



SEVEN COUNTY INFRASTRUCTURE COALITION  
MEETING MINUTES

April 11 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 (Emery County), Greg Jensen (Sevier County) attended electronically, Brad Horrocks (Uintah County), Silvia Stubbs (San Juan County), Greg Miles (Duchesne County) and Jack Lytle (Daggett County).

**Also, in attendance:** Keith Heaton, Brian Barton, Jon Stearmer, Stacey Herpel, Mike Hawley, Daniel Hawley, Melanie Sasser, Doug Rasmussen, Jay Johnson, and Eric Johnson

**Attended telephonically:** Kelly Carter, Melissa Cano, Will Lane, Sonja Norton, Mark Michel, John Laursen.

**Others Present:** (Please notify staff at 385-337-0033 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 (Greg Miles)**

Chairman Miles welcomed everyone to the meeting at 10:00 AM. Board members were present including Commissioner Jensen who attended electronically. Commissioner Miles then led the Pledge of Allegiance. He then moved to the second agenda item.

**2. Public Comment (Greg Miles)**

Public comment was accepted verbally, during the meeting, telephonically by Zoom, and by electronic written submission at [stacey@7county.utah.gov](mailto:stacey@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 Miles then turned time over to Melissa Schnee for those wishing to make public comments electronically.

Seeing no comments online or in the Commission Room Chairman Miles moved to the next item on the agenda.

**3. Approval of Meeting Minutes for March 14, 2024 (Greg Miles)**

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

**Motion to approve March 14, 2024 meeting minutes made by Commissioner Horrocks seconded by Commissioner Sitterud.**

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

Chairman Miles then moved to the next agenda item.

**4. Introduction of Jay Johnson (Greg Miles)**

Chairman Miles welcomed legal counsel Jay Johnson to the meeting and expressed appreciation Mr. Johnson on his work he has done for litigation relating to the Basin Railway Project. Chairman Miles then turned the time over to Mr. Johnson.

Mr. Johnson thanked Chairman Miles for the introduction and stated that it was a pleasure for him to be here in person. Mr. Johnson stated that it was an honor to be in front of everyone and that he looks forward to meeting everyone individually and briefly updating everyone with what is going on with the litigation. Mr. Johnson stated that they filed a petition seeking US Supreme Court review of the DC Circuit's decision on March 4<sup>th</sup>. Mr. Johnson stated that through the hard work from many people, they had seven amicus briefs followed in support of the petition on April 5<sup>th</sup>. Mr. Johnson stated that it was an impressive number. Mr. Johnson thinks this is unusual

for any petition to get that much support at this stage. Mr. Johnson stated that he read all the amicus briefs and they are all very well done and the next step is on May 6<sup>th</sup>. The current schedule has responses from Eagle County, the Center for Biological Diversity, who have said they are going to file a combined response, and from the United State and the Surface Transportation Board, who may or may not follow a combined response. Mr. Johnson stated that after that there is a whole process that has to happen for the court to consider the petition, depending on further extensions or responses. Mr. Johnson stated that hopefully we will know soon what is going to happen with other respondents.

Chairman Miles thanked Mr. Johnson for his update and asked if there were any questions from the board for Mr. Johnson. Seeing no questions for Mr. Johnson, Chairman Miles thanked Mr. Johnson for joining us today and appreciated him for all his work and being with us today.

## **5. Presentation of GOEO Programs (Lori Haslem)**

Chairman Miles introduced Lori Haslem and thanked her for being with us in person today. Chairman Miles then turned the time over to Ms. Haslem for a presentation on the Governor's Office of Economic Opportunities (GOEO) Programs. Ms. Haslem thanked the board for allowing her to come and present the programs that the Governor's Office of Economic Opportunities (GOEO) has to offer and appreciates the opportunity to share the different things that they offer.

Ms. Haslem gave a brief overview of what the Governor's Office of Economic Opportunity(GOEO) does. Ms. Haslem stated that they provide the resources to Utah Entrepreneurs, Businesses, and Communities providing them with funding from federal grants, loans, and tax incentives. Ms. Haslem stated that they network with private sector and industry experts to try and help them in any way that they can. Workforce development supports Utah's skilled and diverse workforce. Expanding opportunities helps promote international trade and partnerships.

