

Draft Minutes

Land Trusts Protection & Advocacy Committee

Tuesday, October 8, 2025, 10 a.m.–12 p.m.

Anchor Location: 310 S Main St., Ste. 1275, Salt Lake City, UT 84101

In-Person Participants:

Richard Ellis, Advocacy Committee Chair
Paula Plant, Advocacy Committee Vice Chair
Louie Cononelos, Advocacy Committee
Roger Barrus, Advocacy Committee
Brad Benz, Advocacy Committee
Kim Christy, Advocacy Office Director
Jessie Stuart, Advocacy Office Assistant Director
Liz Mumford, Advocacy Office Program Manager
Stephanie Barber-Renteria, Trust Lands
Administration (TLA)

Sheri Mattle, PTA Trust Lands Specialist
Paul Tonks, Attorney General's Office

Zoom Participants:

Peter Madsen, SITFO Director, CIO
Brittany Griffen, Utah State Treasurer's Office
Cindy Lowe, JJYS
Kira Bennett, School Children's Trust Compliance
Specialist

1. Call meeting to order
Meeting called to order by Chair Ellis at approximately 10:00 a.m.
2. Chair's report
Noted meeting of draft legislation and the work of the office in Land Trust Advocacy amendment bill.
3. Approval of minutes
Mr. Cononelos motioned to approve the July 8, 2025, meeting minutes. Mr. Benz seconded. The vote was unanimous in the affirmative.
4. Calendar and confirmation of meeting dates
Upcoming meeting dates for Trust System entities were provided in the packet.
5. Stakeholder and public input
Ms. Mattle commented that Utah PTA is celebrating its 100th anniversary on October 9th. She will be highlighting PTA's legacy in advocating for Utah Trust Lands.
6. Trust System reports

Trust Lands Advisory Committee (TLAC) Report:

Ms. Plant provided updates on several items previously reported to the Advocacy Committee, including the following:

- Emerging Charter Schools Definitions: Work on defining the different types of emerging charter schools is currently on hold due to broader discussions at the Utah State Board of Education (USBE). USBE is considering how new definitions could affect overall school funding, not just School LAND Trust funding.

- **Utah Schools for the Deaf and Blind Trusts:** These trusts recently underwent two audits, an interim audit by the USBE Board and a legislative audit. Ms. Plant expressed appreciation to Mr. Paul Tonks for his assistance with questions that arose during these audits, particularly regarding how the trusts should be treated as separate entities.
- **Trust Distribution Account Monitoring:** The School Children's Trust Section (SCT) at USBE now has access to monitor the Trust Distribution Account, which holds School Trust distributions before they are sent to individual schools. Currently, there is no statute allowing excess interest in this account to be returned to the Permanent School Fund. Proposed statutory changes from the Advocacy Office's Study Group would allow for a reduction in a trust beneficiary's annual distribution when excess funds are available.
- **Code and Rule Review:** SCT and its advisory body, TLAC, continue to review statute and administrative rules to clarify and streamline current processes. Two bills resulting from this review are ready to move forward, along with several rule changes that will be presented to the USBE Board at its November and December meetings.
- **Study Group Report:** A report from the Advocacy Office Study Group is anticipated to be scheduled for the November State Board Finance Committee meeting.

Ms. Plant emphasized SCT's commitment to administering the School LAND Trust program in the same manner expected of School Community Councils (SCCs) with data-based decisions and prioritizing concerns.

She noted that Ms. Kira Bennett, Compliance Specialist, will present at the next Advocacy Committee meeting on SCT's process for identifying priorities, implementing changes, and monitoring compliance.

Ms. Plant also reviewed proposed legislative changes:

- *Utah Code 53G-7-1206:* Sponsored by Tracy Miller, this bill removes outdated digital citizenship requirements, eliminates language that limits parent involvement, and clarifies that any change in council membership must be reflected in the council's dated Rules of Order and Procedure.
- *Utah Code 53G-7-1205:* Sponsored by Representative Thurston, this bill clarifies that in their first year of operation, charter schools may use their charter board as their School Charter Trust Land Council, even if the board does not have parent-majority.

