SEVEN COUNTY INFRASTRUCTURE COALITION

AGENDA
September 19, 2019, 10:00 a.m.
Carbon County Commission Chambers
751 East 100 North, Price, Utah
(435) 219-1362

1. Welcome and/Pledge of Allegiance
   Lynn Sitterud

2. Public Comment
   Lynn Sitterud
   Lynn Sitterud
   Mike McKee

3. Meeting Minutes – August 8, 2019
   Lynn Sitterud

4. Discussion and consideration of contract with Jon Stearmer
   Resolution ratifying contract with Jon Stearmer.
   Lynn Sitterud

5. Consideration and authorization of travel for board members to
   attend the next “MSR and Advanced Reactor Working Group” meeting
   Resolution approving travel for “MSR and Advanced Reactor Working
   Lynn Sitterud

6. Consideration and authorization of travel for board members to the
   “MSR Workshop” in Oakridge, Tennessee on October 2 and 3, 2019
   Resolution approving travel for “MSR Workshop” in Oakridge,
   Tennessee on October 2 and 3, 2019.
   Lynn Sitterud

7. Consideration and authorization of amending the Coalition’s preferred route
   alignment to the Whitmore Park route.
   Resolution approving the Whitmore Park route as the Coalition’s preferred
   alignment.
   Mike McKee

8. Update and report on the Uinta Basin Railway Project
   Brad Horrocks
   Greg Miles
   Lynn Sitterud
   Casey Hopes
   Mike McKee

9. Update and report on the San Rafael Research Lab

10. Consideration and authorization of a contract with the State Energy Office
    allowing the Coalition to receive $1 Million for the San Rafael Research Lab.
    Resolution approving the receipt of $1 Million from the State Energy Office
    for the San Rafael Research Lab.
    Mike McKee

11. Executive Director’s Report
    Uinta Basin Railway report
    San Rafael Research Lab report
    Eastern Utah Regional Connection (Seep Ridge Road) report
    Other
    Mike McKee

12. Discussion and consideration of changes to the MOU between Drexel
    Hamilton, Rio Grande Pacific and Seven County Coalition
    Resolution approving changes to the MOU between Drexel Hamilton,
    Rio Grande Pacific and Seven County Coalition
    Eric Johnson

13. Discussion and consideration of a spoke for the proposed Inland Port
    to be located in Sevier County.
    Tooter Ogden

14. Resolution approving expenses and financial report
    Smuin, Rich & Marsing
    Jones & DeMille

15. Engineers Report
16. Board Training:
   - Review and approve travel policy
   - Review and approve I.T. policy
   - Review and approve Fraud Abuse Policy
     Identify individual to receive fraud complaints
   - Review and identify need for Board training online at State Auditor’s website
   - Review Operating Rules, Regulations and Bylaws, Section 3.9.3
     Re: 24 months before doing business with a company employing a board member.

17. Consider and possibly approve amending Coalition Board meeting schedule.  
    Mike McKee

18. Motion for closed (executive) session pursuant to §52-4-205
    (Litigation, personnel, real estate purchase, commercial info under §59-1-404)
    Eric Johnson

19. Motion to leave closed session and return to open meeting
    Eric Johnson

20. Motion to adjourn
    Lynn Sitterud

*In accordance with the Americans with Disabilities Act, the Coalition will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the Carbon County Events Center at (435) 636-3214 at least 48 hours in advance of the meeting to be held.

*The order of agenda items may change to accommodate the needs of the Coalition Board, the staff, and the public.

*This meeting may be held electronically via telephone to permit one or more of the Coalition Board members to participate
Board Members Present: Casey Hopes (Carbon County), Jack Lytle (Daggett County), Irene Hansen (sitting in for Commissioner Miles, Duchesne County), Willie Grayeyes (San Juan County), Garth (Tooter) Ogden (Sevier County), Lynn Sitterud (Emery County) and Brad Horrocks (Uintah County)

Also, in attendance: Mike McKee, Eric Johnson, Brian Barton, Doug Rasmussen, Kristi Sharp, Shaun Johnson, and Mark Hemphill

Attended telephonically: N/A

Absent: Greg Miles

Others Present: Senator David Hinkins, Senator Ron Winterton, Kevin Keller, Diego Carroll, Steve Jaussi, Zane Atkinson, Ed Hatch, Mike Miles, Commissioner Bart Haslem, Troy Oster, Pam Juliano, Mike Christensen, Aaron Averett, Sylvia Wilkins

1. Welcome/Pledge of Allegiance (Brad Horrocks)

2. Public Comment (Brad Horrocks)

Comments of Darrell Fordham: Representative for Argyle Wilderness Preservation Alliance. Mr. Fordham expressed frustration at the lack of information being provided concerning the Uinta Basin Railway Project. His group was able to persuade the Surface Transportation Board to extend the scoping period as the Preservation Alliance is still waiting on documents it has requested. They are unable to scope comments until those documents have been received. They are frustrated with Duchesne County as well because their taxes have gone up 10% on property that is virtually worthless due to this proposed railway project. He thanked the board at the end of his comments.

Comments of Melissa Peck: Property Owner. She really feels this project will be a boom and bust project. The Counties involved will be on the hook to repay all these loans. It will cripple these counties. She alleged that the board was trying to push the project through before the next
election. She stated that they needed to slow the process and consider both sides of the argument. From her perspective it is all negative and no positive. She thanked the Board.

