

PERMANENT COMMUNITY IMPACT FUND BOARD MEETING

Department of Workforce Services
Housing and Community Development Division
Salt Lake City, Utah

MINUTES

Wednesday, April 6, 2016

Members Present

Keith Heaton
Claudia Jarrett
Bruce Adams
Gregg Galecki
Ron Winterton
Jae Potter
Michael McKee
Naghi Zeenati
David Damschen

Chairman
Six County Association of Governments
Southeastern Utah Association of Governments
State Board of Water Quality
Uintah Basin Association of Governments
Carbon County
Uintah County
State Transportation Commission
State Treasurer

Excused Members

Steve Farrell
Jim Matson

State Board of Water Resources
Five County Association of Governments

Staff and Visitors

Jonathan Hardy
Candace Powers
Gayle Gardner
Shad West
Cristine Rhead
Kimberley Schmeling
Tamera Kohler
Katherine Smith
Roni Jacobs
Wade Farroway
Susan Eisenman
Ralph Okerlund
Britnee Johnston
Christina Davis
Eric Johnson
Nathan Hall
Tooter Ogden
Brian Carver
Kathy Bounous
Russell Frandsen
Jim Burr
Brian Barton
Jeff Holt

Housing and Community Development
Attorney General's Office
Attorney General's Office
Six County Infrastructure Coalition
Department of Workforce Services
Department of Workforce Services
Blaisdell, Church and Johnson
Division of Drinking Water
Sevier County
Bear River Association of Governments
Department of Workforce Services
Legislative Fiscal Analyst
Chapman and Cutler LLD
Jones & DeMille Engineering
Bank of Montreal

WELCOME

The Permanent Community Impact Fund Board (CIB) Meeting was held on Wednesday, April 6, 2016 at the Department of Workforce Services Building, 1385 South State Street in Salt Lake City and called to order at 8:30 a.m. by Chairman Keith Heaton.

ADMINISTRATIVE ITEMS

Financial Review

Candace Powers provided a brief summation of mineral lease balances anticipated for the May 5, 2016 CIB project review meeting.

Upcoming Meeting Dates

May 5, 2016: Salt Lake City at the Multi-Agency State Office Building, 195 North 1950 West.
June 9 – 10, 2016: Monticello, Funding Meeting and Annual Policy Retreat.
July 7, 2016: Salt Lake City at the Multi-Agency State Office Building, 195 North 1950 West.
August 4, 2016: Salt Lake City at the Multi-Agency State Office Building, 195 North 1950 West.
September 8, 2016: Salt Lake City. Meeting was changed to accommodate the Uintah Basin Energy Summit in Vernal on September 1, 2016.

I. INTRODUCTIONS

Chairman Heaton welcomed everyone and asked the Board members and staff to give introductions. Susan Eisenman with the Attorney General's Office introduced Wade Faraway who has been assigned by the Attorney General as legal counsel to the CIB Board going forward.

II. APPROVAL OF MINUTES

Chairman Heaton requested a motion to approve the minutes from the February 4, 2016 meeting.

Ron Winterton made and Gregg Galecki seconded a motion to approve the minutes from the February 4, 2016 meeting as corrected. The motion carried unanimously.

III. BOARD DISCUSSION

1. BOARD MEMBER TERMS OF SERVICE

Candace Powers provided a brief overview of Board member terms of service indicating that elected officials serve two four year terms on the CIB Board. Representatives from water resources, UDOT and water quality serve as appointed.

Commissioner Jim Matson shall continue for a second term representing Five County Association of Governments.

Commissioner Claudia Jarrett, representing Six County AOG has served two terms on the Board and June 2016 will be her final meeting. Six County AOG has submitted recommendations for approval to represent the AOG. The new term will begin July 2016. All names must be approved by the Governor and the Legislature.

2. 2016 LEGISLATION

Senator Ralph Okerlund expressed appreciation for the CIB and the service to rural Utah. He asked Eric Johnson to assist in addressing the Board concerning legislative actions during the 2016 Legislative Session.

