



SEVEN COUNTY INFRASTRUCTURE COALITION
MEETING MINUTES

October 12 at 10:00 a.m.

Carbon County Commission Chambers (Anchor Location + Electronic)
751 East 100 North
Price, Utah 84501
(801) 712-7622

Board Members Present: Casey Hopes (Carbon County), Lynn Sitterud (Emrey County), Greg Jensen (Sevier County), Brad Horrocks (Uintah County), Silvia Stubbs (San Juan County) attended electronically, Greg Miles (Duchesne County) attended electronically and Jack Lytle (Daggett County) was absent.

Also, in attendance: Keith Heaton, Brian Barton, Lenise Peterman, Mike Hawley, Melanie Sasser, Doug Rasmussen and Jonathan Stearmer.

Attended telephonically: Melissa Cano, Kelly Carter, Mark Michele, Joel Brown, Lori Haslem, Sam Van Wetter, Stacey Herpel and David Bennett.

Others Present: Irene Hanson – Duchesne County Commissioner, Tracy Killian – Duchesne County Commissioner, Tom Davidson, Dillon Torske and Eric Johnson. (Please notify staff at 801-712-7622 of any spelling corrections or if you were present and not listed.)

Public Meeting Participation Information:

Please click the link below to join the webinar:

<https://jonesanddemille.zoom.us/j/86748043561>

Or Join by Telephone:

1-253-215-8782 or

1-346-248-7799 or

1-669-900-6833

Webinar ID: 867 4804 3561

1. Welcome and Pledge of Allegiance. (Casey Hopes)

Chairman Hopes welcomed everyone to the meeting at 10:05 AM. Board members were present including Commissioner Miles and Commissioner Stubbs attending electronically and

Commissioners Lytle absent excused. Chairman Hopes then led the Pledge of Allegiance. He then moved to the second agenda item.

2. Public Comment (Casey Hopes)

Public comment was accepted verbally, during the meeting, telephonically by Zoom, and by electronic written submission at lpeterman@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. Chairman Hopes called on Melissa Cano to review the information.

Chairman Hopes then turned time over to Melissa Cano for those wishing to make public comment electronically.

Melissa Cano proceeded to give instructions on how to participate in the meeting verbally and by Zoom. She indicated parties needed to click the raise hand button which renders the list from Zoom in the order hands are raised. A total of fifteen minutes is set aside for public comment, and each party will have a three-minute comment limit.

Melissa Cano indicated there were no comments from online participants and turned the time back to Chairman Hopes.

Chairman Hopes proceeded to inquire if any parties in the room wished to make a comment. Seeing none, Chairman Hopes moved on to the next agenda item.

3. Approval of Meeting Minutes for September 14, 2023. (Casey Hopes)

Chairman Hopes inquired about changes or updates to the minutes, there being none requested a motion.

Motion to approve September 14, 2023 meeting minutes made by Commissioner Sitterud, seconded by Commissioner Jensen.

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

Chairman Hopes then moved to agenda item four which was the report on the Uinta Basin Railway Project.

4. Report on Uinta Basin Railway Project. (Brad Horrocks)

Chairman Hopes turned the time over to Commissioner Horrocks. His only update was that he had been involved with a number of discussions with parties and would defer to Executive Director Heaton and/or closed session for a more detailed update. Chairman Hopes then inquired if Commissioner Miles had any additional updates. Commissioner Miles indicated parties are still working but other than that had no update. There being nothing further to discuss on this topic, Chairman Hopes called for the next agenda item.

5. Report on the San Rafael Research Center. (Lynn Sitterud)

Chairman Hopes turned the time over to Commissioner Sitterud for the San Rafael Research Center report. He indicated not much is going on at this time. The nuclear side is still moving forward consistently and the combustion side is going as fast as he can move Jones and DeMille! Chairman Hopes asked for any questions or further discussion, there being none moved on to the next agenda item.

6. Report on the Rural Ecosystem. (Casey Hopes)

Chairman Hopes shared they were continuing to work with several private sector partners at this time. Funding is part of the issue for several of these partners, especially given the current economy. He indicated they had received an appropriation from Congressman Curtis' office to assist in a land purchase and more importantly water rights to be used to help the companies that are trying to land in Carbon County. The goal was to secure the water for those companies as they come in which is significant. They also have started dialogues with the Utah Inland Port Authority to use some of their resources to help some of the companies come in as well. Things continue to move forward. He then called for questions. Seeing none, Chairman Hopes called for the next agenda item.

