

**204PERMANENT COMMUNITY IMPACT FUND BOARD MEETING**

Department of Workforce Services  
Housing and Community Development Division  
Salt Lake City, Utah

**MINUTES**

October 5, 2023

**Members Present**

Curtis Wells  
Kirt Slaugh  
Bruce Adams  
Naghi Zeenati  
Dean Baker  
Jerry Taylor  
Scott Bartholomew  
Jack Lytle  
Greg Miles  
Ralph Brown  
Laura Hanson

Chairman  
State Treasurer  
Southeastern Utah Association of Local Governments  
State Transportation Commission  
Uintah County  
Five County Association of Governments  
Six County Association of Governments  
Uintah Basin Association of Governments  
Duchesne County  
Sevier County  
Governor's Office of Planning and Budget

**Staff and Visitors**

Candace Powers  
Heather Poulsen  
Paul Moberly  
Jennifer Domenici  
Christina Oliver  
Brittany Hardy  
Kaylee Beck  
Lenise Peterman  
Kathryn Brown  
Jed Maxwell  
Bill Prater  
Stephanie Steed  
John R. Young  
Chuck Richins  
Justin Atkinson  
Lynn Sitterud  
Gary Zabriskie  
John Laursen  
Eric Johnson  
Mack McDonald  
David Forsgren  
Sherrie Holgate  
Serena Brotherson  
Debbie Winn  
Shannon Wimmer  
Matt McCoy  
Jesse Ralphs  
Nancy Strickland  
Jack Wood  
Bret Reynolds  
Robert Barnett  
Rob Dotson  
David Harris  
Jackson Ames

Housing and Community Development  
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Housing and Community Development  
Department of Workforce Services  
Department of Workforce Services  
Helper City  
  
Salina City  
Permanent Community Impact Fund Board Bond Counsel  
Escalante City  
San Juan County  
Duchesne City / Horrocks Engineers  
Sunrise Engineering  
Emery County  
Five County Association of Governments  
Uintah County  
Public Private Law Firm  
San Juan County  
Bear River Water Conservancy District / Box Elder County  
Upper Community Recreation District / Duchesne County  
Upper Community Recreation District / Duchesne County  
Tooele City  
Tooele City  
Tooele City  
Sunrise Engineering  
SITLA  
Upper Community Recreation District / Duchesne County  
CIVCO Engineering  
Big Water Fire Department  
Enoch City  
Enoch City  
Enoch City

Marcus Keller  
Jason Burningham  
Kendrick Thomas  
Carl Mackley  
Dennis Marker  
Adus Dorsey  
Dennis Blackburn  
Keith Heaton

Crews&Associates - Municipal Financial Advisor  
LRB Public Finance Advisors  
Jones & DeMille Engineering  
Bear River Water Conservancy District / Box Elder County  
Gunnison City  
Wayne County  
Wayne County  
Seven County Infrastructure Coalition

**Staff and Visitors Virtual:**

Christopher Pieper  
Jeff Hermansen  
Trent Brown  
Skyler Davies  
Garrick Willden  
Johansen & Tuttle Engineering  
Brock Jackson  
Brian Carver  
Fruitland  
Nate Zilles  
Annissa Maxfield  
Green River City  
Tyler Timmons  
Cade Penney  
Mario Gonzales  
Uintah County MBA  
Ron Winterton  
Zachary Jensen  
Beverly Thomas  
Pam Leach  
Heather Pattee

Attorney General's Office  
Sanpete Special Service District #2  
  
Division of Water Quality  
Jones & DeMille Engineering  
  
Six County Association of Governments  
Bear River Association of Governments  
Fruitland Special Service District  
Uintah Basing Association of Governments  
Upper Community Recreation District  
  
Six County Association of Governments  
Six County Association of Governments  
Sunrise Engineering  
  
Duchesne County / Senator  
Sanpete Special Service District #2  
Sanpete Special Service District #2  
Town of Rockville  
Division of Drinking Water

**WELCOME & INTRODUCTIONS**

The Permanent Community Impact Fund Board (CIB) Meeting was held on Thursday, October 5, 2023 in Committee Room 450 - Fourth floor of the Capitol building; 350 N State Street, SLC, Utah and was called to order at 9:10 a.m. by Chairman Curtis Wells.

The applications for this trimester were reviewed at the July 6, 2023 and August 3, 2023 meetings.

**BRIEFING - ADMINISTRATIVE ITEMS**

***Up-coming Meeting Dates & Location – November 2, 2023; December 7, 2023.***

The November 2, 2023 meeting will be in the Washington County Commission Chambers in St. George, Utah. *CIB meetings are normally the first Thursday of each month but due to the July 4, 2024 Holiday, meeting changes in 2024 were approved to be July 11, 2024 and August 8, 2024.*

The December meeting will be at the 1385 South State. Policy meeting locations are determined by the Board and scheduled in various areas of the State.

***2. Financial Review & Review of Agenda Items [0:08:09]***

Candace Powers stated there are 18 priority projects and 2 supplemental requests on today's agenda. Through Board determination and careful consideration of requests as of today, there is sufficient funding for the FY2024 1<sup>st</sup> Trimester projects on the Priority List. The remaining funding is quite low.

*23 applications were received for the 2<sup>nd</sup> Trimester totaling \$ 104,348,028.00. The projects are to be discussed at the November, December and January review meetings. It is projected that there may be approximately*

*\$37,000,000 in available funding by the February 2024 CIB funding meeting.*

### **III. APPROVAL OF MINUTES** [13:31]

Chairman Wells requested a motion to approve the minutes from the August 3, 2023 meeting.

