

Board of Trustees Meeting Minutes

Thursday, November 19, 2020

9:00 a.m.

VIRTUAL ELECTRONIC MEETING

This meeting was conducted via Zoom. Interested parties, including members of the public or representatives of county governments or Utah Tribes, attended the meeting electronically.

Attending

Board

Roger Barrus, Chairman
Don Foot, Vice-Chairman
Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

Staff & Participants

Dave Ure, Director
Scott Ruppe, Deputy Director
Darren Baggs, Technical Support
Ron Barton, Special Agent, AG's Office
Keli Beard, Legal Counsel
Andy Bedingfield, Resource Specialist, Mining
Mike Brown, Director, IT
Tim Donaldson, Assistant Director, Legislative & Solar
Chris Fausett, Deputy Assistant Director, Surface
Troy Herold, Project Manager, Planning & Development
Mike Johnson, Chief Legal Counsel
Lisa Jones, Executive Assistant to the Board of Trustees
Aaron Langston, Project Manager, Planning & Development – St. George
Deena Loyola, Public Information Officer
Michelle McConkie, Assistant Director, Surface
Kyle Pasley, Assistant Director, Planning & Development
Paula Plant, Acting Director, Land Trusts Protection & Advocacy Office
Chris Shiraldi, Legal Counsel
Jessie Stewart, Executive Assistant, Land Trusts Protection & Advocacy Office
Ron Torgerson, Deputy Assistant Director, Surface – Richfield
Tyler Wiseman, Resource Specialist, Oil & Gas

At 9:02 a.m., Chairman Barrus welcomed the Board, staff, and members of the public who were watching on a Zoom call. He read the document authorizing the virtual electronic meeting.

Mr. Mower moved and Mr. Woodbury seconded a motion to approve the minutes from the October 15, 2020 Board meeting. The vote was unanimous in the affirmative, with Mr. Harris absent.

Aye	Nay	Absent
Roger Barrus		Bryan Harris
Don Foot		
Dave Donegan		
Mike Mower		
Warren Peterson		
Rick Woodbury		

The Chair then confirmed upcoming meeting dates, noting that there will be no December meeting.

Mr. Trepanier provided public comment. He spoke to his concern that agenda item 11g posed problems because it allegedly contradicts Utah Code §53-1-204.

Ms. Loyola showed a new video that was produced in coordination with the Land Trusts Protection & Advocacy Office that illustrates SITLA Funds in the Schools. Mr. Mower thanked her, praised the group's efforts, and asked that the video be distributed widely to assist in educating the public, particularly legislators, PTAs, and Principals, about the work the trust system does and how the trust beneficiaries profit as a result.

Chairman Barrus thanked the staff, business partners, community councils, and the Land Trusts Protection & Advocacy Office for each doing their part to make SITLA successful, especially during these difficult times.

Mr. Barton made a presentation of challenges to protect SITLA assets. It can be found at <https://www.utah.gov/pmn/files/661281.pdf>. Chairman Barrus and Mr. Peterson spoke to the issue.

Chairman Barrus expressed gratitude to the SITLA team for their great work in 2020.

Ms. Plant presented an Advocate's Report. She explained that she and Ms. Stuart have met with each of the beneficiaries and leaders for SITLA revenue groups. She noted that the office will be working more on advocacy than "protection." She spoke about the projects the office is undertaking: preparing a 1-page report for each beneficiary; meeting with state legislators; distributing the new video the week following Thanksgiving; and consolidating beneficiary requests and concerns. She also noted that the Advocacy office was able to participate in all Board sub-committees and provide input from beneficiaries. She updated the Board on the ongoing process of hiring a new Director.

Mr. Pasley introduced Mr. Langston who provided a brief notification item: Notice of a 100-Acre Lease for an RV Park – Big Water, Kane Co. Chairman Barrus and Mr. Mower spoke to the issue.

Director Ure gave his report. Regarding the special agent's report, he mentioned: 1) Prosecuting attorneys are reluctant to prosecute their local citizens; 2) Perhaps it's time for a 2nd special agent from the AGs office to help patrol the state in light of increased problems. Regarding the State Water Development Taskforce, the Director pointed out that the Lake Powell Pipeline is important to SITLA. Mr. Peterson added that St. George area needs the pipeline as a secondary source of water.

Board Action Items

Mr. Bedingfield reported on the OBA Limestone Royalty Agreement and Surface Exchange – Near Cricket Mountain Mine, Millard Co. The presentation can be found at <https://www.utah.gov/pmn/files/661283.pdf>. Mr. Foot affirmed that the Mining committee had reviewed the OBA and encouraged the Board to approve it. Mr. Mower and Mr. Peterson spoke to the issue. Mr. Foot moved that the Board approve the OBA. Mr. Donegan seconded the motion. The vote was unanimous in the affirmative.