Senator Okerlund discussed SB205 Ethics Act Revision Bill which he sponsored. The revisions are meant to clarify conflict of interest. As there has been some question about that, a Bill was drafted stating that unless you have a personal conflict wherein you or a family member would personally gain, there is no conflict of interest. He indicated that Eric Johnson has researched this and drafted this Bill.

Eric Johnson, legal advisor to the Six County Infrastructure Coalition referred to the ethics acts and indicated that there are three areas; the municipal ethics act, the county ethics act and the general public officer's ethics act. The general public officer's ethics act was amended. The amendment clarified the purpose of the act concerning public duties & personal interests.

Commissioner McKee commented that the Bill was very valuable.

Commissioner Jarrett indicated that in the past a Board member would abstain if they were also a member of the Board presenting an application. Are we not in conflict if we vote on projects where we are a member of that Board? Are we not in conflict if we vote on that project?

Mr. Johnson stated that if you are on the Board of an entity, you may recuse yourself but he indicated that in other states it is a conflict if there is a personal interest not shared by the public in general.

Ms. Eisenman indicated that if there is a question concerning this issue, a Board member could call her and discuss it. When you come from smaller areas, it's possible that you may know everyone. She noted that when the Board members are sitting as CIB members in the CIB meeting, the public officer's ethics act applies, and when they are in their own appointed areas of service, the municipal or county ethics act applies. She indicated that she has a presentation concerning the issue for those who might be interested.----

Jonathan Hardy, Director of Housing and Community Development, referred to consistency and precedent when these situations come up. Is there a perception that you are giving more favorable terms in your area. Consistency and fairness should be the standard going forward to help alleviate perceived favoritism. The staff does a great job to provide the history of what the Board has done.

Senator Okerlund mentioned one other bill: SB 257 concerning Public/Private Partnership Act. This Bill was later in the session. This Bill addressed the need for a tool for public/private partnerships in Utah. The Bill will be assigned to interim for study. He feels there is great support in the business community for these partnerships.

Commissioner Winterton asked if there was such a partnership, would the applicant be qualified to come to CIB.

Senator Okerlund indicated that it would be possible, such as a road project, 40% of the road would be public traffic but also get a private partner to fund 60%. There could be a payback to the private partners and in case of a default, the public would not end up with the debt. This Bill still has intricacies to work through before it can be voted on.

Mr. Johnson indicated that a Public/Private Partnership Act does not alter the federal restrictions on Mineral Lease Funds in that the funds can only be used for Planning, Construction and Maintenance of Public Projects as well as Public Services.

Mr. Johnson cited an example in Rio Blanco County Colorado where the county constructed a broadband system to bring the internet to homes in the rural county. One quarter of the money was from Federal Mineral Lease Funds. Once constructed, the county will contract with a private internet service provider to handle the service for that system but the public/private partnership would not disqualify that project from using Mineral Lease Funds.

Senator Okerlund discussed SB 246 sponsored by Senator Adams, a former member of the Transportation Commission. This Bill is a tool that will allow the State to receive Mineral Lease Funds from the Board over a period of two years to be traded in a way similar to the way the Department of Transportation trades federal funds for state dollars. This money is not taxpayer dollars. It is Mineral Lease dollars generated by Mineral Lease revenues. Through the loan process, the CIB will be reimbursed for future projects.

Commissioner McKee asked if the transportation funds would bear a 15% discount.

Senator Okerlund indicated there is not a discount for this paper transaction.

Chairman Heaton invited Commissioner Jae Potter, Jim Burr, attorney for the four counties, and Jeff Holt to discuss the Port and SB246.

Commissioner Potter thanked the Board for their patience this past year regarding the Port project. He expressed appreciation for the value to rural Utah through this Board and feels this project will help sustain the rural communities' employment and economy.

