SEVEN COUNTY INFRASTRUCTURE COALITION
MEETING MINUTES
December 17, 2021 at 10:00 a.m.
Carbon County Commission Chambers
751 East 100 North
Price, Utah
(435) 219-1362

Board Members Present: Casey Hopes (Carbon County), Greg Miles (Duchesne County, Zoom), Lynn Sitterud (Emery County), Willie Grayeyes (San Juan County), Tooter Ogden (Sevier County) and Brad Horrocks (Uintah County, Zoom)
Also, in attendance: Mike McKee, Eric Johnson, Brian Barton, Mike Hawley, Kristi Sharp and Heather Hoyt (Zoom)
Attended telephonically: Melissa Cano, Kelly Carter, Keith Heaton, Lionel Trepanier, Bret Reynolds, Deeda Seed, John Sweisheit, Stacee Adams, Zac Whitwell, Diego Carroll, and Stan Holmes
Absent: Jack Lytle (Daggett County)
Others Present: Senator Ron Winterton, Troy Ostler, Gaylen Stewart, Mark Hemphill, Layne Miller, Lee Elmgreen, Deb Elmgreen, Mary McGann, Sam Van Wetter, and Trish Hedin (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://jonesanddemillezoom.us/j/81812623532
Meeting ID: 818 1262 3532

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US
+1 301 715 8592 US
1. **Welcome, Introduction and Pledge of Allegiance** (Casey Hopes)

2. **Motion to enter public hearing** (Casey Hopes)

   A motion was made by Commissioner Grayeyes and seconded by Commissioner Ogden to enter the 2022 Budget Public Hearing. Chairman Hopes called for a vote on the motion. The motion passed unanimously.

3. **Public Hearing to Consider the 2022 Budget** (Casey Hopes)

   **NOTE:** Comments were accepted electronically prior to the hearing and in person and virtually during the public hearing.

   Director McKee opened the public hearing reminding everyone that the preliminary budget was presented during November’s meeting (November 10, 2021). As the final budget is presented there are a couple of modifications. Time was turned over to Kristi Sharp from Smuin, Rich and Marsing. Kristi began by saying there was really only one change but it effected a couple of areas in the budget.

   The tentative budget listed an item for cost recovery from the BLM (Bureau of Land Management) in the amount of $98,000. That money, although anticipated in 2022, actually was recently received so that item has been removed from the 2022 Budget. That amount now shows as $0. That changed the estimate and effected the corresponding expense. $2,798,000 in the tentative budget has been adjusted to $2,700,000 in the final budget.

   Director McKee stated that the next part of the hearing was for the public to make comment. After the public hearing the board will have an opportunity to consider a resolution to adopt the final 2022 Budget.

   Before public comment began, Commissioner Ogden had a couple of questions. Concerning the San Juan County Navajo Mountain Regional Plan…there is $1 million dollars allocated. Where is that money coming from? Additionally, where is the State as far as helping with that project?

   Director McKee responded that the million dollars is noted in anticipation of receiving funding from the State Legislature. There have been discussions with key legislative people, as well as the President of the Senate, and the possibility of that funding is good. So, it was budgeted in anticipation.

   Another question from Commissioner Ogden concerned the Eastern Utah Regional Connection Project. The budget shows $2,700,000 and he wondered where that was coming from? Director McKee stated that was the funding received from the State Legislature previously allocated for the project’s EIS (Environmental Impact Statement).

   Kristi Sharp wanted Commissioner Ogden to be aware of one other item in the budget. The Uinta Rail annual payment of $500,000 and the rail purchase in the amount of $27.9 million, if that comes to pass in 2022. Then in the expense section the same $27.9 million is listed and will be paid back to the CIB (Community Impact Board). The $500,000 rail payment, in the expense section, would be allocated as follows:
- Uintah and Duchesne County reimbursement for previously paid legal fees
- $250,000 for general studies and planning
- the remainder as a contribution to fund balance to be available for future projects

If the rail project does not come to completion in 2022 those items would not be expensed.