3. Approval of July 3, 2019 Minutes

There was no discussion on this item.

**Motion to approve July 3, 2019 meeting minutes** by Commissioner Hopes, seconded by Commissioner Sitterud. Unanimously approved 5-0-2 absent.

**Approval of Special Meeting July 17, 2019 special meeting minutes**

There was no discussion on this item.

**Motion to approve July 17, 2019 special meeting minutes** by Commissioner Hopes, seconded by Commissioner Sitterud. Unanimously approved 5-0-2 absent.

4. Presentation of the Annual Audit

The Annual Audit report was made by Michael Miles of Aycock, Miles & Associates. It is the audit of the 2018 financial books.

Smuin, Rich and Marsing’s books were “superb”. As a board, it was found that you approved all financial transactions required by law. The Balance Sheet looked great. The only improvement we could recommend would be to have a million dollars in unrestricted cash so you wouldn’t have to float checks while waiting for reimbursement to finish paying vendors.

It is unique to see an entity with $149 Million and only 1% spent! There is a comment which has already been sent in writing to your accountants. It is as follows, in addition to approving every transaction during the meetings, we would like at least one member of the board to inspect the bank statement, each month, to make sure the only expenses clearing the bank are those approved by the board.

Another comment concerned the grant/project spreadsheet that Kristi keeps. It is very good, but if she could identify each reimbursement and how it ties back to the invoices and spreadsheet it would be helpful.

Otherwise, the results of the audit were great.

5. Presentation by the Baldizon Diaz Corporate Group

This group specializes in compact, affordable energy storage and they are looking to bring a business to the United States. Annually, there are billions of dollars spent on preventing loss due to grid failure. An example of the cost of failing to do this would be Puerto Rico which during the last severe hurricane season was without power for many months. This cost lives and millions of dollars to local businesses. If there had been a distribution and power storage system much of this could have been avoided.
Energy independence requires the grids to be safer. Secure energy storage saves lives and dollars. Our company’s goal is to allow people and businesses to have more dependable energy.

What their company is proposing is a microgrid in a box which is easy for people to install...plug and play. This would allow users to have power even when the grid is down. No more disruptions of service and income. The ability to store energy for emergencies is essential.

This company’s services are similar to that of Intermountain Electronics, only on a smaller scale. Big corporations like Facebook and Amazon spend a lot on backup energy storage to ensure their clients can always access their services. This product would allow smaller businesses and individuals to do the same. The current market for this product would be California, Texas and Nevada, but there is no reason the product could not be manufactured in Eastern Utah. This would involve the construction of a manufacturing facility and possibly some research.

6. Executive Director’s Report

In connection with the report your just heard from Dr. Baldizon, there has been some discussion about doing other kinds of research at the Research Center. This may be a future option.

Director McKee turned the time over to Commissioner Sitterud to update the Board on the Research Center. There is a bid out for a company to re-assemble the coal combustion machine. The bids were received by Emery County Commission and their County Attorney is in the process of preparing a contract. It is expected the re-assembly will begin within a week in an effort to make the January 1st deadline to be up and operating. It was suggested that the Board consider a field trip to the Research Center in the near future. Commissioner Sitterud expressed his appreciation for all the help they have received from Senator Hinkins.

Commissioner Horrocks gave a short rail update. He stated that they are having consistent early morning meetings by phone. They are working on right-of-way proposals.

7. Discussion and consideration of Navajo Mountain to the Seven County Project List

The time was turned over to Brian Barton to discuss this project. Commissioner Grayeyes has been asking us to look into the Navajo Mountain Project. This would be a road improvement project and Seven County’s part would be to take some early 2017 conceptual work and update it, along with working with the State of Utah and the Navajo Nation to produce the project. The project would also include a road extension from Navajo Mountain to a small, remote community called Oljato. This is on the Utah side of the Utah/Arizona border. Lake Powell is to the North and Page, Arizona to the East. They all had a great meeting with the Navajo Mountain Chapter leadership. This road would help connect medical and educational services to the rest of the State.

Commissioner Grayeyes next spoke. He stated that he appreciates everyone who has met to discuss this project. This has been in the works for 30 to 40 years and it is time it got done. This is a project for the most southern part of San Juan County. This is an extremely remote
community. The only access currently is a road going South. When he leaves from there it takes 4 hours to get to Monticello. Staff that work at the school have homes and relatives in Utah and that is a long way for them to drive. The route being proposed would reduce travel by 1.5 to 2 hours, depending on the final road surface. The road cost was originally estimated at $36 Million. Over the years, the cost estimate has gone as high as $50 Million. Currently, it is thought to be around the $36 Million mark. In his conversations with the Governor, he was told the State could possibly do as much as 50% the cost of the project.

There are two potential routes. One about 14.5 miles and the other about 21 miles long. The road would basically go from Monument Valley to Navajo Mountain. The challenge is two large washes or canyons that have to be crossed.

Senator Hinkins stated that he was working to get some funds allocated but probably not until the next legislative session. The Senator stated they are also working on a cell tower on Navajo Mountain to improve communications for the high school and community.

Commissioner Grayeyes stated that they are an economically closed community. The addition of this road might make travel and tourism possible for the area.