Commissioner Potter stated that the Legislative process would not develop the rural communities like the Mineral Lease funding and this Board has done. He indicated that the CIB established the Infrastructure Set-aside Fund through the rulemaking process to enable larger projects when the revenues were quite high. From that Fund, the Board authorized \$50,000,000 for the Uintah railway. It was later determined the railway would not be built and the funding was returned to the Infrastructure Set-aside Fund. When the four counties brought the application to the Board for the bulk terminal, it was for a fully permitted project; a bulk terminal at the Port of Oakland, waiting for the final approvals. The project had been worked on for over 10 years with \$500,000,000 already invested in the project. It was a very viable, and impressive project. Over the period of time since the Board determined to set aside funding, the applicants have been working to develop the full scope of the project for clarity and for discussion with the Board.

Commissioner Potter expressed some personal observations concerning special interest groups. There is a difference between environmentalism and sensationalism. He recognized that many of the Board and the audience are truly environmentalists; that we care about our community and we care about our resources. He expressed dismay that what he would say would be less believable than what is reported.

Commissioner Potter reiterated the fact that this project does not use taxpayer money and Jeff Holt does not represent the four counties that made the application. He is not under contract to the four counties.

Commissioner Potter presented some facts about coal that have been misreported by the press and indicated that the nation was built upon energy and that the war on coal is unfounded and unfair.

The facts include:

- Half the US electricity is generated from coal-fired power. In Utah, it is nearly 70%.
- Nine out of ten tons of coal that is mined is used for domestic electricity.
- Every person in the US uses 3.7 tons of coal annually in some form.
- Coal is used for the coking process for steel.
- Coal is an affordable source of power.
- Coal is used in production of paper and cement.
- CO2 emission studies show that 3-5% emitted into the atmosphere comes from humans and human uses of energy – the rest come from natural sources, earth cycles, vegetation, trees and animals. It is unclear on how the temperatures of the earth fluctuate, going back to the ice ages.

Commissioner Potter stated that we do need to be careful concerning these issues. We are cleaning our coal and our air but removing all fossil fuels would make a miniscule impact on what the CO2 emissions are around the world.

David Damschen, State Treasurer, asked for Commissioner Potter to talk about the difference of Utah coal and coal from other sources.

Commissioner Potter indicated that Utah coal is a hard, bituminous coal low in sulphur and the BTU value is much higher than most other parts of the world. One ton of Utah coal replaces two tons of poor quality coal in the world cycle. Through exporting or using Utah coal, it would be assisting in cleaning up the use of bad fossil fuels. Also, this is not solely a coal port. This is an export opportunity. The 30 acre parcel that is the bulk commodity port will also be used to ship potash, soda ash, hay and salt. Coal is a part of it, but it shall be used for many commodities to be viable. This should be stated clearly because there is this other side to the reported story.

Mr. Holt said that it has been a year since the first discussion of the Port occurred and a lot has happened. The opposition that we have seen is understood. The west coast is the front of the fight. This Port is a straight geographic line from Utah. Utah's product is the favored product because of the rail cost and the natural gateway the way the rail lines are set up. When the applicants came to the Board, it was to exhibit the readiness to enter into the negotiation to solidify this opportunity. At that time, the discussion was how to raise the other \$200 million dollars needed to match up with the state's investment for the Port. That is a very important piece of the project. It was determined that Jeff Holt would represent the terminal operating companies to make certain that the project itself happened. In discussion with the counties, it was determined he could not and does not represent both. The specific task for Mr. Holt is to raise the \$200 million to make the project work.

The private investors coming into this project will do a tremendous amount of diligence on this project. Again, there is NO taxpayer money involved. It is the exchange of funds. Taxes will not go up as a result of this project. The original premise was CIB would grant the funding. The issue was what if the project did very well. It then became a loan. Taxpayers are NOT on the hook.