A question was asked about a repayment to Carbon County for its initial seed money for the Coalition? Kristi responded that it is not listed as an expense but as a liability. It will be carried on the books until it is repaid.

There was one public comment made virtually by Lionel Trepanier, it as follows:

Lionel Trepanier with Utah Tar Sands Resistance began his 3-minute comment. He thanked the board for the opportunity to address the budget. As he reviewed the budget, he found a value-based opposition to the thrust of the budget. In his opinion, the budget would increase climate pressures bearing down on this generation and the next. The continued development of fossil fuels, the dirtiest fuels on the earth, the SCIC has taken under their wing needs to come to an end. Specifically, in this budget you see a lot of money going to build a highway to the top of the Bookcliffs to take oil down to 170. A big subsidized road to add to the other big subsidized road to nowhere. He also sees in this budget big money for a rail line to also haul oil out of the Basin. Our children suffer from air pollution and this doesn’t seem to concern this board. This is what nearly all of the budget represents. He did note that it was nice to see a little money for the Navajo Mountain Regional Plan and a little for the San Juan County regional planning. But, in his opinion, the real problem with the budget is the washing of dirty money and creating a slush fund… the $27.9 million dollars that the SCIC improperly received from the CIB. Using this money to increase the harm done to our communities from fossil fuels, rather than relieving harm. Now the SCIC proposes to create a general planning slush fund. It started with a half a million dollars of unaccountable money that they don’t deserve and was the result of having that $27.9 million dollars improperly received. Now the fruit of the wrongful conduct is being further used to create this unaccountable slush fund and he objects.

4. **Motion to exit public hearing** (Casey Hopes)

A motion was made by Commissioner Miles and seconded by Commissioner Ogden to exit the 2022 Budget Public Hearing. Chairman Hopes called for a vote on the motion. The motion passed unanimously.

5. **Review, consider and adopt the 2022 Seven County Infrastructure Coalition Annual Budget.**

Prior to the vote on the Resolution, Kristi Sharp added that the total revenues for this 2022 budget are $36,925,000 and total expenses $36,925,000.

**Motion to approve Resolution 2021-12A adopting the 2022 Seven County Infrastructure Coalition Annual Budget** was made by Commissioner Ogden and seconded by Commissioner Sitterud.
Chairman Hopes called for a vote on the motion. **The motion passed unanimously.**

6. **Public Comment** (Casey Hopes)

Public comment was accepted verbally, during the meeting, telephonically by Zoom, and by electronic written submission at hhovt@7county.utah.gov. Electronic written comments will be forwarded to the Board Members. All comments are summarized in the meeting minutes. A complete copy of any written comments submitted may be requested at the email address provided herein.

Time was turned over to Melissa Cano who gave instructions on how to participate verbally and by Zoom.

There was one public comment made by Stan Holmes, by Zoom, and a second comment made by Mary McGann the Chair of the Grand County Commission in person.

**Stan Holmes** greeted the board and proceeded to ask a series of questions. First, where is the Colliers Report available? He could not find it under the documents or procurement sections of the website or the web page under active projects. Regional Transportation Hub Study has no content. It should be posted and readily accessible to the public. Second, what is the status of findings and recommendations made under Part 2 of the Preliminary Feasibility Study which called for an analysis of potential for the development of an Inland Port Operation and Partnership with the Utah Port Authority. He was wondering if the requested checklist had been completed? Was Colliers in charge of Part 2, as well as Part 1? Another question, who does the SCIC have in charge of managing development of and financial accounting for the Salina Complex? Another question, is the SCIC seeking or planning to seek federal funds to pursue construction of the Salina to Levan rail spur? Also known as the Central Utah Rail Project (CURP). Is Sevier County in charge of seeking the CURP funding through its membership in the SCIC, the Six Counties Association of Governments or both? Last question, in addition to its previous involvement in the CURP, and now with the Uinta Basin Railway, to what extent is the Surface Transportation Board involved with any other current or new projects of the SCIC? Do you have to report to the Governor’s Office of Planning and Budget or the Utah Transportation Department for any of this? His questions completed Mr. Holmes thanked the Chair and ended his comments.