7. Executive Director Report. (Keith Heaton)

Chairman Hopes turned time over to Executive Director Heaton for the director's report. Executive Director Heaton expressed his appreciation for the work each of the commissioners are doing. He shared he had a very positive conversation with Carbon County Commissioner Larry Jensen last week about the ecosystem and wanted to compliment Carbon County for the work they have done on that project as it pertains to Ridge Road and keeping that moving forward. He is also excited to see the combustion work as the Research Center continues to progress. It will be great when the new building is built which will grow the good things that are happening there. Executive Director Heaton then proceeded to give an update regarding his perspective of what is going on with the railroad. He appreciated organized labor being present in the meeting today to show their support for that project. We have a few things going on as everyone is aware we had a little bit of a setback in the DC Court where we were directed to go back and revise the EIS with the Surface Transportation Board. So, we are moving forward with that and in the meantime, we have petitioned the circuit court for review called an en banc review. There are eleven judges at the circuit level, with three of those judges assigned to this case, which issued the directive. We want to go back and press the issue with the full court to get more clarity. We filed the official petition a week or two ago and they immediately responded to get input from others which our attorneys tell us is a very good sign. It means there are certain justices who want to look at this more closely. Likewise, we have been working closely with our private partners on some legislative efforts and Representative Curtis' office filed an amendment to the Transportation, Housing and Urban Development bill currently called the "Curtis Amendment" to place this project into that appropriation. Along those lines, we did

reach out this week to our local supporters asking them to draft letters to Chairman Cole who oversees that committee to let him know the state of Utah is supportive of the project. To our friends that are listening, we would love to get a support letter and Executive Director Heaton is happy to provide a template to make the task easier. He also encouraged everyone to speak with their elected officials such as mayors, commissioners, state representatives, and more importantly the federal delegation, to let them know why this project is important to you and to those you work for and represent. It is difficult for a smaller state like Utah to be heard in some of these instances. When our elected officials hear from you that helps to buoy them up and gives them the courage they need to fight for these projects. There were some meetings with the Utah Petroleum Association and we are trying to set a meeting with that board, along with our board next month for those of you interested in participating November 9 at 1:00PM. Changing gears, we just received word yesterday that Seep Ridge Road micro-surface work was completed and we received the final invoice. Executive Director Heaton has participated in several meetings and conferences over the past several weeks and appreciate Chairman Hopes attending some of the local meetings here regarding critical materials and welcomes his support at these meetings. Commissioner Sitterud and Chairman Hopes were both in attendance at Representative Curtis' Economic Summit here in Price a few weeks ago and appreciate their support of our projects there. Representative Curtis is a real champion for the things we are trying to do. Also saw Chairman Hopes at the One Utah Summit in Cedar City kind of a different conference but a lot of good information. Executive Director Heaton also appeared before the Community Impact Board last week and appreciate Commissioner Miles and Commissioner Lytle who sit on that board and have very kind words to say about the work we are doing. He updated the CIB on the current state and indicated there may be a need to come back to them in future if things drag out in the DC Circuit Court. They expressed tremendous support on that and we are very grateful for them. Earlier this week Executive Director Heaton was back in the Basin to speak with a telecommunications company which works primarily in the Basin but do have tentacles which go to other locations in the state as well. They had requested an update on the railroad as it is critical to their business and he brought them up to speed. Yesterday, Executive Director Heaton accompanied legal counsel Jonathan Stearmer with a visit to San Juan County. He expressed his appreciation to Commissioner Stubbs for having them down and appreciates the vision they have for their County and looking for ways we can help support them. We continue to work on several right of way projects with the private sector. We have two great projects going on in San Juan County. Many thanks to Dan Hawley and **Scot** Flanery for their efforts down there on the water study we are doing as well as the Navajo Road Project. Exciting things are happening with the road project with a meeting scheduled in Salt Lake on October 25 in the Aspen Room at noon with state officials and the tribe. The Navajo Nation has committed \$1 million dollars to that project to get the EIS started and the hope is the state will kick in at least that level of match. It is exciting to see those things move forward. He concluded his report thanking the Chairman and asked for any questions. Chairman Hopes asked for questions with Commissioner Stubbs weighing in. She first wanted to thank Executive Director Heaton and the new attorney for the visit they made. She proceeded to add she had received a text from Congressman Curtis' campaign director who asked Commissioner Stubbs to send the

