



SEVEN COUNTY INFRASTRUCTURE COALITION  
MEETING MINUTES

August 21, 2020 at 10:00 a.m.

Electronic Meeting

(435) 219-1362

**Board Members Present:** Casey Hopes (Carbon County, jointed part-way into the meeting), Jack Lytle (Daggett County), Greg Miles (Duchesne County), Lynn Sitterud (Emery County), Willie Grayeyes (San Juan County), Garth (Tooter) Ogden (Sevier County) and Brad Horrocks (Uintah County)

**Also, in attendance:** Mike McKee, Eric Johnson, Brian Barton, Mike Hawley, Kelly Carter, Doug Rasmussen, Kristi Sharp, Heather Hoyt, Melissa Cano, Kevin Keller, and Pam Juliano.

**Attended telephonically:** All

**Absent:** None

**Others Present:** Senator Ron Winterton, Commissioner Greg Todd, Bret Reynolds, Alair Emory, Diego Carroll, Garrett McMullin, Keith Heaton, Newton DeBardeleben, Reid Persing, Sarah Stock, Scott Barney, and Stan Holmes (Please notify staff at 435-219-1362 of any spelling corrections or if you were present and not listed.)

**NOTE: Due to the Coronavirus, dial-in participation was offered. Dial-in numbers were as follows:**

Join Zoom Meeting

<https://zoom.us/j/96064465066>

Meeting ID: 960 6446 5066

Dial by your location

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**1. Welcome and introduction** (Brad Horrocks)

**2. Public Comment** (Brad Horrocks).

Public comment was limited to electronic submission at [7countyutah@gmail.com](mailto:7countyutah@gmail.com) Comments were forwarded to the Board Members and summarized in the meeting minutes. A complete copy of comments can be requested at the email address provided herein.

Comment was received from Lionel Trepanier. In his email he objected to SCIC’s prevention of live public comment and the reading of the emailed public comments into the public record. He, also, requested the Board respond to the “Performance Audit – 12 – of the Permanent Community Impact Fund Board (May 2020)” and the Office of the Attorney General’s question concerning the SCIC’s application to the CIB.

Stan Holmes also submitted a comment concerning the July 2020 RFP for a “Regional Transportation Logistics Opportunities Preliminary Feasibility Study” which stated that the board’s intent was to award the project at its August 21, 2020 board meeting. He stated that he was surprised the board and staff paid little attention to the prolonging of this announcement. He requested more information about this procurement decision, along with access to any proposals filed as a result of this RFP and a previous RFP in March, 2020.

**3. Approval of Meeting Minutes for July 10, 2020** (Brad Horrocks)

**Motion to approve July 10, 2020 meeting minutes** by Commissioner Lytle, seconded by Commissioner Ogden.

Roll call vote, to make sure every electronic vote was counted, was as follows:

**SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:**

Carbon	Board Member	Yea ___	No ___	(Absent)
Daggett	Board Member	Yes 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 ___	

Approved 6-0-1 absent

**Approval of Meeting Minutes for July 17, 2020 Board Retreat** (Brad Horrocks)

**Motion to approve the July 17, 2020 Board Retreat minutes** by Commissioner Lytle, seconded by Commissioner Ogden.

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea ___	No ___ (Absent)
Daggett	Board Member	Yes 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 ___

Approved 6-0-1 absent

**4. Report on San Rafael Research Lab.**

Commissioner Sitterud stated they had received notification that one of the grants they applied for in conjunction with BYU and 2 other private entities had been funded. They are still working with DRAX out of England, the first contract for the Coal Research Facility. Testing for them could begin by late September.

Work is proceeding on the nuclear building. Concrete floors were poured last week along with trenching for the new electrical service and water lines. They are also working to rebuild the offices.

**5. Report on Satellite Transportation Hub.**

Commissioner Ogden stated that there had not been any State meetings. Things are pretty quiet with not a lot to report.

**6. Report on Uinta Basin Railway Project.**

Commissioner Miles stated that work is being done on the 401, 404 and 106 permits. There are a lot of discussions and work that goes in to preparing the applications for these permits. This whole project has been a huge undertaking with a lot of people doing a lot of work. He expressed his appreciation to everyone. Commissioner Miles turned some time over to Kevin Keller, with HDR.