SITFO Report:

Mr. Madsen provided a staff update, noting the departure of Hayden Bergeson. Two investment analyst positions have been posted, along with a second administrative assistant position to support the investment management team.

He announced that the SITFO Summit will take place December 4–5 and provided a brief overview of the event's agenda.

Mr. Madsen also shared a Fiscal Year 2026 budget outlook, noting that SITFO is forecasted to come in under budget.

SITFO's investment objective is inflation plus 5%. Although fiscal year 2025 was a challenging year in which to meet this target, performance was on track by year-end. Mr. Madsen concluded his presentation with a performance summary for the total portfolio.

Trust Lands Administration (TLA) Report:

Ms. Barber-Renteria presented on behalf of TLA. Fiscal Year 2025 was one of TLA's highest revenue-generating years, with a total of \$142.2 million: development, \$64.7 million; energy and minerals, \$58.3 million; surface resources, \$10.9 million; and surface sales, \$8.3 million.

As of September 15, the agency has undergone an internal reorganization referred to as "Trust Lands Remapped." The agency's vision for this initiative is to prioritize a more strategic focus, standardize processes to drive consistency, and leverage the strengths of the entire team.

The restructure has established deputy director positions aligned with these priorities:

- Deputy Director of Strategic Initiatives, focusing on strategic opportunities, land planning, and large-scale, long-term real estate projects.
- Deputy Director of Energy and Land Resources, focusing on traditional revenue generation through energy, minerals, surface leasing and sales, and land stewardship.
- Deputy Director of Operations, focusing on agency culture, integration of operations and business transactions, and day-to-day operations.

Ms. Barber-Renteria noted that these organizational changes will not impact the agency's overall budget. An organizational chart is provided in the Advocacy Committee meeting packet.

Mr. Cononelos asked whether the reorganization would change the board committee's composition. Ms. Barber-Renteria reported that the committees would largely remain the same, though some new committees may be formed in addition to those currently in place.

Ms. Plant inquired about articles she has read in the news about land management coming from Washington DC and how that might impact the administration of TLA. Ms. Barber-Renteria reported that the structuring and adaptations they are making internally are in alignment with the direction they see these are moving.

Protection & Advocacy Office (Advocacy Office) Report:

Adoption of Proposed Advocacy Policies:

Ms. Stuart reminded the Advocacy Committee that as part of the April 8, 2025, Advocacy Committee meeting, the office has actively begun the process of developing internal policies to establish clear, consistent guidance in fulfilling office duties.

Included in the October 8, 2025, meeting packet were two new proposed policies: Conflict of Interest Policy and Annual Director Evaluation Policy; each have been reviewed and vetted by Chair Ellis, Vice-Chair Plant, and Assistant Attorney General Paul Tonks.

Ms. Stuart provided a summary of the Conflict-of-Interest Policy. In conjunction with the policy, the office has created 'Disclosure of Conflict-of-Interest Form'; and Certification of Completion Form'.

Mr. Cononelos informed the committee that he has had a 40-year association with the College of Mines and was recently approached by a department to serve as a consultant. He declined the opportunity, citing a potential conflict of interest, and expressed strong support for the policy.

Mr. Cononelos motioned to approve the Conflict-of-Interest Policy, and Ms. Plant seconded. The committee voted unanimously in favor. At the January Advocacy Committee meeting, a brief training on laws related to the Conflict-of-Interest Policy will be provided, and signed disclosure forms along

with certificates of completion will be collected from committee members at that time.

Ms. Stuart provided a summary of the Director Evaluation Policy. Current statute outlines that an annual evaluation of the Advocacy Director be conducted. This policy provides a procedure to guide the process. Ms. Stuart noted the bill draft for our office places strong emphasis on governance and includes evaluation, compensation review and suggests language for getting feedback from interested parties to make it more of a comprehensive process.

