

Utah Inland Port Authority Board | 2021

PENDING MEETING MINUTES – NOT YET APPROVED

Utah Inland Port Authority Board Meeting Minutes

Wednesday, December 1 2021 – 2:00 PM

Electronic Meeting Held Via Zoom Pursuant to Executive Order 2020-5 and Utah Code Ann. § 52-4-207

Board Members Present: D. Gregg Buxton, Nicole Cottle, Garth “Tooter” Ogden, Steve Prokopis, Dennis Faris, Rachel Otto, Ben Hart, Francis Gibson

Board Members Absent: Derek Miller, Jevon Gibb Michael Jensen

Staff: Jack Hedge, Jill Flygare, Taneesa Wright, Lynne Mayer

Others in Attendance:

A. Welcome

Chair Cottle welcomed the board members, staff and public to this Utah Inland Port Authority Board meeting and read the following:

“Pursuant to section 52-4-207(4) Utah Code, the Chair made this written determination that conducting this meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. This written determination is based on the current COVID-19 pandemic and the recommendation of health officials to avoid public gatherings.”

B. Closed Session

Chair Cottle read the following statement, “We will now vote to go into a closed session for the purpose of “discussion of the character, professional competence, or physical or mental health of an individual” as described in Section 52-4-205 of Utah Code and sections 52-4-204 and 52-4-205 of the Open and Public meetings act”

Board member Gibson made a motion to move to closed session after which board member Ogden seconded that motion. A roll call vote was taken and passed with the following:

Francis Gibson – yes
Garth Tooter Ogden – yes
Ben Hart – yes
Rachel Otto – yes
Steve Prokopis – yes
Dennis Faris – yes
Chair Cottle – yes

C. Approval of Minutes

Board Member Buxton moved to approve the minutes of the September 8, 2021 board meeting. Board Member Prokopis seconded the motion. The motion was approved unanimously.

Board Member Ogden moved to approve the minutes of the October 10, 2021 board meeting. Board Member Prokopis seconded the motion. The motion was approved unanimously.

D. Informational - Executive Director Report

Executive Director, Jack Hedge gave a brief overview and update on items that that Port Authority has been working on. Some of those items included the agreement with the Port of Long Beach and Union Pacific Railroad, a similar agreement with the Port of Oakland, the plans of the Intelligent Crossroads Network, and the Import/Export Alliance with the World Trade Center Utah and Salt Lake Chamber. After which questions and discussion was had between the board.

E. Informational - Administrative Report

Chief Operating Officer, Jill Flygare gave a brief update on the UIPA yearly financial audit as well as a budget overview.

F. Action Item – Resolution 2021-05

Board Member Buxton moved to adopt Resolution 2021-05, a resolution of the Utah Inland Port Authority approving an amended budget for fiscal year 2021-22 . There was discussion around this motion and board member Otto requested board materials sooner as well as a public hearing in the interest of transparency. Board member Prokopis seconded that motion. The motion passed with the following:

Roll Call Vote:

Francis Gbson – yes

Garth Tooter Ogden – yes

Ben Hart – yes

Rachel Otto – yes

Steve Prokopis – yes

Dennis Faris – yes

Chair Cottle – yes

G. Action Item – Resolution 2021-06

Due to time restrictions and the importance of resolution 2021-06, a resolution of the Utah Inland Port Authority amending the employment Agreement with Jack C. Hedge as Executive Director, Chair Cottle moved that this item be moved to a later board meeting in order to give board members time to discuss.

H. Public Comment

Due to time constraints public comment did not take place and the meeting was adjourned.

Nicole Cottle, Chair

UTAH INLAND PORT AUTHORITY
SWORN STATEMENT SUPPORTING CLOSURE OF MEETING

I, Nicole Cottle, acted as the presiding member of the Utah Inland Port Authority, which met on December 1, 2021.

Appropriate notice was given of the Authority's meeting as required by Utah Code Ann. §52-4-202.

A quorum of the Authority was present at the meeting and voted by at least a two-thirds vote, as detailed in the minutes of the open meeting, to close a portion of the meeting to discuss the following:

- §52-4-205(1)(a) discussion of the character, professional competence, or physical or mental health of an individual;
- §52-4-205(1)(b) strategy sessions to discuss collective bargaining;
- §52-4-205(1)(c) strategy sessions to discuss pending or reasonably imminent litigation;
- §52-4-205(1)(d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would: (i) disclose the appraisal or estimated value of the property under consideration; or (ii) prevent the public body from completing the transaction on the best possible terms;
- §52-4-205(1)(e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares if: (i) public discussion of the transaction would: ((A) disclose the appraisal or estimated value of the property under consideration; or (B) prevent the public body from completing the transaction on the best possible terms; (ii) if the public body previously gave public notice that the property would be offered for sale; and (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
- §52-4-205(1)(f) discussion regarding deployment of security personnel, devices, or systems; and
- §52-4-205(1)(g) investigative proceedings regarding allegations of criminal misconduct.
- Other, described as follows: _____

The content of the closed portion of the Authority meeting was restricted to a discussion of the matter(s) for which the meeting was closed.

With regard to the closed meeting, the following was publicly announced and recorded, and entered on the minutes of the open meeting at which the closed meeting was approved:

- (a) the reason or reasons for holding the closed meeting;
- (b) the location where the closed meeting will be held; and
- (c) the vote of each member of the public body either for or against the motion to hold the closed meeting.

The recording and any minutes of the closed meeting, if required, will include:

- (a) the date, time, and place of the meeting;
- (b) the names of the members Present and Absent; and
- (c) the names of all others present except where such disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

Pursuant to §52-4-206(6), a sworn statement is required to close a meeting under §52-4-205(1)(a) or (f), but a record by tape recording or detailed minutes is not required. Pursuant to §52-4-206(1), a record by tape recording and/or detailed written minutes is required for a meeting closed under §52-4-205(1)(b),(c),(d),(e), and (g). Accordingly:

- A record was not made.
- A record was made by: Tape recording Detailed written minutes

I hereby swear or affirm under penalty of perjury that the above information is true and correct to the best of my knowledge.



Presiding Member

12/7/2021

Date of Signature

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

Subscribed and sworn to before me this ___ day of December in the year 2021, by Nicole Cottle.

Witness my hand and official seal.



Notary Public