Commissioner Lytle asked whose jurisdiction would the road fall under? County, State, etc.? Commissioner Grayeyes joked that it probably depended on who put in an extra dollar!! But, actually, he stated that if it’s on the Navajo Nation then it automatically becomes the jurisdiction of the BIA (Bureau of Indian Affairs).

Director McKee stated that today they were looking for the Board to approve adding this project to the Seven County Project List. The cost of this road is great and will probably have to be funded from several sources. But, that said, there are some conceptual kinds of things that the Coalition could do to help this project gain some momentum. We’d like to see this moved to the Priority List.

Commissioner Lytle asked if the project was ready? Had there been any scoring done on it? Or does the vote today mean that it would go on the docket to be scored?

Brian Barton stated that the project needed further evaluation. Right now, we are at the Board Notification stage. Once we are past this stage, then it goes through the rating and ranking process. Once that happens the project will come back before the board for further approval.

A motion to approve Resolution 2019-08B to add a road between Navajo Mountain and Ojito, in San Juan County, to the Project List, was made by Commissioner Grayeyes, seconded by Commissioner Lytle. Unanimously approved 7-0-0 absent.

8. Discussion and consideration of amending the ICF Contract.

Attorney Eric Johnson addressed this matter. Back in May the Board approved $241,000 for ICF, the environmental group working for the Safety Transportation Board to do the environmental work on the rail project. ICF came back to us stating that they thought they would need an additional $2.8 Million. In May, Eric misunderstood and put the total amount
needed by ICF at $2.8 Million. In reality, it was $2.8 Million in addition to the $241,000. So, the amended contract today is to clarify that issue and show that ICF is requesting an additional $2.8 Million, bringing their total to $3,082,435.36. As stated in the Resolution, this is an estimated amount based on several factors still unknown.

This resolution is to clarify the amount requested in the ICF Contract. This amount is correctly represented in the budget.

Commissioner Lytle asked if the original resolution was available for comparison and review?

Attorney Johnson stated that it was not.

Commissioner Grayeyes asked if they needed to rescind the first resolution before adopting this one? Or are they merely amending the prior resolution to reflect this additional amount?

Director McKee stated that the preference was just to amend the original resolution.

**Motion to approve Resolution 2019-08A** by Commissioner Ogden, seconded by Commissioner Grayeyes. Unanimously approved 7-0-0 absent.

9. **Budget authorization for installment payment up to $1 Million to BLM.**

Director McKee reminded the board that previously BLM had sent a letter concerning cost recovery for work they will do on the rail project. BLM, at that time, said they were anticipating approximately $4.66 Million in costs for the project. Director McKee met with the State BLM staff and asked them to review and reconsider that amount. They have done so and have lowered the amount by about $1.5 Million. That is still a large amount but as the project moves forward, it is expected that amount will drop even lower. Previously, at the July Special Meeting, the Board authorized a partial payment of $100,000 to get them started. The way that BLM works is that there has to be money on deposit for them to draw from as they do work. We still get invoices so we can approve the expenditures, as they make draws against the deposit. Where it can be a lengthy process for us to get money from the CIB, Director McKee asked the board to authorize up to $1 Million for the BLM. The Director would work with either or both of the co-chairman to oversee these distributions. This makes the new not to exceed estimate from BLM about $3.1 Million.

**Motion to approve a budget pre-authorization for up to $1 Million dollars for BLM appropriate cost recovery with approval by Executive Director McKee and either Co-Chairman was made by Commissioner Lytle, seconded by Commissioner Hopes. Unanimously approved 7-0-0 absent.**

10. **Engineers Report.**

Brian Barton stated that there was a lot going on with the rail project. Right now, they are focusing on mapping which will provide the answers needed for the EIS (Environmental Impact Study) that is still being worked on. HDR has been moving ahead as quickly as possible. They are trying to be proactive and answer questions as they come up. Right-of-way acquisition and property access is all part of that equation.
10. Engineers Report continued.

They are still doing planning and work on the Leland Bench Project. They are working on rights-of-ways and planning for needed utilities.

Commissioner Horrocks stated that there are a lot of moving parts with these projects and it’s hard to stay on top of everything. He stated that he really appreciated Commissioner Miles and the others who have spent hours on these projects.


The information presented reflects invoices and expenses thru July 31, 2019. The total amount of invoices to approve for payment was $808,628.13.

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<tr>
<th>Vendor</th>
<th>Check #</th>
<th>Invoice #</th>
<th>Amount</th>
<th>Description</th>
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</tr>
</tbody>
</table>

Total Payment Approval  $ 808,628.13
Discussion on the expenses was as follows:

Doug Rasmussen made the presentation. He wanted to recognize Krsti Sharp and Shaun Johnson from his firm (Smuin, Rich and Marsing). Shaun is very sharp when it comes to computers and technology. They are trying to implement a process that would make reviewing the invoices easier for the Board members. The new process will allow Commissioners to select and open an individual invoice from an individual vendor. So, instead of getting one huge file where you have to scroll through all or nothing, the new process would allow you to pick and choose what you want to look at.

Director McKee stated that the first financial file sent, earlier this month, was not able to be opened. They could open the first page but none of the backup documentation. Next, when Kristi sent the second file, he was able to open it.

Shaun Johnson stated that the new files needed to be opened using Adobe Acrobat. No special version, but just that program. To use any other program would result in just the first page being opened.

Director McKee said that a training could be offered at the next meeting, if the Board wanted to try this new process.

