

SEVEN COUNTY INFRASTRUCTURE COALITION
April 16, 2021

Resolution No. 2021-04B

RESOLUTION AUTHORIZING THE SIGNING OF A CONTRACT FOR LEGAL SERVICES BETWEEN UINTAH COUNTY, DUCHESNE COUNTY AND THE COALITION AND RELATED MATTERS.

WHEREAS, Living Rivers and the Center for Biological Diversity filed a lawsuit (Living Rivers litigation) against the Department of Workforce Services, the Utah Permanent Community Impact Fund Board (CIB), and the Seven County Infrastructure Coalition (Coalition) in August, 2020 challenging the funding decision of the CIB in awarding the Coalition funds for planning for the Uinta Basin Railway project; and

WHEREAS, Uintah County, Duchesne County, and the Uintah Transportation SSD have intervened in said Living Rivers litigation as interested parties; and

WHEREAS, Uintah County and Duchesne County each desire to contribute a maximum amount of \$35,000 to pay legal fees related to said Living Rivers litigation incurred by the Coalition:

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

1. The Governing Board hereby authorizes an agreement with Duchesne County and also authorizes a separate agreement with Uintah County whereby each county will contribute a maximum amount of \$35,000 toward the legal defense by the Coalition of the Living Rivers litigation on the terms and under the conditions in the respective agreements presented to the Governing Board in substantially final form, which includes a provision that the Coalition will pay back or reimburse such monies to Duchesne and Uintah Counties out of the first monies received by the Coalition from the private investor in the Uinta Basin Railway, and the Board further authorizes the Executive Director to execute such agreements with Duchesne and Uintah Counties respectively and authorizes the attestation of such agreements and application of the Coalition seal.
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 All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption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 April 16, 2021

Motion by Commissioner _____, and

Seconded by Commissioner _____.

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 Casey Hopes

Co-Chair Greg Miles

(COALITION SEAL)

ATTEST:

Heather Hoyt