campaign director information about the Unita Basin Project. They had spoken in person previously, and Commissioner Stubbs was going to send out some general information. Commissioner Stubbs serves on an advisory committee for Congressman Curtis and she inquired about the possibility of them endorsing us. One of the committee members asked how did we see this railroad affecting women directly. Another commissioner weighed in and Commissioner Stubbs is going to forward those comments on. They are very supportive of the project and the campaign director just wanted talking points in hand. Commissioner Stubbs asked if there was any information that could be emailed to her share as the information she currently has she is not sure if she should share. She then went on to ask if there is a letter of support that should come from the county – if so, she can place it on the agenda for the upcoming week for county approval. Executive Director Heaton thanked Commissioner Stubbs for her feedback with legal counsel Jonathan Stearmer weighing in regarding public facing comments. Jonathan Stearmer indicated we have been working with Melissa Cano on putting together an information packet for public outreach. He asked that Melissa get with Commissioner Stubbs to make sure she has the material that would be his suggestion to ensure communication is uniform and the messaging stays the same. As far as the resolution part, they had already spoken with Matt McDonald about the possibility of counties wanting to do some type of resolution so we are working on that. With this group, who are essentially the counties, they have been on the record as supporting this project unless one county would opt out of supporting it and making that known. This coalition could be the one voice for all of those counties so to speak. In speaking yesterday, there may be some muscle that comes from formal resolutions by each county but we are currently discussing those options and we will see when it may be appropriate to present a resolution if we need to go that way. Jonathan Stearmer then turned time back to Executive Director Heaton for his thoughts. Executive Director Heaton felt at this point, with the counties acting as a single coalition it may be a little early to pursue resolutions at this point. He stressed he appreciated the willingness of parties to do so and may be calling in those chips at a later date. Executive Director Heaton did want to add on the Women Elected Officials that he was pleased to introduce Irene Hansen, Duchesne Commissioner who shared with him some stories of how the “boom-bust” economy has affected women and the burden of when the economy is in a bust mode and the impact on women who wear so many different hats. He went on to express his appreciation of Commissioners Hansen and Stubbs and their support of these types of projects and the impact it has on our families, friends and neighbors. Chairman Hopes then called for any additional questions for Executive Director Heaton. Chairman Hopes thanked Executive Director Heaton for both his report and all the work he is doing in support of the Seven Counties Coalition. He then called for the next agenda item after some brief banter about Steve Young’s presentation at the Utah One Summit.

8. Strategic Communication Report. (Melissa Cano)

Melissa Cano stated she did not want to repeat too much of Executive Director Heaton’s report, but we have been busy in the background getting a number of letters prepared for SCIC to get to Congressman Curtis’ office as soon as possible. We also have been working on letters for our

respective partners. She also indicated she would wrap up an email to Commissioner Stubbs and have that out shortly as well which will include some preapproved talking points. We are also working on some general talking points regarding the en banc petition for the entire board which will be sent out later this week. It has been very fast and furious to get everything turned around as quickly as possible and in speaking with Executive Director Heaton, as well as Jonathan Stearmer, we feel we have a good product out there which can be shared widely and can be disbursed however the board deems fit. Melissa Cano then inquired if there should be anything placed on social media indicating the project is very much alive without getting into the weeds or the details. There has been varying feedback from others on this front and wanted to open it up for a quick discussion. We are ready to take action and with the work done in the background, we would seek direction if that should be more public facing. Executive Director Heaton indicated he had hoped to have this discussion during the closed session given the situation with the lawsuit and requested Jonathan Stearmer regarding if it was appropriate to speak during closed session. Jonathan Stearmer indicated it would be more appropriate discussed during closed session to ensure nothing would be disclosed regarding the lawsuit. Anything in the public record is fair game he went on to state and can be used as seen fit. The internal conversations we want to ensure does not leak in to what is public. With that direction, Melissa Cano indicated it concluded her report and would entertain any questions from the board. Commissioner Stubbs expressed her appreciation for the work Melissa is doing. Chairman Hopes called for any additional questions or comments. Commissioner Stubbs did have an additional comment. She stated they are always looking at ways to promote and advertise things and one thing that seems to work for different organizations is a video in the theater. It may be worthwhile to have something play before movies that explains what Seven Counties is, our mission and what we do. Chairman Hopes thanked Commissioner Stubbs for sharing those ideas. Melissa Cano indicated she did have those ideas as part of the SCIC communication plan but we have pushed pause while the litigation is ongoing. We should be able to dive deeper into that shortly. Chairman Hopes called for questions, there being none, moved on to the next agenda item.