Mr. Keller stated that they are working with the Surface Transportation Board (STB) on the Section 106 Permit. The STB expects to have a draft of that permit ready for release in the next week. The STB is also working on the Environmental Impact Statement with a draft expected probably some time late September/October. There is a flurry of activity surrounding all of these permits. There is also work on the 404 Permit application which will be submitted to the Army Corp of Engineers. This is one of the major permitting efforts for the rail project. It is expected this application will be ready to submit in the next couple of weeks.

**7. Executive Directors Report.**

Director McKee stated that everyone had done a great job reporting on the various projects. As to the Eastern Utah Regional Connection project, a 3<sup>rd</sup> party contractor needs to be selected to assist with the environmental studies, much like had to be done on the rail project. As previously stated, there is a lot going on and he, too, appreciates everyone's efforts.

That concluded the Executive Director's Report.

## **8. Engineers Report.**

Brian Barton started by stating that there are a lot of logistics and coordination that go in to the rail project. There is a lot of right-of-way mapping going on right now. Melissa Cano is busy handling the strategic communications trying to make sure the public is provided correct information at all times.

Based on a discussion had at the retreat, they are working on preparing briefing papers for priority projects the Coalition might be interested in pursuing.

There is a lot of work happening at the San Rafael Research Center using the current Legislative and CIB monies. Another CIB application is pending and should be submitted soon.

They are coordinating the Eastern Utah Regional Connection Project with CIVCO Engineering, Monument Engineering and other team consultants.

And, finally, they are excited to begin working with the ranking matrix everyone looked at during the retreat. Anybody who has not completed and submitted the short survey will be contacted soon. It's important to understand which project elements are most important to the board.

Mike Hawley added that, as concerns the rail project, there is a little more surveying happening probably next week. These will be more channel cross sections in coordination with the Union Pacific coordination that HDR is doing. There are only a few more cross sections that need to be tagged. It's a fairly quick process. Also, he wanted the Board to know that as he has been out and about in the Uintah Basin there appears to be a lot of positive public interest in the rail project.

That concluded the Engineers Report.

## **9. Discussion of intent to transfer San Rafael Research Center project to Emery County**

Executive Director McKee began by reminding everyone that in the beginning, the CIB instructed the Coalition to seek revenue generating projects that could provide a stream of income. Over the past few years those instructions have evolved and the Coalition has been tasked with taking on incubator projects. These are projects that the Coalition helps to start and eventually transfers to another entity to continue growing, with priority given to Coalition member counties.

Currently, the San Rafael Research Center is at a point where it may be appropriate to transfer ownership to Emery County. Recently, the Coalition prepared a CIB application requesting a \$7.5 million dollar grant to assist with the development of the Research Center. During this same period of time, conversations began in earnest about transferring the Center to Emery County. Emery County has been very hands on with this Center and put a lot of time and energy into its development. There have been conversations with the CIB staff and they seem to view this as a favorable move. If this were to happen, the new CIB application applicant would change to Emery County. In addition, Emery County would take over the day to day management of the project. Today, the purpose of this item on the agenda is to see how the board feels about making this transition.

Another consideration is the grant received by the Coalition from the State Legislature for development of the Research Center. There are monies remaining in that grant. Conversations with the State about making this transfer have been positive, but there are additional conversations to be had. It may be possible, in this next Legislative Session, to request the transfer of the remainder of that grant to Emery County. In the meantime, the Coalition will maintain oversight of the grant project and the grant monies and the two entities will continue to collaborate and work together.

Commissioner Sitterud added that he had taken part in a discussion with the CIB staff and although they did not state this outright, his impression was that Emery County might be a stronger applicant, for this project, than Seven County Coalition.

Commissioner Horrocks added that if this transfer were to happen, he wanted Emery County to know that the Coalition was 100% behind the project and he would still like to see a monthly report on the agenda. Commissioner Sitterud wanted the board to know that if this transfer takes place there will be an oversight board formed and the Coalition will have a seat on that board. Seven County will still be involved with the project moving forward.

Commissioner Miles stated that he recognized how much work Commissioner Sitterud and Emery County have put into this Research Center. This is a great project not only for Emery County, but for the whole State of Utah. He added that he is in favor of making the transfer to Emery County. He further stated that Seven County has played an important role in getting this project off the ground, but there is a lot of work ahead and Emery County is in a better position to move this project forward.

Director McKee mentioned that as part of the CIB application process there has to be a public hearing. Emery County, anticipating the possibility that this transfer will move forward, has advertised for the public hearing. Once this has taken place, and possibly the name changed on the application, it will be time for it to come before the CIB Board for consideration.

