The freezer capacity is at 81% right now and the cooler is 98% capacity. They just finished a complete cycle count in the cooler and they were off by two pallets, but they found them and have retrained on the procedures, so they aren't off again. They got 100% on their virtual audit with Lamb Weston on October 15th and starting next week they will start doing a new system for Tillamook.

C. Workforce Training Update

Kalie reported that the virtual career day went well, and they had good feedback from presenters and students both. She finished the draft proposal for the AWS Think Big Space and is hoping to hear back from them by December. She has done virtual presentations for PerryTech and is working on the forklift simulator training plan now.

D. Maintenance Shop Update

Tim reported on all the maintenance shop's recent activities including East Beach rail project, Neal Early Learning Expansion, Christmas lights, RHS greenhouse and a batting cage and Erika showed pictures of the projects to the group.

E. Communications Update

Erika reported on her recent activities which included taking pictures of various projects around the Port and finalizing the fall newsletter for mailing. She's also working on a new 2021 wall calendar and the job postings to social media. She showed pictures of the new billboard that went up and the night golf event that recently took place.

F. Golf Course Update

Pat reported on the number of visitors for the month of October and also reported that we have received the OLCC license finally for the course.

G. Usage Reports

Staff reports on water and rail usage were reviewed and discussed.

H. Other

No other reports were given at the time.

IX. OTHER REPORTS

A. Willow Creek Valley Economic Development Group

Kim was unavailable for an update, so Lori from the Heppner Chamber gave an update on their activities including working on grants for COVID related hardships to business and some tourism activities.

B. Boardman Chamber Update

Torrie Griggs reported on the Chamber's activities which have included the monthly luncheon which will be virtual and have Representative Greg Smith for a legislative update and Torrie will give community updates. She is also working on small business grants for local businesses, a virtual leadership series and AWS Girls Tech Day. The annual holiday light show and Christmas tree lighting will be virtual this year and then everyone can drive through the holiday light display at the SAGE Center after that.

BCDA –

The rural broadband project is moving along well and is scheduled for completion by the end of the year. All other projects and grants are coming to a close for the year as well.

C. Other

No other reports were given at the time.

Upcoming events –


12/9 1:30pm Regular Commission Meeting

The meeting was recessed at 2:47 pm. Executive session under **ORS 192.660**, started at approximately 2:53 pm. There being no further business, the Regular Commission meeting adjourned at 3:43 pm.

Submitted by:



Ryan Neal, Executive Director



Marv Padberg, Commission Vice-President