**Mary McGann** stated that she was here to address what they call the Bookcliffs Highway. She began by saying that every Commissioner on this board should understand County budgets. You should understand that counties are responsible for “B” and “D” roads. If this highway is built it is going to open up many “B” and “D” roads that right now are rarely used. And, their road department is going to be responsible for taking care of these roads. She finds it difficult to believe that this board does not think this road is going to cost Grand County any money. It is going to cost them money to maintain the roads, money for additional search and rescue, EMT’s, and the Sheriff’s Office will be responding more often to that area of their county. She stated that she wished, in the future, that this body would cease saying that this road is not going to cost

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Grand County more money. It is not fair to push onto another county a project that will increase their budget to maintain.

She next referred to an accident that happened on Hwy 191 the prior week involving 2 semi-trucks. There are so many projects in this State that need to be worked on. Hwy 191 needs to be a 4-lane highway. There was a crash last year on Hwy 6 where a gentleman died. To talk about building a road in a county that does not want it, in a State that has roads that need to be fixed is inappropriate. There are better ways for 7 County to spend its money. She’d like to see this project taken off the list.

Commissioner Hopes thanked those who expressed their thoughts and opinions. These decisions weight heavy on all of them. For the December 17, 2021 meeting, there were no other comments made or submitted. No written comments were received.

7. Approval of Meeting Minutes for the November 19, 2021 meeting. (Casey Hopes)

Motion to approve the November 19, 2021 minutes as presented was made by Commissioner Miles, seconded by Commissioner Sitterud.

Chairman Hopes called for a vote to approve the minutes. The motion passed unanimously.

8. Report on San Rafael Research Lab

Commissioner Sitterud began by saying that things were going well although the contractor was a bit behind because of extended delivery dates on equipment. The sewer line contract had been awarded and work should begin this next week. Interviews are complete for a Research Lab Manager and an offer has been made. If it is accepted, he will announce the name of the new manager at the next meeting.

This concluded the report on the San Rafael Research Lab.

9. Report on Satellite Transportation Hub

Commissioner Ogden stated that things are moving right along. They are still trying to work in the Salt Lake area on the transloading facility. The satellite hubs are still on the docket but not a lot is going on with them right now. They had a meeting where they passed a resolution to establish policies and guidelines to approve loans and help some folks interested in coming in to the area, up in the Northwest quadrant. So, there are things going on as we speak. Still positive and still moving forward.

This concluded the report on the Satellite Transportation Hub.

10. Report on Uinta Basin Railway Project

Commissioner Miles began by referring to the big news (approval from the Surface Transportation Board). This caused him to think back on all that’s been accomplished. What a huge lift this has been. He believed there would be a lot of economic benefit realized from this
project within the Uintah Basin. He could not stress enough all of the support that’s been received from the State, the federal delegation and from all of the Coalition board members. Additionally, thanks go out to Director McKee for leading the charge. There are still a few things to be worked on but he really wanted an opportunity to express his appreciation.

Time was turned over to Mark Hemphill, President of the Uinta Basin Railway, LLC. Mr. Hemphill began by stating that they would be the private party that finances, constructs and operates the Uinta Basin Railway. The decision from the Surface Transportation Board was a wonderful Christmas gift and it demonstrated the great public/private partnerships. A lot went in to getting this license. He and Mike McKee started working on this 8 to 9 years ago! This could not have happened in most states. There had been fantastic support from the federal delegation, specifically from Senator Lee and Congressman Moore. There had been great support received from Governor Cox, Speaker of the House Wilson, and President of the Senate Adams. And, of course, gratitude to the County Commissioners on the 7 County Board, as well as Commissioners Hansen and Todd from Duchesne County and Commissioners Stringer and Haslem from Uintah County. All have gone out of the way to be problem solvers and help make things happen to further this project.