**Resolution 2020-08A authorizing the transfer of the San Rafael Research Center project to Emery County** was made by Commissioner Ogden, seconded by Commissioner Hopes.

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 6-0-1 absent

**10. Discussion and consideration of an agreement between Seven County Coalition, CIB, Drexel Hamilton, and possibly Rio Grande Pacific and the Ute Tribe.**

**TABLED.**

**Motion made by Commissioner Miles, seconded by Commissioner Ogden to table this item.**

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 7-0-0 absent

**11. Discussion to award contract for the Eastern Utah Regional Connection 3<sup>rd</sup> Party NEPA Process Service.**

Director McKee began by saying that as the Coalition moves forward with the Eastern Utah Regional Connection Project the Moab BLM Field Office has stated that there needs to be a 3<sup>rd</sup> Party Consultant hired to write the environmental document. Because this must be an independent process, the Coalition is allowed to go through the procurement process to select the consultant and is required to pay for their services, but otherwise must be arms length from the process. There were two firms who submitted proposals, SWCA and Tetra Tech. During the interviews the interviewers scored each presentation. Both were excellent applicants, but when the scores were totaled the award went to Tetra Tech. Tetra Tech's bid was \$312,424. SWCA's was higher. BLM had estimated the cost for this service to be around \$600,000, so we felt like we had made a good decision coming in well below that amount.

**Resolution 2020-08C awarding the contract for the Eastern Utah Regional Connection 3<sup>rd</sup> Party NEPA Process Service to Tetra Tech** was made by Commissioner Miles, seconded by Commissioner Ogden.

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 7-0-0 absent

**12. Ratify funding for the San Rafael Research Center Nuclear License for Molten Salt Lab Application in the amount of \$2,320.**

**TABLED.**

**Motion made by Commissioner Miles, seconded by Commissioner Ogden to table this item.**

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 7-0-0 absent

**13. Discussion and consideration of expanding scope of work for ETJ Law and authorizing funds, when needed and approved by CIB, the Executive Director and Coalition Co-Chairs, then ratified by the board.**

Director McKee reminded the board that its contract with ETJLaw is capped annually at \$175,000 for a set scope of work. This gets paid out of the CIB General Fund. Currently, the Coalition, in conjunction with the CIB, may be facing litigation. This resolution would allow for ETJLaw to be compensated for providing that defense which would come at an additional cost.

There has been a discussion about doing this with Keith Heaton, at the CIB, and he believes they would be fine with the Coalition paying extra for this defence. Any additional expenditures, over and above the set annual fee, would have to be approved by the CIB, the Executive Director, the Co-Chairs, and then ratified by a vote of the board.

**Resolution 2020-08E expanding scope of work for ETJLaw, Inc for Litigation Defense and authorizing funds for legal work after receiving approval from CIB, the Executive Director, Co-Chairs, followed by board ratification** was made by Commissioner Grayeyes, seconded by Commisioner Hopes.

Roll call vote, to make sure every electronic vote was counted, was as follows:

**SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:**

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 7-0-0 absent

**14. Discussion and consideration of meonthly expenses**

Accountant Doug Rasmussen presented the monthly expenses to the board in the amount of \$983,252.71. He offered clarification on one payment approval amount. Earlier today, on agenda item no. 12, the board was to ratify an expense in the amount of \$2,320. It ends up that the original check was voided and a new check, no. 1733 for \$2,320 was issued. The payment was to pay for the nuclear license application for the San Rafael Research Center. The check was issued to the Utah Department of Environmental Quality. The reissued check no 1733 is included in these checks the board will approve this morning.

