

# UBRF BOARD MEETING

Monday, October 23, 2023 - 1:30 PM, Uintah Basin Association of Governments, 330 E 100 S, Roosevelt, UT 84066. Virtual Option - <https://utah-gov.zoom.us/j/86587519475>, Meeting ID: 865 8751 9475, +1 253 215 8782 US (Tacoma).

## AGENDA

### 1. Welcome & Introductions

#### 1.a Board Member Welcome

New Board Members:

Councilman Emmett Duncan - Ute Tribe Business Committee

Councilman Mike Natchess - Ute Tribe Business Committee

Other Board Members:

Chairman Evan Curtis - Governor's Representative

Commissioner Brad Horrocks - Uintah County

Commissioner Greg Miles - Duchesne County

### 2. Approval of Minutes

#### 2.a Approval of minutes from March 29, 2023 meeting.

### 3. Fund Report

#### 3.a Fund Balances (as of 10/17/2023, with new allocations)

GRANTEE	NEW ALLOCATION	PREVIOUSLY AVAILABLE	NEW AVAILABLE
Ute Tribe	\$3,872,891.60	\$94,807.56	\$3,967,699.16
Uintah County	\$1,997,891.60	\$2,783,524.52	\$4,781,416.12
Duchesne County	\$1,997,891.60	\$2,675,522.17	\$4,673,413.77
Total	\$7,868,674.80	\$5,553,854.25	\$13,422,529.05

### 4. Board Business

#### 4.a Annual Board Training

OPMA and other training as applicable provided by Christopher Pieper, Assistant Attorney General & UBRF Council

#### 4.b Discussion on resolution for governing of electronic meetings

Review and approval of resolution

#### 4.c Board administrative policies and procedures

Review and approve policies and procedures

#### 4.d Grants expiring soon

As a notice to the board, the following grants will expire soon on 12/31/2023.

Contract	Agency	Projects	Total Awarded Amount	Balance	Start	End
18-1938	Ute Indian Tribe	Miscellaneous Projects	\$792,823.00	\$43,209.46	3/29/2018	12/31/2023
21-2252	Duchesne County	Weed control building; Centennial Events center payments	\$1,306,250.00	\$313,633.33	2/25/2021	12/31/2023
21-2253	Uintah County	Homeless services; Road Dept capital equipment	\$1,050,000.00	\$586.74	2/25/2021	12/31/2023

### 5. Project Applications

#### 5.a Expired Contracts

The following contracts expired since the last board meeting and have been requested to extend. If approved by the board, it's proposed that they be extended for 2 years until 6/30/2025.

Contract	Agency	Projects	Total Awarded Amount	Balance	Start	End
21-0203	Ute Indian Tribe	Police Vehicles; Pump system for Veterans memorial lawn; tractor for buffalo project; water line infrastructure	\$919,300.00	\$162,475.11	6/9/2020	6/30/2023

21-1106	Ute Indian Tribe	Vehicles for water settlement; capital equipment for water settlement; EMS monitors; Fort Duchesne Dump cleanup; Headstart building transportation; Hill Creek buffalo fence; Human resource building remodel; soda machine; Painted Horse building updates; security vehicles; rodeo cleanup.	\$3,761,236.60	\$909,219.15	8/13/2020	6/30/2023
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5.b Uintah County - Sander for Semi-Truck - \$43,000

Requested \$43,000 in funding for a hydraulically operated semi-truck mountable salt/sand spreader with materials hopper.

5.c Uintah County - Homeless Services - \$85,000

Funding request for \$85,000 for Uintah County to subcontract with the Uintah Basin Association of Governments to provide services to individuals experiencing homelessness, including motel vouchers and transportation with the goals to address acute homelessness, promote stabilization, and encourage self-sufficiency.

5.d Uintah County - Western Park Remodel - \$2,000,000

Funding request for \$2,000,000 for remodel projects in the Western Park including a new sound system, surfacing for the parking lot, electrical upgrades, an amphitheater seating and sound system, and other related construction expenses.

5.e Duchesne County - South Building Reconstruction - \$500,000

Funding request for \$500,000 for reconstruction, engineering, and equipment for the south building (old courthouse) to relocate the Gateway Senior Center for senior services and ADA accessibility.

5.f Duchesne County - Home Delivered Meal Trucks - \$170,000

Funding request for \$170,000 for two trucks with food service heating/cooling components to deliver food to homebound seniors throughout Duchesne County.

5.g Ute Tribe - Coffee Shop upgrades - \$205,092 (reallocation)

Reallocation request for \$205,092 from 21-1106 - Human Resources Remodeling project (\$304,935.52 remaining), to be used for the upgrade of the Ute Tribe Coffee Shop including a digital menu board, repainting the building exterior and interior, extending the roof over the patio area and drive through, rehabilitation of the outside patio area including new table tops and chairs, new cabinets, countertops, lighting, new laminate tables, chairs, refrigerator, shelving, display cases, cup dispenser, and ice machine.

**6. Board Member Issues**

6.a Schedule of meetings for CY2024

# UINTAH BASIN REVITALIZATION FUND VIRTUAL BOARD MEETING

## DRAFT MINUTES

Wednesday, March 29, 2023 – 4:00 PM

Virtual Board Meeting – via Zoom Meetings

Anchor Location: 140 E 300 S, Salt Lake City, UT 84111

### Board Members Present

Evan Curtis, Chairman  
Edred Secakuku, Ute Tribe Business Council  
Greg Miles, Duchesne County Commission  
Brad Horrocks, Uintah County Commission  
Ron Wopsock, Ute Tribe Business Council

### Staff and Guests Present

Paul Moberly, HCD Program Manager  
Jennifer Domenici, HCD Asst. Director  
Stacey Herpel, HCD Admin  
Sarah Smith, DWS Contracts  
Chris Pieper, Utah Attorney General's Office  
Gennie Bird, Uintah County Grant Administrator  
Laurie Brummond, Duchesne County Grant Administrator / UBAOG Director  
Kaylee Beck, DWS Finance Manager  
Carver Black, DWS Finance Manager  
Scott Hardman, Uintah County

### 1. Welcome & Introductions

Chairman Evan Curtis officially called the Uintah Basin Revitalization Fund (UBRF) Board meeting to order at 4:01 PM, on Wednesday, March 29, 2023.

Chairman invited all in attendance to introduce themselves.

### 2. Approval of Minutes [5:00]

Chairman Curtis asked for a motion to approve the minutes from the October 27, 2022 board meeting.

*Commissioner Miles made, and Commissioner Horrocks seconded, a motion to approve the minutes from the UBRF Board meeting held on Thursday, October 27, 2022. The motion was carried out as approved by a unanimous vote.*

### 3. Fund Report [8:00]

#### a. Fund Balance Report:

Mr. Moberly presented the Fund Balance as of March 28, 2023.

#### GRANTEE AVAILABLE

Ute Tribe \$3,578,764

Uintah County \$3,266,025

Duchesne County \$2,650,905

Total \$9,495,694

#### 4. Board Business [10:00]

Chris Pieper completed the Annual OPMA Training

#### 5. Project Applications [25:00]

##### 5.a Ute Tribe – Home Rehabilitation – \$3,578,763.57 [4:25]

Mr. Moberly presented the project which is requesting to amend 22-DWS-0288 and increase funding by \$3,578,763.57, allocated to each band (Uintah, Uncompahgre, Whiteriver) equally at \$1,192,921.17 for home rehabilitation, repair and improvement assistance for Tribal Elders and members.