It was reported that this is a bad business deal. If the private investors go through all their diligence, and they decide that the \$200 million will not come in, the project will not happen. The money from CIB funding will benefit from the significant diligence done by the investors of the \$200 million. The counties will have their own counsel and financial advisors looking over all

the documents as they are prepared. It will be suggested that the Board have regular insight as this happens and be involved in meetings to review these things.

Mr. Holt stated that we already transport 5 million metric tons of coal out of the Oakland gateway. Utah coal already goes out through the gateway at a much shallower depth. A deeper depth loads much larger ships at a lower cost per ton plus they are out of capacity. The business transaction is not about what is happening in the industry in general nor to a specific commodity. It is about the entire equation of taking the commodity out of the ground, loading and delivering it by rail, putting it on a ship, and delivery to the final destination. It is an efficient, economical, cleaner way to deliver the cleaner, in-demand Utah coal.

Coal is a regulated commodity that is transported all over every day. It is a legal product. There are 610 items in the regulatory statements that have to be addressed to operate the terminal. The EPA has permitted this and has stated there is not a health issue in delivering this commodity. They don't prohibit the interstate transport of these legal materials.

Through several discussions concerning the legal use of funding for this project, it was determined that Mineral Lease dollars could be exchanged with the Utah Department of Transportation dollars. UDOT frequently does funding exchanges. The \$53 million will go into a segregated account for rural roads. Several adjustments were made before the Bill passed. This amount of money is limited to what UDOT would have spent on the rural roads through the Transportation Fund.

Commissioner Potter added that for monies to be utilized through this particular throughput infrastructure account provided for in SB246, it will require Legislative action every time when seeking to exchange Federal dollars for State dollars. The bill provides a solid mechanism for those projects.

Mr. Holt felt that CIB should consider discussing what has to happen with the next large project, making an application and funding set aside. It would have to go to the Legislature. Funds will have to be set aside to cover projects.

Ms. Eisenman from the Attorney General's office stated that PCIB money can only be used for certain purposes. The \$53 million (\$26 million this year and \$27 million next year) moves to the Transportation Fund to be used for rural roads which is the same type of project PCIB could use it for. The money that was already budgeted for transportation purposes for rural roads which is General Fund money is going into the Throughput Infrastructure Fund which will be administered by the PCIB. The new Fund does not have the statutory limitations that PCIB money has.

Mr. Holt said that the Governor and Lt. Governor approve this project and expect a great amount of diligence. They have discussed it with the State Treasurer.

Commissioner Jarrett referred to the \$26 million, followed by the \$27 million. How does that impact the pledge of \$53 million.

Ms. Eisenman indicated that the \$53 million is encumbered and now there are technical issues that need to be worked through with the Department of Finance and other legalities.

Mr. Holt indicated that there is nothing in writing right now. There are principled people in the room dealing with large projects and large amounts of money. They have issues on their end

and we have issues on this end. The contract has yet to be determined. There is a \$9.5 billion budget just to develop the Port. They have agreed to do so much more than any other port such as covered rail cars, covered *facilities for unloading and loading* etc.

Commissioner Potter said that the real question that should be asked is, "What do we get because of the commitment that is there?" The timing was such that we were able to be at the fore front of this new bill. We were able to say that as a state and as counties we will do this. It placed us in a 1st position. No money will be spent until there is a formal closing on the other \$200 million. The timing and mechanism is fine. The Bill takes effect July 1, 2016. The \$53 million set aside last year will be returned to accommodate the \$26 million and the \$27 million that will flow out of new Mineral Lease revenues to the Transportation Fund. The Legislative Counsel felt that it would be best to divert the \$26 million that comes into CIB and put into the new Fund.

Mr. Holt stated that the Transportation Fund could only accommodate \$26 million one year and then \$27 million the next year. The Legislative Counsel felt that it would be best to divert the \$26 million from new Mineral Lease funding that comes into CIB and put into the Transportation Fund.

