

# Utah Inland Port Authority Board | 2018

## Utah Inland Port Authority Board Meeting Minutes

July 30, 2018 • 10:00 a.m. – 12:00 p.m.

320 State Capitol

Senate Office Building, Room 210

Salt Lake City, UT 84111

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**Board Members Present:** Carlos Braceras, D. Gregg Buxton, Stuart Clason, Lara Fritts, Ben Hart, Michael Jensen, Derek Miller, Garth “Tooter” Ogden, James Rogers, Francis Gibson

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**Board Members Absent:** Nicole Cottle

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**Others participating in meeting and staff:** Governor Gary R. Herbert, Val Hale, Christopher Pieper, Larry Shepherd

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**Others in attendance:** Kathy VanDame, Terry Marasco, Naomi Franklin, Richard Holman, Vickie Samuelson, Claire Dinehart, Jennifer Bruno, Nick Tarbet, Dan Weist, Jessica Reimer, Josh Brown, Michael Shea, Thom Carter, Sarah Kennedy, Aimee Edwards, Travis Lish, David Jacobs, Nigel Swaby, Lisa Hartman, John Pearce, Sam Johnson, Eric Bunderson, Lynne Mayer, Michael O’Malley, Tom Wadsworth, Ann B. Connell, Linda Hull, Michael Mower, Debbie Sigman, Deeda Seed

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### Welcome

Governor Gary R. Herbert welcomed all to this meeting of the Utah Inland Port Authority Board and took a roll call of members present. He noted the nature of the opportunity that an inland port offers and the potential for significant and positive economic expansion and growth in the greater Salt Lake metropolitan area.

The governor offered the board suggested items for the meeting agenda to follow the swearing in, including the selection of a board chair, setting a budget, hiring an executive director, setting up processes for public input and meetings with cities, and county, and state leaders whose constituents are impacted by the port.

### Administration of Oath of Office for Board Members

Conducted by Justice John A. Pearce of the Utah Supreme Court

### Board Officer Election

Governor Herbert opened nominations for the position of board chair.

### Motion:

Francis Gibson moved that the board appoint Derek Miller as chairman with James Rogers as vice chair for a one-year term, eligible to seek reelection.

Michael Jensen seconded the motion.

Motion was approved unanimously.

### Discussion:

Chairman Miller expressed gratitude for governor’s leadership and the leadership of the legislature and Salt Lake County and Salt Lake City in creating the port authority.

He noted that this process is still in its early stages with many questions yet to be answered. He thanked members of the public in attendance for their interest and invited their patience as the board works toward answers to the many questions they have. He pledged his intent for transparency and public input and asked for the following motion.

### Motion:

Michael Jensen moved that the board accept and follow the Utah Open and Public Meeting Act.

Garth “Tooter” Ogden seconded the motion.

Motion was approved unanimously.

### Discussion:

Vice Chairman Rogers thanked the board for its confidence in voting him to the position of vice chair and noted that the inland port is a great opportunity for the state, the county and the residents of Salt Lake City Council District 1. He presented a t-shirt to each board member in recognition of the west side and the many languages spoken there.

Governor Herbert was excused to attend another meeting.

Chairman Miller listed some of the items the board needed to address including the creation of board bylaws, establishment of a subcommittee for an executive director search and a subcommittee on the budget, staffing of the board until the executive director is in place.

**Motion:** Francis Gibson moved that the board use Salt Lake County to staff the Utah Inland Port Authority until such time as an Executive Director is in place and has a team to provide staffing. County staff will set up meetings, determine meeting locations, create minutes and other documentation, invite members to meetings and provide other staffing under direction of the board chair and vice chair

Gregg Buxton seconded the motion.

Motion approved on a vote of 9-1.

**Discussion:**

Ben Hart suggested that the board consider three subcommittees, one to oversee the search for an executive director, one to oversee the budget, and a third to oversee tax increment financing.

**Motion:**

Stuart Clason moved that the board establish subcommittees for the finding of an executive director, a subcommittee for setting a budget, and a subcommittee on tax increment financing.

Garth "Tooter" Ogden seconded the motion.

Motion was approved unanimously.

**Motion:**

Michael Jensen moved that the board create an executive director search subcommittee chaired by James Rogers and with Michael Jensen, Gregg Buxton, and Carlos Braceras as members.

Stuart Clason seconded the motion.

Motion was approved unanimously.

**Motion:**

Francis Gibson moved that the board create a business plan and budget subcommittee with Ben Hart, Francis Gibson, Garth "Tooter" Ogden, and Lara Fritts as members.

**Discussion:**

Vice Chairman Rogers offered printed materials to each board member with considerations and public input for this subcommittee and the board.

Lara Fritts seconded the motion.

Motion was approved unanimously.

**Motion:**

Francis Gibson moved that the board create a tax increment finance subcommittee chaired by Ben Hart and with Francis Gibson, Lara Fritts, Nicole Cottle and Stuart Clason as members and to revise the business plan and budget subcommittee to include Derek Miller. (Name of subcommittee later changed to the more accurate Tax Differential Subcommittee)

Michael Jensen seconded the motion.

Motion was approved unanimously.

**Discussion:**

Chairman Miller recommended to the search committee that they look at the feasibility study report done for the Inland Port Exploratory Committee and its information on important job requirements and duties and as they put together a job description for the executive director position.

