Point of the Mountain State Land Authority Board

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**Meeting**

**September 14, 2021**

U**MINUTES**

**Members in Attendance:**

Representative Lowry Snow, Co-Chair

Jim Russell

April Cooper

Commissioner David Woolstenhulme

Senator Lincoln Fillmore

Representative Steve Handy

Mayor Troy Walker

Dan Hemmert

Alan Matheson, Director

**Others in Attendance:**

Mike Mower Governor’s Office

Steve Kellenberg Kellenberg Studio

Erin Talkington RCLCO

Muriel Xochimitl X-Factor Communications

Colton Stock X-Factor Communications

Jacey Skinner Ballard Spahr

Scott Cuthbertson POMSLA

Aaron May SOM

Peter Kindel SOM

Jon Cox Rocky Mountain Power

Jim Zboril

Rebecca Oakley

On Tuesday, September 14, 2021 the Point of the Mountain State Land Authority Board held a meeting in the Senate Building, Room 210 at the Utah State Capitol Complex. A virtual meeting option was available for those who attended remotely via the Zoom Meeting platform:

<https://zoom.us/webinar/register/WN_11t67FdJTpC2Y5Eu7F_lAQ>

A video of the meeting can be found on The Point’s YouTube channel:

[bit.ly/thepointyoutube](http://bit.ly/thepointyoutube)

The meeting was called to order at 9:04 am.

* **WELCOME**

Chair Lowry Snow welcomed board members and consultants to the meeting and excused Lt. Governor Deidre Henderson who was attending to other duties in behalf of the state. The Chair gave an overview of board activities for the month and thanked everyone for their efforts to move the work forward.

* **PUBLIC COMMENT**

Members of the public who would like to speak were invited to comment subject to the board’s procedures and rules.

Rebecca Oakley, a nurse practitioner in Utah County addressed the board concerning the possibility of a pediatric palliative care facility at The Point location. Ms. Oakley was directed to the https://thepointutah.org/ website to submit a proposal for evaluation and to schedule a visit with Director Matheson to discuss this option.

* **APPROVAL OF MINUTES FROM THE AUGUST 10, 2021 MEETING**

Chair Snow asked if there were any corrections to the minutes. None were brought forward.

## MOTION: April Cooper moved to approve the minutes of the August 10, 2021 board meeting. The motion was seconded by Jim Russell and approved unanimously.

* **COOPERATIVE AGREEMENT WITH ROCKY MOUNTAIN POWER**

Director Alan Matheson reminded the board that strategic partnerships are an important part of implementing the vision we have for The Point and referenced the joint statement of cooperation with Rocky Mountain Power. He explained this is not a power purchase agreement and there are no costs involved. The agreement outlines an opportunity for us to collaborate with Rocky Mountain Power on many elements for the site including energy efficiency programs, renewable power (on and off site), electric vehicles, and exploring new technologies along with sustainable energy processes. We will be working with Rocky Mountain Power to put together a plan to provide the infrastructure and the energy needed for the site. Jon Cox explained that RMP recognizes that sustainability is a key element of this project. They would like to customize solutions for The Point and are open to exploring new ideas to accomplish this goal. He mentioned HB 396 which allows Rocky Mountain Power to use up to $50 million to create EV infrastructure in the state.

There were comments concerning the Renewable Energy Act and the resources provided as well as matching programs that would make energy dollars stretch further. Chair Snow questioned if there was anything in the policy which would restrict the board from coordinating with other energy entities. Mr. Cox assured the Chair there was no clause of exclusivity in the agreement. There is a line that states “neither party would take any action contrary to the interest of the other party without first consulting with that party,” so there is an expectation that we would work together and notify each other of those interests.

Chair Snow commented that HB396 specifically referenced The Point and the Inland Port projects. As a board, we have made it a priority that we would seek ways to promote clean air and protect the environment. This cooperative agreement seems to be consistent with the same direction and philosophy. The Chair asked for a motion.

## MOTION: Representative Steve Handy moved that the board approve the Point of the Mountain State Land Authority and Rocky Mountain Power Joint Clean Energy Cooperation Statement. The motion was seconded by April Cooper and passed unanimously.

* **HISTORICAL PRESERVATION AT THE POINT**

Chair Snow explained that we anticipate demolition at The Point site in about a year and need to determine if any of the historical buildings at the current site should be preserved. Director Alan Matheson explained that part of developing the scope of demolition is knowing how much of the site will be demolished and how much will be preserved. There has been some discussion in the community concerning historic preservation from people on various sides of the issue and the board needs to have a more formalized discussion that will guide further decisions. Horrocks Engineering completed a preliminary survey of the prison property and identified buildings constructed before 1970 which is the 50-year period that would qualify a structure for historical designation. They identified 27 buildings which were 50 years or older with 18 that potentially could qualify for the register of historic places and four that could be significant historical structures. The four structures are:

1. A wooden building used to house inmates who were constructing the prison,
2. Cell block D,
3. Cell block east,
4. Old administration building.