Commissioner Horrocks stated that his computer must have been set up correctly because he didn’t have any problem opening the new files.

Doug Rasmussen stated that that was the secret. Having the computer set up correctly so that Adobe Acrobat opened the file. At the next meeting they will help everyone be able to do that because the new process is a great improvement over what they are currently receiving.

Doug went on to say that the expenditures for the month of July totaled $808,628.13.

Commissioner Lytle asked if it might be possible to print the invoices double sided?

Director McKee stated that he had gone through every invoice. He stated that he had asked Doug and Kristi to take extra time examining the invoices. Doug stated that they had done that and had found a $3 discrepancy on an invoice and a few expenses they questioned.

Commissioner Horrocks stated that he really appreciated the level of scrutiny they had used in reviewing the invoices. He recognized the $3 discrepancy and acknowledged that one of the questions was the purchase of trail mix on one invoice. He didn’t feel either of those were enough to keep them from approving the invoices that day.

Doug stated that they were mostly clarifications and they would pursue the answers. If there were any changes, he expected they would show as credits on the next invoice.

Commissioner Horrocks stated that he, too, had examined all the invoices, especially those involving the rail project.

Commissioner Ogden stated his concern at how fast they were going through money and hoped there would be enough to complete the rail project.
Motion to approve the expenses for payment in the amount of $808,628.13 was made by Commissioner Grayeyes, seconded by Commissioner Hopes. Unanimously approved 7-0-0 absent.

Roll call vote for expenses for payment was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

<table>
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<th>County</th>
<th>Role</th>
<th>Vote</th>
<th>Absent</th>
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</thead>
<tbody>
<tr>
<td>Carbon</td>
<td>Board Member</td>
<td>Yea X</td>
<td>No ___</td>
</tr>
<tr>
<td>Daggett</td>
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<td>No ___</td>
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<tr>
<td>Duchesne</td>
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</tr>
<tr>
<td>Emery</td>
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<td>Yea X</td>
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<tr>
<td>San Juan</td>
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<td>Yea X</td>
<td>No ___</td>
</tr>
<tr>
<td>Sevier</td>
<td>Board Member</td>
<td>Yea X</td>
<td>No ___</td>
</tr>
<tr>
<td>Uintah</td>
<td>Board Member</td>
<td>Yea X</td>
<td>No ___</td>
</tr>
</tbody>
</table>

Doug Rasmussen then led the board in a discussion about the Financial Statements to include the Balance Sheet, Income Statement, and Profit and Loss Statement for June 30, 2019.

As required by law every quarter, the Detailed General Ledger was reviewed. This Ledger covered transactions from the months of April, May and June of 2019.

Motion to accept the Balance Sheet and Income Statement was made by Commissioner Lytle, seconded by Commissioner Sitterud. Unanimously approved 7-0-0 absent.

Roll call vote for the Balance Sheet and Income Statement was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

<table>
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<td>Carbon</td>
<td>Board Member</td>
<td>Yea X</td>
<td>No ___</td>
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<tr>
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<td>Board Member</td>
<td>Yes X</td>
<td>No ___</td>
</tr>
<tr>
<td>Duchesne</td>
<td>Board Member</td>
<td>Yea X</td>
<td>No ___</td>
</tr>
<tr>
<td>Emery</td>
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<td>No ___</td>
</tr>
<tr>
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<td>Board Member</td>
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<td>No ___</td>
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<tr>
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<td>Board Member</td>
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<tr>
<td>Uintah</td>
<td>Board Member</td>
<td>Yea X</td>
<td>No ___</td>
</tr>
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Finally, Doug Rasmussen discussed the balances for each of the Coalitions grant projects, the original award, the amount spent and the remaining balance. This is an information item and does not require a board vote.

Commissioner Lytle asked if they were good within each of the grant contracts as far as expenditures went?
Director McKee stated that he had talked with Kristi about this and they were. They had recently signed a new rail appropriation contract with CIB for $3 Million to be spent over the next 4 years ($750,000 per year). The money is allocated and available to expend.

Commissioner Hopes then asked about the pipeline project. He noted that the project was closed but there was a remaining balance. He asked if those remaining funds go back to CIB?

Doug stated that they would double check that the grant was closed out after which they would adjust the balance to zero. And, yes the funds return to CIB.

Commissioner Lytle asked, relative to the auditor’s findings, on this next set of checks, if they would begin the process of reviewing the bank statements?

Doug stated that he had talked with Director McKee about his reviewing the bank reconciliations.

Director McKee offered that with all of his current responsibilities it would be nice if there was a board member willing to help with this.

Commissioner Horrocks stated that he was not volunteering for the job, but he would like to have them sent to him for his review.

Doug stated that there just needed to be one board member, someone other than his accounting firm, reviewing the bank statements. He suggested Commissioner Hopes or Sitterud as they are geographically located close to his office to facilitate the review process.

Commissioner Horrocks suggested they move forward with Commissioner Hopes reviewing them, with Commissioner Sitterud available to help. He would do so, also. If it gets to be a burden, they may all need to take a turn.

Commissioner Hopes next asked about the $210,000 let in the Bookcliff’s grant? Director McKee added that the project was ongoing and there was, also, a UDOT grant of $3.2 Million allocated for that project, bringing the total to $3,410,000. The $210,000 was money provided by the Transportation Special Service District and the CIB. The scoping on the project is currently with the BLM and it is bogged down at the moment. He went on to say that they are trying to get a meeting with the Moab BLM office in order to get the project moving forward again.