Project financing is the next step. The banks and investors have been extremely interested in this project but wanted to see a license in place before a lot of effort went into a financing package. Work on that has begun and they don’t expect it to take very long. There is a lot of interest in both the U.S. and abroad. Everyone sees the value of investing in infrastructure. The Uintah Basin is the easiest message he has ever had to deliver. People understand the political commitment that exists. They understand the opportunity. They understand the sense of community and hard work in the Uintah Basin. He thanked everyone for their faith in the project and all of the work that has taken place.

Commissioner Horrocks next made comment saying that everything had pretty much been said but he wanted to add his thanks. It’s been a great project for their counties. It’s all very exciting and he looks forward to new projects.

Commissioner Miles asked if he could add to his comments. He wanted to add his appreciation for the Ute Tribe. This project would not have moved forward without their support and he wanted to say publicly how much he appreciated the partnership with the Ute Tribe. This has been a huge project and would not have been possible without the Tribe.

Director McKee echoed Commissioner Miles comments recognizing the support of the Ute Tribe. All of us recognize this wouldn’t have been possible without them. He, also, really wanted to thank this board, the contractors, Jones & DeMille, Eric Johnson, and anyone else who helped in any way. He really appreciated the commitment and hard work that had gone into this. There were a lot of people who said this could never happen. But here we are with an approval from the Surface Transportation Board.

We have also received signatures from the Army Corps of Engineers. The 404 Permit has been approved. Such a lot of work. As to the public/private partnership. The need was recognized for a public transportation project but how do you raise that kind of money? Then, if you can

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raise the money how do you get this kind of a project permitted? It takes this kind of public/private partnership. Private and public working together. Director McKee stated that he believes this project is an example of what can happen when everyone sits down and works together. Then, you add to that the partnership with the Ute Tribe. He also expressed thanks to the Governor, Speaker of the House, President of the Senate, their legislators, and Senator Winterton. Just so many people, including the entire congressional delegation. Senator Lee called him and wanted everyone to know how pleased he was that this project was moving forward. This has truly been a team effort.

This concluded the report on the Uinta Basin Railway Project.

11. **Comments concerning the Eastern Utah Regional Connection Project**

**Commissioner Trisha Hedin** began by showing a picture of the top of East Canyon in the Bookcliffs where the highway will come through. She has made camp in this area for elk hunting for many years. Today she is before this board as a County Commissioner and as an avid sportswoman. She has served on the Regional Advisory Council of the Southeast Region for eight years. She works with the Division of Wildlife sitting on the Bookcliffs Working Group board. The Bookcliffs is of great concern to the Division, specifically the deer and elk populations. The deer are declining and the elk are stagnant. Last year there were a lot of deaths and they aren’t sure why. Autopsies indicate it may be heat related. We are currently in a drought which is probably part of the cause. Predators, lack of water and lack of forage are major concerns. Another concern is the Seep Ridge Road kill. Some underpasses have been constructed but the corresponding fencing was never built so there is nothing to push the animals in to the underpasses. From a wildlife perspective she has always been opposed to this road.

As a precursor to her next remarks understand she is from a resource family. Her family are loggers. So, she is not opposed to resource extraction. This is currently being pitched as a tourism road. Grand County does not need any more tourism. This road would also bring more tourism to Uintah County but by doing so you would be bypassing Duchesne, Price, and Helper. Helper has really done a lot to promote tourism. In the other direction you would be bypassing Dinosaur and Rangely. So, this road will be a boon to Vernal but hurt all of these other communities.

Finally, this country is home to animals and people. It’s a place where people have made a connection. She spends a lot of time hunting in the area. The country is wild and it’s spectacular. There will be a lot of repercussions from building this highway through this area. There are people and families other than hers who have connections to this country. Please carefully consider what this highway will do to this area.