*Commissioner Miles made, and Commissioner Horrocks seconded, a motion to approve the extension as requested. The motion was carried out as approved by a unanimous vote.*

##### 5.b Uintah County – Chip Seal Machine – \$515,000 [4:28]

Mr. Moberly presented the project which is requesting \$515,000 for a Combi 1515 Sprayer-Spreader including truck.

*Councilman Wopsock made, and Commissioner Miles seconded, a motion to approve the amount as requested. The motion was carried out as approved by a unanimous vote.*

##### 5.c Expired Contracts [4:32]

Mr. Moberly presented the contracts which have expired since the last board meeting. Contract requests were presented with no discussion. Presentation was as follows:

Contract Number	Agency	Total Awarded Amount	Balance	Contract Start	Contract End	Action
16-1576	Ute Indian Tribe	\$3,793,000.00	\$36,161.93	3/10/2016	12/31/2022	Extend 6/30/2024
17-0019	Ute Indian Tribe	\$2,462,037.00	\$118.54	5/26/2016	12/31/2022	Close
17-0020	Ute Indian Tribe	\$1,651,963.00	\$778.11	5/26/2016	12/31/2022	Close
17-2014	Ute Indian Tribe	\$400,000.00	\$222,018.48	3/23/2017	12/31/2022	Extend 6/30/2024
17-2015	Ute Indian Tribe	\$972,935.00	\$1,579.12	3/23/2017	12/31/2022	Close
18-1326	Ute Indian Tribe	\$1,250,000.00	\$63,027.38	10/12/2017	12/31/2022	Extend 6/30/2024

*Commissioner Horrocks made, and Commissioner Miles seconded, a motion to approve the actions on the listed grants as presented. The motion was carried out as approved by a unanimous vote.*

## 6. Boards Member Issues [33:26]

### 6.a Status of Contracts – Contracts Expiring Soon [33:33]

Mr. Moberly presented two contracts to the board that will be expiring June 30, 2023.

Contract Entity	Projects	Awarded \$	Balance	Start	End
Ute 21-0203 Indian Tribe	Water Line Infrastructure for Housing Development	\$919,300	\$162,475	6/9/2020	6/30/2023
21-1106 Ute Indian Tribe	EMS Monitors/Defibrillators Fort Duchesne Dump Cleanup Headstart Building / Transportation Hill Creek Buffalo Fence Human Resource Building Remodel Kahpeeh Kah-Ahn Soda Machine Painted Horse Diabetic Program Building - Updates 15 Vehicles for Security and F&G Depts Rodeo Road Cleanup	\$3,761,237	\$1,026,944	8/13/2020	6/30/2023

### 6.b Proposed Schedule of Meetings [34:44]

Chairman Curtis presented the tentative schedule for the board meetings for the year. Due to the rescheduling of this meeting, the staff proposes the May meeting be canceled and suggests the following dates for the other meetings this year. Thursday, July 13, 2023 (in person, hosted and with lunch provided by Uintah County, Time TBD), Thursday, Oct 26, 2023 (in person, hosted and with lunch provided by Duchesne County / Uintah Basin AOG, Time TBD).

Councilman Secakuku stated that this is his last meeting and will not be up for re-election.

Councilman Wopsock stated that he will be up for re-election.

Chairman Curtis entertained a motion to adjourn.

*Commissioner Horrocks made, and Commissioner Miles seconded, a motion to adjourn the meeting. The motion was carried by a unanimous vote.*

*The meeting adjourned at 4:44 pm.*

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*Submitted by Stacey Herpel*



## UINTAH BASIN REVITALIZATION FUND BOARD

### 10/17/2023 UNCOMMITTED BALANCES AND NEW ALLOCATION

GRANTEE	NEW ALLOCATION	PREVIOUSLY AVAILABLE	NEW AVAILABLE
Ute Tribe	\$3,872,891.60	\$94,807.56	\$3,967,699.16
Uintah County	\$1,997,891.60	\$2,783,524.52	\$4,781,416.12
Duchesne County	\$1,997,891.60	\$2,675,522.17	\$4,673,413.77
Total	\$7,868,674.80	\$5,553,854.25	\$13,422,529.05

*Note: any remaining balance of an expired grant will be reverted to the applicant balance at the next meeting after its expiration unless requested to be extended. Please contact the program manager (moberpaul@utah.gov) with any questions.*

## UTAH OPEN & PUBLIC MEETINGS ACT



Utah Code §§ 52-4-101 et seq.

## What is OPMA?

OPMA requires that the public's business be done in public.

- It provides requirements for conducting meetings of public officials, who have the authority to make policy and budget decisions in the public's interest.
- It requires that there be notice and an open deliberative process before a public body votes on matters under its jurisdiction.
- ALL votes are taken in public.



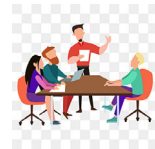
## What is a Public Body?

OPMA defines a Public body as:

Any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:

1. Is created by the Utah Constitution, statute, rule, ordinance, or resolution;
2. Consists of two or more persons;
3. Expends, disburses, or is supported in whole or in part by tax revenue; **and**
4. Is vested with the authority to make decisions regarding the public's business.

## What is a Meeting?



OPMA defines a Meeting as:

“The convening of a public body or specified body, with a **quorum** present, **including a workshop or an executive session**, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body or specific body has jurisdiction or advisory power.”

### What isn't a meeting?

OPMA says a meeting does not mean a chance gathering or social gathering.



### What is a Quorum?

“Quorum” means a simple majority of the membership of a public body, unless otherwise defined by applicable law.



### What isn't a Quorum?



Quorum does not include a meeting of two elected officials by themselves when no action, either formal or informal, is taken.

### NOTICE and AGENDA

#### NOTICE

- At least 24 hrs. in advance of meeting;
- Posted at public body's office; and
- Posted on Utah Public Notice Website; and
- Newspaper of general circulation.

#### AGENDA

- Posted with notice;
- Must be “reasonably specific” (an average person would be on notice as to all topics of discussion and action planned for the meeting).

## Notice Requirements

In addition, a public body that holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once a year of its annual meeting schedule.



## Records of Open Meetings

Do we have to keep minutes and/or recordings?

- YES TO BOTH!
- Even though there is an audio recording, the approved written minutes will be the official record.
- Include both written minutes and recording of open meetings as public records.
- Public body shall establish and implement procedures for the public body's approval of the written minutes of each meeting.

## Written Minutes

- Date, time, and place of meeting;
- Names of members present and absent;
- Substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments;
- Record, by individual member, of each vote taken by the public body
- Name of each person who makes a public comment and the substance of the comment; and
- Any other information that is a record of the proceedings of the meeting that any member requests be entered in the meetings or recording.
- Public bodies for whom members are elected must record votes in a list format, by category for each action taken by a member, including yes votes, no votes, and absent members, and by each member's name.



## Posting Approved Minutes and Audio Recordings to Public Notice Website

### Pending Minutes:

Available to public within 30 days after the meeting (State Public Body and Specified Local Public Body). All other public bodies required to make pending minutes available to public in a reasonable amount of time.

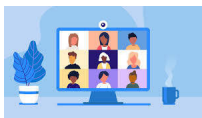
### Approved Minutes:

Posted on the PNW within 3 business days of public body's approval (All Public Bodies). A website link to approved minutes may be posted on the PNW for public bodies that are not a State or Specified Local Public Body.

### Audio Recordings:

Audio recording or a link to the audio recording posted on the PNW within 3 business days after the meeting (State Public Body). Specified Local Public Body and all other public bodies are required to make audio recording available to public within 3 business days after meeting but no requirement to post.

## Electronic Meetings



Public bodies may meet by phone or other electronic means that allows participants to hear or observe communications.