12. Attorney Board Training

Public Private Partnership Policy – this policy was originally adopted by the Coalition Board in 2017. This policy is authorized within the State procurement code, but as an interlocal entity Seven County is exempt from the State procurement code. Hence, there is a need to adopt a
procurement policy of our own. All the Board needs to be aware of right now is that we have this policy adopted and active.

**Coalition Organization** – The Coalition was officially approved by the Lieutenant’s Governor’s Office on August 28, 2014. The first Board Meeting was in September of 2014 at which time Attorney Johnson was directed to prepare policies and procedures. They were first approved in November, 2014. After review and comments from the CIB staff they were updated and revised. The last update was January of 2016. In your packet is a copy of the Coalition’s Policies and Procedures.

**Ethics Policy** – specifically within those Policies and Procedures please note Section 3.9 which is the Ethic’s Policy. This section notes that the Coalition abides by the Utah Ethics Act. On any of our projects, if a board member has an interest in any entity working on a project, it must be brought to the Chair’s attention. The Ethics Act requires this and he would further recommend such a board member should recuse themselves on any matter concerning that entity.

Director McKee asked if there was a Conflict of Interest Declaration form for Board members to fill out?

Commissioner Lytle suggested that annually they should do such a declaration.

Eric stated that we have not done so in the past but it probably should be done. He will send a declaration to each board member to fill out, sign and return.

Commissioner Horrocks noted that the title on the Policies and Procedures stated that is was a Six County Coalition. Where they are now Seven County should that be updated?

Due to the restricted time element the training was ended and will continue during a future meeting.

13. Motion for closed (executive) session pursuant to **§52-4-404 (Litigation, personnel, real estate purchase, commercial info under §59-1-404)** was made at 2:35 p.m. by Commissioner Grayeyes, seconded by Commissioner Sitterud. Roll call vote and unanimously approved. 5-0-2 abstain.

Commissioners Ogden and Lytle recused themselves from the litigation portion of the closed session. They were invited back in after the litigation discussion.

Roll call vote for the closed session was as follows:
SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon        Board Member        Yea X  No ___
Daggett       Board Member        Yes __ No ___ Abstain
Duchesne      Board Member        Yea X  No ___
Emery         Board Member        Yea X  No ___
San Juan      Board Member        Yea X  No ___
Sevier        Board Member        Yes __ No ___ Abstain
Uintah        Board Member        Yea X  No ___

14. Motion to re-enter open session was made at 3:20 p.m. by Commissioner Lytle, seconded by Commissioner Hopes. Roll call vote and unanimously approved 7-0-0 absent.

Roll call vote to re-enter open session was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon        Board Member        Yea X  No ___
Daggett       Board Member        Yea X  No ___
Duchesne      Board Member        Yea X  No ___
Emery         Board Member        Yea X  No ___
San Juan      Board Member        Yea X  No ___
Sevier        Board Member        Yea X  No ___
Uintah        Board Member        Yea X  No ___

15. Motion to adjourn

A motion to adjourn was made by Commissioner Grayeyes by acclamation.
A motion to approve the August 8, 2019 meeting minutes was made by Commissioner ____________________, seconded by Commissioner ____________________.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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Co-Chair: Brad Horrocks

Co-Chair: Lynn Sitterud

(COALITION SEAL)

ATTEST:

_____________________________________________

Eric T. Johnson (Legal Counsel)
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09A

RESOLUTION RATIFYING CONTRACT WITH JON STEARMER
FOR LEGAL WORK RELATED TO RAIL ALIGNMENT ON
EMMA PARK ROAD CORRIDOR, AND RELATED MATTERS.

WHEREAS, the Executive Director, after consultation with the Coalition Board
members on the railroad subcommittee, determined it would be in the best interests of the
Coalition to determine certain property rights and other issues impacting rights of way and
it was determined that Mr. Jon Steamer possessed the proper legal training and experience
to provide the support and legal advice on these matters; and

WHEREAS, Mr. Steamer, and the Coalition have entered into an engagement
agreement; and

WHEREAS, the Executive Director desires to notify the full Coalition Board of
this engagement and to seek ratification of this action.

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County
Infrastructure Coalition, Utah as follows:

1. The Governing Board, ratifies and approves the engagement of Mr. Jon
Steamer for legal work related to the Uinta Basin Railway.

2. All parts of this Resolution are severable, and if any section, clause or provision
of this Resolution shall, for any reason, be held to be invalid or unenforceable,
the invalidity or unenforceability of any such section, clause or provision shall
not affect the remaining sections, clauses or provisions of this Resolution.

3. All resolutions or parts thereof in conflict herewith are, to the extent of such
conflict, hereby repealed and this Resolution shall be in full force and effect
immediately upon its approval and adoption.

APPROVED AND ADOPTED this September 19, 2019.
Motion by __________________ and Seconded by __________________.