**Naghi Zeenati made and Jerry Taylor seconded a motion to approve the minutes of the August 3, 2023 meeting as presented. The motion carried unanimously.**

### **V. PRIORITY PROJECTS**

#### **5.1 Uintah County Municipal Building Authority – Road Equipment Part 2 (Uintah County) [14:00]**

The Uintah County Municipal Building Authority Road Equipment purchase was placed on the Priority List as a **\$510,000 grant and a \$990,000 loan for 10 years at 0.0% (total \$1,500,000)** for the repair to the infrastructure on Seep Ridge Road through milling and lane leveling to correct areas of heaving and settlement which will include 2,540 tons of emulsified asphalt, 1,350,000 square yards of chip seal, 1,000 tons of HMA lane leveling to ½" MAX, 4,200 square yards of roto milling, 153 tons of crack seal and 6,693 gallons of pavement marking paint, preconstruction and construction engineering. The repairs to Seep Ridge Road would be tracked in Uintah County's ongoing system-wide condition assessment, maintenance plan and GIS database.

**Prioritized Funding: \$1,500,000 (\$510,000 grant and a \$990,000 loan for 10 years at 0.0%)**

**Scott Bartholomew made and Greg Miles seconded a motion to fund this project as an \$510,000 grant and a \$990,000 loan for 10 years at 0.0% (total \$1,500,000). The motion carried with the chairman abstaining.**

#### **4.2 Helper City – Public Works Garage (Carbon County) [15:45]**

Helper City's Public Works Garage was placed on the Priority List as a **\$519,000 loan for 30 years at 0.0% and a \$233,000 grant (total \$752,000)** for the demolition and disposal of existing public works buildings followed by site work & grading, new foundation, 5,800 square foot steel building with insulated roof and vinyl backed walls, interior restrooms, 8 overhead doors, concrete aprons at doorways, HVAC natural gas system, lighting, utilities, sewer, manholes and culinary water connections.

**Prioritized Funding: \$519,000 loan for 30 years at 0.0% and a \$233,000 grant (total \$752,000)**

**Naghi Zeenati made and Greg Miles seconded a motion to fund this project as a \$519,000 loan for 30 years at 0.0% and a \$233,000 grant (total \$752,000). The motion carried with the chairman abstaining.**

#### **4.3 Sanpete County Fire Protection SSD – 5 New Fire Trucks (Sanpete County) [16:46]**

Sanpete County Fire Protection Special Service District's purchase of 5 new fire trucks was placed on the Priority List as a **\$1,600,000 grant** for the purchase of five (5) Rosenbauer Type 1 fire pumper trucks to be placed in Ephraim, Gunnison, Manti, Spring City and Sterling. Quote: \$622,412 each. Applicant Cash \$1,600,000.

**Prioritized Funding: \$1,600,000 grant**

**Ralph Brown made and Jerry Taylor seconded a motion to fund this project as a \$1,600,000 grant citing an administrative exemption. The motion carried with Scott Bartholomew and the chairman abstaining.**

#### **4.4 Sanpete County Special Service District #1 – Moroni T Road Improvements (Sanpete County) [18:03]**

Sanpete County Special Service District #1 Moroni T Road Improvement project was placed on the Priority List as a **\$1,458,000 loan for 15 years at 1.5% and a \$2,097,000 grant (total \$3,555,000)** for road improvements to 2.65 miles of the Moroni T Road to include engineering, roadway excavation for the placement of 5183 cubic yards of borrow, 6542 cubic yards of granular borrow, removal of 180 linear feet of pipe, 2987 untreated base course, 11374 tons of ½ inch hot mix asphalt (HMA), 46,640 square yards of chip

seal coat, 84 tons of emulsified asphalt, 23 tons of flush coat, 13 acres of broadcast seed, 180 feet of 24-inch pipe culvert, 1000 feet of fencing, cement powder and cement treated base, 37,333 square yards of roto milling, 25 driveways, 180 feet of 24-inch drainage pipe, pavement marking and messaging, relocation of existing signs and new signage. Applicant Cash \$500,000.

**Prioritized Funding: \$1,458,000 loan for 15 years at 1.5% and a \$2,097,000 grant (total \$3,555,000)**

**Bruce Adams made and Ralph Brown seconded a motion to fund this project as a \$1,458,000 loan for 15 years at 1.5% and a \$2,097,000 grant (total \$3,555,000). The motion carried with Scott Bartholomew and the chairman abstaining.**

4.5 Gunnison City – Tarr Canyon Well Development Planning – (Sanpete County) [19:42]

Gunnison City's Tarr Canyon Well Development Planning project was placed on the Priority List as a **\$175,000 grant** for the planning, engineering and design, environmental assessment, easement acquisition, surveying, SITLA permitting, stream alteration permits and a preliminary evaluation report for the development of the Tarr Canyon Well approximately 8 miles west of Gunnison City for the future well house, approximately 8 miles of 12-inch transmission line to existing storage tanks, approximately 10 miles of power extension, associated manholes, SCADA, metering, fencing and appurtenances necessary for well development. Applicant Cash \$175,000.

**Prioritized Funding: \$175,000 grant**

**Jerry Taylor made and Scott Bartholomew seconded a motion to fund this project as a \$175,000 grant. The motion carried with the chairman abstaining.**

4.6 Moroni City – Wastewater Master Plan and Reuse Study (Sanpete County) [20:22]

Moroni City's Wastewater Master Plan and Reuse Study project was placed on the Priority List as a **\$110,000 grant** for the a wastewater master plan and reuse study to effectively manage the existing aging wastewater system, plan for future growth and improvements, identify deficiencies, provide recommendations, study available alternatives for reuse of wastewater effluent for outdoor watering and will include video inspection and inventory of collection system, manhole survey and documentation and a collection system master plan. Applicant Cash \$30,000; DWQ \$90,000.

**Prioritized Funding: \$110,000 grant**

**Scott Bartholomew made and Naghi Zeenati seconded a motion to fund this project as a \$110,000 grant. The motion carried with the chairman abstaining.**

4.7 San Juan County Local Building Authority – Public Safety Building Renovation (San Juan County) [30:00]

San Juan County Local Building Authority's Public Safety Building Renovation project was placed on the Priority List as a **\$21,366,000 loan for 30 years at 2.0% and a \$4,689,695 grant (total \$26,055,695)** for of remodeling and expanding the 1977 public safety building in Monticello to include approximately 30,000 square feet of added space in two levels for law enforcement staff, judges, legal staff, new nursing space, additional cells, inmate phone communication space, kitchen, new heating and cooling systems, utilities, plumbing, sewer, drainage, fire sprinkling system, design and engineering.