Mr. Hardy made a clarification. Other ways that the Throughput Infrastructure Fund will get money is through program income which will go into the Fund and any interest earned will also go into the Fund. Returned monies will not require legislative action. The HCD staff is going to develop a proposal for consideration at the next board meeting and a request for an independent consultant to the Board to review the due diligence on the project with the appropriate expertise. A checklist will be developed concerning what should be reviewed concerning this project.

Mr. Damschen commented that *the Board should consider starting with the State's statutory, fiduciary and contracted advisor who then could suggest, if necessary, another consultant/advisor to assist with due diligence* to ensure that everything is in place properly.

Mr. Holt offered a list of possible consultants for review. It does require larger expertise.

Chairman Heaton called for a 10 minute break.

Commissioner Jarrett stated that a financial director would be beneficial. She expressed her concern that Jeff Holt has been treated poorly by the press. She thanked Jeff for his vision while on the Board and for his continued concern for the Board.

Commissioner McKee agreed with Commissioner Jarrett. He liked the idea of a financial consultant and thanked Jae for his presentation. He understands the impact of energy economies. He then referred to an article in the Tribune which mentioned there is a declining usage of coal in China the past two years and it is expected to decline further this year.---

Commissioner Potter said that the cutting back on the Chinese coal is partly due to their accessibility to coal, and the conditions with getting the coal out of the ground or into their market. They are developing an economy that will not be as reliant on coal. There have been discussions that it would be cheaper to buy our coal and ship it than get it out of the ground in China. It has been stated in the press that coal is dead, but the reality is it is a market and extraction condition.

Mr. Holt added that Representative Brad King stated in the legislative session that China is dealing with its own constraints and situations in terms of air quality right now and they would rather use our kind of coal than what they are using. Utah coal is 40% of China's new lower threshold.

Commissioner Potter indicated that coal usage is actually expected to increase in the next 15-20 years as much as 10 to 15%.

Mr. Holt indicated that all the different pieces have to come into play for the project to be feasible. The terminal has to be built; a contract with Union Pacific to haul it; the terminal will have to be covered and revamped to be able to handle the products. The shipping of coal is already being done there at lesser economic benefit because of the depth of the channel. The terminal has to be built. Make sure all the reports come together. Also, how much can the railroad handle? Is there enough coal in the ground? This project is all bulks – potash, soda ash, or anything we want to direct through the terminal. There needs to be discussion as to what we want to go through. Already, the port is focused on how much white product will go through. Do you want to contract for other commodities to go through?

Commissioner McKee said that Uintah County has taken on a lot of debt, a lot through CIB. When we take on an obligation it shows on the county debt. There were four counties that came in as applicants and *fifty million dollars* is a lot of debt to show on the books. Are the counties willing to show that debt? There has not been a Public Hearing yet. He indicated that when projects go through the Six County organization, it is separate from the counties and the debt won't show on county records. Would there be value in the four counties coming together or joining the Six County organization?

Jim Burr, as attorney representing the four counties indicated that the counties would be creating an organization.

Chairman Heaton asked Mr. Burr how that affects the payback viability. If a county receives a loan it is on their books. If a coalition of counties receives the loan how does that payback responsibility fall?

Mr. Burr stated that SB 246 makes it clear that the loan made by the Board through the Throughput Infrastructure Fund can be non-recourse to the borrower. The payment is solely from the net revenues of the project. The intention is for the repayment obligation to be a *special limited obligation* not a corporate obligation.

Mr. Holt indicated that there was a lot of misunderstanding through this process. The discussion was not to have that obligation on the counties' books. How do we ascertain that these loans will be paid back? When the project was originally discussed, it was to be a grant and then still do the due diligence and still get the repayment, but not have any repayment coming to CIB. The full amount of the principle would come back to the counties as well. Chairman Walker had said if there is an upside the repayment should come back to CIB and help counties. So it was decided that it would be a loan, 2% interest with a complete deferral until the project was in commercial operation. Some legislative people suggested monies coming back to the Legislature. It was explained by Senator Okerlund that the repayments will go back into the Throughput Infrastructure Fund.