SEVEN COUNTY INFRASTRUCTURE COALITION  VOTING:

Carbon County  Yea ___ No ___
Daggett County  Yea ___ No ___
Duchesne County Yea ___ No ___
Emery County    Yea ___ No ___
San Juan County Yea ___ No ___
Sevier County   Yea ___ No ___
Uintah County   Yea ___ No ___

Co-Chair Brad Horrocks

Co-Chair, Lynn Sitterud

ATTEST:  (COALITION SEAL)

Eric Johnson, Legal Counsel
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09B

RESOLUTION APPROVING TRAVEL TO WASHINGTON, D.C.
FOR THE SAN RAFAEL ENERGY RESEARCH CENTER, AND
RELATED MATTERS.

WHEREAS, in June 2019, the Coalition Board approved travel from time to time
as may be approved by the Executive Director for the members of the subcommittee for
the San Rafael Energy Research Center and supporting advisors; and

WHEREAS, the Coalition has been invited to participate at a conference related to
advance nuclear, including molten salt, at the Nuclear Energy Institute in Washington D.C.
on September 23 and 24, 2019; and

WHEREAS, the Executive Director approves travel for up to 3 advisors and
subcommittee members; and

WHEREAS, the Executive Director desires to inform the full Board of this action
and expense and to obtain the Board’s approval for travel expenses.

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County
Infrastructure Coalition, Utah as follows:

1. The Governing Board, approves and authorizes travel for up to 3 individuals to
Washington, D.C. to attend the advance nuclear conference at the Nuclear
Energy Institute, and related matters.

2. All parts of this Resolution are severable, and if any section, clause or provision
of this Resolution shall, for any reason, be held to be invalid or unenforceable,
the invalidity or unenforceability of any such section, clause or provision shall
not affect the remaining sections, clauses or provisions of this Resolution.

3. All resolutions or parts thereof in conflict herewith are, to the extent of such
conflict, hereby repealed and this Resolution shall be in full force and effect
immediately upon its approval and adoption.
APPROVED AND ADOPTED this September 19, 2019.

Motion by ________________________ and Seconded by ________________________.

SEVEN COUNTY INFRASTRUCTURE COALITION    VOTING:

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Co-Chair Brad Horrocks

Co-Chair, Lynn Sitterud

ATTEST: (COALITION SEAL)

Eric Johnson, Legal Counsel
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09C

RESOLUTION APPROVING TRAVEL TO OAKRIDGE, TENNESSEE FOR THE SAN RAFAEL ENERGY RESEARCH CENTER, AND RELATED MATTERS.

WHEREAS, in June 2019, the Coalition Board approved travel from time to time as may be approved by the Executive Director for the members of the subcommittee for the San Rafael Energy Research Center and supporting advisors; and

WHEREAS, the Coalition has been invited to participate at a conference related to advance nuclear, including molten salt, at the Oakridge National Laboratory on October 2 and 3, 2019; and

WHEREAS, the Executive Director approves travel for up to 3 advisors and subcommittee members; and

WHEREAS, the Executive Director desires to inform the full Board of this action and expense and to obtain the Board’s approval for travel expenses.

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board, approves and authorizes travel for up to 3 individuals to Oakridge, Tennessee to attend the advance nuclear conference at the Oakridge National Laboratory, and related matters.

2. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

3. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.
APPROVED AND ADOPTED this September 19, 2019.

Motion by ______________________ and Seconded by ______________________.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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Co-Chair Brad Horrocks

Co-Chair, Lynn Sitterud

ATTEST: (COALITION SEAL)

Eric Johnson, Legal Counsel
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09D

RESOLUTION APPROVING WHITMORE PARK ALTERNATIVE ALIGNMENT AND DESIGNATING IT AS THE COALITION’S PREFERRED ALIGNMENT FOR THE UINTAH BASIN RAILWAY, AND RELATED MATTERS.

WHEREAS, the Coalition has made application to the U.S. Surface Transportation Board (the STB) for a certificate of construction and record of decision to build a railroad to connect the Uinta Basin to the national rail network; and

WHEREAS, the STB is required to perform an Environmental Impact Statement consistent with NEPA; and

WHEREAS, initially the Coalition submitted three potential routes to STB that are known as the Craig, Colorado Route, the Wells Draw Route, and the Indian Canyon Route; and

WHEREAS, after the STB held public hearings and received comments, the Coalition investigated alternative alignments to the Indian Canyon and Wells Draw Routes that may minimize impacts on private property owners; and

WHEREAS, a potential alternate alignment that may reduce impacts on private properties would be to place the rail line within the disturbed corridor of the Emma Park road and to modify the alignment in a manner that would cross fewer private properties; and

WHEREAS, the Coalition desires to propose to the STB an alternate alignment that would place a portion of the rail line within the Emma Park road corridor and otherwise would reduce the number of private parcels of property that would be crossed by the proposed rail line, which alternative is known as and referred to as the Whitmore Park alignment.

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board has been advised about the Whitmore Park alignment and has been shown a map demonstrating where it would run in contrast to the initial Indian Canyon and Wells Draw routes.

2. The Governing Board approves the Whitmore Park alignment as an alternative alignment to provide to the STB and it further approves the Whitmore Park alignment as its preferred alignment.

3. All parts of this Resolution are severable, and if any section, clause or provision
of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

4. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this September 19, 2019.

Motion by ____________________ and Seconded by ____________________.