**Prioritized Funding: \$21,366,000 loan for 30 years at 2.0% and a \$4,689,695 grant (total \$26,055,695)**

*Greg Miles made and Naghi Zeenati seconded a motion to fund projects 7-10 as prioritized at the CIB review meeting. The motion carried with Kirt Slauch, Laura Hanson and Scott Bartholomew opposed and the chairman abstaining.*

4.8 Tooele City Municipal Building Authority – Fire Station Project (Tooele County)

The Tooele City MBA's Fire Station Project was placed on the Priority List as a **\$8,500,000 loan for 30 years at 4.0%** for constructing a new 15,000 square foot fire station with 3 fire truck bays, a separate garage, 6 offices,

exercise and training areas, kitchen and dayroom, laundry facilities, and 8 living quarters on the north end of the City on 2.5 acres of property owned by Tooele City at 145 East 1000 North. Applicant Cash \$1,200,000.

**Prioritized Funding: \$8,500,000 loan for 30 years at 4.0%**

*Greg Miles made and Naghi Zeenati seconded a motion to fund projects 7-10 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson and Scott Bartholomew opposed and the chairman abstaining.*

**4.9 LBA of Upper Community Recreation District – Altamont Rodeo Grounds Renovation (Duchesne County)**

The LBA of Upper Community Recreation District's Altamont Rodeo Grounds Renovation project was placed on the Priority List as a **\$714,000 loan for 30 years at 0.5% and a \$456,000 grant (\$1,170,000)** for Phase 1 to include design and construction of the Altamont Rodeo Arena to include the 250' X 150' rodeo arena with six bull chutes, barrel racing gates, bareback riding chutes, team and steer roping chutes, mutton busting chutes and other arena facilities, a 174' X 90' warm up area, 10' X 10' enclosed announcer booth, electrical, audio system, arena and spectator lighting, foundation, structural supports, HVAC, new covered bleachers and concrete walkways up to the bleachers.

**Prioritized Funding: \$714,000 loan for 30 years at 0.5% and a \$456,000 grant (\$1,170,000)**

*Greg Miles made and Naghi Zeenati seconded a motion to fund projects 7-10 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson and Scott Bartholomew opposed and the chairman abstaining.*

**4.10 Fruitland Special Service District – Mill Hollow Spring Development & Metering (Duchesne County)**

The Fruitland SSD's Mill Hollow Spring Development and Metering project was placed on the Priority List as a **\$181,000 loan for 30 years at 2.0% and a \$307,000 grant (\$488,000)** for redeveloping the Mill Hollow Lower Spring to include clearing, grubbing and excavation, installing 4 each ultrasonic level sensors, one 6-inch meter, one 8-inch meter, 4 ultrasonic level sensors for the system tanks, 2 meter manholes, 160 square yards of filter fabric, 480 square yards of HDPE liner, 85 linear feet of perforated collection pipe, 85 linear feet of C900 PVC pipe, new spring collection box, necessary soil and rock, 60 cubic yards of clay cutoff wall and 300 linear feet of chain link fencing, engineering, permitting and bonding.

**Prioritized Funding: \$181,000 loan for 30 years at 2.0% and a \$307,000 grant (\$488,000)**

**Greg Miles made and Naghi Zeenati seconded a motion to fund projects 7-10 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson and Scott Bartholomew opposed and the chairman abstaining.**

Mr. Slaugh stated the Board is in special circumstances with \$104,000,000 projects coming forward in the next trimester and may have approximately \$37,000,000 in revenue. The Board may have to decline very good projects wherein he questioned projects the Board has already visited. The Altamont Rodeo would have been a project he would have questioned as non-essential infrastructure. Perhaps more discussion at the funding meeting would be appropriate before approval. The Board will need to make difficult decisions and that is why he voted against the motion.

**4.11 Duchesne City – 2023 Water & Sewer Infrastructure Replacement & Metering (Duchesne County) [25:29]**

Duchesne City's 2023 Water & Sewer Infrastructure Replacement & Metering project was placed on the Priority List as a **\$905,000 loan for 30 years at 1.0% and a \$1,795,000 grant (total \$2,700,000)** for improvements to the aging system to include replacing approximately 13,000 linear feet of 8-inch sewer pipe and 5,400 linear feet of 8-inch water pipe, a PRV (pressure reducing valve) station in the Blue Bench area, road repair, engineering, construction management and bonding.

*Duchesne City will issue two bonds for this loan to accommodate the separate revenue sources.*

**Prioritized Funding: \$905,000 loan for 30 years at 1.0% and a \$1,795,000 grant (total \$2,700,000)**

**Bruce Adams made and Dean Baker seconded a motion to fund this project as a \$905,000 loan for 30 years at 1.0% and a \$1,795,000 grant (total \$2,700,000). The motion carried with the chairman abstaining.**

The Chairman called for a motion on items 12 – 15.

**Naghi Zeenati made and Bruce Adams seconded a motion to fund projects 12-15 as prioritized at the CIB review meeting.**

Ms. Hanson indicated a preference for listing the projects individually to enable a possible discussion.

Chairman Wells noted that the Board can vote against the motion on the table if they wish to go back through each individually. The Chairman called the question on the motion.

*Naghi Zeenati made and Bruce Adams seconded a motion to fund projects 12-15 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson, Jack Lytle and Dean Baker opposed and the chairman abstaining. Projects 12-15 below:*

**4.12 Emery County Local Building Authority – Senior Center at Huntington (Emery County) [28:03]**

Emery County LBA's Huntington Senior Center project was placed on the Priority List as a **\$1,500,000 grant** for of design, engineering, site clearing & preparation for the construction of a new 5,000 square foot senior center building in Huntington to include a commercial kitchen and equipment, parking lot asphalt, flatwork, curb and gutter, drainage boxes and piping, pavement marking and signage, 150 linear feet of water service line, 150 linear feet of sewer service line, utilities and lighting. Applicant Cash \$1,000,000.