Mr. Hardy stated that the Board has taken action by approving a 30 year loan at 2% interest with a deferral. Anything outside of that would require new action by the Board, submission of

documents, and all of us doing due diligence to make sure the return on investment is the return the Board is looking for. It might be revenue or economic value to the community but those are items to be determined. There are no other terms until requested and approved by the Board.

Mr. Holt acknowledged that this application does require another action. It will come back before the Board for discussion. Even though the Legislature has said this will happen, it is the counties intention to bring it back before the Board.

Commissioner McKeestated that the applicant needs to be defined and come back to the Board.

Commissioner Potter indicated that it was the intent to form an entity. He has become the spokesperson in the interim. It was always intended that it would come back to the Board as an entity.

Chairman Heaton indicated by what has been discussed, the project has a ways to go and asked about the timing.

Mr. Holt stated that currently there are four bills before the California Legislature which are trying to stop the project by not allowing the transport by rail through the state of California of these kinds of things which would be very problematic from an interstate commerce perspective. The City of Oakland was sued by the opponents to stop the project. The lawsuit was dropped and the lease with CCIG was signed with the overall developer of the site. TLS who is the operator of the terminal must sign a lease with the developer. That should take place in the next couple of months. The executive branch has asked for a schedule, which will take a year to get everything in place. None of the \$53 million will be spent up front.

Mr. Holt indicated that off-site prep is ongoing. Construction of the Port won't actually start until guaranteed maximum prices on the construction are in place. Once construction begins it will take until 2019 to complete. We are not committed until the very end, but the developers may work other shipments which do not require the high tech build.

Commissioner Potter indicated that this is a \$250 million estimated project, and for \$53 million we get 50% of the throughput. This is an investment for ownership, not a loan to a private company as has been reported. We are looking for the return to the CIB and the state of Utah. We are buying time and transition for other industries and shoring up part of the population of Utah, giving time to diversify.

Mr. Holt referred to the Intermountain Power Project, which went to the Legislature pleading to get a separate entity to provide power. It was a social contract for Utah to burn the coal in the state and provide power. No one has commented on the buyers walking away from the project. What if in 2029, the coal power is up. This is 65 years of a throughput for coal... to buy time.

Commissioner Jarrett indicated that we can contract with other states to utilize the Port.

Chairman Heaton asked what the ships in the terminal will be off-loading.

Mr. Holt said this terminal is strictly for exporting and the ships return empty. This country is a net exporter. The port is deep water, not container. He indicated that everyone should see the site. He also suggested a review of documents as they come in so that it is not all presented at the last minute.

Mr. Burr provided a brief overview of SB246 in terms of the Community Impact Board Statute which adds new definitions and adds two new sections. There is a new definition of four types of infrastructure facilities that can use the money:

- a. Bulk terminal
- b. Pipeline for the transportation of liquid or gaseous hydrocarbons or gas
- c. Electric transmission lines and electrical facilities
- d. Short-line railroad and its facilities.

The new definition uses broad language in context with the port terminal that will allow the structure of the investment in the Port in the manner that will protect the interests of the counties, CIB Board, and the State.

A new Section 308 has been added to the Statute which creates the Throughput Infrastructure Fund and provides what the sources of funding are for the Fund. That Fund does have a revolving quality to allow repayments to come into the Fund over time.

The second new section is the provisions regarding the administration of the Fund by the Board which directs the Board to administer funds and establish criteria through loans and grants for all kinds of projects.

Ms. Powers indicated the handouts provided which delineate the Bill and subsequent CIB code.

Mr. Burr indicated there is a lot of work that needs to be done with this project before appearing before the Board for final approval.

Ms. Powers requested that Bill Prater be kept in the discussions as he is the bond counsel for the Board.

