

UINTAH BASIN REVITALIZATION FUND BOARD MEETING

Wednesday, August 28, 2024 - 12:00 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).

APPROVED MEETING MINUTES

Board Members Present

Evan Curtis, Chairman
Councilman Emmett Duncan - Ute Tribe Business Committee
Commissioner Greg Miles – Duchesne County
Commissioner John Laursen - Uintah County

Board Members Absent

Councilman Mike Natchess - Ute Tribe Business Committee

Staff and Guests Present

Laurie Brummond, UBAOG Director / Duchesne County Grant Administrator
Chris Pieper, Utah Attorney General's Office
Trevin Morgan, DWS Contracting
Scott Hardman, Uintah County Road Department
Janell Quiroz, HCD Administrative Assistant
Carver Black, DWS Finance Manager
Gennie Bird, Uintah County Grant Manager
Michael Mowes, HCD Program Specialist
Paul Moberly, HCD Program Manager
Jennifer Dominici, HCD Assistant Director

1. Welcome & Introductions

Chairman Evan Curtis officially called the Uintah Basin Revitalization Fund (UBRF) Board meeting to order at 12:15 PM, on Wednesday, August 28, 2024, with the location at the Uintah Basin Association of Governments, 330 E 100 S, Roosevelt, UT 84066, and a virtual option via Zoom. Chairman Curtis expressed appreciation to Laurie Brummond and the AOG for hosting. Ms. Brummond expressed appreciation to the UBRF Board. Chairman Curtis invited all in attendance and on Zoom to introduce themselves, beginning with board members and those in in-person attendance.

2. Approval of Minutes [2:40]

The draft minutes from the May 20, 2024 meeting were presented. The chair called the question:

Councilman Duncan made, and Commissioner Laursen seconded, a motion to approve the minutes from the UBRF Board meeting held on May 20, 2024. The motion passed with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Duncan, and Chairman Curtis, with Councilman Natchess absent.

3. Fund Report [3:37]

Chairman Curtis invited Mr. Moberly to present the fund balances. Mr. Moberly stated that the new funding allocations were available for FY2025. He explained that the balances

shown in the agenda included interest allocations and reallocation of funds. Mr. Moberly turned it over to Carver Black, DWS finance to introduce the balances.

GRANTEE	EXISTING BALANCE	NEW ALLOCATION	OTHER	TOTAL NEW BALANCE
Ute Tribe	\$ 225,483.45	\$4,405,122.70	\$ 158,417.83	\$ 4,789,023.98
Duchesne County	\$ 4,310,274.04	\$2,530,122.70	\$ 42,236.04	\$ 6,882,632.78
Uintah County	\$ 1,901,495.01	\$2,530,122.70	\$ 55,761.33	\$ 4,487,379.04

Ms. Brummond suggested that Mr. Black to separate out the interest and reallocations from the new fiscal year allocation. Mr. Moberly said he would distribute the amounts after the meeting. He read just the new allocations for each of the entities. Ms. Brummond asked for clarification to divide out the remaining amounts between interest and reallocation, and asked for the Ute Tribe balance.

Chairman Curtis asked to switch the agenda order and discuss item 5 first. Legal counsel had no objections.

5. Project Applications [10:01]

5.a Duchesne County - Amendment to 21-2252 - \$ 26,293.78

Chairman Curtis asked Mr. Moberly to present this item. The item was a request to amend contract 21-2252 and add \$26,293.78 to the Centennial Events Center complex payment #9 to bring the total payment amount to \$151,780. This is because the county shifted 10% of the total value of the contract from the Event Center Payment to the Weed Building to cover overages, as allowed in the contract. Chairman Curtis asked Commissioner Miles for any further details, which he didn't but offered his appreciation for the flexibility to help finish that project. Ms. Brummond asked if the board members knew about the ability to flex 10% of funding between contract budget items and suggested UBRF hold a training. Chairman Curtis agreed. Councilman Duncan asked a clarifying question. Ms. Brummond explained their situation and how they used that transfer. The chair called the question.

Commissioner Laursen made, and Councilman Duncan seconded, a motion to approve Duchesne County's request to allocate \$26,293.78 to contract 21-2252 for the Centennial Events Center complex payment #9. The motion passed with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Duncan, and Chairman Curtis, with Councilman Natchess absent.

5.b Uintah County - Road Department Graders - \$1,386,400

Chairman Curtis asked Mr. Moberly to present this item. The item was a request for \$1,386,400 for a lease buy out option for eight (8) Caterpillar Motor Graders. Chairman Curtis asked Commissioner Laursen for any additional details, which Commissioner Laursen clarified that the amount was \$173,300 per unit and that the price to purchase these leased vehicles was less expensive than new units. The chair called the question.

Commissioner Miles made, and Councilman Duncan seconded, a motion to approve Uintah County's request to allocate \$1,386,400 for a lease buy out for eight (8) Caterpillar Motor

Graders. The motion passed with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Duncan, and Chairman Curtis, with Councilman Natchess absent.