Aye	Nay	Absent
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Roger Barrus		
Don Foot		
Dave Donegan		
Bryan Harris		
Mike Mower		
Warren Peterson		
Rick Woodbury		

Mr. Pasley described the history of the project and Mr. Langston introduced the Major Development Transaction – Green Springs +/- 570 Acres – Washington Co. The presentation can be found at <https://www.utah.gov/pmn/files/661285.pdf>. Chairman Barrus affirmed that the Real Estate committee had reviewed the proposed transaction and encouraged the Board to approve it. Mr. Woodbury and Mr. Harris spoke to the issue. Mr. Woodbury moved that the staff move forward with negotiations. Mr. Harris seconded the motion. The vote was unanimous in the affirmative.

Aye	Nay	Absent
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Roger Barrus		
Don Foot		
Dave Donegan		
Bryan Harris		
Mike Mower		
Warren Peterson		
Rick Woodbury		

Mr. Pasley described the history of the project and Mr. Herold introduced a Major Development Transaction – TAD & St. John Development Blocks – Rush Valley, Tooele Co. The presentation can be found at <https://www.utah.gov/pmn/files/661287.pdf>. Chairman Barrus affirmed that the Real Estate committee had reviewed the proposed transaction and encouraged the Board to approve it. Mr. Mower moved that the Board approve the transaction. Mr. Woodbury seconded the motion. The vote was unanimous in the affirmative.

Aye	Nay	Absent
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Roger Barrus		
Don Foot		

(TAD & St. John Development Blocks Motion Vote Continued)

Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

Mr. Pasley introduced an Exercise of First Option Takedown Under DEVL 1113 – Washington Co. Chairman Barrus affirmed that the Real Estate committee had reviewed the proposed transaction and encouraged the Board to approve it. Mr. Harris moved that the staff move forward on the project. Mr. Mower seconded the motion. The vote was unanimous in the affirmative.

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
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Roger Barrus
Don Foot
Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

Mr. Torgerson introduced the 2020/2021 SITLA Fire Rehabilitation/Habitat Enhancement Expenditures – Stewardship Funding. The presentation can be found at <https://www.utah.gov/pmn/files/661289.pdf>. Mr. Donegan and Mr. Peterson spoke to the issue. Mr. Peterson moved that the Board approve the funding request. Mr. Foot seconded the motion. The vote was unanimous in the affirmative.

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
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Roger Barrus
Don Foot
Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

Mr. Wiseman presented the Oil, Gas, and Associated Hydrocarbons Leases: Lion OBA – Sanpete Co. The presentation can be found at <https://www.utah.gov/pmn/files/661291.pdf>. Mr. Donegan affirmed that the Minerals committee had reviewed the proposed transaction and encouraged the Board to approve it. Mr. Peterson spoke to the issue. Mr. Donegan moved that the Board approve the OBA. Mr. Foot seconded the motion. The vote was unanimous in the affirmative.

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
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Roger Barrus
Don Foot

(Lion OBA Motion Vote Continued)

Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

Ms. McConkie introduced an amendment to the Surface Group's Right of Entry Rules (R850-41). The presentation can be found at <https://www.utah.gov/pmn/files/661293.pdf>. Mr. Mower and Mr. Peterson spoke to the issue. Mr. Peterson moved that the Board approve the draft rules and encourage staff to move them to the next phase of the administrative rules approval process. Mr. Woodbury seconded the motion. The vote was unanimous in the affirmative.

Aye	Nay	Absent
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Roger Barrus
Don Foot
Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

Deputy Director Ruppe proposed a wage range increase for IT Director per state DTS directive. Mr. Foot moved that the Board approve the new wage range. Mr. Harris seconded the motion. The vote was unanimous in the affirmative.

Aye	Nay	Absent
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Roger Barrus
Don Foot
Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury

At 11:47 a.m., Mr. Mower moved that the Board move into a closed session pursuant to Utah Code §52-4-205(1)(a) for a discussion of the character, professional competence, or physical or mental health of individuals. Mr. Foot seconded the motion. The vote was unanimous in the affirmative.

Aye	Nay	Absent
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Roger Barrus
Don Foot
Dave Donegan
Bryan Harris

(Closed Session Vote Continued)

Mike Mower
Warren Peterson
Rick Woodbury

Attending

Roger Barrus
Don Foot
Dave Donegan
Bryan Harris
Mike Mower
Warren Peterson
Rick Woodbury
Dave Ure

At 12:31 p.m., Mr. Woodbury moved that the Board return to an open session. Mr. Foot seconded the motion. The vote passed with Mr. Harris not voting. Check the recording.

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Roger Barrus		Bryan Harris
Don Foot		
Dave Donegan		
Mike Mower		
Warren Peterson		
Rick Woodbury		

At 12:32 p.m., Mr. Mower moved that the Board adjourn. Mr. Woodbury seconded the motion. The vote passed with Mr. Harris not voting.

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Roger Barrus		Bryan Harris
Don Foot		
Dave Donegan		
Mike Mower		
Warren Peterson		
Rick Woodbury		

Lisa J. Jones

Executive Assistant to the Board of Trustees

January 21, 2021