- The public body must adopt by resolution, rules, or ordinance governing the use of electronic meetings, including how a quorum will be calculated in an electronic meeting.
- Notice requirements still apply.
- The public must have a means to attend or participate.
- May be held without an anchor location if it presents a substantial risk to health or safety but requires written determination by the chair of the public body.
- Roll-call vote required for non-unanimous actions.

## Electronic Message Transmissions

The Open Public Meetings Act does not restrict members of a public body from transmitting an electronic message to other members of the public body when the body is **not** in an open meeting.



## Emergency Meetings



Due to unforeseen circumstances that must be articulable.

- An example might be a broken water line that cannot wait for the next scheduled meeting.
- Emergency!

Failure to comply with OPMA requirements isn't an unforeseen circumstance.

Requires best notice practicable.

Cannot be held unless an attempt has been made to notify all members of the public body and a majority of the members approve the meeting.



## Closed Meetings

- A public body can go from an open meeting into a closed meeting under certain circumstances.
- 52-4-205 lists **all** of the reasons for closing an open meeting.
- A quorum must be present. A motion to close the meeting must be made, naming the specific statutory reason for closure. Then, a roll call vote must be taken. Two-thirds of the body must approve the closed meeting.
- If the closed meeting is held to discuss 52-4-205(1)(a), (1)(f), or (2), the presiding member of the public body is to execute a sworn statement that the sole purpose of the closed meeting was to discuss these issues. No recording is required.
- If the meeting is closed for any other statutory reason, a recording shall be made, and written minutes can also be made. These are protected records under GRAMA.
- **NO VOTES ARE TAKEN IN CLOSED MEETINGS** (Except allowed to end a closed meeting)

### Reasons a Meeting May be Closed

1. To discuss character, professional competence, or physical or mental health of an individual (doesn't require recording if the chair signs an affidavit after);
2. To discuss collective bargaining;
3. To discuss pending or reasonably imminent litigation;
4. To discuss the purchase, exchange, or lease of real property, if public discussion would disclose the appraisal value or prevent the transaction on the best possible terms;
5. To discuss the sale of property, if public discussion would disclose the appraisal value or prevent transaction on best possible terms as long as there's public notice of sale and terms are disclosed before the sale;
6. To discuss security personnel, devices, or systems (doesn't require recording if the chair signs an affidavit after);
7. To discuss investigative proceedings regarding allegations of criminal misconduct; and
8. A few other exceptions relating to the Legislature, Higher Education and the Utah Procurement Code.

### What is Forbidden During a Closed Meeting?

You may not:

- Approve an ordinance, resolution, rule, regulation, contract, or appointment.
- Interview a person to fill an elected position.
- Take final action: Final votes must be open and on the record.



### What Happens if Someone Violates OPMA?

A court can void any action in violation of the law:

- Sometimes a violation can be cured by discussing and taking a public vote in a subsequent meeting.
- May have to pay court costs and attorney fees.
- "In addition to any other penalty under this chapter, a member of a public body who intentionally violates or intentionally abets or advises in violation of the closed meeting provisions of this chapter is guilty of a class B misdemeanor." (6 months in jail and/or \$1,000 fine)



### Remedies & Enforcement

#### Voiding final action

- Any final action taken in violation of Section 52-4-201\*, 52-4-202\*, 52-4-207, or 52-4-209 is voidable by a court of competent jurisdiction.
- Must file a complaint with the court within **90 days** of final action. If the alleged violation involves bonds, notes, or other evidences of indebtedness the Complaint must be filed within **30 days**.
- *\*Does not apply to some notice exemptions for municipalities, special district with less than \$1 million annual budgets.*

#### Who can take action?

- Attorney General and County Attorneys
- Any party denied a right by the action taken
- Court may order compliance and enjoin violation
- Aggrieved party may recover attorney's fees



## Disruption of Meetings

OPMA does not prohibit the removal of any person from a meeting if the person willfully disrupts the meeting to the extent that orderly conduct is seriously compromised.



### TRAINING

The presiding officer of a public body shall ensure that the body receives OPMA training on an annual basis.

## Common Violations of OPMA

- Closing meeting without members of the public body voting first in an open meeting to close the meeting.
- Conducting a closed meeting for reasons other than those allowed by OPMA.
- Taking official or final action in a closed meeting.
- Failing to properly provide notice of a public meeting.
- Taking action or voting on items not listed on the agenda (discussing items not noticed on the agenda is ok).



## Parting Tips and Helpful Suggestions:



- 24-hour notice
- Be specific with agenda items
- No "old business, new business"
- "Action taken on items discussed in closed meeting" is not enough
- Close meetings only for allowed statutory purposes and follow the process
- Provide minutes in a timely manner
- Don't text during meetings
- Receive training once a year
- Err on the side of transparency
- When in doubt, consult your legal counsel

## **APPENDIX E: BOARD RESOLUTION ON ELECTRONIC MEETINGS**

The following provisions govern any meeting at which one or more Board members appear electronically, pursuant to Section 52-4-207:

- (1) The Administrator or their designee may establish an electronic meeting.
- (2) Any Board member may request an electronic meeting for a Board meeting.
- (3) Any such request shall be made not less than three business days prior to a meeting. The Administrator or designee may shorten this time frame upon a determination of a reasonable need.
- (4) A request for an electronic meeting may be denied if the equipment necessary to accommodate the request, including arrangements for each Board member to view all relevant documents, is not available at the time and date of the meeting.
- (5) If one or more members of the Board intend to participate electronically, public notices of the meeting shall so indicate. The meeting notice shall specify the anchor location where the Board members not participating electronically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (6) Notice of the meeting and the agenda shall be posted at the anchor location and shall comply with Section 52-4-202.
- (7) Notice of the possibility of an electronic meeting shall be given to the Board members at least 24 hours before the meeting. The notice shall describe how a Board member may participate in the meeting electronically.
- (8) A Board member attending electronically shall be counted as present for purposes of a quorum and may fully participate and vote on any matter coming before the Board.
- (9) The Board chair shall identify for the record all those who are appearing electronically. The Chair shall confirm votes by members of the Board who are not at the physical location of the meeting.



# UINTAH BASIN REVITALIZATION FUND (UBRF)

## POLICIES & PROCEDURES

*Rev. 10/2023*



It is against the law for the Department of Workforce Services (DWS), Housing & Community Development Division (HCD), or its sub-recipients of Federal financial assistance to discriminate against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief. Auxiliary aids and services are available upon request to individuals with disabilities by calling (801) 526-9240. Individuals with speech and/or hearing impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1 (888) 346-3162.



Utah Department of Workforce Services  
Housing & Community Development Division  
140 East 300 South Salt Lake City, UT 84111  
<https://jobs.utah.gov/housing/community/ubrf.html>

## TABLE OF CONTENTS

<b>CHAPTER 1. INTRODUCTION .....</b>	<b>4</b>
A. OVERVIEW .....	5
B. ELIGIBLE GRANT APPLICANTS .....	5
C. ADMINISTRATION .....	5
D. UTAH BASIN REVITALIZATION FUND BOARD MEMBERS .....	6
E. STAFF PERSONNEL .....	6
 <b>CHAPTER 2. FUNDING PROCESSES .....</b>	 <b>6</b>
A. FUNDING ALLOCATION .....	7
B. APPLICATION / PROJECT RESTRICTIONS.....	7
C. STATUTORY FUNDING RESTRICTIONS .....	8
D. APPLICATION CHECKLIST .....	8
E. BOARD MEETINGS .....	9
F. PROJECT REALLOCATIONS .....	9
G. PROJECT DURATIONS.....	9
H. RENEWAL PROCEDURES .....	10
I. CLOSING PROJECTS.....	10
 <b>CHAPTER 3. MONITORING .....</b>	 <b>12</b>
A. GENERAL PROJECT MONITORING .....	12
B. MONITORING REQUIREMENTS .....	<b>Error! Bookmark not defined.</b>
 APPENDIX A: NEW ALLOCATIONS BY YEAR .....	 14
APPENDIX B: APPROVED FUNDING BY NUMBER AND CATEGORY .....	15
APPENDIX C: SUBMITTING A CLAIM IN WEBGRANTS.....	16

## **VERSION CONTROL**

12/20/2021 – Document drafted

10/18/2022 – Updated board membership

12/20/2022 – Clarified meeting schedule and updated financials

2/23/2023 – Updated information, monitoring procedures

4/5/2023 – Updated monitoring procedures, reorganized

5/25/2023 – General revisions and updates to monitoring policy

10/16/2023 – Clarifications on internal policy, updated financials

## CHAPTER 1. INTRODUCTION

### A. OVERVIEW

The Uintah Basin Revitalization Fund (UBRF) is funded and operated under Utah Code, Section 35A-8-16 including all operating regulations and memorandums pertaining thereto.