9. Engineers Report. (Jones & DeMille)

Brian Barton took over time to discuss the many ongoing activities the Coalition currently has underway and referenced Executive Director Heaton's earlier comment regarding the Seep Ridge Road Project. He turned time over to Mike Hawley to discuss that particular project. Mike Hawley shared that project has gone very well. He has been onsite and it looks really good but the final walk through is scheduled for the next day with the only outstanding item being the second coat of paint. Commissioner Horrocks asked if it would be done this year with Mike Hawley affirming it would be completed. With that particular micro-surfacing, there was some rutting, but with this type of treatment it fills those ruts in and then it is sealed. He went on to state it is a good treatment and will last every bit as long as a chip and seal process and even longer. Executive Director Heaton asked how it would hold up with heavy truck traffic. Mike Hawley replied it would be very well and was a good project. They then asked for questions. Chairman Hopes extended his thanks to Jones and DeMille for all that they do on all of the

different projects. There being no further discussion, Chairman Hopes moved on to the next agenda item.

10. Presentation, approval and adoption of monthly expenses. (Smuin, Rich & Marsing)

Time was turned over to Doug Rasmussen. Doug Rasmussen shared he was presenting the financial information and requesting payment approval today. He went on to request payment approval amounting to \$69,987.79. If there is any discussion or review of any items included in the payment request today he is happy to entertain or discuss those individual line items.

SEVEN COUNTY INFRASTRUCTURE COALITION PAYMENT APPROVAL
October 12, 2023 at 10:00am
751 East 100 North
Price, Utah 84501

Expenses Previously Approved by Board :

Vendor	Check #	Invoice #	Amount	Description	Grant
Keith Heaton - Payroll	Direct Deposit	Oct 3 - Dec 31	50,648.18	Payroll/Admin	General Grant

Checks Currently Being Approved:

Vendor	Check #	Invoice #	Amount	Description	Funding Source
Smuin, Rich & Marsing	2328	06917	3,176.20	Consulting Per Contract	General Grant
Keith Heaton	2329	17	694.75	Director's Travel and Admin Expenses	General Grant
Lenise Peterman	2330	4419-15	420.00	Contract Labor	General Grant
Public Employees Health Program	2331	205599	1,638.00	Insurance Premiums - October	General Grant
Health Equity	2332	z8qkgu1	2.25	Administration fees for HSA	General Grant
Jones & DeMille	2333	0132239	3,832.88	Program Management and Engineering	General Grant
Jonathan A Stearmer	2334	9/30/2023	3,298.29	General - Legal Services	General Grant
Jonathan A Stearmer	2335	9/30/2023	3,975.00	Uinta Rail Line - Legal Service	Uinta Basin Railway Project Grant -STB Regulatory and Other Legal Services - Phase 2
Venable LLP (1/2 Invoice)	2336	2624322	13,373.80	Uinta Rail Line - Litigation Challenges to STB Decision	Uinta Basin Railway Project Grant -STB Regulatory and Other Legal Services - Phase 2
Jones & DeMille	2337	0132250	14,889.50	Uinta Rail Line - Engineering	Uinta Basin Railway Project Grant - Program Management Services - Phase 2
Jones & DeMille	2337	0132250	15,485.40	Uinta Rail Line - Engineering	Uinta Basin Railway Project Grant - Strategic Communications - Phase 2
Jones & DeMille	2337	0132250	315.00	Uinta Rail Line - Engineering	Uinta Basin Railway Project Grant - BIA Draft ROD Prep - Phase 2
Jones & DeMille	2338	0132240	8,886.72	Navajo Water Settlement - Engineering	Division of Drinking Water
Total Payment Approval			\$ 69,987.79		