**Prioritized Funding: \$1,500,000 grant**

*Naghi Zeenati made and Bruce Adams seconded a motion to fund projects 12-15 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson, Jack Lytle and Dean Baker opposed and the chairman abstaining.*

**4.13 Green River City – Sewer Collection System Improvements (Emery County)**

Green River City's Sewer Collection System project was placed on the Priority List as a **\$1,458,000 loan for 15 years at 1.5% and a \$2,097,000 grant (total \$3,555,000)**

for engineering and design for sewer system improvements. Sewer Collection system improvements include asphalt/concrete cutting, 81500 square feet of asphalt removal and 81500 square feet of 3-inch HMA, replacing 14,000 linear feet of 8" PVC sewer pipe, 2,300 linear feet of 12" sewer pipe, re-seeding, utility crossing relocation and replacing 57 each 48" manholes. Sewer Lift Station improvements include cleaning and servicing the west wells, repair coating on pipe and appurtenances, improvements to 4 wet wells, replacing 4 odor control system blowers, 4 new metal grates, one 4" isolation valve, one 4" check valve, control panel update, 2 new backup generators with enclosure, replace lift station #2, one new 30 hp pump at lift station #4 and 4 new 3hp pumps for lift stations 1 and 3. Sewer Treatment system improvements include replacing headworks, sluice gates, aeration system blower, diffuser assemblies, metal in the chlorination building, site leveling for land application, replacing 2 generators, mechanical screen system and new building. Clay pipe improvements include asphalt cutting, 30000 square feet of asphalt removal and 30000 square feet of 3-inch HMA, 6000 linear feet of 8-inch PVC sewer pipe, reseeding, utility crossing/relocation and 20 each 48" manholes.

**Prioritized Funding: \$1,458,000 loan for 15 years at 1.5% and a \$2,097,000 grant (total \$3,555,000)**

*Naghi Zeenati made and Bruce Adams seconded a motion to fund projects 12-15 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson, Jack Lytle and Dean Baker opposed and the chairman abstaining.*

#### 4.14 Big Water Municipal Corporation – F150 Truck Purchase (Kane County)

Big Water Municipal Corporation's F150 Truck Purchase was placed on the Priority List as a **\$55,000 grant** for purchase of a new Ford F150 4x4 Super Crew Cab with accessories & equipment for emergency response to replace a 1999 Suburban that has over 260,000 miles. Applicant Cash \$10,000.

#### **Prioritized Funding: \$55,000 grant**

*Naghi Zeenati made and Bruce Adams seconded a motion to fund projects 12-15 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson, Jack Lytle and Dean Baker opposed and the chairman abstaining.*

#### 4.15 Escalante Municipal Building Authority – Escalante City Medical Center Addition (Garfield County)

Escalante MBA's City Medical Center Addition project was placed on the Priority List as a **\$620,000 loan for 30 years at 1.0% and a \$940,000 grant (total \$1,560,000)** for the building and design for the constructing a 3685 square foot addition to the existing medical center constructed in 2014 to include dental space with three exam rooms, lab and x-ray, storage, a restroom, dental office space and a physical therapy area with an entry/exit, a therapy room, wellness room, office, custodial room, restrooms, utilities and furnishings necessary for the function of the facility. The existing site will be expanded to include paving for additional parking, a traffic circulation route and storm drainage improvements.

#### **Prioritized Funding: \$620,000 loan for 30 years at 1.0% and a \$940,000 grant (total \$1,560,000)**

**Naghi Zeenati made and Bruce Adams seconded a motion to fund projects 12-15 as prioritized at the CIB review meeting. The motion carried with Kirt Slaugh, Laura Hanson, Jack Lytle and Dean Baker opposed and the chairman abstaining.**

#### 4.16 Enoch City – Police Department Expansion (Iron County) [30:45]

The Enoch City Police Department Expansion project was placed on the Priority List at the August 3, 2023 CIB Meeting as a **\$743,000 loan for 30 years at 2.5%** for the construction of a 6904 square foot building to house the Enoch City Police Department next to the Enoch City Offices to include excavation, concrete footings & foundation, exterior utilities including sewer, water, power, fiber-optic internet, telephone, and natural gas main lines, framing, stucco and paint, metal roofing, 2 garage doors, framing, interior utilities including HVAC, plumbing, electrical and internet, interior finishes for three (3) restrooms, a meeting/training room, open offices for patrol officers, administrative offices, storage, evidence processing rooms, a sally port for vehicle investigations and storage. Applicant Cash \$82,000.

Enoch City submitted a revised Police Department Expansion scope of work and funding request for discussion at the October 5, 2023 CIB Meeting.

*The Enoch City Police Department Expansion project funding request was revised as a **\$1,460,000 loan for 30 years at 1.5%** for the construction of a 17,964 square foot building to house the Enoch City Police Department next to the Enoch City Offices to include excavation of the land adjacent to the current Enoch City offices, installation of concrete footing, foundation, and basement walls followed by sewer, water, power, fiber-optic internet, telephone, and natural gas main lines. External walls will consist of 2x6 wood framing with a stucco and paint finish. Trusses & metal roofing will be added. Insulation of exterior walls and the attic will be completed. Exterior and interior doors, 2 garage doors, and windows will be installed. Interior walls will be 2x4 wood framing. HVAC, plumbing, electrical, internet, drywall, paint, and various flooring materials will be included. Four (4) restrooms, two (2) mechanical rooms, server room, a meeting & training room, open offices for patrol officers, administrative offices, storage, evidence processing and storage rooms, interview rooms, interrogation & observation rooms with a holding cell, an armory and safe, and a sally port for vehicle investigations and storage. Applicant Cash \$300,000.*

Mr. Zeenati asked the applicant to explain the change of scope and funding.