Ms. Eisenman stated that there are two concepts in the Statute relating to what the Board has to do ----the 'shall' and the 'may' ---- shall means you must and may means if you want to. This is new territory for the Board. The Board will be administering the Fund that is without the very narrow strictures of the Community Impact Board. The Board must administer the Fund in a manner that will keep a portion of the Fund revolving; determine provisions for repayment of loans; establish criteria for awarding loans and grants; and establish criteria for determining eligibility for assistance. The Board needs to have a discussion and determine how to exercise its discretion. Ms. Eisenman volunteered to help the Board in any way. You are required to review the proposed uses prior to approving it. There are technical details here that need to be addressed in a transparent, financially approved way.

Chairman Heaton thanked the Attorney General's Office for all the hours they spend on behalf of the Board. There will be further discussion on the new Throughput Infrastructure Fund, its uses and the Port project at the CIB Policy Retreat in June. It is a lot of responsibility, it is our stewardship. The Board needs to have transparency in all that they do.

Mr. Damschen stated that even though these are not taxpayer funded dollars, we save taxpayer dollars indirectly. If we have interest returned, it is to the benefit and stewardship at the forefront. Additionally, we should have maximum, practicable transparency around all we do.

Mr. Holt referred to Mr. Damschen's comments and stated that \$5,000,000 a year, which is 10% payback over 65 years, may be \$325,000,000 in return to the public through those four counties. Certainly the plan is to invest securely.

Commissioner Potter indicated that 51% of Mineral Lease revenue goes to the federal government. (49% remains in the state of origin.)

Chairman Heaton asked if there were other questions or comments and thanked everyone for the discussion. His feeling was that it was time well spent.

Commissioner McKee expressed appreciation for the meeting and the discussion.

Commissioner Jarrett inquired as to whether the Board needs to make a new Rule.

Ms. Eisenman stated usually when there is a new project there is rule making authority in the Bill. The Board does have rule-making ability in Statute but rule-making authority was not added to the Bill. Rule-making is generally external; policy is internal. Rule-making is essentially a delegation of legislative power. The Legislature makes the laws and the Legislature delegates to an agency to make Rules which have the effect of law. There was no expressed delegation from the Legislature and questioned whether there was implied delegation. Whatever the Board decides, it should be done objectively, transparently, and with public input.

Mr. Hardy indicated that HCD will be drafting policies which would satisfy the conditions without going through the rule-making process. The CIB staff has started to draft language for the criteria.

Ms. Eisenman added that having policies in place would provide a clear understanding of what is required. Any new Rule would apply to the Throughput Infrastructure Fund. The Throughput Infrastructure Fund is a numbered Fund separate from the Infrastructure Set-aside Fund the Board previously made and includes four types of projects.

Ms. Powers indicated that draft language is being created for review as policy for the Throughput Infrastructure Fund newly created by SB246.

Kimberley Schmeling, financial manager for the Housing and Community Development Division indicated that the Infrastructure Set-aside Fund created for large projects did not add a fund number. The Throughput Infrastructure Fund will be a separate numbered Fund, statutorily different in its use.

Commissioner Adams discussed the upcoming Policy Retreat and extended an invitation to the Board and staff to participate in a Dutch oven dinner and storytelling time at his home, Wednesday, June 8th at 6:30 p.m.

On Thursday evening, June 9th, dinner will be hosted by San Juan County at the Twin Rocks Café in Bluff and the Board and staff will have an opportunity to look at some of the projects CIB has funded in Bluff.

Commissioner Adams acknowledged that San Juan County is a long distance and wanted the Board and staff to have a pleasant experience.

ADJOURNMENT

The next regularly scheduled meeting of the Permanent Community Impact Fund Board will be on Thursday, May5, 2016 at the Department of Environmental Quality's Board Room at the Multi-Agency State Office Building, 195 North 1950 West, Salt Lake City.

The meeting adjourned at 11:40 a.m.

Submitted by:
Cristine Rhead