#### **THE PURPOSE OF THE UINTAH BASIN REVITALIZATION FUND:**

*“In order to maximize the long-term benefit of severance taxes derived from lands held in trust by the United States for the Tribe and its members by fostering funding mechanisms that will, consistent with sound financial practices, result in the greatest use of financial resources for the greatest number of citizens of the Uintah Basin, and in order to promote cooperation and coordination between the state, its political subdivisions, Indian tribes, and individuals, firms, and business organizations engaged in the development of oil and gas interests held in trust for the Tribe and its members. (UCA 35A-8-1602 (1)).”*

The purpose of this document is to provide instruction and guidance regarding current statute and internal UBRF policies to assist eligible entities wishing to apply for UBRF funds.

### B. ELIGIBLE GRANT APPLICANTS

Consistent with state law, funding may only go to **eligible applicants** for the UBRF program, as follows (35A-8-1601, 1606):

- Ute Indian Tribe of the Uintah and Ouray Reservation
- Uintah County
- Duchesne County

### C. ADMINISTRATION

The State of Utah Department of Workforce Services (DWS), Housing and Community Development Division (HCD) administers the Uintah Basin Revitalization Fund program. As the lead agency responsible for the program's design and implementation, HCD will:

- Obtain policy guidance from the UBRF Board
- Ensure grantee compliance with all applicable program regulations
- Monitor grantee program compliance
- Provide technical assistance to applicant entities

## D. UINTAH BASIN REVITALIZATION FUND BOARD MEMBERS (35A-8-1603)

The Board is composed of five members as follows:

BOARD POSITION	PERSON	CHANGES WITH
Governor, or his designee (chair)	Evan Curtis 801-538-1427 ecurtis@utah.gov	Governor
Uintah County commissioner	Brad Horrock 435-828-1970 bhorrocks@uintah.utah.gov	Elections
Duchesne County commissioner	Greg Miles 435-738-1131 gmiles@duchesne.utah.gov	Elections
Two representatives of the Business Committee of the Tribe	Mike Natchess 435-823-0055 miken@utetribes.com	Elections
	Emmett Duncan 435-823-1191 emmettd@utetribes.com	Elections

## E. STAFF PERSONNEL

For assistance regarding the Uintah Basin Revitalization program, please see the following contact:

### PROGRAM ADDRESS

Department of Workforce Services  
Housing & Community Development Division  
Uintah Basin Revitalization Fund Program  
140 East 300 South  
Salt Lake City, Utah 84111  
Telephone: (607) 339-8259  
<https://jobs.utah.gov/housing/community/ubrf.html>

### STAFF

Paul Moberly ..... Program Manager, UBRF Program  
(607) 339-8259  
moberpaul@utah.gov

Carver Black ..... Finance Manager, DWS  
435-459-0871  
carverblack@utah.gov

Christopher Pieper ..... Legal Counsel, Assistant Attorney General  
cpieper@agutah.gov

## CHAPTER 2. FUNDING PROCESSES

### A. FUNDING ALLOCATION

(35A-8-1604 (1)(d))

New severance tax revenue funds are allocated annually in the late Summer/early Fall generally. The revenue is subdivided into separate entity funding accounts within the UBRF fund, one for each eligible entity. It is allocated via a formula defined in state statute 35A-8-1604 (1)(d). For funds under \$3 million, the allocation is as follows: Uintah Tribe (75%), Duchesne (12.5%), Uintah (12.5%). For funds in excess of \$3 million, all three entities are given equal amounts.

Per 35A-8-1607, with board approval, the division may use up to 2% of annual receipts for administrative purposes. The fund earns interest, which is added directly into each entity's unallocated account. *See Appendix B for new allocation history.*

### B. APPLICATION / PROJECT RESTRICTIONS

(35A-8-1606)

Each applicant may apply for available unallocated funds within their entity account for projects, subject to applicable restrictions.

Counties or the Tribe that wish to receive loans or grants from the board shall submit applications to the board containing the information required by the board. Completed applications are due by the deadline provided in the meeting announcement, typically 2 weeks before a meeting. The respective county commissions or the tribal business committee submit applications to Utah's Housing and Community Development Division / UBRF staff.

The board shall review each application for a loan or grant before approving it. UBRF has historically provided only grants. The board may approve loan or grant applications subject to the applicant's compliance with certain conditions established by the board. The board shall: (i) ensure that each loan specifies the terms for repayment; and (ii) secure the loans by proceeds from any general obligation, special assessment, or revenue

bonds, notes, or other obligations of the appropriate subdivision.

Applications for projects must be approved before funds are spent. UBRF works on a reimbursement basis through contractual agreement with each entity and Webgrants submissions for all project expense reimbursement requests.

## **C. STATUTORY FUNDING RESTRICTIONS**

(35A-8-1604(1)(b))

Preference is given to capital projects, including subsidized and low-income housing, and other one-time need projects and programs; projects and programs that are associated with the geographic area where the oil and gas were produced; and coordination of projects and programs with other projects and programs funded by federal, state, and local governmental entities.

The board may not fund:

(35A-8-1606)

- start-up or operational costs of private business ventures; and
- general operating budgets of the counties or the Tribe, except that the Tribe may use a grant or loan to fund costs associated with the management and administration of energy or mineral development on:
  - (i) lands held in trust by the United States for the Tribe and its members; or
  - (ii) lands owned by the Tribe.

## **D. APPLICATION CHECKLIST**

Eligible applicants should submit complete applications prior to the application deadline for applications for regularly scheduled meetings, or at least three business days before a non-scheduled meeting to comply with public notification requirements. Late or incomplete applications may be held until the next scheduled meeting while UBRF administration works with the applicant to complete the application.

The application generally consists of a formal memorandum outlining the project scope and the requested amount, signed by an authorized representative. Specifically, completed applications consists of a memorandum which includes:

- a detailed project scope which provides sufficient information to inform the board of



the project and when it will be considered complete (e.g., an estimate on the number of individuals who will be assisted, details on the size of the project, information on the equipment to be purchased, what funds specifically will be spent on);

- the amount requested from the entity's available UBRF unallocated funds;
- the date the memorandum was drafted, within a reasonable timeframe to the proposed meeting date (generally within a calendar year);
- a signature by an authorized representative of the entity.

Details of the project including cost estimates, timelines, and drawings are encouraged but not required.

## **E. BOARD MEETINGS**

Meetings are generally scheduled quarterly, either electronically or in person. The chair may approve additional meetings as necessary or as requested by a member of the board. Unless for a bona fide emergency or similar urgent circumstance, UBRF will generally schedule meetings one month in advance when requested to give time for applicants to organize projects and compile the necessary application materials. Due to non-scheduled meetings, other previously scheduled meetings may be shifted accordingly.