The applicant indicated that after the CIB review meeting, Enoch City discussed the project in regard to future growth. The initial project would be insufficient beyond 5 years. Chief Jackson Ames and the engineers

worked on a facility that would be sufficient for 30 plus years. Through several discussions and proposals, changes were made to the square footage and funding and they have also increased the applicant cash toward the project. The space they current utilize is small and the original request was to expand the current building. This is for a stand-alone new facility which will be a long-term solution. Public Safety is one of the top concerns of the citizens of Enoch. They are requesting a lower interest rate on the increased funding.

Commissioner Adams noted the Board may be willing to approve the additional funding but at the 2.5% interest rate.

Mr. Zeenati supported the Enoch request to increase the size of their facility and the additional funding but the interest rate of 2.5% would be appropriate.

Commissioner Brown asked about the existing building that will not be expanded.

The applicant indicated it is the city offices and used to be a library. They will now be able to expand the city offices into the area occupied by the police department which is also needed.

**Naghi Zeenati made and Jerry Taylor seconded a motion to fund this project as a \$1,460,000 loan for 30 years at 2.5%.**

Commissioner Lytle appreciated their efforts and as a law enforcement officer, he recognizes the importance of this project.

Mayor Baker asked what the difference in payments would be with a 1.5% interest rate.

Mr. Keller noted it is approximately \$10,000 difference. Enoch was seeking to have the payment be similar to their intended revenue source; even though it will be a tax revenue bond. The 2.5% interest rate may require a tax rate increase in the future.

The Chairman called the question.

**Naghi Zeenati made and Jerry Taylor seconded a motion to fund this project as a \$1,460,000 loan for 30 years at 2.5%. The motion carried with the chairman abstaining.**

Enoch City expressed appreciation to the Board for providing the opportunity to construct this much needed police facility. By creating this space for their officers, they will be able to overcome some of the weighty challenges that have been and will be experienced in their important role.

#### 4.17 Bear River Water Conservancy District – Box Elder County Water Master Plan (Box Elder County) [50:49]

The Bear River Water Conservancy District Box Elder County Water Master Plan project was placed on the Priority List as a **\$250,000 grant** for a county-wide water master plan (2023 SB76 water amendment bill) to develop, conserve and protect water resources for the benefit of Box Elder County residents into the future. This plan will include four public meetings to receive public input, analysis of existing culinary and irrigation water, identify individual water sources and water rights, analyze water use data, identify existing infrastructure and future infrastructure needs, identify surplus or deficit water supply, hydrologic data, planning for future water resource development including policies, best management practices, rules and regulations and growth scenarios resulting in the creation of seven regional plans and a county-wide water master plan. Applicant Cash \$250,000.

**Prioritized Funding: \$250,000 grant**

**Ralph Brown made and Laura Hanson seconded a motion to fund this project as a \$250,000 grant. The motion carried with the chairman abstaining.**

#### 4.18 Wayne County – SITLA Easements – Class D & B Roads (Wayne County) [51:35]

The Wayne County SITLA Easements purchase project was placed on the Priority List as a **\$244,400 grant** for



the preparation of legal descriptions by a professional land surveyor and working with SITLA to execute permanent easements on approximately 96 miles of Class D roads and 3 miles of Class B roads within Wayne County.

**Prioritized Funding: \$244,400 grant**

**Jerry Taylor made and Greg Miles seconded a motion to fund this project as a \$244,400 grant.**

Ms. Hanson suggested the Wayne County request for SITLA easements may not be the best use of funds. Simply by giving the easements does not preclude the federal government from closing down the roads on either side and the CIB investment would allow only a little segment of road easements that do not connect to anything; philosophically she does not support them.

Commissioner Bartholomew indicated the easements are very critical as the government is continually asking for these roads to be shut down and other counties have received funding for SITLA easements.

Ms. Hanson acknowledged the purpose of the easements is to prevent the roads from being shut down on either side but stated having these easements does not prevent the roads from being shut down.

Commissioner Taylor noted that Garfield County is 93% federally owned and they traded away all of the SITLA ground once the monument was established. The BLM is currently working on a resource management plan which includes getting rid of these roads so there isn't any access. Without this little piece, the Counties have no hope to keep the roads open for the public to enjoy those lands.

Commissioner Adams stated several Counties have completed agreements with SITLA to purchase these easements as a protection. The federal people acknowledge the importance of keeping roads open and have not challenged the easements. They have challenged the RS2477. It would be inappropriate to deny Wayne County which has 93% federal land.

Commissioner Lytle noted the easements are not solely recreational access but include access to resources that can be guaranteed to the legal extent that an easement allows. If the Counties don't protect what they have, it can affect other revenue.

Mr. Slauch asked if SITLA retained the easement rather than the County, is there any difference from the federal government's perspective on the value of that road to the County?

Commissioner Lytle's understanding is that when the county buys the easement, it establishes that easement's ownership to the County if SITLA sells the surrounding property.

Nancy Strickland of SITLA indicated that when SITLA puts the easement in the County's name, if the SITLA land is sold, the County road remains open to the public. In regard to the Wayne County roads in this request, there is a temporary easement as long as SITLA owns the road. The County buys the easement to make it permanent.

Ms. Hanson asked if SITLA currently has plans to exchange or sell that section?

Ms. Strickland indicated there are no current plans to sell in Wayne County.

Commissioner Blackburn of Wayne County expressed appreciation for the consideration of the Board. Wayne County is only 3% privately owned and access means everything. This will help to maintain access to BLM, Forest Service and all federally owned lands in the County.

Ms. Strickland indicated it does cover all the SITLA properties in the County.

Commissioner Miles concurred that it is very important to solidify these County's right of ways and referred to

the RS2477 litigation wherein the county had to find individuals who had driven those roads to give testimony, wherein there was not much deference given for those testimonies or prescriptive easements on public lands. Deference is given to a County owned right of way so these are easements are important to hold those roads open.