Ms. Haslem stated that they have different outreach managers throughout the state to help with any questions or problems that the communities might have in that area. Ms. Haslem stated that they are willing to help with grant applications, consulting about a project, and helping business owners. Outreach managers are happy to help or send people in the right direction to get the information that is needed. The outreach managers are well trained on all the different resources.

Ms. Haslem stated that they have rural incentives and grants. They come in a couple of different forms. The Rural County Grant Programs are two types of programs. One is a block grant of up to \$200,000 per county and then the other is a competitive process, where you are competing against 24 other counties for projects to address community needs. Rural Employment Development Incentive (REDI) is an incentive for job creation of up to \$6000 per employee for companies expanding in Utah.

Ms. Haslem explained the Rural Communities Opportunity Grant. The Rural Communities Opportunity Grant was created for business recruitment, development, expansion, Workforce training and development, infrastructure, industrial building development, capital facilities, and improvements for business development. A rural county must form and maintain a functioning County Economic Opportunity Advisory Board (CEO Board). The Rural Communities Opportunity Grant is a competitive grant up to \$600,000 with a match and the project needs to be completed in 2 years starting at the point of contract. These grants go through three rounds of the grant process with a minimum of three people looking at each application to narrow down the projects that are presented to the board, who decides the final applicants and amount of money they will receive, after the board decides, the applications will go to the Executive Director for final approval.

Ms. Haslem explained the Rural Economic Development Tax Increment Financing (REDTIF) and (EDTIF). REDTIF programs reduce companies' state income tax. Companies can receive a refund of up to 30% of new state taxes they pay for up to 20 years. With rural modifications to EDTIF, projects within rural Utah qualify for more significant incentive amounts and companies can receive a refund of up to 50% of the new state taxes they pay for up to 20 years. Incentives for REDTIF and EDTIF are an APEX Accelerator which helps compete for government contracts for any sector, service, or product. Utah Innovation Center helps compete for non-dilutive grants and contracts to fund the research and development of innovative technology. Utah State Business Credit Initiative (USBCI) helps expand access to capital for small businesses in Utah, especially for underserved communities. Business Incentives helps recommend grant and tax incentives for local and out-of-state companies seeking to expand or relocate to Utah.

Ms. Haslem stated that the marketing and communications office helps promote Utah as stewards of the world's best economy through podcasts, social media, newsletters, and websites. Some examples are Inspire In Utah initiative, social media @BusinessUtah, GOEO e-newsletter, and Business Elevated podcast. Ms. Haslem welcomed the board to participate and come with ideas with whatever the board feels like would be a great project. Ms. Haslem thanked the board for their time and this opportunity and handed the time back to Chairman Miles.

Chairman Miles thanked Ms. Haslem for coming and presenting to the board with all the great programs that GOEO has to offer to Utah's rural communities. Chairman Miles then proceeded to the next agenda item.

#### **6. Report on Uinta Basin Railway Project (Brad Horrocks & Greg Miles)**

Chairman Miles stated that there are no new updates at this time but wanted to thank the legal team and Jay Johnson for doing a great job with the litigation.

Chairman Miles asked for any questions or further discussion, there being none moved on to the next agenda item.

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

Chairman Miles turned the time over to Commissioner Sitterud for the San Rafael Research Center report. Commissioner Sitterud stated that everything is going as expected with the government. It is slowly making progress. Commissioner Sitterud stated that they met with the city last week and were able to use what money they had left, that was not spent on phase one and phase two, to finish the new building and will be able to finish up the project and get it ready to hand off. Commissioner Sitterud stated they are still trying to figure out how they are going to manage to run the facility and are looking for offers or ideas.

Chairman Miles thanked Commissioner Sitterud for the update and asked for any questions or further discussion, there being none moved on to the next agenda item.

**8. Report on San Juan County Projects (Sylvia Stubbs)**

Chairman Miles then turned the time over to Commissioner Stubbs. Commissioner Stubbs stated that there was not much to update on at this time, but thanked the engineers for their work on the water rights. Commissioner Stubbs stated that one of the items that the county has been trying to work on is the workforce of the future.

Commissioner Stubbs stated that with the many jobs in government and with the growth of the state, why are people not applying for these positions. Is it due to education or is it cultural? This is a project that San Juan County is looking at to see if there are more opportunities to increase the education and opportunities for the community to obtain careers and higher education.

Commissioner Stubbs stated that at the new USU Campus they are going to offer an engineering program. Students that are interested in dealing with energy, oil, and minerals will have an opportunity to take these courses. In this culture the earth is the mother and is very sacred to them. This opportunity will help them learn how the process of these natural resources are handled and how they can protect the earth while also extracting and respecting the process.