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SEVEN COUNTY INFRASTRUCTURE COALITION PAYMENT APPROVAL					
August 21, 2020 at 10:00 a.m.					
Electronic Participation Only					
Vendor	Check #	Invoice #	Amount	Description	Grant
Voided	1713				
Voided	1714				
CIVCO Engineering, Inc	1715	2020315	24,073.88	I-70 Transportation Corridor EIS- Engineering - Phase 2	State Legislature Funding (UDOT)
Utah Media Group	1716	101295316-07252020	37.50	I-70 Transportation Corridor EIS- RFP Third-Party NEPA Services - Phase 2	State Legislature Funding (UDOT)
Jones & Demille	1717	0123040	4,000.00	I-70 Transportation Corridor EIS- Engineering Program Mgt - Phase 2	State Legislature Funding (UDOT)
ETJ Law	1718	1694	175.00	I-70 Transportation Corridor EIS- Legal Services - Phase 2	State Legislature Funding (UDOT)
Utah Media Group	1719	101294773-07172020	32.50	RFP - Feasibility Study for Regional Transportation Logistics Opportunities	General
Mike McKee	1720	July 8 - August 12, 2020	135.18	Director's Travel	General
Smuin, Rich & Marsing	1721	42487	3,394.08	Consulting Per Contract - July 2020	General
Heather Hoyt	1722	August 11, 2020	720.00	Contract Labor	General
Aycock, Miles & Associates CPAs	1723	35851	4,200.00	2019 Audit	General
Jones & Demille	1724	0123042	8,774.49	Program Management and Engineering	General
ETJ Law	1725	1693	1,575.00	General - Legal Services	General
HDR	1726	1200283871	185,140.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - Engineering Services - Phase 2
HDR	1726	1200283871	160,000.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - Baseline Environmental Services - Phase 2
HDR	1726	1200283872	34,840.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - O&M Planning - Phase 2
HDR	1726	1200284776	68,000.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - Baseline Environmental Services - Phase 2
Jones & Demille	1727	0123041	58,275.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - Program Management Services - Phase 2
Jones & Demille	1727	0123041	19,053.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - Strategic Communications - Phase 2
Jones & Demille	1727	0123041	22,509.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - Mapping Services - Phase 2
Jones & Demille	1727	0123041	102,190.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project - ROW Planning - Phase 2
ICF Jones & Stokes, Inc	1728	0148779	151,666.25	Uinta Rail Line - NEPA Consulting	Uinta Basin Railway Project - Baseline Environmental Services - Phase 2
Venable LLP	1729	2253158	113,231.00	Uinta Rail Line - Legal Services	Uinta Basin Railway Project - STB Regulatory and Other Legal Services Phase 2
ETJ Law	1730	1695	12,833.33	Uinta Rail Line - Legal Service	Uinta Basin Railway Project - STB Regulatory and Other Legal Services Phase 2
R.L. Banks & Associates	1731	5	367.50	Uinta Rail Line - Review of Financial Modeling and Commercialization	Uinta Basin Railway Project - Financial Advisory Services - Phase 2
ETJ Law	1732	1696	5,710.00	Molten Salt/Research Center Facility - Legal Services	Energy Research Center
Utah Department of Environmental Quality	1733		2,320.00	Molten Salt/Research Center Facility - Nuclear License Application	Energy Research Center
<b>Total Payment Approval</b>			<b>\$ 983,252.71</b>		

**Motion to approve the monthly expenses in the amount of \$983,252.71, was made by Commissioner Miles, seconded by Commissioner Lytle.**

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 7-0-0 absent

Accountant Doug Rasmussen next referred the Board to the June 30,2020 Profit and Loss Statements. He, also, asked them if they had received the Detail General Ledger which had been sent to each of them. No one indicated that they had not received these ledgers. Doug asked them to contact his office if they had not received them.

**Motion to accept the financials as presented** was made by Commissioner Ogden, seconded by Commissioner Hopes.

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Accepted. 7-0-0 absent

**15. Motion to enter closed (executive) session pursuant to Section 59-1-404 related to real estate acquisition, potential litigation, professional competency and trade secrets** was made by Commissioner Miles, seconded by Commissioner Lytle.

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes 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 ___

Approved. 7-0-0 absent.

**NOTE: Using a Zoom break out room the applicable board members and staff joined at a separate electronic location for closed session. The public remained at the original electronic meeting location. The board rejoined the public after closed session was complete.**

**Motion to leave closed/executive session** was made by a roll call vote of the board. .

Roll call vote, to make sure every electronic vote was counted, was as follows:

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea X	No ___
Daggett	Board Member	Yes X	No ___
Duchesne	Board Member	Yea ___	No ___ (Absent)
Emery	Board Member	Yea ___	No ___ (Absent)
San Juan	Board Member	Yea ___	No ___ (Absent)
Sevier	Board Member	Yea X	No ___
Uintah	Board Member	Yea X	No ___

. Approved. 4-0-3 absent.

**12. Motion to Adjourn**

A motion to adjourn was made by Commissioner Lytle.

A motion to approve the August 21, 2020 meeting minutes was made by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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

\_\_\_\_\_  
Co-Chair: Brad Horrocks

\_\_\_\_\_  
Co-Chair: Lynn Sitterud

**(COALITION SEAL)**

ATTEST:

\_\_\_\_\_  
Eric T. Johnson (Legal Counsel)