This policy incorporates those elements, while also providing enough flexibility to the Advocacy Committee chair to guide how feedback is gathered and evaluated. With Director Christy's evaluation today, it would not be practical to implement the full policy immediately. It was suggested that the policy be adopted but not take full effect until the next evaluation cycle.

Mr. Cononelos motioned to approve the Director Evaluation Policy, and Mr. Benz seconded. The committee voted unanimously in favor.

Budget Review:

Ms. Stuart reported that the office came in under budget for FY25, and FY26 is projected to remain within budget. Travel will be limited this year, and no salary increases are planned.

Ms. Stuart explained that the budget process is coordinated through the Governor's Office of Planning and Budget (GOPB), which works closely with all state agencies and expressed appreciation to the Treasurer's Office in submitting and managing the Advocacy Office's base budget annually.

Communications & Outreach

Ms. Stuart reported on the success of the media event on Sept. 2nd at Whittier Elementary which highlighted the 2025-26 distributions and visits to classrooms. In addition to the media who attended the event, coverage continued to grow organically as other news outlets circulated the information in their own communities. As a result, the office saw 20+ news outlets all across the state including TV (Fox 13, Ch 2, KSL), radio, print and digital news cover the story on School LAND Trust distributions.

In addition to the highlights at Whittier Elementary, the office worked closely with schools in Emery, Sevier, Cache, Washington, and Uintah/Duchesne emphasizing the local impact in each of these areas. Local stories focused on college and career readiness, literacy gains, foundational learning for young students, and strong community engagement.

The relationships that were built with media were positive and the office foresees the building of those relationships being very helpful with future efforts.

Upcoming outreach initiatives include continued legislative outreach and individualized School LAND Trust Data sheets for each legislator, annual Trust Legislative & Beneficiary Breakfast on Oct. 14th, and PTA Advocacy Conference on Nov. 13th.

Mr. Cononelos inquired about individualized School LAND Trust Data sheets and if they were being created for county commissioners. The office said they could look into it.

Study Group Updates

Ms. Mumford updated the Advocacy Committee on the Advocacy Study Group timeline and dates that were significant in the process including the unanimous approval to create a statutory proposal. A

bill file has been drafted by LRGC, the Advocacy Study Group will be meeting Oct. 9th to vote to approve the draft forward. The bill will be sponsored by Senator Owens and Representative Burton. The proposed amendment to the office provides a comprehensive solution to every audit recommendation. In addition, the extensive stakeholder engagement that was facilitated throughout the process will strengthen the office and trust system.

The office is scheduled to give an interim presentation on Oct. 14th as a compliance report to the Transportation and Infrastructure Appropriations Subcommittee and on Oct. 15th to the Natural Resources Interim Committee to seek committee endorsement. Mr. Christy and Ms. Mumford have been actively trying to meet with each member of the interim committees one-on-one to discuss the bill file and answer any questions. Mr. Barrus will join Ms. Mumford and Mr. Christy in meeting with President Adams. Rep. Burton will be reaching out directly to speaker Schultz and Rep. Snider. There have been constructive conversations with Rep. Walter and it is believed that he does not have intentions to run anything opposing the efforts of the study group.

Ms. Mumford noted that the bill places strong emphasis on governance, proposing to rename the Advocacy Committee as the "Advocacy Council" and expand its membership by two. One new member would represent institutional beneficiaries, and the other would be appointed at the Council's discretion from an area that would best support the Trust System's current needs.