The board discussed the creation of advisory groups as mentioned in the amended inland port legislation from the recent special session. Board members who serve in the legislature noted the value of this input and expertise from the community but suggested that the creation of those groups was premature at this time.

Vice Chair James Rogers suggested that board meetings be held within Salt Lake City Council District 1, the area most impacted by the inland port and suggested the new Westpointe Center.

Chairman Miller suggested an organized field trip of the inland port area for board members.

**Motion:**

Gregg Buxton moved that the board accept the offer of Salt Lake Community College to use the facilities at its Westpointe Center for board meetings at least once a quarter and to hold those meetings later in the day to facilitate the attendance of community members.

Ben Hart seconded the motion.

The motion was approved unanimously.

**Discussion:**

The board discussed the best dates and times for scheduling regular board meetings. Chairman Derek Miller suggested that the subcommittees meet within the coming two weeks.

**Motion:**

Ben Hart moved that the board hold bi-monthly meetings, once a month meetings of the full board, and once a month meetings of the subcommittees and that the board adopt the following electronic meeting policy.

- A. These provisions govern any public meeting at which one or more members of the Inland Port Authority Board may appear electronically or telephonically pursuant to Utah Code 52-4-207.
- B. The meeting notice will specify the anchor location where members of the board not participating electronically or telephonically will be meeting and where interested persons and the public may attend, monitor, and where applicable may participate in the open portions of the meeting.
- C. Board members are permitted to participate electronically or telephonically. Board members should give reasonable notice to the chair of intent to participate electronically or telephonically. Any member of the board appearing electronically or telephonically will be counted as present for purposes of a quorum and may fully participate in the discussion and vote on any matter. At the commencement of the meeting and when any member of the board appears electronically or telephonically the chair will identify for the record all those who are appearing telephonically or electronically. The chair will confirm on the record any votes by members of the board who are not at the physical location of the meeting.

Vice Chair James Rogers seconded the motion.

The motion was approved unanimously.

**Discussion:**

The board agreed that its next meeting would be held on Thursday, August 23<sup>rd</sup> starting sometime between 4:00 pm and 6:00 pm and that the subcommittees would organize their own meetings prior to the full board meeting on August 23<sup>rd</sup>.

**Motion:**

Carlos Bracerias moved that the board use State of Utah Human Resources policies and procedures in hiring an executive director.

Gregg Buxton seconded the motion.

The motion was approved unanimously.

**Discussion:**

The board discussed the importance of input from others with experience and expertise and taking of public comments, with the board establishing a website to post materials and accept input. The board also discussed keeping rural areas of the state informed of Inland Port Authority activities.

Stuart Clason offered to have the county establish a website for the Inland Port Authority. That offer was accepted by Chairman Miller without objection from the board.

The board also discussed potential board meeting agenda items, including presentations and briefings from cities and Salt Lake County on projects currently underway within the port jurisdictional area and understanding the Community Investment Board and Seven County Infrastructure Commission. Chairman Miller noted that in its staffing role, Salt Lake County would draft meeting agendas and include items like those discussed, taking input on additional agenda items from other board members while understanding board's time constraints and most urgent priorities.

Chairman Miller asked Lara Fritts to take charge in finding a date and organizing the board field trip discussed earlier.

**Motion:**

Francis Gibson moved that Derek Miller serve as chairman of the business plan and budget subcommittee.

Lara Fritts seconded the motion.

The motion was approved unanimously.

**Discussion:**

The board discussed their desire to be transparent in their duties, while noting that certain negotiations and activities of the board would of necessity be closed to the public. In all instances the board would adhere to the State of Utah open and public meetings act.

**Motion:**

Lara Fritts moved that the Utah Inland Port Authority Board use the legal representation of the State of Utah Attorney General's office until such time as an executive director is hired.

James Rogers seconded the motion.

The motion was approved unanimously.

**Discussion:**

Chairman Miller opted to postpone the Inland Port Exploratory Committee History and Findings agenda item to a future meeting to open the final 30 minutes of the meeting to public comment.

**Motion:**

Michael Jensen moved that public comment offered during the remainder of this meeting be limited to three minutes per person.

Ben Hart seconded the motion.

The motion was approved unanimously.

**Public Comment:**

The following members of the public in attendance offered public comments:

Kathy Van Dame, Wasatch Clean Air Coalition. (Air quality)  
Richard Holman, Westside Coalition. (Creation of community impact committee)  
Terry Marasco, Utah Moms for Clean Air. (Air quality)  
Vickie Samuelson, League of Women Voters. (Open meetings)  
Jessica Reimer, HEAL Utah. (Environmental advisory council)  
Debbie Sigman, Breathe Utah. (Collaboration with board on environmental issues)  
Deeda Seed, Center for Biological Diversity. (Air quality)

**Discussion:**

The board discussed the application of the Open and Public Meetings Act to board subcommittees. Board subcommittees will not constitute a quorum of board members. Subcommittees have no decision making authority. Operation of subcommittees and the consideration of confidential matters will be handled according to the provisions of that act.

**Motion:**

Carlos Bracerias moved that the meeting adjourn.

Stuart Clason seconded the motion.

Motion was approved unanimously.