**Lee and Debbie Elmgreen** next addressed the board. Lee began by saying they moved out to that area 25 years ago. This was to be their forever home. This road will change that quite a bit. They are inviting everyone to come and see what this road will do to their ranch. See what impact it is going to have on the pictographs and petroglyphs. This road should never happen. This is wild and rugged country. This canyon is dangerous. It will be a challenge to get a road through there that will stay in place because of the terrain and structure of the mountain. Most of
the year there is little water, but in the summer, there can be flash floods that put down 5,000 gallons a second. That road will be right in the middle of those storms. The existing dirt road has been moved, raised and sunken by Mother Nature many times. This is their home. This road as proposed will be 65 feet outside their front door. It will damage their water source and take out their horse pasture. If you will come, we can show you why this road is not feasible.

Debbie Elmgreen next addressed the board. She began by saying they have seen the sand tar come and go leaving a big hole in the ground. They have seen BLM ruin 1000’s of acres removing the cedars so they can plant Sage Chickens, which the larger predators love to eat. But the ground they have damaged has not been good for the deer and elk and now their numbers have dwindled. Sand Tar has taken their water. It’s now down. This is the largest undesignated wildlife area in the lower 48 states. A road will compromise it even more. Nobody wants the road in this county (Grand County). Nobody wants to maintain it. It will end up being in disarray. It is the Wasatch Foundation you will be digging in to. The same foundation is under Douglas Pass which is eroding away. People come up into this area with campers and kids to enjoy the wilderness. In closing each of the Commissioners was given a card with their contact information and invited to make contact with them.

Director McKee updated the board reminding them that there was an application for an EIS previously submitted to the BLM. The application was put on hold for a short period of time. Now that the project is being reactivated the BLM is requesting a new application.

During this reactivation process a meeting was held in Grand County with the Elmgreens, Trisha Hedin and others. One of the things requested during that meeting was the opportunity to come to this meeting and address this board. They wanted to see if they could find some middle ground. In the alternatives studied through the years, Sego Canyon has been considered but would probably be a lot more environmentally challenging. Then Hague Canyon was looked at which is a designated wilderness study area and probably not a consideration. If the road is going to be built it will probably have to go down East Canyon. In the pending planning effort that is what will take place. Various routes and options will be considered.

Director McKee referenced the fact that he previously was a County Commissioner and all of the Coalition board members are County Commissioner. They firmly believe if this road it to be built it will need to be built and maintained by the State of Utah.

When they all met in Grand County, Trisha Hedin mentioned that the last time Mary McGann came before this board she didn’t feel like she was being listened to. The Coalition wants to make sure this is a fair process. This is one of the reasons this group was invited to address the board today.

Although during the planning process the intent will be to see the road built, the NEPA process does allow for a “no action” item. As the application moves forward there will be several variations that will be considered within the NEPA process. This board has authorized moving forward with this application. The application is close to being complete. Director McKee requested that if there are board members feeling differently about this project please get with him as soon as possible, within the next week, so they can determine the board’s next step.
Commissioner Grayeyes questioned whether the Coalition was creating a road maintenance burden for Grand County? Director McKee thanked him for that thought and reminded everyone that the burden would belong to the State of Utah. The State will be the ones to construct and maintain the road if the project moves forward. The Coalition’s job is to complete the Environmental Impact Statement to evaluate all of the different options.

Commission Ogden asked if the “B” road being discussed was already in existence? Commissioner McGann added that there are several “B” roads in the area. Director McKee asked Troy Ostler, with CIVCO Engineering, to address this question.

Mr. Ostler reiterated that the task before the Coalition was to make application for rights-of-way and prepare an environmental document for the BLM. That is what the funds allocated by the legislature are to be used for. This will help determine whether the project is feasible or possible. Right now, what is being looked at is the basic alignment of the road. The East Canyon alignment is the being considered. The proposed road would follow East Canyon for about a mile and a half, then divert down Brusher Canyon after which it would tie back into East Canyon at the bottom near the Elmgren’s ranch. From there it would tie in at the Cisco Interchange at I70. That, currently, is the preferred alignment. There have been many alternatives considered and will continue to be looked at throughout this process.