New funds are generally allocated in the Fall meeting. These funds are typically provided in late August to early September.

Division staff prepare the meeting agendas and publically post the meeting agenda. The agenda and board packet are also posted before meetings on the Granicus UBRF meeting portal, linked on the Department of Workforce Services, Housing and Community Development Division website: [housing.utah.gov](https://housing.utah.gov). The Uintah Basin Revitalization Fund Board reviews all completed applications; all funding decisions are made by the board and require four affirmative votes.

## **F. PROJECT REALLOCATIONS**

Project funds may be reallocated upon application to the board and board action.

## **G. PROJECT DURATIONS**

Based on historical administrative practice, projects will be assigned a duration according

to the complexity of the project, typically for about two years, and generally will have an expiration date at the end of the fiscal year on the second year (e.g., project is approved in February 2020, expiration goes to June 30, 2022).

## **H. RENEWAL PROCEDURES**

Expired projects which are incomplete can be renewed. Generally, for ease of operations, projects will be set to expire at either the end of the fiscal or calendar year (6/30 or 12/31). Extensions happen as a board action in a meeting and must be on the meeting agenda.

The grantee can request an extension of the contract. Requests to extend the deadline of a project should be in writing, electronically or otherwise, from someone authorized by that entity.

Unless an extension or renewal is requested at the next board meeting after a contract has expired, an expired grant will generally be closed and any remaining balance reverted to that entity's unallocated fund balance. UBRF staff may send notice of expiring contracts to each entity's liaison prior to the meeting to provide an opportunity for extension. UBRF staff may also inform the board of any contracts that were closed and had a balance reverted at the board meeting after they were closed.

## **I. CLOSING PROJECTS**

Projects that are expended prior to expiration can be closed without notice or board approval. Projects which are expired and not requested to be renewed will be closed, with any remaining funds reverted to the entity's unallocated balance, after the next meeting following the date of expiration (e.g., a grant which expired in December would be closed after a meeting in February). Projects that are completed will have any remaining funds reverted to the same entity's unallocated fund balance.

## **J. REPORTING REQUIREMENTS**

Recipients must submit progress reports. These reports must be submitted annually, due one month prior to the end of each 12-month period following execution of the contract (e.g., if a contract is approved April 1<sup>st</sup>, the report would be due March 1<sup>st</sup> each

subsequent year until expiration). A final report must be submitted upon completion.

Recipients must provide reports in the manner specified by UBRF staff, including before and after pictures, with sufficient documentation and photos to demonstrate project progress equal to what has been submitted for reimbursement that year, in accordance to the scope of work.

## **CHAPTER 3. MONITORING**

### **A. GENERAL PROJECT MONITORING**

All contracts are monitored on an annual basis. UBRF staff will provide invoice review monitoring of claim submissions and desk review of submitted reports.

#### **INVOICE REVIEW**

UBRF staff conduct invoice reviews of all reimbursement requests and documentation through Webgrants for all contracts. Invoice reviews consists of a review of invoices by Contract Owner and Fiscal Grant Manager to determine if the rates and services are reasonable and allowable per the contract, and do not exceed budget categories. This may include a review of supporting documents to adequately support the request for payment. Grantees are required to submit sufficient documentation to adequately support the request for payment and ensure the funds are used according to UBRF requirements.

An invoice review consists of a review of invoices by UBRF staff or its agents to determine if the rates and services are allowable per the contract. This may include a review of supporting documents to adequately support the request for payment. UBRF staff review all claims submitted in Webgrants.

Grantees are required to submit sufficient documentation, as reasonably requested by UBRF staff or its agents, to adequately support the request for payment and ensure the funds are used only for the activities allowed in the scope of work and according to applicable statutes, rules, policies and procedures. The fiscal grant manager may assist in monitoring.

#### **DESK REVIEW**

UBRF staff will conduct desk reviews of all reports submitted by grantees. NRF staff review actual performance against the contract requirements, scope of work, and actual expenditures to the approved budget. Full scope site, limited scope site, virtual site, or monitoring visits by a third party may be used as needed to collect, observe, or verify information.

## **TRAINING & TECHNICAL ASSISTANCE**

As necessary, staff provides technical assistance to help applicant understand the requirements and procedures for grant application and utilization, including reporting and reimbursement requirements.

## **B. MONITORING FREQUENCY**

All contracts may be monitored annually and after closure.

## **MONITORING COMPONENTS**

A monitoring form may be used to document annual and final monitoring activities.

### **Scope of Work**

Expenditures and activities will be evaluated with the Scope of Work defined within the contract.

## **GENERAL MONITORING CONSIDERATIONS**

Cultural and language sensitivity will be employed throughout the process.

Opening and closing letters may be utilized, along with electronic or face-to-face conferencing as appropriate.

Office and site visits are possible, at the discretion of the State Program Manager. Various conditions on the Ute Reservation or Counties may preclude in-person monitoring including weather (roads become unpassable and dangerous under certain conditions), political unrest, epidemics (COVID), unfamiliarity with roads or locations, private residences, or excessive distance. As appropriate, these should be documented.

## APPENDIX A: NEW ALLOCATIONS BY YEAR

FISCAL YEAR	NEW ALLOCATION
FY 03	\$ 1,960,000.00
FY 04	\$ 1,652,412.30
FY 05	\$ 2,960,000.00
FY 06	\$ 2,940,000.00
FY 07	\$ 2,940,000.00
FY 08	\$ 4,900,000.00
FY 09	\$ 5,682,070.38
FY 10	\$ 5,880,000.00
FY 11	\$ 5,642,763.56
FY 12	\$ 5,977,950.02
FY 13	\$ 6,122,998.84
FY 14	\$ 6,280,370.18
FY 15	\$ 6,386,867.76
FY 16	\$ 6,487,805.80
FY 17	\$ 4,851,252.84
FY 18	\$ 3,407,412.96
FY 19	\$ 4,286,670.92
FY 20	\$ 6,862,046.24
FY 21	\$ 6,393,682.68
FY 22	\$ 3,955,243.74
FY 23	\$ 6,565,992.16
FY 24	\$ 7,868,674.80

## APPENDIX B: APPROVED FUNDING BY NUMBER AND CATEGORY

AMOUNT & NUMBER	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023
Buildings	--	1,374,110		1,862,982	1,044,237	36,000	200,000
		4		5	5	1	1
Housing Assistance	332,336	1,572,220	92,500	92,500	800,000	2,970,395	3,578,764
	1	5	3	3	1	1	1
Planning	--	175,435	--	--	--	--	--
		1					
Utility Improvements	--	705,164	--	812,083	--	--	--
		2		4			
Transportation	--	120,000	20,000	300,000	--	--	--
		2	1	1			
Vehicles & Equipment	--	--	100,500	--	2,500,663	--	515,000
			1		5		1
Public Facilities	5,706,855	122,000	483,933	1,192,829	284,952	--	303,435
	13	2	4	8	2		2
Public Safety	410,000	--	1,274,000	681,476	97,749	85,000	--
	2		5	3	2	1	
Recreation & Culture	640,219	342,221	520,927	3,099,991	1,558,116	475,000	--
	7	4	3	9	7	1	
<b>TOTAL</b>	7,089,410	4,411,150	4,802,360	8,041,861	5,885,717	3,566,395	4,597,199
	23	20	20	33	22	4	5


## APPENDIX C: SUBMITTING A CLAIM IN WEBGRANTS

# Submitting a Claim – WebGrants 3

*This Guide will take you through the process of how to submit a Claim for Reimbursement.*