In addition, there was interest in possibly preserving the guard towers. Director Matheson explained there isn’t a legal requirement that we keep the buildings; however, if we take down a historical site, we are required to provide an offset for actions taken such as documentation of the historical use of the building, a museum or monument. We would be working with SHPO to determine an appropriate off-set for actions taken.

There was considerable discussion on this subject, with board members giving feedback from the public on both sides of the issue. Overall, the comments from the board were not favorable in regard to preserving the prison structures but the possibility of having a small museum or monument to designate that “this had been the location of the state prison for many years” would be a possibility. Board members expressed interest in preserving the Johnson bars from the oldest building or possibly the guard towers. It was noted that Lt. Governor Henderson toured the site, and also expressed interest in keeping one of the guard towers.

There was discussion concerning how far we should go to preserve the history of this site and the possibility of organizing a work group to guide our decisions. It was suggested that we look at the location of the historical buildings in relation to the framework plan and return to take action in the next board meeting.

## MOTION: Jim Russell moved that we not take action today concerning historical preservation but identify a process to review the structures that are currently in place to determine if there is a way to incorporate some of them into the plan as an overlay of our current framework plan with Director Matheson working with DFCM and our current planners to determine the possibility of a preservation plan.

## Discussion to the Motion: Mayor Troy Walker stated he would not support preservation of any of the buildings at the prison site and questioned the intent of the motion. What is the purpose of building analysis? Mr. Russell clarified that we would not look at an analysis of the building but just determine where the buildings are located and how they fit into the master plan. Because of the amount of public sentiment on this issue, we should do our due diligence to determine the feasibility of preservation at the site. We would look at how the structures lay on the site and if there are any elements in the buildings that should be preserved. Most likely we would not want to preserve them intact at their current location which lets us know how to move forward with the preservation of specific elements prior to the demolition process. We just need to get the conversation moving forward.

## Discussion to the Motion: Chair Snow clarified that there is no part of Mr. Russell’s motion that indicates an eye toward actual preservation. It is just part of the review to determine whether that is even feasible. Is that correct? Mr. Russell answered yes.

## The motion was seconded by Representative Steve Handy.

## Speaking to the Motion: Director Matheson stated that SOM did a review of the existing buildings and how the key facilities might be incorporated into the plan. They took the three oldest buildings, identified by Horrocks Engineering, and included them into the framework plan as part of the innovation district. He thinks that the evaluation of the building locations and how they fit in the framework master plan has been done, but we certainly need to look at towers and other things if that is included in the motion.

## Speaking to the Motion: Chair Snow asked Muriel Xochimitl to speak concerning the amount of interest on preservation shown in surveys with the general public. Ms. Xochimitl reported the idea of preservation has not been a common theme with the majority of Utahns they have engaged with. It appears there is a small group within the Draper community that sees preservation as a top priority but is not a representation of the broader group of citizens that X-Factor has connected with.

Mr. Russell suggested the possibility of an amended motion to specify just the guard towers since we already have an overlay of the buildings themselves. Representative Steve Handy agreed to this friendly amendment to the motion.

## AMENDED: Jim Russell moved that we not take action today concerning historical

## MOTION preservation but identify a process to review the guard towers at the prison sites to determine if there is a way to incorporate them into the plan as an overlay of our current framework plan with Director Matheson working with DFCM and our current planners to determine this possibility.

## The amended motion was seconded by Representative Steve Handy.

## The amended motion passed unanimously.

Chair Snow announced that any members of the board who would like to work with Director Matheson on the review could volunteer to be engaged in this activity.

* **SUPPLEMENTAL STUDIES**

**EXECUTIVE SESSION**

Chair Snow explained the board needs more information through supplemental studies in order to refine the framework plan and prepare to issue RFQ/RFP’s to the development community. The staff have reviewed proposals and identified candidates for the studies that are identified on the agenda. The Chair recommended that we go into a closed executive session for the purpose of discussing the candidates’ qualifications.

## MOTION: Representative Steve Handy moved that the board move into an executive session. The motion was seconded by Commissioner David Woolstenhulme and passed unanimously.

At 10:05 AM the board moved into an executive session.

**RETURN TO OPEN SESSION**

A 10:19 AM the board returned from the executive session.

## MOTION: Representative Steve Handy moved to return to the open session. The motion was seconded by April Cooper and carried unanimously.

Chair Snow reported the board did not commence the process they anticipated in the executive session because they did not have a quorum so there is no action to be taken concerning the supplemental studies. This discussion will be scheduled for a later date.

* **ADJOURN**

Chair Snow asked for volunteers from the board to engage with the Legislature’s Commission on Affordable Housing to help explore ways to address the issue of housing affordability at The Point. April Cooper volunteered to participate. Others who may want to be included should contact Director Matheson to participate.

Chair Snow asked for a motion to adjourn.

## MOTION: Representative Steve Handy moved to adjourn the meeting. The motion was seconded by April Cooper and passed unanimously.

The meeting adjourned at 10:25 AM.