Mr. Ostler continued; this project began back in 2013/2014. There were 2 UDOT (Utah Department of Transportation) studies done at that time. Once was a transportation study and one an economic study. During those studies, Sego Canyon was looked at and determined not to be an option. Hague Canyon was looked at and due to numerous environmental issues not considered an option. East Canyon was the least environmentally impacted possibility.

Currently, in discussions with everyone, they looked at taking the road in to San Arroyo, the next canyon to the East. There were issues with that. They also looked at alignments that passed the Elmgren’s ranch entirely. That would require coming down East Canyon then climbing back out and going to the East and then tying back in. These are all still potential alignments being evaluated and will be evaluated during the EIS process. East Canyon is an existing “B” road for Grand County. As mentioned by Commissioner McGann this road would provide access to other County “B” roads. It’s a network of roads. All of these will be evaluated during the environmental process.

Commissioner Grayeyes stated he had only seen this area from I70 but would be interested in seeing the alternatives and the cost related to each alternative. He is also very interested in the archeological findings and environmental impacts.

Director McKee and Troy Ostler agreed to set up a time for board members to review the application and its alternatives. Director McKee also suggested setting up a time for going to see the Elmgren Ranch.
12. Executive Directors Report

Director McKee first addressed some of Stan Holmes questions from the Public Comment portion of the meeting. A lot of the Collier’s Study directly relates to Sevier County and their economic development. His questions would probably be best answered by Sevier County staff. Commissioner Ogden offered to address his questions at a later date. There was another question from Mr. Holmes about other rail projects planned. Although some thoughts have been kicked around there has been nothing finalized or discussed with the Surface Transportation Board.

Director McKee mentioned he had been able to participate in some public webinars discussing Rare Earth Minerals. These are coming to the forefront. Our country is going to be in a bad way if we don’t begin developing our own source of Rare Earth Minerals. The federal government is recognizing this. We will not have “green energy” without Rare Earth Minerals. In the near future there may be opportunities for the Coalition to help with this research and development. We need to watch closely and be ready to become active in this arena as opportunity develops. Rare Earth Minerals and Carbon Fibers may hold many opportunities for the San Rafael Research Center and the Coalition.

This concluded the Executive Directors Report.

13. Engineers Report

Brian Barton brought everyone’s attention to the monthly report which had been sent out. In addition, he pointed out there had been a few additions to the GIS database. As to the previously discussed project rating and ranking, the board member survey is yet to come. They have made some adjustments separating responses from board members from those of staff. They expect to get it to everyone in time to enjoy over the long holiday!

They have been working on the Navajo Nation Regional Plan. They are still waiting for a date to meet with the Navajo Department of Transportation.

They have been working on GRAMA request responses. They’ve enjoyed working with Troy Ostler and the CIVCO team on the Eastern Utah Regional Connection project.

The Uinta Basin Railway, from a technical perspective, has been an incredible lift. It’s been a long project including 90 miles of new rail. There have been incredible topographic challenges. There are a couple of spots where the rail will approach 10,000 feet in elevation. The tunneling and technical approaches have been challenging. Everyone has been incredible to work with. It’s definitely been a team effort.