SEVEN COUNTY INFRASTRUCTURE COALITION    VOTING:

Carbon County    Yea ___ No ___
Daggett County    Yea ___ No ___
Duchesne County   Yea ___ No ___
Emery County      Yea ___ No ___
San Juan County   Yea ___ No ___
Sevier County     Yea ___ No ___
Uintah County     Yea ___ No ___

__________________________________________________________
Co-Chair Brad Horrocks

__________________________________________________________
Co-Chair, Lynn Sitterud

ATTEST: (COALITION SEAL)

__________________________________________________________
Eric Johnson, Legal Counsel
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09E

RESOLUTION APPROVING CONTRACT WITH THE GOVERNOR’S OFFICE OF ENERGY RELATED TO THE SAN RAFAEL ENERGY RESEARCH CENTER, AND RELATED MATTERS.

WHEREAS, in its 2019 session, the Utah Legislature approved a $1,000,000 grant to the Coalition to be administered by the Governor’s Office of Energy for what is known as the San Rafael Energy Research Center; and

WHEREAS, the Coalition and the Office of Energy have negotiated a contract under which the $1,000,000 for the San Rafael Energy Research Center will be administered and made available to the Coalition for molten salt research, including medical isotopes; and

WHEREAS, the Executive Director desires approval from the Coalition Board for the contract with the Office of Energy for the San Rafael Energy Research Center.

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board approves and authorizes the contract between the Coalition and the Office of Energy for the San Rafael Energy Research Center to make the $1,000,000 grant available to the Coalition. The Board authorizes the Executive Director to execute such contract in substantially the form presented to the Board and directs that it be sealed and attested as is appropriate.

2. The Board authorizes the Executive Director to approve modifications to the contract with the Office of Energy as the Executive Director may deem necessary or desirable to best advance the purposes of the San Rafael Energy Research Center.

3. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

4. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.
APPROVED AND ADOPTED this September 19, 2019.

Motion by ____________________ and Seconded by ____________________.

SEVEN COUNTY INFRASTRUCTURE COALITION  VOTING:

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Co-Chair Brad Horrocks

Co-Chair, Lynn Sitterud

ATTEST: (COALITION SEAL)

Eric Johnson, Legal Counsel
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09F

RESOLUTION APPROVING AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERTAKING WITH DREXEL HAMILTON RELATED TO THE PURCHASE OF REAL ESTATE, AND RELATED MATTERS.

WHEREAS, In April 2019, the Coalition published a Request for Information and subsequently a Request for Qualification for a person or firm to serve as the commercial developer on the Uinta rail project; and

WHEREAS, the Coalition received a written response from Drexel Hamilton and proposing a joint response with Rio Grande Pacific; and

WHEREAS, a subcommittee met on May 7, 2019 and interviewed all respondents; and

WHEREAS, based on the recommendation of the subcommittee the Coalition Board selected Drexel Hamilton as its commercial developer to finance, construct and operate the rail, etc.

WHEREAS, in May 2010, the Coalition and Drexel Hamilton entered into a Memorandum of Understand (the “MOU”) related to the commercial development of the rail; and

WHEREAS, the Coalition, Drexel Hamilton and Rio Grande Pacific desire to more clearly set forth terms related to the purchase of Right of Way for the rail pursuant to Amendment No. 1 to the MOU

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board approves and authorizes Amendment No. 1 to the MOU as presented and authorizes the Executive Director to sign Amendment No. 1 and to have said contract sealed and attested as is appropriate.

2. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

3. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.
APPROVED AND ADOPTED this September 19, 2019.

Motion by __________________________ and Seconded by ________________________.

SEVEN COUNTY INFRASTRUCTURE COALITION  VOTING:

Carbon County  Yea ___ No ___
Daggett County  Yea ___ No ___
Duchesne County Yea ___ No ___
Emery County    Yea ___ No ___
San Juan County Yea ___ No ___
Sevier County   Yea ___ No ___
Uintah County   Yea ___ No ___

______________________________________
Co-Chair Brad Horrocks

______________________________________
Co-Chair, Lynn Sitterud

ATTEST: (COALITION SEAL)

______________________________________
Eric Johnson, Legal Counsel
Discussion concerning spud for Proposed Inland Port

NOTES
3.9.3

The Board considers it a conflict of interest for a Boardmember, officer, or employee of the Coalition or of a Member County to leave their position and immediately accept employment with either the Coalition or a private company or enterprise conducting any business with the Coalition. The Coalition shall not do business with a private company or enterprise if it employs a Boardmember, officer or employee of the Coalition or of a Member County within 24 months after such individual leaves his or her position with the Coalition or a Member County, unless such person does not engage in any negotiations or work involving the Coalition. If a private company or enterprise doing business with the Coalition employs someone as proscribed in this paragraph 3.9.3, it shall be considered to be a breach of agreement and grounds for immediate termination of agreement for cause. An individual who contracts with the Coalition or a Member County for employment type services shall be treated as if an employee for purposes of this paragraph 3.9.3. The conflicts of interest in this paragraph 3.9.3 may be waived by a majority vote of the Board.

3.10 TRAVEL REIMBURSEMENT

The Coalition will reimburse employees and agents acting on its behalf for their travel expenses which may include mileage or fuel, hotels or lodging, meals, and incidentals, such as tips. The Coalition will reimburse employees and agents acting on its behalf for marketing expenses, including hosting meals. Receipts shall be required for reimbursement. In state, meals shall not exceed $50.00 per person per meal, or $80 per person per day.