### Accessing Claims

- Log in to WebGrants 3 [here](#)
- From the Main Menu, click on **My Grants**
- Locate the grant you wish to make a claim on and click on the **blue grant title**
  - Use the “Search My Grants” link to search for your grant, if needed
  - If you do not see your grant, click the Closed Grants link: Your grant may be in a different status
- From the next screen, click on “**Request for Funds**,” or “**Claims**” under Grant Components

<b>Instructions</b>	
<i>The Grant forms appear below.</i>	
<b>Associated Forms</b>	
<a href="#">Status Report</a>   <a href="#">Site Visit</a>   <a href="#">Contract Amendment</a>	
<b>Grant Components</b>	
<a href="#">View Contract</a>   <a href="#">Environmental Reviews</a>   <a href="#">Alerts</a>   <a href="#">Copy</a>   <a href="#">Annotations (0)</a>   <a href="#">Export Grant Data</a>   <a href="#">Map</a>	
<small>The components below are associated with the current Funding Opportunity. You can change these components in the Funding Opportunity module. You may associate specific forms in the Associated Forms section above. You can define your own alerts in the Alerts section. You can make notes by clicking Annotations. You can copy this grant and you can export the raw data.</small>	
Component	Last Edited
General Information	09/24/2020
<b>Request for Funds</b> 	
Appropriations	09/22/2020
Encumbrances	
Contract Amendment	09/22/2020
Correspondence	
Attachments	09/22/2020
State Program Office Attachments	
Scope of Work	09/21/2020
Budget (UBRF)	09/21/2020
Routing Slip	
Grantee Attachments	09/22/2020
Additional Contract Attachments	
Opportunity	-

### **Trouble Accessing Claims?**

*Please notify your HCD contact if you have trouble accessing claims or receiving alerts*

### Entering the Claim Details

- From the Claims section, click **Add** to start a new claim, or click on the claim ID to open an existing claim:



Claims							<a href="#">Copy Existing Claim</a>   <a href="#">Scheduler</a>   <a href="#">Annotations(0)</a>   <a href="#">Return to Components</a>
ID	Type	Status	Date Submitted	Date Paid	Date From-To	Claim Amount	
21-0203 - 001	Reimbursement	Paid	09/16/2020	07/17/2020	-	\$294,649.92	
21-0203 - 002	Reimbursement	Submitted	10/15/2020		08/18/2020 - 08/31/2020	\$17,820.00	
21-0203 - 003	Reimbursement	Submitted	10/15/2020		08/12/2020 - 08/14/2020	\$25,039.77	
					Submitted Amount	\$42,859.77	
					Approved Amount	\$0.00	
					Paid Total	\$294,649.92	
					Total	\$337,509.69	

- On the Report Components page click the [Reimbursement](#) link
- At the top of the next page, click [Edit](#)
- Fill out the claims information in each available box

Reimbursement									
Budget Category	Details	Contract Budget	Expenses This Period	Prior Expenses (Paid)	Total Paid	Available Balance (Unpaid)	Prior Expenses (Submitted Not Paid)	Total Claim	Remaining Balance (Unclaimed)
Category I - Indirect Costs									
Indirect Costs		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Category II - Direct Administrative Expenses									
Fringe Benefits		\$2,000.00	<input type="text"/>	\$0.00	\$0.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00
Salaries		\$5,000.00	<input type="text"/>	\$0.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00
Category III - Project Activity									
A		\$550.00	<input type="text"/>	\$0.00	\$0.00	\$550.00	\$0.00	\$0.00	\$550.00

(Your claim form may look different than this example)

- Click the [Save](#) button
- Click the [Mark as Complete](#) link
- Click on the next claim components links:
  - [Comments/Status](#): enter any comments about the claim, then click [Save](#), then [Mark as Complete](#)
  - [Supporting Documentation Upload](#): attach any documents related to the claim, then click [Save](#), then [Mark as Complete](#)

## **Reviewing and Submitting**

Follow these steps to review and submit your claim.

- Click the Preview link and make sure all information is correct:

**Grant Tracking**

Claim: 05452 - 002 [Grant Components](#)

Grant:

Status: Editing

Program Area: State Homelessness Funding

Grantee Organization: Webgrants Testing Station

Program Manager:

---

**Components** [Preview](#) [Submit](#)

Complete each component of the Claim and mark it as complete. Click Submit when you are done.

Name	Complete?	Last Edited
<a href="#">General Information</a>	✓	09/14/2020
<a href="#">Reimbursement</a>	✓	12/17/2020
<a href="#">Comments/Status</a>	✓	12/17/2020
<a href="#">Supporting Documentation Upload</a>	✓	12/17/2020

- Click the Print link to print the claim:

**WebGrants 3**

[Menu](#) | [Help](#) | [Log Out](#)  [Back](#) | [Print](#) | [Add](#) | [Delete](#) | [Edit](#) | [Save](#)

**Grant Tracking**

- Go back to claim screen on other tab, then click [Back](#):

**WebGrants 3**

[Menu](#) | [Help](#) | [Log Out](#)  [Back](#) | [Print](#) | [Add](#) | [Delete](#) | [Edit](#) | [Save](#)

**Grant Tracking**

- Click the [Submit](#) link
- Answer OK on the confirmation page to complete the claims process:

webgrants.utah.gov says

Submitting the Claim will lock all sections from further editing. Have you completed all sections? Are you sure you are ready to submit this Claim?

**OK**

Cancel

## Correcting a Claim

After the claim is reviewed by a DWS employee, there may be areas that need to be fixed or changed. In that case, the claim will be sent back to you to make corrections.

- Please watch your email account for any correspondence that may be sent to you regarding your claim
- The email will explain what section(s) of the claim requires changes:

\*\*\*\* Do Not Respond to This Email \*\*\*\*

Dear [Recipient Name],

Your claim has been unlocked. Please log into the WebGrants 3 grants management system, edit your claim and resubmit it. The grant details appear below:

Number: [Contract Number]  
Grant Title: [Document Title]  
Program Area: [Program Area]  
Grantee Organization: [Organization Name]  
Grantee: [Grantee Name]

Please make the following modifications to your claim and resubmit the claim by [Due Date].

Comments appear below:  
[Additional Message]

You may log into the WebGrants grants management system at the following location:  
<https://webgrants.utah.gov>

## **APPENDIX D: UTAH CODE 35A-8-16**

### **Title 35A, Chapter 8, Part 16 Uintah Basin Revitalization Fund and Board**

#### **35A-8-1601 Definitions.**

As used in this part:

- (1) "Board" means the Uintah Basin Revitalization Fund Board.
- (2) "Capital projects" means expenditures for land, improvements on the land, and equipment intended to have long-term beneficial use.
- (3) "County" means:
  - (a) Duchesne County; or
  - (b) Uintah County.
- (4) "Division" means the Housing and Community Development Division.
- (5) "Revitalization Fund" means the Uintah Basin Revitalization Fund.
- (6) "Tribe" means the Ute Indian Tribe of the Uintah and Ouray Reservation.

Amended by Chapter 136, 2019 General Session

#### **35A-8-1602 Legislative intent -- Uintah Basin Revitalization Fund -- Deposits and contents.**

- (1) In order to maximize the long-term benefit of severance taxes derived from lands held in trust by the United States for the Tribe and its members by fostering funding mechanisms that will, consistent with sound financial practices, result in the greatest use of financial resources for the greatest number of citizens of the Uintah Basin, and in order to promote cooperation and coordination between the state, its political subdivisions, Indian tribes, and individuals, firms, and business organizations engaged in the development of oil and gas interests held in trust for the Tribe and its members, there is created an expendable special revenue fund entitled the "Uintah Basin Revitalization Fund."
- (2) The fund consists of all money deposited to the Revitalization Fund under this part and Section 59-5-116.
- (3)
  - (a) The Revitalization Fund shall earn interest.
  - (b) All interest earned on fund money shall be deposited into the fund.