*Revised Statute 2477 (R.S. 2477; Section 8 of the Mining Act of 1866) is a federal law that authorized construction of roads across federal public lands. Residents of Utah, visitors, pioneers, and settlers created and used thousands of roads across public lands for farming, ranching, hunting, recreating, mining, and connecting communities. Congress repealed R.S. 2477 in 1976, and enacted the Federal Land Policy and Management Act (FLPMA). Section 701 of FLPMA preserved all R.S. 2477 rights-of-way that existed at the time FLPMA was passed for public use. The state and counties have to rely on R.S. 2477 to establish ownership of routes that have been used continuously for ten years prior to 1976. There is no formal administrative or judicial process under FLPMA to confirm the State and counties' ownership of R.S. 2477 rights-of-way and the federal government may manage certain routes on its land without considering local, county, and State interests.*

Commissioner Brown stated Sevier County currently has 3 roads that are under protest due to no existing easements not on SITLA land. Rural counties struggle to keep these roads open for the public and SITLA lands are constantly changing hands.

Commissioner Adams noted the importance stating that 25 years ago San Juan County self-funded the purchase of easements.

The Chairman called the question.

**Jerry Taylor made and Greg Miles seconded a motion to fund this project as a \$244,400 grant. The motion carried with Laura Hanson opposed and the chairman abstaining.**

- 5. *Large Infrastructure Projects*            N/A
- 6. *Pending Projects*                        N/A

**7. Supplemental Requests                        N/A**

**7.1 Salina City – Wastewater Improvements – SUPP Funded 2-3-2022 (Sevier County) [2:55:38]**

*Funded 2-3-2022 - \$13,962,000 (\$6,981,000 Grant, \$6,981,000 Loan 30 yr. @ .5%) ~ Total \$14,562,000*

**Supplemental Request 10-5-2023 \$6,500,000 grant ~ New Project Total \$20,242,000.**

*Supplemental Funding in the same terms: \$3,250,000 Loan, 30y @ 0.5% | \$3,250,000 Grant*

*Revised CIB Total ~ \$20,242,000 (\$10,231,000 Grant, \$10,231,000 Loan 30 yr. @ .5%)*

This project consists of replacing backup generator and upgrading instrumentation at the existing lift station, the installation of a new interceptor sewer line, replacing 43,919 feet of sewer mains of various size (8” – 18”), 166 manholes, 339 service connections and cleanouts, replacing affected sewer laterals from the property line to the sewer main, a new headworks building, screens, metering, instrumentation and wash station and culinary water service line to the new headworks building.

The applicant stated that the sewer system has not received improvements for some time. In 2021 the system was scoped and cleaned to make sure the wastewater was not entering clean waters. CIB funded wastewater improvements in 2014 which was to complete the remaining improvements. COVID then caused the cost of the improvements to increase greatly. In the last two years the price dropped slightly, but the bids came in around \$21 million to \$29 million. They have selected the lowest bid wherein they will complete the final phase. If they phase the project, the costs will continue to increase.

Mr. Zeenati asked if the project is ‘shovel ready’ as of today. Where were the most significant increase determined?

The applicant stated yes; the design has been completed, the project has been bid and they will award the bid. The DWQ funding is in place. The project includes the replacement of 50 thousand feet of pipe. In 2021 the cost was approximately \$58.00 per linear foot; today the cost is \$85.00 per linear foot. All of the materials have increased to include sand, asphalt, concrete. The electrical for the headworks building increased 50%.

**Bruce Adams made and Jack Lytle seconded a motion to approve the supplemental request for a \$6,500,000 grant.**

Ms. Hanson asked by way of clarification if the motion was to fund the supplemental as requested which was a grant.

Commissioner Adams clarified his motion to be in the same terms as the original funding; a \$3,250,000 loan for 30y @ 0.5% and a \$3,250,000 grant.

*It was noted that the supplemental requests have been allocated in the financials and there is sufficient funding. The project will take approximately 18 months.*

**Bruce Adams made and Jack Lytle seconded a motion to approve the supplemental funding as a \$3,250,000 loan for 30y @ 0.5% and a \$3,250,000 grant.**

Commissioner Brown asked if the project could be phased.  
The applicant indicated the logistics are difficult as they are ready to proceed.

The Chairman called the question.

**Bruce Adams made and Jack Lytle seconded a motion to approve the supplemental funding as a \$3,250,000 loan for 30y @ 0.5% and a \$3,250,000 grant. The motion carried with the chairman abstaining.**

## **7.2 Rockville Town Local Building Authority – Maintenance Building – SUPP Funded 2-3-2022** **(Washington County) [1:20:49]**

**Funded 2-3-2022 - \$213,000 (\$54,000 Grant, \$159,000 Loan 30 yr. @ .5%) ~ Total \$213,000**

**Supplemental Request 10-5-2023 \$60,000 (\$15,000 Grant, \$45,000 Loan 30 yr. @ .5%)**

**Revised Project Total ~ \$273,000 (\$69,000 Grant, \$204,000 Loan 30 yr. @ .5%)**

This project consists of purchasing a 60' x 30' steel building to be placed on 1/3-acre of newly purchased property located behind the Town Park at 43 East Main Street to include a small office/storage room and three bays for storage of the Town equipment, (backhoe, dump truck, grader, CERT trailer, miscellaneous materials etc.), rock retaining walls, concrete drive entrance off of DeMille Road, concrete building slab and footings, 16' livestock gate, electrical, water and sewer connections and Grease/Sand Interceptor.

**Naghi Zeenati made and Scott Bartholomew seconded a motion to approve the supplemental funding as a \$45,000 loan for 30y @ 0.5% and a \$15,000 grant. The motion carried with the chairman abstaining.**

Commissioner Adams invited everyone to view the October 14, 2023 eclipse in San Juan County.