3.11 INFORMATION TECHNOLOGY

The Coalition provides computers and associated resources as a service for use by employees in a responsible manner that is within the capacity of the resource and consistent with the mission of the Coalition.

Authentication credentials (e.g., ID/password) are assigned as an access privilege for restricted resources that may be relevant to the role of the user. Users must maintain a strong password. Credentials must be protected from use by anyone other than the assigned individuals. Credentials may be revoked to protect the resources.

Users of resources must obey relevant federal, state, and local laws with special attention to intellectual property laws (copyright), communications laws (libel, harassment, obscenity, child pornography, privacy, etc.), and government property laws (noncommercial use, etc.). The Coalition will cooperate with law enforcement agencies when allegations of violation are made.

User-owned equipment connected to Coalition computers or associated resources must be used and managed to protect against technical vulnerabilities which will allow outsiders to gain access to the Coalition resources or data.

Users are expected to recognize that the resources being provided are subject to compromise and other failure at any time in spite of professional efforts in compliance with industry best practices.
Users should take extra precaution to protect their own privacy, to insure the confidentiality of their own personal identifying information, and to guard against the loss or destruction of their own intellectual property as a result of any compromise or failure.

While the Coalition respects the user's privacy, information stored on or transmitted through Coalition computers or associated resources is subject to exposure by technical, legal, and extralegal means beyond the control of the Coalition.

6.6 FRAUD ABUSE

The Coalition is committed to preventing fraud and establishes a fraud hotline. The Coalition shall maintain a fraud hotline number that any employee, agent or member of the public may contact to report suspected fraud, waste, or unethical conduct. The Coalition shall publish its fraud hotline number on its website. The fraud hotline number shall be (435) 636-3227, which is the Carbon County Clerk/Auditor office. The Carbon County Clerk/Auditor shall transmit all reports of suspected fraud, waste or unethical conduct to the Executive Director and the Chair or Co-Chairs of the Coalition. The Executive Director shall investigate all reports, unless the report may implicate the Executive Director, in which case the Chair or Co-Chairs shall cause that an investigation shall be conducted by an independent person or organizations with experience investigating fraud, waste or unethical conduct. The Executive Director may also cause that an investigation be conducted by an independent person or organization with experience investigating fraud, waste or unethical conduct.
SEVEN COUNTY INFRASTRUCTURE COALITION
September 19, 2019

Resolution No. 2019-09G

RESOLUTION APPROVING POLICIES ON TRAVEL, I.T., FRAUD
ABUSE, AND AMENDING SECTION 3.9.3 TO ONLY ALLOW
EMPLOYMENT OF COUNTY PERSONNEL BY COALITION
WITH APPROVAL BY THE COALITION BOARD, AND RELATED
MATTERS.

WHEREAS, in November 2014, the Coalition adopted Rules and Regulations,
commonly referred to as policies and procedures; and

WHEREAS, in January 2016, the Coalition amended the Rules and Regulations to
conform to recommendations from the Utah Permanent Community Impact Fund Board;
and

WHEREAS, the Coalition has reviewed recommendations from the State Auditor’s
office with respect to best practices and desires to formalize additional Rules and
Regulations with respect to travel, I.T., fraud abuse and to clarify Section 3.9.3 so that the
Coalition may only hire County employees with approval of the Coalition Board.

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County
Infrastructure Coalition, Utah as follows:

1. The Governing Board approves and authorizes Rules and Regulations for
travel, for I.T., for Fraud Abuse, and it amends Section 3.9.3 so that the
Coalition may only hire County employees from its establishing counties with
approval of the Coalition Board.

2. All parts of this Resolution are severable, and if any section, clause or provision
of this Resolution shall, for any reason, be held to be invalid or unenforceable,
the invalidity or unenforceability of any such section, clause or provision shall
not affect the remaining sections, clauses or provisions of this Resolution.

3. All resolutions or parts thereof in conflict herewith are, to the extent of such
conflict, hereby repealed and this Resolution shall be in full force and effect
immediately upon its approval and adoption.

APPROVED AND ADOPTED this September 19, 2019.
Motion by ___________________ and Seconded by ___________________.

SEVEN COUNTY INFRASTRUCTURE COALITION    VOTING:

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Co-Chair Brad Horrocks

Co-Chair, Lynn Sitterud

ATTEST: ___________________  (COALITION SEAL)

Eric Johnson, Legal Counsel
For 2019 the Board of the Seven County Infrastructure Coalition, Utah, except as noted below, will hold its regular meetings at 10:00 a.m., or as soon thereafter as feasible, the second Thursday of each month. See below.

**DATES:**

- January 10, 2019*
- March 8, 2019
- May 10, 2019
- July 3, 2019
- September 12, 2019
- November 14, 2019
- February 8, 2019**
- April 12, 2019
- June 13, 2019***
- August 8, 2019
- October 10, 2019
- December 13, 2019

Meetings will be held at the Carbon County Commission Chambers, located at 751 East 100 North, Price, Utah 84501, except for the January 10th meeting*, which will be held on the second Thursday at the regular meeting place at 10:00 a.m., and the February 8th meeting**, which will be held at 10:00 a.m. at the Community Impact Board Building, main floor conference room, located at 1385 South State Street, Salt Lake City, UT 84115, and the June 13th meeting*** which will be held at 1:00 p.m. at the Uintah Conference Center located at 313 East 200 South, Vernal, UT 84078