Amended by Chapter 400, 2013 General Session

#### **35A-8-1603 Uintah Basin Revitalization Fund Board created -- Members -- Terms -- Chair -- Quorum -- Expenses.**

- (1) There is created within the division the Revitalization Board composed of five members as follows:
  - (a) the governor or his designee;

- (b) a Uintah County commissioner;
  - (c) a Duchesne County commissioner; and
  - (d) two representatives of the Business Committee of the Tribe.
- (2) The terms of office for the members of the board shall run concurrently with the terms of office for the governor, commissioners, and Business Committee of the Tribe.
- (3) The governor, or his designee, shall be the chair of the board.
- (4) Four board members are a quorum.
- (5) All decisions of the board require four affirmative votes.
- (6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
- (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Renumbered and Amended by Chapter 212, 2012 General Session

**35A-8-1604 Duties -- Loans -- Interest.**

- (1) The board shall:
- (a) subject to the other provisions of this part and an agreement entered into under Title 11, Chapter 13, Interlocal Cooperation Act, among the state, the counties, and the Tribe, make recommendations to the division for grants and loans from the revitalization fund to county agencies and the Tribe that are or may be socially or economically impacted, directly or indirectly, by mineral resource development;
  - (b) establish procedures for application for and award of grants and loans including:
    - (i) eligibility criteria;
    - (ii) subject to Subsection 35A-8-1606(2)(b), a preference that capital projects, including subsidized and low-income housing, and other one-time need projects and programs have priority over other projects;
    - (iii) a preference for projects and programs that are associated with the geographic area where the oil and gas were produced; and
    - (iv) coordination of projects and programs with other projects and programs funded by federal, state, and local governmental entities;
  - (c) determine the order in which projects will be funded;
  - (d) allocate the amount to be distributed from the revitalization fund for grants or loans to each county and the Tribe during a fiscal year as follows:
    - (i) up to and including the first \$3,000,000 that is approved for distribution by the board during a fiscal year, the board may allocate the amount in accordance with the interlocal agreement described by Subsection (1)(a), except that the board may not allocate less than 75% of the amount under

- the interlocal agreement to the Tribe unless the interlocal agreement is further modified by statute; and
  - (ii) beginning with fiscal year 2007-08, any amount approved for distribution by the board during that fiscal year in excess of \$3,000,000 shall be allocated equally amongst each county and the Tribe so that each receives 1/3 of the amount approved for distribution by the board in excess of \$3,000,000;
  - (e) qualify for, accept, and administer grants, gifts, loans, or other funds from the federal government and from other sources, public or private; and
  - (f) perform other duties assigned to it under the interlocal agreement described in Subsection (1)(a) that are not prohibited by law or otherwise modified by this part.
- (2) The board shall ensure that loan repayments and interest are deposited into the revitalization fund.
- (3) The interlocal agreement described in Subsection (1)(a) shall be consistent with the following statutes, including any subsequent amendments to those statutes:
- (a) this part;
  - (b) Title 11, Chapter 13, Interlocal Cooperation Act;
  - (c) Section 59-5-116; and
  - (d) any other applicable provision of this Utah Code.

Amended by Chapter 136, 2019 General Session

### **35A-8-1605 Powers.**

- (1) The board may:
  - (a) appoint a hearing examiner or administrative law judge with authority to conduct any hearings, make determinations, and enter appropriate findings of facts, conclusions of law, and orders under authority of the Interlocal Cooperation Act; and
  - (b) make rules under Title 63G, Chapter 3, Utah Administrative Rulemaking Act, if necessary to perform its responsibilities.
- (2) The board shall:
  - (a) be subject to the procedures and requirements under Title 52, Chapter 4, Open and Public Meetings Act; and
  - (b) be subject to the procedures and requirements under Title 51, Chapter 7, State Money Management Act.

Renumbered and Amended by Chapter 212, 2012 General Session

### **35A-8-1606 Eligibility for assistance -- Applications -- Review by board -- Terms -- Security.**

- (1) Counties or the Tribe that wish to receive loans or grants from the board shall

submit formal applications to the board containing the information required by the board.

(2) The board may not fund:

- (a) start-up or operational costs of private business ventures; and
- (b) general operating budgets of the counties or the Tribe, except that the Tribe may use a grant or loan to fund costs associated with the management and administration of energy or mineral development on:
  - (i) lands held in trust by the United States for the Tribe and its members; or
  - (ii) lands owned by the Tribe.

(3)

- (a) The board shall review each application for a loan or grant before approving it.
- (b) The board may approve loan or grant applications subject to the applicant's compliance with certain conditions established by the board.
- (c) The board shall:
  - (i) ensure that each loan specifies the terms for repayment; and
  - (ii) secure the loans by proceeds from any general obligation, special assessment, or revenue bonds, notes, or other obligations of the appropriate subdivision.

Renumbered and Amended by Chapter 212, 2012 General Session

**35A-8-1607 Division to distribute money -- Annual report -- Administration costs.**

(1) The division shall distribute loan and grant money if the loan or grant is approved by the board.

(2) The division shall provide an annual report to the department concerning the number and type of loans and grants made as well as a list of recipients of this assistance for inclusion in the department's annual written report described in Section 35A-1-109.

(3) The division, with board approval, may use fund money for the administration of the fund, but this amount may not exceed 2% of the annual receipts to the fund.

Amended by Chapter 371, 2014 General Session

**35A-8-1608 Deposits into fund.**

(1) Money required to be deposited into the Uintah Basin Revitalization Fund under Section 59-5-116 shall be deposited into the Uintah Basin Revitalization Fund if a business or activity fee or tax based on gross receipts has not been imposed by a county or the Tribe on oil and gas activities.

(2)

- (a) Nothing in this section prohibits a county from imposing a charge described

in Subsection (1) with respect to any gathering, transmission, or local distribution pipeline in which the county owns an interest.

(b) Nothing in this section prohibits the Tribe from imposing a charge described in Subsection (1) with respect to any gathering, transmission, or local distribution pipeline in which the Tribe owns an interest.

Amended by Chapter 241, 2014 General Session



## **APPENDIX E: BOARD RESOLUTION ON ELECTRONIC MEETINGS**

The following provisions govern any meeting at which one or more Board members appear electronically, pursuant to Section 52-4-207:

- (1) The Administrator or their designee may establish an electronic meeting.
- (2) Any Board member may request an electronic meeting for a Board meeting.
- (3) Any such request shall be made not less than three business days prior to a meeting. The Administrator or designee may shorten this time frame upon a determination of a reasonable need.
- (4) A request for an electronic meeting may be denied if the equipment necessary to accommodate the request, including arrangements for each Board member to view all relevant documents, is not available at the time and date of the meeting.
- (5) If one or more members of the Board intend to participate electronically, public notices of the meeting shall so indicate. The meeting notice shall specify the anchor location where the Board members not participating electronically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (6) Notice of the meeting and the agenda shall be posted at the anchor location and shall comply with Section 52-4-202.
- (7) Notice of the possibility of an electronic meeting shall be given to the Board members at least 24 hours before the meeting. The notice shall describe how a Board member may participate in the meeting electronically.
- (8) A Board member attending electronically shall be counted as present for purposes of a quorum and may fully participate and vote on any matter coming before the Board.
- (9) The Board chair shall identify for the record all those who are appearing electronically. The Chair shall confirm votes by members of the Board who are not at the physical location of the meeting.