Ms. Hanson referenced a GOPB resource called the "Utah Funding Opportunities Portal" which includes planning and funding resource. It shows 150 grant opportunities which can be researched by type. It is located at <https://gopb.utah.gov/planningresources/>.

## **8. Special Consideration** **N/A**

## **9. Board Member Discussion and/or Action Items**

### **9.1 SCIC Update**

Keith Heaton, Director of Seven County Infrastructure Coalition provided an update concerning the status of the rail and other projects SCIC is involved with.

Mr. Heaton indicated there has been a lot of activity around the Uinta Basin Railway. SCIC is grateful for the funding received from the Board and the ongoing support. The project is critical to Utah. The DC circuit court ruled in favor of the opposition to the railroad. The project is being funded privately with exception of the planning and permitting which was funded by CIB. No tax payer dollars are involved. Drexel Hamilton Infrastructure Partners has completed the private equity components. SCIC and the private partners are working to move this much needed project forward. This is a common carrier railroad and will move a variety of

commodities but they have been tasked with looking at the oil and gas shipments specifically for the environmental impacts downstream. This is difficult since there isn't definitive information as to what commodities will be shipped nor where they will be shipped to so it is unclear as to where the concern is or what the study will involve. SCIC will pursue the necessary legal avenues noting *"this is a transportation project, not an oil project."* Though there are contradictions within the court itself, it is unusual for the court to turn on itself. SCIC will pursue greater clarity. The circuit court process is a long process. Environmental studies are expensive and additional funding may be requested from the CIB and the process may escalate to the Supreme Court or to a legislative option through congress. HB4280 was referenced which is the transportation, housing and urban development bill wherein there is a Curtis amendment filed October 4, 2023.

Mr. Slauch referred to the possibility of SCIC coming to CIB seeking more funding for the environmental impact studies and asked if the private entities fund those as CIB funding is limited.

Mr. Heaton stated SCIC would consider all options to fund the additional environmental studies. The private partners have secured the equity stack but it is uncertain what funding they would allocate; it depends on the assurances of the project. Many thought this project could not be done, but this Board funded the study that proved otherwise. The pursuit of additional funding from this Board would be a last resort.

Commissioner Adams indicated the approach of another legislative season wherein the Governor and other stakeholders are supportive of the project so perhaps a legislator could assist with state funding for the environmental process expenses.

Mr. Heaton indicated SCIC will consider that. This project is important to the State and especially rural Utah so he admonished all to speak to legislators in support.

Mr. Zeenati asked when the circuit court judges are up for re-election.

Mr. Heaton noted it is a life appointment. In Colorado after the decision by the court, they held a press conference on the Colorado River with their rubber rafts (made out of petroleum) hooked up to their Sprinter Vans and other gas vehicles utilizing the fuel source expounding what a great win this was for the fish in the Colorado River ignoring the likelihood that any of the Basin waxy crude would end up in the Colorado River was close to 1 in a billion and if it did, it would be an easy cleanup as it is a solid. The Union Pacific Railroad is more inclined to take the waxy crude through Utah into Wyoming as the grades in Colorado are steep and twisty. It is longer, but faster through Wyoming. There was a lot of misrepresentation but people like to hear they are saving the planet.

Commissioner Miles and Commissioner Lytle expressed appreciation for the work Director Heaton has done for the Coalition. It's been a long five years, but success is anticipated.

## **9.2 CIB Board Meeting – November 2, 2023, St. George, Utah.**

The Chairman noted the meeting and asked if there was any further discussion about the November meeting. Chairman Wells asked the Board their preference for meeting locations wherein it was noted 1385 South State in Salt Lake City was supported by the majority of Board members.

The November 2, 2023 Meeting will be in St. George and the December 7, 2023 Meeting will be at 1385 South State.

### **Chairman Wells asked if there were any other items to be discussed.**

*The list of applications submitted for the 2<sup>nd</sup> Trimester was referenced and it was suggested that at the November meeting, the Board discuss the projects submitted and the available funding. CIB has received funding requests totaling \$104,348,028 and the estimated projection of available revenue might be \$37,000,000. The statute indicates the Board is to give priority to those areas impacted defined as mineral resource development. The Board is tasked with determining the allocation of available funding.*

Commissioner Adams opposed denying an application at a meeting and suggested that the list of applications

provided be spread over trimesters pending adequate funding and delay applications for a time and not have to deny projects that have been submitted.

Ms. Hansen noted there are good projects and expressed concern about choosing which ones to hear first and would not want to choose which ones to move to the top.

Mr. Slauch stated that when a decision is made to move a project forward, it is difficult to reconsider at a funding meeting. The Board doesn't want to go back and reconsider any of the projects. He suggested having more essential water projects at the earlier meetings.

*The Board reviews each application at a review meeting and at the funding meeting the Board could deny or postpone projects. With the suggested lengthened review and funding in June, the revenue could accumulate. Water and sewer are often placed on the last review meeting of a trimester to allow the DEQ time to do their review. The most complete applications – those with all required components are placed on the first meeting agenda.*

Ms. Hansen expressed concern with putting water on the third meeting as water projects are usually the most critical projects. The Board would have allocated all the funds at the previous meetings noting a tendency toward first in the door, first in line. It's challenging to change that at the funding meeting.

Mr. Zeenati stated applicants have done their homework and have submitted their application in time, purchased rights of way and easements, designs, plans etc. so the Board should consider the applicants as well as market changes; they may be able to do the project in the current market but a delay would likely cause a cost increase. He recommended processing what has been submitted.

Ms. Hansen suggested that at review meetings the project is discussed on its merit and placed on the priority list without terms and at the funding meeting the Board decides which projects they can fund and the terms are then established.

Commissioner Adams asked if a motion could be made to place a moratorium on the February application deadline.

Chairman Wells noted this is an opportunity for action on this issue.

**Bruce Adams made a motion to place a moratorium on applications until June 2024.**

Mr. Slauch opposed a moratorium as some of the applications are for essential projects. The Board will have hard decisions to make but did not want to tell those anticipating a future application to wait while letting a pool be on the list...the Board needs to do the hard work of prioritization.