5.c Contracts Expiring Soon [16:45]

Mr. Moberly presented that these contracts were expiring at the end of the calendar year:

Ute Tribe: 20-1110, 20-1552, 22-DWS-0288

Duchesne County: 21-2252

Uintah County: 22-DWS-0139, 24-DWS-0418

Ms. Brummond asked if board members knew how to renew contracts and suggested that the financial report include reallocated project amounts. She asked if the Ute Tribe wanted assistance. Councilman Duncan responded that he has staff working through past project expenses and expiring contracts. Ms. Brummond offered her assistance. Mr. Moberly offered to have training on contracts and reimbursements at a future meeting, and how interest allocations work, suggesting that reverting more funds translates into more interest available to the entities. Ms. Brummond explained background on expiration dates and suggested that contract times could be extended longer on new contracts or amendments. Mr. Moberly stated that the board could put a policy in place for expiration dates. Evan asked and Mr. Moberly clarified that these contracts expiring soon were just for informational purposes to the board and no action was needed at that meeting. Councilman Duncan stated that the Ute Tribe would be working on examining those contracts and working on possible extensions.

5.d Expired contracts [24:16]

Mr. Moberly presented that the following contracts were expired as of 6/30/2024. Ute Tribe: 16-1576, 17-2014, 18-1326. Councilman Duncan stated that many of these were completed but that the expenses may not have been reimbursed. Ms. Brummond asked how the reimbursements would work on expired contracts. Councilman Duncan followed up with a similar question. Mr. Moberly clarified that the contracts could be renewed, then any outstanding expenses reimbursed. Councilman Duncan indicated his desire to have these contracts renewed. Mr. Moberly clarified that if renewed they would likely breakout each individual project within these contracts as its own contract. The chair called the question.

Councilman Duncan made, and Commissioner Miles seconded, a motion to renew the three contracts with the Ute Tribe: 16-1576, 17-2014, 18-1326. The motion passed with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Duncan, and Chairman Curtis, with Councilman Natchess absent.

4. Board Business [27:32]

4.a Discussion on Contracts

Chairman Curtis indicated his desire that the board serve its members and said there had been delays with contracting and wanted to have a discussion. He asked Mr. Moberly to present this item. Mr. Moberly presented that delays in contracting have been difficult for some entities, while they wait for long periods between funding approval and signed contract. He presented that staff examined the delays and constraints to the process and indicated that an incomplete or undetailed scope of work caused many delays with

contracts, and delays and difficulties with obtaining signatures was another major delay. He indicated that staff had a goal to get contracts out in about two months, with two weeks for staff to complete contract requests, one week for signatures on the contract request, two weeks for contracting to process and create the contract, and one month given for signatures from the entity, contingent upon receipt of complete scopes of work and identified signatories. Councilman Duncan suggested that the process be written out and presented. Ms. Brummond expressed concern with construction delays while waiting for funding and asked staff to provide detail on what is needed in a scope of work. Mr. Moberly clarified that staff had prepared a training to that effect. Chairman Curtis asked for staff to bring up the training. Councilman Duncan reiterated the difficulties of delays in renewal of contracts and his understanding of the process and how government works. Ms. Brummond offered support for his statement. Commissioner Miles expressed his appreciation for staff and indicated that these contracts were different than other state contracts. He said he'd appreciate logical flexibility on the scopes of work and once the board has approved funding questioned any delays or additional approvals. Councilman Duncan agreed and brought up that project budgets can change between request and contract, and costs can increase during that time as well. Ms. Brummond clarified that UBRF funding is unique and for collaboration between the counties and Tribe to help alleviate extraction impacts, and that the contracts may need latitude. Councilman Duncan expressed concern with staff turnover and working through this process. Chairman Curtis reiterated the need for clear guidance upfront on what's required. Councilman Duncan expressed his understanding of the requirement for clear scopes of work and rules and the sentiment that the funds are generated on Tribal lands and should have minimal delays.

4.b Discussion and Potential Policy on Project Application Scopes of Work [42:05]

Chairman Curtis ensured Commissioner Miles could stay on the meeting and invited staff to present draft policy language and training. Michael Mowes presented on the information needed on applications and scopes of work. This includes Name of Project, Cost of Project, Background Information, Scope of Work, Deliverable/Outcome, and Projected date of completion of project. This information is needed on contract requests. He provided details and examples on these items as presented in the board packet.

6. Board Member Issues [51:50]

6.a Schedule of Meetings

On scheduling, Commissioner Miles stated that Mondays aren't good for Duchesne County, and that Tuesday's aren't good for Uintah County, and brought up that scheduling adjacent to the Division of Oil, Gas, and Mining meeting and have a set time. Chairman Curtis had reached out to the Division of Oil, Gas, and Mining who hasn't defined their schedule yet. Ms. Brummond stated that the next meeting is scheduled with the UBAOG board meeting on Thursday, October 24th. Councilman Duncan said he'd check on that date for he and Councilman Natchess.

Chairman Curtis expressed his appreciation to the board members for the discussion and entertained a motion to adjourn.

Councilman Duncan made and Commissioner Laursen seconded a motion to adjourn the meeting. The motion was carried by unanimous vote of those present.

The meeting adjourned at 1:12 pm.

Submitted by Paul Moberly