

UINTAH BASIN REVITALIZATION FUND BOARD MEETING

Thursday, October 24, 2024 - 1:00 PM

Centennial Event Center, 60 West 400 South, Duchesne, UT 84021. Virtual Option - <https://utah-gov.zoom.us/j/86587519475>, Meeting ID: 865 8751 9475, +1 253 215 8782 US (Tacoma)....

DRAFT MEETING MINUTES

Board Members Present

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

Staff and Guests Present

Laurie Brummond, UBAOG Director / Duchesne County Grant Administrator
Hillarie Murray, Ute Tribe Revitalization Manager
Chris Pieper, Utah Attorney General's Office
Carver Black, DWS Finance Manager
Janell Quiroz, HCD Administrative Assistant
Trevin Morgan, DWS Contracting
Jennifer Dominici, HCD Assistant Director
Michael Mowes, HCD Program Specialist
Paul Moberly, HCD Program Manager
Keith Heaton, former UBRF chair and Seven County Infrastructure Coalition Director

1. Welcome & Introductions

Chairman Evan Curtis officially called the Uintah Basin Revitalization Fund (UBRF) Board meeting to order at 1:17 PM, on Thursday, October 24, 2024, in the Centennial Event Center, 60 West 400 South, Duchesne City, with a virtual option via Zoom. Chairman Curtis invited all in attendance and on Zoom to introduce themselves, beginning with board members and those present and following with those on Zoom.

2. Approval of Minutes [2:24]

The draft minutes from the September 11, 2024 meeting were presented. The chair called the question:

Commissioner Laursen made, and Commissioner Miles seconded, a motion to approve the minutes from the UBRF Board meeting held on September 11, 2024. The motion passed unanimously with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Natchess, Councilman Duncan, and Chairman Curtis.

3. Fund Report [3:10]

Chairman Curtis invited Mr. Moberly or other staff to present the fund balances. Mr. Moberly asked Carver Black to review the full report included in the packet, and he introduce the

balances. Mr. Black reviewed the balances, and also reviewed the investment interest rate (5.32%), cash balances, with uninvested and invested balances.

	Current Available Balance
Ute Tribe	\$1,779,190.49
Duchesne County	\$6,881,022.95
Uintah County	\$3,132,090.49

Commissioner Miles asked about the interest earned on the invested balances. Mr. Black explained that the amount invested changed at the beginning of the fiscal year and hadn't been changed in years. He had invested a significant amount more (~\$10 million more total) and it was effective in the end of August and should be visible around the next meeting.

4. Board Business [8:45]

4.a Update on Contract Discussion

Chairman Curtis asked Mr. Moberly to discuss the updates to contracts. Mr. Moberly reviewed the discussion from the August meeting and presented a new solution for contracting for UBRF which involves master umbrella contracts for each entity, which should allow funding released much more quickly. Laurie Brummond expressed her appreciation, and Chairman Curtis echoed his appreciation.

Ms. Brummond raised a question of an expiring contract which was still waiting on an approved amendment to be processed and signed, which needed to be expensed but couldn't without the execution. With the delays getting the contracts signed and the upcoming expiration date of the contract, she wondered how she could expense their already incurred expenses before it expires. Mr. Black explained that there is a grace period of 90 days after expiration for submission of expenses. Ms. Brummond asked the timeline for the contract going to signature. Trevin Morgan responded it should be the following week. Ms. Brummond expressed her appreciation to staff for working on these contracting issues. Mr. Emmett Duncan also expressed his appreciation to staff for their work on contracting issues. Ms. Brummond asked for Hillarie Murray to be introduced to the board, and expressed her admiration and gratitude for Hillarie. Mr. Duncan introduced Ms. Murray.

4.b UBRF Finance Overview [18:17]

Chairman Curtis asked Mr. Moberly to present the agenda item. Mr. Moberly provided an introduction to the overview. Ms. Brummond expressed appreciation in adding back the information into the report. Mr. Black discussed the situation with investments and interest, stating that previously the unallocated funds were used for investment. Currently, they use more of the overall funding in investments, and will keep the uninvested amounts to between \$600,000 and \$1 million, with the intent to maximize the interest earned on funds. Mr. Black and Mr. Moberly reminded that interest will be available once a year during allocation, and reiterated that if there are large expenses being reimbursed, to communicate with staff so finance can prepare.

Ms. Brummond asked about the July expenditure submission deadline, particularly in situations where the subcontractors don't submit the funding until after the deadlines. Mr. Carver reiterated that the claims need to be submitted on time if possible, and that an

estimate would be better than nothing. Ms. Brummond related an experience with utilities submitting invoices after the state's submission deadline, and conflicts with a previous internal auditor. She asked about finances flexibility, and Mr. Black asked that they do their best to get expenses in by July 15th. Ms. Brummond said she'd try to submit her estimates at fiscal year end.