Motion to approve expenses for September in the amount of \$69,987.79 was made by Commissioner Horrocks, seconded by Commissioner Sitterud. Chairman Hopes called for the vote. **The motion passed unanimously.**

Doug Rasmussen then reviewed the balance sheet which was complete to September 30, 2023. It shows the total assets and liabilities of the Coalition with the second page showing profit and loss statement for January through August. We also have included a profit/loss by class which shows all of the funding and expenditures by project. We have detail information for activity that has happened through September by project as well. He then asked if there were any questions regarding the financial information.

Motion to approve the financial report for September was made by Commissioner Jensen seconded by Commissioner Horrocks. Chairman Hopes called for the vote. **The motion passed unanimously.**

Doug Rasmussen, again for information purposes only, reviewed the project sheet. This does not require any approval from the Coalition. This concluded the financial update to the Coalition. Chairman Hopes thanked Smuin Rich for their work efforts and commended them on the most recent audit where they received glowing reviews.

Before heading into closed session, Chairman Hopes shared a special presentation for Administrative Assistant Lenise Peterman who is leaving the Coalition. Executive Director Heaton proceeded to provide a plaque commending her service to the Coalition and wishing her the best for the future.

11. Motion for closed (executive) session pursuant to 52-4-205 (Litigation, personnel, real estate acquisition, &/or character/professional competency). (Casey Hopes)

Chairman Hopes then requested a motion for a closed session. Commissioner Miles indicated he would have to exit the closed session and asked Commission Irene Hansen to represent him.

Motion to move into closed session for litigation was made by Commissioner Sitterud, seconded by Commissioner Jensen.

Chairman Hopes called for a roll call vote to move into closed session. Motion passed; closed session began at 10:55 AM.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea <u>X</u>	No <u> </u>
Daggett	Board Member	Yea <u> </u>	No <u> </u> (Absent)
Duchesne	Board Member	Yea <u>X</u>	No <u> </u>
Emery	Board Member	Yea <u>X</u>	No <u> </u>
San Juan	Board Member	Yea <u>X</u>	No <u> </u>
Sevier	Board Member	Yea <u>X</u>	No <u> </u>
Uintah	Board Member	Yea <u>X</u>	No <u> </u>

Chairman Hopes requested a motion to move back into open session and exit the closed session.

Motion to move out of closed session was made by Commissioner Sitterud with a second by Commissioner Jensen.

Chairman Hopes called for a roll call vote with motion passing at 12:05 PM.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea <u>X</u>	No <u> </u>
Daggett	Board Member	Yea <u> </u>	No <u> </u> (Absent)
Duchesne	Board Member	Yea <u> </u>	No <u> </u> (Absent)

Emery	Board Member	Yea <u>X</u>	No <u> </u>
San Juan	Board Member	Yea <u>X</u>	No <u> </u>
Sevier	Board Member	Yea <u>X</u>	No <u> </u>
Uintah	Board Member	Yea <u>X</u>	No <u> </u>

15. Motion to Adjourn (Casey Hopes)

A motion to adjourn was made by Commissioner Sitterud.

A motion to approve the October 12, 2023 meeting minutes was made by Commissioner _____, seconded by Commissioner _____.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon	Board Member	Yea <u> </u>	No <u> </u>
Daggett	Board Member	Yes <u> </u>	No <u> </u>
Duchesne	Board Member	Yea <u> </u>	No <u> </u>
Emery	Board Member	Yea <u> </u>	No <u> </u>
San Juan	Board Member	Yea <u> </u>	No <u> </u>
Sevier	Board Member	Yea <u> </u>	No <u> </u>
Uintah	Board Member	Yea <u> </u>	No <u> </u>

Co-Chair: Greg Miles

Co-Chair: Casey Hopes

(COALITION SEAL)

ATTEST:

Lenise Peterman