Time was turned over to Mike Hawley to review the 2022 budget. He began by saying they had looked at the current budget and proposed budget. There are some ongoing efforts on the strategic communications side, on the legal services side and on program management. They have projected those through the 1st quarter. There is over $2 million dollars in the contingency fund. Because the Surface Transportation Board’s decision came more quickly than expected there are some funds that will not be expended and will revert to the contingency fund. All of that said, we move in to 2022 in great financial condition.
Commissioner Ogden asked where the Coalition was with the Navajo Mountain Regional Plan? Has the State come to the plate as we expected? Director McKee said that despite some negative comments being made the State has really supported this project. Our information is that there will be a legislative request to allocate funds for this project. Senator Winterton was invited to address this topic. He stated that appropriation requests don’t materialize until the 2nd week of January. At the end of these sessions, projects are moved forward and listed in a bill. They are very aware of this project and will put the request in. Another possibility is that this million being requested could come through the CIB, so this project should be on the Capital Improvement List. Senator Winterton stated that this project was in good standing. There are a few directions funding could come from, so he can’t give an exact answer. But planning makes all the difference. His understanding is that there will be a 3-way partnership on this project between the State, the Church of Jesus Christ of Latter-day Saints and the Navajo Nation. The Navajo Nation will help with the Bureau of Indian Affairs and the Department of the Interior to obtain rights-of-way. This will be a big factor in this project’s success. As far as money goes, it will be a phased in project. This is one of the Lieutenant Governor’s top priorities and there is a lot of leadership supporting it. In addition, there is a lot of funding for broadband right now. They are looking at being able to do this at the same time so the same EIS and rights-of-way can be used for both transportation and broadband.

Brian Barton joined in saying that the Navajo Department of Transportation had reached out to them, not the other way around. This is an important project for the Navajo Nation. It’s a very well supported project.

Commissioner Grayeyes stated that he will contact President Nez and personally request the meeting with the Navajo Department of Transportation. They will do everything necessary to establish the necessary alignment and move the project forward.

This concluded the Engineers Report.

14. Ratifying Army Corps of Engineers Agreement

Director McKee stated that this had been worked on for a long time. This has now been signed by the parties and needs to be ratified by this board. Also, a check for $100 needed to be sent in with it.

Motion to approve Resolution 2021-12B ratifying the Army Corps of Engineers Agreement was made by Commissioner Ogden, seconded by Commissioner Grayeyes.

Chairman Hopes called for a vote to approve the motion. The motion passed unanimously.

15. Ratifying the Western Bit Non-Disclosure Agreement (NDA).

Director McKee stated that this was a group that had approached him and under the Non-disclosure Agreement (NDA) he was not sure how much he could disclose. He asked the Coalition’s attorney Eric Johnson to address this item. Mr. Johnson stated that the NDA was for community planning and development. That is all that can be disclosed at this time in an open meeting. The board, under confidential information, can receive more information during closed
session. Chair Hopes suggested this be tabled until after closed session when board members had a better understanding of the matter.

A motion was made by Commissioner Sitterud, seconded by Commissioner Ogden to table this matter until after closed session.

Chairman Hopes called for a vote to approve the motion. The motion passed unanimously.

16. Presentation, approval, and adoption of monthly expenses

Kristi Sharp presented the monthly expenses in the amount of $266,083.76. There were no questions from the board concerning the expenses.

### SEVEN COUNTY INFRASTRUCTURE COALITION PAYMENT APPROVAL

**December 17, 2021 at 10:00 a.m.**

Carbon County Commission Chambers
751 East 100 North, Price, UT 84501

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<td>Uinta Basin Railway Project Grant - Baseline Environmental Services - Phase 2</td>
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<tr>
<td>Jones &amp; Demille</td>
<td>1995</td>
<td>0126531</td>
<td>39,516.00 Uinta Rail Line - Engineering</td>
<td>Uinta Basin Railway Project Grant - Program Management Services - Phase 2</td>
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<td>Jones &amp; Demille</td>
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<td>8,597.87 Uinta Rail Line - Engineering</td>
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<td>ICF Jones &amp; Stokes, Inc</td>
<td>1996</td>
<td>0159793</td>
<td>3,225.11 Uinta Rail Line - NEPA Consulting</td>
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<td>Venable LLP</td>
<td>1997</td>
<td>2418753</td>
<td>19,995.40 Uinta Rail Line - Legal Services</td>
<td>Uinta Basin Railway Project Grant - STB Regulatory and Other Legal Services - Phase 2</td>
</tr>
<tr>
<td>Emery County</td>
<td>1998</td>
<td>9/20/2021</td>
<td>55,580.00 Pass-Through Funding - Emery County, DRAX Contract - Energy Research Center</td>
<td>DRAX</td>
</tr>
<tr>
<td><strong>&lt;NOTE&gt; Emery County's invoices to DRAX are for $55,600.00. However, the deposit from DRAX is for the check amount of $55,580.00.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Payment Approval $266,083.76**
Motion to adopt the monthly expenses in the amount of $266,083.76 was made by Commissioner Miles, seconded by Commissioner Horrocks.