Trust Beneficiary Updates:

Ms. Mumford informed the Advocacy Committee of several updates pertaining to the trust beneficiaries:

- FY 26 Distributions have been announced by SITFO and will be sent out in quarterly installments
 - Individual schools will be distributed funds in the 2026/27 school year. Quarterly distributions are transferred from SITFO to the Trust Earnings Account at the Utah State Board of Education. Funds accrue there for a year while School LAND Trust plans are developed by SCCs.
 - Distributions to Colleges of Education are distributed annually between six public universities based on the number of bachelor level teaching degrees awarded. The distribution will be sent in the summer of 2026 when graduation data becomes available.
 - The FY26 distributions reflect an increase from 4% to 5% of the 20-quarter rolling average market value of each permanent fund, resulting from the passage of Amendment B. Strong trust land revenues and prudent investment continue to increase the permanent fund each year.
- Communications to beneficiaries continues to be a focus of the office including fall beneficiary visits, notifications to beneficiaries regarding transactions they impact their respective trusts, customized distribution notices.

Ms. Mumford noted the significant increases on both land and investment activity going towards all funds combined, with \$126.4 M revenue from TLA in FY25 and \$256.8 M from investment growth.

Mr. Benz suggested high level numbers be presented to the Advocacy Committee each quarter to see how the land revenue and investments are increasing or decreasing in a given quarter and noted the incredible growth of the fund having reached over \$4 billion.

Ms. Plant noted the unique position the Trust is in with being able to distribute nearly the same amount from the permanent funds as TLA generates in one year.

2026 General Session Preparation

Mr. Christy noted the number one priority for the 2026 General Session is the Land Trusts Protection and Advocacy Office Amendments bill file. Mr. Barrus inquired if the Office of Legislative Auditor General (OLAG) has been included through this process and Mr. Christy confirmed they have been.

Senator McKell introduced legislation in 2025 General Session addressing the ownership of geothermal resources, particularly in “split estate” situations where surface and mineral rights are held separately. The bill sought to clarify that geothermal resources are recognized as part of the surface estate, which could have significant implications for some trust beneficiaries.

An exemption for TLA was proposed, but the bill did not ultimately pass. The issue remains under close observation for potential future sessions, given the possible impact on how geothermal resources are managed and how this could impact revenue to beneficiaries.

Outstanding Quantity Grants & In Lieu Selections

Mr. Christy noted that some federal land grant obligations to Utah’s trust beneficiaries remain unresolved even after 131 years of statehood. With current federal administrative conditions more favorable than in past decades, there may be an opportunity to make progress on addressing these outstanding balances. Director Christy and Ms. Mumford recently spoke with Redge Johnson, Director of PLPCO, who agreed it is a timely opportunity to engage the Governor’s Office to raise awareness and build momentum toward resolving these long-standing obligations.

One Year Report on OLAG Audit

Ms. Mumford confirmed that the office prepared and submitted a response, with supporting documentation, to the second 180-day audit follow-up request from the Office of the Legislative Auditor General (OLAG). OLAG’s next step is to publish a summary of all audits completed in the past year, including progress on recommendations on a dashboard on its website. Because final completion of the Advocacy Office’s recommendations depends on legislative action, the dashboard will not yet show full resolution. However, the office remains in compliance and is continuing to work through the process.

Unclaimed Property 75-2-105 Update

In cases where individuals with mineral interests pass away without any heirs, Utah law provides that public schools may become the beneficiaries of those financial assets. In such instances, any associated assets transfer to the Trust Lands Administration (TLA) for management. Dennis Johnston, Administrator of Unclaimed property has initiated an audit process that will begin looking into what the reality of these mineral interests might be. The process may take several years, and the amount of potential assets and proceeds is still unknown.

Closed Session

Pursuant to Utah Code §53D-2-202(1)(c) regarding the annual review of the Advocacy Office Executive Director, the Advocacy Committee entered a closed session under Utah Code §52-4-205(1)(a) to discuss the character and professional competence of an individual. Mr. Cononelos motioned to enter closed session, Mr. Barrus seconded. Vote was unanimous.

Adjourn

Once in open session, Mr. Cononelos moved to adjourn. Ms. Plant seconded. The vote was unanimous in the affirmative.