**UINTAH COUNTY**  
**STATE OF UTAH**  
**152 EAST 100 NORTH**  
**VERNAL, UTAH 84078**  
**435-781-0770**

COMMISSIONERS:  
Brad G. Horrocks  
John E. Laursen  
Sonja Norton  
ASSESSOR - Barbara Simper  
ATTORNEY - Jaymon Thomas  
CLERK-AUDITOR - Mike Wilkins  
RECORDER - Brenda McDonald  
TREASURER - Wendi Long  
SHERIFF - Steve Labrum  
SURVEYOR - Brock Slauch

June 13, 2023

Paul Moberly, Program Manager  
Uintah Basin Revitalization Fund  
Department of Workforce Services –  
Housing & Community Development Division  
140 East 300 South  
Salt Lake City, Utah 84111

Dear Mr. Moberly,

The Uintah County Commission has opted to utilize 2023 Revitalization funding for the following activities.

<b>I. Sander for Semi-Truck</b>	<b>\$43,000.00</b>
Hydraulically operated semi-truck mountable salt/sand spreader with materials hopper.	
<b>Total</b>	<b>\$43,000.00</b>

As always, we appreciate all you do. If you need additional information or clarification, please contact me at (435) 781-5381

Sincerely,

Brad Horrocks  
Revitalization Board Member  
Uintah County Commission



**UINTAH COUNTY**  
**STATE OF UTAH**  
**152 EAST 100 NORTH**  
**VERNAL, UTAH 84078**  
**435-781-0770**

COMMISSIONERS:  
Brad G. Horrocks  
John E. Laursen  
Sonja Norton  
ASSESSOR - Barbara Simper  
ATTORNEY - Jaymon Thomas  
CLERK-AUDITOR - Mike Wilkins  
RECORDER - Brenda McDonald  
TREASURER - Wendi Long  
SHERIFF - Steve Labrum  
SURVEYOR - Brock Slauch

October 13, 2023

Paul Moberly, Program Manager  
Uintah Basin Revitalization Fund  
Department of Workforce Services –  
Housing & Community Development Division  
140 East 300 South  
Salt Lake City, Utah 84111

Dear Mr. Moberly,

The Uintah County Commission has opted to utilize Revitalization funding for the following activities.

<b>I. Uintah Basin AOG – Homeless Services</b>	<b>\$85,000</b>
The Uintah Basin AOG will provide homeless services to individuals by issuing vouchers for motel stays and transportation to address acute homelessness, promote stabilization, and encourage self-sufficiency.	
<b>Total</b>	<b>\$85,000</b>

As always, we appreciate all you do. If you need additional information or clarification, please contact me at (435) 781-5381

Sincerely,

Brad Horrocks  
Revitalization Board Member  
Uintah County Commission



**UINTAH COUNTY**  
**STATE OF UTAH**  
**152 EAST 100 NORTH**  
**VERNAL, UTAH 84078**  
**435-781-0770**

COMMISSIONERS:  
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October 13, 2023

Paul Moberly, Program Manager  
Uintah Basin Revitalization Fund  
Department of Workforce Services –  
Housing & Community Development Division  
140 East 300 South  
Salt Lake City, Utah 84111

Dear Mr. Moberly,

The Uintah County Commission has opted to utilize Revitalization funding for the following activities.

**I. Western Park Remodel Projects** **\$2,000,000.00**

Western Park remodel projects include a new sound system, asphalt for the parking lot, electrical upgrades, an amphitheater seating and sound system, and other miscellaneous construction-related expenses.

**Total** **\$2,000,000.00**

As always, we appreciate all you do. If you need additional information or clarification, please contact me at (435) 781-5381

Sincerely,

Brad Horrocks  
Revitalization Board Member  
Uintah County Commission



## DUCHESNE COUNTY COMMISSION

*Irene Hansen, Chairperson, Tracy Killian, Member, Gregory Miles, Member*

P.O. Box 270

Duchesne, Utah 84021-0270

Phone (435) 738-1100

Fax (435) 738-5522

October 10, 2023

Paul Moberly  
Division of Housing and Community Development  
140 East 200 South  
Salt Lake City, Utah 84114

Dear Mr. Moberly:

The Duchesne County Commission have opted to utilize 2023 Revitalization funding for the following activities:

- |   |                             |
|---|-----------------------------|
| <b>I. Duchesne County – South Building Reconstruction</b>   | <b>\$ 500,000.00</b>        |
| Reconstruction, engineering, and equipment for the south building (old courthouse) to relocate the Gateway Senior Center for senior services and ADA accessibility. |                             |
| <b>II. Duchesne County – Home Delivered Meal Trucks</b>   | <b><u>\$ 170,000.00</u></b> |
| Purchase two trucks with food service heating/cooling components to deliver food to homebound seniors throughout Duchesne County.                                   |                             |
| <b>Total</b>  | <b>\$ 670,000.00</b>        |

As always, we appreciate all you do. If you need additional information or clarification, please contact me at (435) 738-1131.

Sincerely,

A handwritten signature in cursive script, appearing to read "Greg Miles".

Greg Miles, Revitalization Board Member  
Duchesne County Commission



## DUCHESNE COUNTY COMMISSION

*Irene Hansen, Chairperson, Tracy Killian, Member, Gregory Miles, Member*

P.O. Box 270

Duchesne, Utah 84021-0270

Phone (435) 738-1100

Fax (435) 738-5522

October 10, 2023

Paul Moberly  
Division of Housing and Community Development  
140 East 200 South  
Salt Lake City, Utah 84114

Dear Mr. Moberly:

The Duchesne County Commission have opted to utilize 2023 Revitalization funding for the following activities:

- |   |                             |
|---|-----------------------------|
| <b>I. Duchesne County – South Building Reconstruction</b>   | <b>\$ 500,000.00</b>        |
| Reconstruction, engineering, and equipment for the south building (old courthouse) to relocate the Gateway Senior Center for senior services and ADA accessibility. |                             |
| <b>II. Duchesne County – Home Delivered Meal Trucks</b>   | <b><u>\$ 170,000.00</u></b> |
| Purchase two trucks with food service heating/cooling components to deliver food to homebound seniors throughout Duchesne County.                                   |                             |
| <b>Total</b>  | <b>\$ 670,000.00</b>        |

As always, we appreciate all you do. If you need additional information or clarification, please contact me at (435) 738-1131.

Sincerely,

A handwritten signature in cursive script, appearing to read "Greg Miles".

Greg Miles, Revitalization Board Member  
Duchesne County Commission





## UTE INDIAN TRIBE

P. O. Box 190

Fort Duchesne, Utah 84026

Phone (435) 722-5141 • Fax (435) 722-5072

### Ute Indian Tribe Reallocation Budget Request

A budget reallocation of \$205,092.00 is requested from the remaining balance of \$304,935.52 from Revitalization Contract 21-1106- Human Resource Remodeling. This project is completed.

Revitalization funds will be used for a new project to upgrade the interior and exterior of the Ute Tribe Coffee Shop.

Digital Menu Board: install menu screens on pedestal, software, speaker, mic, headsets, menu design, Interior menu, concrete and installation of vehicle detector, electrical work.  
\$64,383.00

Exterior: Repaint exterior and interior of building, extend roof over patio area and drive through, rehab outside patio railing via sandblast powder coat, framing wall inside shop, cabinets and countertop, new led lighting inside shop and patio area, construction service  
\$81,835.00

Interior: laminate tables, chairs and stools, reach in dual temperature refrigerator, metal shelving, display food and snack case, disposable cup dispenser, ice maker machine, outdoor metal table tops, outdoor chairs.  
\$53,874.00

Contingency: \$ 5,000.00

**Total= \$205,092.00**