Chairman Hopes called for a vote to adopt the monthly expenses. The motion passed unanimously.

Kristi next referred the board to the Balance Sheet as of October 31, 2021 which showed the assets, liabilities, and equity, along with the Consolidated Profit and Loss and Individual Profit and Loss by Class for January thru October, 2021. The board had no further questions.

Motion to accept the financials as presented for the month ending October 31, 2021 was made by Commissioner Horrocks, seconded by Commissioner Grayeyes.

Chairman Hopes called for a vote. The motion passed unanimously.

And, finally, the board was directed to pages that represent each individual project since inception with a statement showing expenses for each project and the funds remaining. If the project has been closed it shows as being zeroed out. In addition, these pages show any other expenses right up to today’s board meeting.

This concluded the financial reports.

17. Site Fieldtrip to San Rafael Research Lab on January 21, 2022 after board meeting – 800 N. Hwy 57 aka 1230 N. Coal Haul Road, Orangeville, Utah

Director McKee stated that there had been a lot of work done at the Research Center. He felt it was time for the board to come and have a look. They discussed having the regular January meeting in Price and then traveling down to the Research Center. The site visit would be a part of the regular board meeting and it does not have to be recorded. Commissioner Horrocks offered to buy lunch on the way.

Director McKee added that there had been a request to look at a different meeting day rather than Fridays for board meetings. This discussion will be placed on a future agenda.

18. Motion to enter closed (executive) session pursuant to Section 59-1-404 related to real estate acquisition, pending litigation, professional competency and trade secrets was made by Commissioner Grayeyes, seconded by Commissioner Ogden at 12:01 p.m.

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

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

<table>
<thead>
<tr>
<th>Carbon</th>
<th>Board Member</th>
<th>Yes X</th>
<th>No ___</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daggett</td>
<td>Board Member</td>
<td>Yes ___ No ___ Absent</td>
<td></td>
</tr>
<tr>
<td>Duchesne</td>
<td>Board Member</td>
<td>Yes X</td>
<td>No ___</td>
</tr>
<tr>
<td>Emery</td>
<td>Board Member</td>
<td>Yes X</td>
<td>No ___</td>
</tr>
<tr>
<td>San Juan</td>
<td>Board Member</td>
<td>Yes X</td>
<td>No ___</td>
</tr>
<tr>
<td>Sevier</td>
<td>Board Member</td>
<td>Yes X</td>
<td>No ___</td>
</tr>
</tbody>
</table>

Meeting Minutes December 17, 2021
Uintah  Board Member  Yes X  No __

Approved 6-0-1 absent

Motion to leave closed/executive session was made by Commissioner Grayeyes, seconded by Commissioner Ogden at approximately 12:35 p.m.

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

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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

Approved 5-0-2 absent

19. Motion to approve Resolution 2021-12C ratifying the Western Bit Non-Disclosure Agreement was made by Commissioner Ogden, seconded by Commissioner Grayeyes. There was no further discussion.

Chairman Hopes called for a vote to approve the motion. Carbon County voted against the motion and the other counties voted affirmatively.

20. Motion to Adjourn

A motion to adjourn was made by Commissioner Miles.
A motion to approve the December 17, 2021 meeting minutes was made by Commissioner Hopes, seconded by Commissioner Haslem.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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

Approved 5-0-1 absent

Co-Chair: Casey Hopes

Co-Chair: Greg Miles

ATTEST:

Heather B. Hoyt

Meeting Minutes December 17, 2021