Chairman Miles thanked Commissioner Stubbs for the update and information on the workforce opportunities. Chairman Miles asked if there were any more questions, seeing none he moved to the next agenda item.

**9. Greendale Recreation Area (Jack Lytle)**

Chairman Miles turned the time over to Commissioner Lytle for an update on the Greendale Recreation Area Project. Commissioner Lytle asked Director Heaton to help with the update. Director Heaton stated that they had a good meeting on the public side and that everyone came

together to move forward with this project and Lori Haslem has played a large role in moving this project forward. Director Heaton stated that when the Coalition talked last month about the grant they have, that will remain in effect and will be used in getting the environmental review started. The owner and operator of Cherry Peak Ski Resort is closing either this weekend or the next, so any discussions with them they have requested to be put off until then. Director Heaton stated that they have a meeting scheduled with them in two weeks to find out their level of commitment financially and timing. Director Heaton stated that at the next board meeting they will have more information on the commitment for this project. Director Heaton thanked those involved with their work done on the original grants.

Chairman Miles thanked Commissioner Lytle and Director Heaton for their update. Chairman Miles asked if there were any questions, seeing none he moved on to the next item on the agenda.

**10. Executive Director Report (Keith Heaton)**

Chairman Miles turned time over to Executive Director Heaton for the director's report. Director Heaton thanked Carbon County for hosting the Coalition and Commissioner Hopes for taking care of the Coalition. Director Heaton thanked everyone for attending today and appreciated Jay Johnson for attending in person and his support. Director Heaton thanked Commissioner Jensen, Commissioner Larson, and Commissioner Norton for joining virtually and their interest and support on what the coalition is doing.

Director Heaton stated that there is no news on the natural gas lines that we have been working on. We are currently working through some private ownership issues and easement. Director Heaton appreciated Jones and DeMille with their work on this project.

Director Heaton stated that we have talked about the Greendale Resort project, and wanted to share his appreciation to the team on these types of projects. Director Heaton stated that it is exciting to see the public and private partnerships start to come together.

Director Heaton stated that Director Todd of the Office of Energy Development will be retiring and we wish him well in the future and we will continue to work with the new director and the Office of Energy Development. Director Heaton stated that we have an interest in helping to support his office and administering the Federal Energy Research Center, and we will continue to support them in any way we can. Director Heaton stated that he was at the facility this past week with associates from LFCIO and Senator Hinkins. This was a good time to tour the facility and learn what it is about. The combustion side of that continues to make progress on the nuclear side. Director Heaton stated that last year Rocky Mountain Power Integrated Resource Plan, made an announcement that they are doing five modular nuclear reactors with the option of several of those being in Utah. This year the update from them did not mention these at all as

they have been taken off the table. The good news from Rocky Mountain Power is that they plan to maintain their coal power plants.

Director Heaton stated that he had a meeting with Jones and DeMille and High-Tech Solutions, who is an organization that is active on capitol hill this last legislative session. One of their main officers lives here in Utah. High Tech Solutions supports the majority of nuclear plants in the country. They handle the shutdowns, retrofitting, cleanings, and things that happen at nuclear plants. They are looking at moving their headquarters to Utah from Washington State. Director Heaton stated that he is unsure of where they would put their facility, but would like to have these conversations with the Coalition and the Organization in the future.

Director Heaton stated that when he was touring the Research Facility, Senator Hinkins also showed them the Blue Sky Facility on Ridge Road. Director Heaton appreciated Commissioner Hopes and the County Commission to help facilitate the improvement of this project and the environmental issues, as well as working through some technical issues.

Director Heaton stated that his plan is to have an application for ongoing operational funding of the Infrastructure Coalition through the Community Impact Board, by their June trimester cycle. Director Heaton stated that he will be working with Mr. Barton on drafting the application for the board to approve in the next meeting.

Chairman Miles then called for any additional questions for Director Heaton. Chairman Miles thanked Director Heaton for both his report and all the work he is doing in support of the Seven County Coalition. Chairman Miles then moved on to the next agenda item.