4.c Policy on prioritization of projects [27:10]

Chairman Curtis invited Mr. Moberly to present the agenda item. Mr. Moberly stated that due to an internal audit, he was asked to provide a policy about board project prioritization, and that the board had discussed this at previous meetings. He presented the following draft policy language:

Each eligible entity prioritizes their own projects and cannot overdraw their unallocated funds. The board hears projects in the order they were received from each entity and prioritizes projects in harmony with its enabling statute UCA35A-8-1602 (1), and 35A-8-1604 (1(b) ii, iii).

The Chair called the question:

Commissioner Laursen made, and Commissioner Miles seconded, a motion to approve the policy language as presented. The motion passed unanimously with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Natchess, Councilman Duncan and Chairman Curtis.

4.d Discussion about dealing with project overruns [29:30]

Chairman Curtis invited Mr. Moberly to present the agenda item. Mr. Moberly reviewed a discussion which was had previously about cost overruns. As current policy allows transferring of amounts between budget lines in a single contract, the current practice of only having one project per contract limits that ability. Mr. Moberly related that transferring funds automatically to contracts to cover overruns would not be possible. However, with the new master contract structure there might be ways to transfer within projects. Ms. Brummond reviewed how internal transfers were done previously within contracts. Mr. Moberly asked finance if under the master contract model if the 10% transfer rule could still apply, to which Mr. Carver stated that it would need to be changed. Mr. Chris Pieper, legal counsel, stated that the board needs to have clear and explicit approval for shifting of funds. Chairman Curtis stated that without the contracting process, it would be faster and easier for the board to approve additional funding in projects. Mr. Moberly stated that board meetings can be called at the Chairman's discretion. Mr. Michael Mowes stated that some of the overruns were due to delays in contracting and hopefully eliminating those delays will result in reduced project overruns. Councilman Duncan asked for clarification if the process would be the same as current, and Mr. Moberly clarified that it would not require any type of contracting process.

5. Project Applications [34:50]

5.a Duchesne County - Road Department Relocation/Building - \$5,886,568

Chairman Curtis invited Mr. Moberly to present the project and for Commissioner Miles to provide details on the project. Mr. Moberly presented the project which is a request for \$5,886,568 for the relocation and construction of a new road shed building, including construction, engineering, and site preparation for the new location for the road department. Commissioner Miles explained that they have needed this building for years, and have identified the site and saved for several years for this project. They have outgrown the current space, which is also at risk for flooding. He also expressed appreciation to Ms. Brummond for her work helping the county with the planning of this project. Councilman Duncan expressed his admiration for the engineering and design of the building. Chairman Curtis expressed his appreciation to the County for their fiscal discipline and foresight.

The Chair called the question:

Councilman Natchess made, and Commissioner Laursen seconded, a motion to approve the project as presented. The motion passed unanimously with affirmative votes from Commissioner Miles, Commissioner Laursen, Councilman Natchess, Councilman Duncan and Chairman Curtis.

Commissioner Miles expressed his appreciation to the board for their support, and his appreciation and admiration for the county road department team.

5.b Contracts expiring soon [44:00]

Chairman Curtis invited Mr. Moberly to present the agenda item. Mr. Moberly presented that the information in the board packet outlines the expiring projects and their remaining amounts which will expire 12/31/2024.

20-1110	Ute Indian Tribe – Extend one year
20-1552	Ute Indian Tribe – Extend one year
21-2252	Duchesne County
22-DWS-0139	Uintah County – Extend 90 days
24-DWS-0418	Uintah County – Extend 90 days

He encouraged finished projects to be closed, and expenses to be submitted so they can be closed. Chairman Curtis asked the intention of the entities with their contracts. Councilman Duncan stated that the Ute Tribe would like to extend these so they can finish submitting reimbursements. Commissioner Miles stated that they have a payment left from that contract and will need it renewed. Commission Laursen said that Uintah County would have these likely reimbursed within a month or so. Ms. Brummond stated that Duchesne County didn't need to extend their contract.

The Chair called the question:

Councilman Duncan made, and Commissioner Laursen seconded, a motion to extend the contracts as follows.

20-1110	Ute Indian Tribe – Extend one year
20-1552	Ute Indian Tribe – Extend one year
22-DWS-0139	Uintah County – Extend 90 days
24-DWS-0418	Uintah County – Extend 90 days

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

6. Board Member Issues [49:20]

6.a Schedule of Meetings

Chairman Curtis stated that it would be unlikely to have a meeting before the end of the year, and proposed something early in January before the legislative session. Ms. Brummond reminded that Monday's and Tuesdays are not good for the County or Ute Tribe. They proposed Thursday, January 16, 2025, at 3:00pm as a virtual meeting.

Chairman Curtis entertained a motion to adjourn.

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

The meeting adjourned at 2:11 pm.

Submitted by Paul Moberly