Commissioner Adams recommended postponing new applications until June which would allow the Board to consider current applications; an emergency application would be accepted.

Mr. Slauch stated that if there was a delay until June; everything would be an emergency.

Commissioner Bartholomew reviewed the list and stated the Board has always prioritized water, sewer, public safety as essential projects noting the current applications include a \$14 million pool and a \$34 million hospital.

Commissioner Adams stated that a hospital is an impact project and the Board funds according to how the County or the City is impacted. San Juan County has a 70-year old hospital that is out of date and is part of the impact in the County and should be considered.

Commissioner Bartholomew noted it is a big request.

Commissioner Adams again suggested the Board could fund over an extended period; two or three trimesters

allowing the revenue accumulate allowing the Board to fund these projects over a longer length of time.

Mr. Slauch noted project applications will continue to accrue over the extended time creating a backlog. The best and most feasible way is to say no to projects that are not essential with constricted resources. He acknowledged there are merits to every project, but at this time the Board should do some prioritization.

Mayor Baker stated that Uintah generates more revenue than all counties but the revenue is utilized for other counties and the federal statute says it is to go to the area impacted by extraction. The Board has been very generous and provided a lot of funding to areas not impacted. Applicants come to CIB instead of looking for other funding. What would happen if there was a disaster in Uintah County and the oil and gas was shut down for a year. The Board needs to be tougher, acknowledging there are needs everywhere.

Ms. Hanson agreed there are a lot of entities coming to CIB first. There are other grant opportunities but the need is much greater than the resources available. Interest rates are quite high and the CIB is *'the best game in town.'* The Board has discussed being tougher and giving higher interest rates but there is no follow through as a Board.

Mr. Slauch stated there is capital available at market interest rates. These projects can be funded through the market but it would be more expensive. There is a way to be fair to everybody knowing some will have to go elsewhere and pay 5.5%; CIB could raise the rates.

Commissioner Lytle stated the funding tool has value but the Board still looks at affordability to the communities. The funding tool and what the staff puts together helps and should be in the mix noting it is not simple. What the community can afford is important and acknowledged the efforts of staff in helping discern affordability with the applicant.

Commissioner Miles concurred with Mayor Baker that as a producing county, Duchesne has seen the ups and downs of the industry stating in 2020, Duchesne County had a \$20-million-dollar shortfall due to the drop in the price of oil and gas and in 2018 Uintah and Duchesne lost a combined \$3 billion dollars in revenue. Most counties in the State have not seen that effect; perhaps Carbon County. He noted there are huge impacts from the extraction industry. Giving funding for vehicles is a short-term asset that can be financed through a bank. "If you watch out for the dimes, the dollars take care of themselves."

Commissioner Taylor indicated Garfield and Kane are affected as there is the largest coal reserve in North America - the cleanest, highest BTU, lowest Sulphur coal in the world but the federal government will not let the counties cannot access it; Garfield and Kane could produce the revenue that would help the communities of the State.

Ms. Hanson noted that the needs are real and there are emotional connections to these communities so decisions are difficult. The funding tool is amazing but may need a little bit of updating. It accounts for financial capability, population and various other details and if the funding tool was relied on as an objective model and leaning toward the median recommendation, it could eliminate some of the emotional challenges.

Christina Oliver, Director of Housing and Development Division discussed working with Paul Moberly to clean and update the tool for the Board to utilize which will be presented to the Board to address all the assumptions being made within the tool. It is currently in draft form and the Board will be asked to look at all the assumptions utilized to make the output. The funding tool has ebbed and flowed but the intent is for the Board to utilize the tool more often than not. The 2020 Legislative Audit suggested the Board was not aligning decisions with priorities. The revised tool will be cleaner and easier to understand. The revisit provides for the new climate with inflation and interest rates, the priorities that you will be setting and the funding allocations that the tool brings. It is still under construction but will be brought to the Board for discussion.

Commissioner Lytle asked at what point the Board will approve using it or not.

Ms. Oliver stated it depends on how the discussion goes.

Commissioner Lytle said he is passionate about the fact that the Board was very involved in the original tool. He acknowledged the audit which did provide some opportunities for the Board to improve the decision-making process; the tool is a way to do it as a *tool*. There is a very important part of why there is a Board and why there are exemptions to utilize when the Board chooses to go away from the tool which is a great base to make Board decisions; to preclude being judged as being arbitrary or capricious in the Board's efforts.

Ms. Oliver indicated it is a product that is being produced for the Board to look at; not creating a tool for you to simply apply. There will be an outline of how the existing tool works, providing all the different changes over the past two years and the new model will be presented for the Board to contemplate and discuss which is why there is not a definitive time when this will be deployed. It will be Board driven and modifications to the draft model will be made after feedback from the Board together and include suggestions for some cleanup. The Board will revisit all the assumptions and today's financial changes.

Commissioner Lytle asked if that would be something you would be moving toward in the spring.

Ms. Oliver indicated it is whenever the Board determines.

Chairman Wells noted that this is subsequent to the discussion at the policy meeting in Monticello where Paul Moberly provided a presentation about the tool and the Board discussed a revisit to improve the tool. It's an ongoing project. The Board will review the revised funding tool once the updated model is ready for a review by the Board.

Commissioner Adams noted the Board has been using the tool a lot more for the past year and every Board member looks at the minimum – maximum and tries to stay within the tool.

Commissioner Miles suggested holding off a decision as to how to proceed regarding applications until the November meeting which will allow time to think through the discussion and how to best handle the current revenue and requests.

Chairman Wells indicated this will be a discussion item on the agenda at the beginning of the November 2, 2023 Meeting.

### **ADJOURNMENT**

The next meeting of the Permanent Community Impact Board will be November 2, 2023 in St. George, Utah.

The meeting adjourned at 11:53 am.

Submitted by:  
Candace Powers