#### **11. Strategic Communication Report (Melissa Cano)**

Chairman Miles turned the time over to Melissa Cano for the strategic communications report. Ms. Cano stated that she had a meeting with Director Heaton to discuss where the Coalition was at with the Railway Communications as well as the overall Seven County Infrastructure Coalition Communications. Last year there was a desire to move forward with the overall communications, but due to litigation, we postponed at that time, and focused more on radio ads, which we did accomplish. Ms. Cano asked the board what they are thinking in more communication moving forward? Ms. Cano asked the board, is it time to revisit a social media page? Or what direction the board would like to go. Ms. Cano reminded the board that there are other events, programs, and projects that could be telling our story, that are separate from the Railway Project.

Chairman Miles stated that he thinks this is a good idea to start talking about the coalition's other projects, like the San Rafael Research Center and the Greendale Recreation Area to start letting them know what we are doing and to generate public interest and support. Chairman Miles asked

the board if there were any questions, comments, or hesitation to move forward with communications.

Director Heaton stated that he agreed with Chairman Miles in starting this type of communication for the coalition's other projects.

Commissioner Lytle stated that it is more than just communication, but how it is managed. Information is great, but who is authorized to make the post and then when comments are received, how are they archived and due they become public record? Commissioner Lytle stated that there is a logistical side that would need to be completely aware of and implement a social media policy so that it is straightforward. Commissioner Lytle stated that it is a good tool, but look at the implementation and management side so that we are aware.

Ms. Cano stated that you can create an account so nobody could post comments. It would be information based only, without interaction. Ms. Cano also stated that the coalition does have a media policy that was adopted five years ago for the Rail Project, that she can review and apply it to the scope of this social media page. Ms. Cano stated that she could write a new policy and bring it to the board at a future meeting for their review and approval. Ms. Schnee stated that she will be in touch with Director Heaton, Chairman Miles, Commissioner Hopes, and Mr. Stearmer to start on the new media policy.

Chairman Miles thanked Ms. Cano for her update then moved on to the next agenda item.

## **12. Engineers Report (Jones & DeMille)**

Chairman Hopes turned the time over to Brian Barton with Jones & DeMille for the Engineers Report. Mr. Barton stated that they have a couple of updates and thanked the coalition. Mr. Barton stated that he is going to review the overall project budget with the board, since there were a few line items changed that needed to be reviewed. Mr. Barton handed the time to Dan Hawley to review the line items.

Mr. Hawley stated that there have been some adjustments to the budget overall. It is projected to get us through June. The Private Activity Bonds under legal were added a couple of months ago, along with our ongoing services budget for strategic communication program management. When the board looks at the right column, that is the remaining balance in each individual bucket that has been budgeted to the project all the way from engineering, environmental, right of way, and legal. The bottom of the columns is the contingency that is remaining on the project in addition to everything that is budgeted. The total remaining on the project is around \$1.7 million with \$1.14 million in contingency.

Mr. Hawley stated that there has been a slow down on the Navajo Water Study over the last month, with information that we have been going back and forth on between various departments

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within the Navajo Nation. Mr. Hawley stated that they have divided the district representatives for the two water districts. We had one of them there at the last meeting and they talked about sharing some data. The next meeting we anticipate having both representatives present. Having both representatives present will allow sharing of data. They have within their own nation the two water districts, a list of potential priority projects. We can analyze and estimate on those projects and add them into our study of what we are doing.

Chairman Miles thanked Jones & DeMille for their update and all the work they have been doing for the Coalition and asked if there were any questions about the Engineering Report. There being no further discussion, Chairman Hopes moved on to the next agenda item.

### **13. Presentation, Approval and Adoption of Monthly Expenses.** (Smuin, Rich & Marsing)

Time was turned over to Melanie Sasser. Ms. Sasser presented the financial information and requested payment approval today. She went on to request payment approval amounting to \$97,269.90. If there is any discussion or review of any items included in the payment request today, she is happy to entertain or discuss those individual line items

Seven County Infrastructure Coalition

**SEVEN COUNTY INFRASTRUCTURE COALITION PAYMENT APPROVAL**

April 11, 2024 at 10:00 am

751 East 100 North

Price, Utah 84501

Expenses Previously Approved by Board :

Vendor	Check #	Invoice #	Amount	Description	Grant
Keith Heaton - Payroll	Direct Deposit	4/15/24-7/8/24	59,186.37	Payroll/Admin	General Grant

Checks Currently Being Approved:

Vendor	Invoice #	Amount	Description	Funding Source
VOID #2412				
Smuin, Rich & Marsing	2409	47745	2,837.60	Consulting Per Contract
Keith Heaton	2410	23	195.90	Director's Travel and Admin Expenses
Stacey Herpel	2411	0324	1,239.55	Contract Labor
Public Employees Health Program	2413	299940	1,668.74	Insurance Premiums - April
Health Equity	2414	8tu4rt	2.25	HSA Administration Fees - April
ESRI	2415	94687398	1,063.23	Computer Software
Utah Local Governments Trust	ACH	1612180	730.85	Workers Comp
Jones & DeMille	2416	0133831	10,406.44	Program Management and Engineering
ETJ Law	2417	2717	87.50	General - Legal Services - November 2023
Jonathan A Stearmer	2418	3/31/2024	2,601.69	General - Legal Services
Jonathan A Stearmer	2419	3/31/2024	4,175.00	Utah Rail Line - Legal Service
Venable LLP (1/2 Invoice)	2420	2681157	6,023.65	Utah Rail Line - Litigation Challenges to STB Decision
ETJ Law	2421	2718	262.50	Utah Rail Line - Litigation Challenges to STB Decision - November 2023
ETJ Law	2421	2736	1,575.00	Utah Rail Line - Litigation Challenges to STB Decision - December 2023
Jones & DeMille	2422	0133833	11,500.00	Utah Rail Line - Engineering
Jones & DeMille	2422	0133833	13,500.00	Utah Rail Line - Engineering
ETJ Law	2423	2719	11,062.50	Molten Salt/Research Center Facility - Legal Services - November 2023
ETJ Law	2423	2737	12,337.50	Molten Salt/Research Center Facility - Legal Services - December 2023
Jones & DeMille	2424	0133830	16,000.00	Navajo Water Settlement - Engineering
<b>Total Payment Approval</b>			<b>\$ 97,269.90</b>	

**Motion to approve expenses for April in the amount of \$97,269.90** was made by Commissioner Hopes seconded by Commissioner Horrocks. Chairman Miles called for the vote. **The motion passed unanimously.**

Melanie Sasser then reviewed the balance sheet which was completed by March 31, 2024. It shows the total assets and liabilities of the Coalition with the second page showing profit and loss statements for January through March. We also have included a profit/loss by class which shows the funding and expenditures by project. We have detailed information for activity that has happened through February by project as well. She then asked if there were any questions regarding the financial information.

**Motion to approve the financial report for April** was made by Commissioner Horrocks seconded by Commissioner Sitterud. Chairman Miles called for the vote. **The motion passed unanimously.**

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Melanie Sasser, 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 Miles thanked Smuin Rich for their work efforts and moved to the next item on the agenda to a closed session.

**14. Motion for closed (executive) session pursuant to 52-4-205 (Litigation, personnel, real estate acquisition, &/or character/professional competency).** (Greg Miles)

Chairman Miles then requested a motion for a closed session.

**Motion to move into closed session for litigation was made** by Commissioner Lytle, seconded by Commissioner Hopes.

Chairman Miles called for a roll call vote to move into closed session. Motion passed; closed session began at 11:35 AM.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING

Carbon Board Member	Yea <u>  X  </u>	No <u>    </u>
Daggett Board Member	Yea <u>  X  </u>	No <u>    </u>
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 Miles 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 Lytle.

Chairman Miles called for a roll call vote with motion passing at 12:24 PM.

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SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon Board Member      Yea   X        No    

Daggett Board Member      Yea   X        No    

Duchesne Board Member      Yea   X        No    

Emery Board Member      Yea   X        No    

San Juan Board Member      Yea   X        No    

Sevier Board Member      Yea   X        No    

Uintah Board Member      Yea   X        No    

**15.      Motion to Adjourn (Greg Miles)**

A motion to adjourn was made by Commissioner Hopes at 12:25 PM.

Seven County Infrastructure Coalition

A motion to approve the April 11, 2024 meeting minutes was made by Commissioner

\_\_\_\_\_, seconded by Commissioner \_\_\_\_\_.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon Board Member      Yea   X        No     

Daggett Board Member      Yea   X        No     

Duchesne Board Member      Yea   X        No     

Emery Board Member      Yea   X        No     

San Juan Board Member      Yea   X        No     

Sevier Board Member      Yea   X        No     

Uintah Board Member      Yea   X        No     

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Co-Chair: Greg Miles

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Co-Chair: Casey Hopes

**(COALITION SEAL)**

ATTEST:

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Stacey Herpel