

UTAH TRANSPORTATION COMMISSION

December 4, 1997
Salt Lake City, Utah

The regular meeting of the Utah Transportation Commission, held at 4501 South 2700 West, Salt Lake City, Utah, was called to order at 2:11 p.m. by Commission Chairman Glen E. Brown. He welcomed those in attendance, and recognized elected officials attending. Commissioner Griffith was excused from the meeting. The following Commissioners, staff members and others were in attendance:

Glen E. Brown, Chairman
James G. Larkin, Vice-Chairman
Ted D. Lewis, Commissioner
Hal M. Clyde, Commissioner
Dan R. Eastman, Commissioner
Stephen M. Bodily, Commissioner
LeAnn G. Abegglen, Commission Secretary
Thomas R. Warne, Executive Director
Clinton D Topham, Deputy Director
Linda Toy, Program Development Director
John Quick, Program Development
Jan Yeckes, Program Development
Kim Schvaneveldt, Project Development Engineer
P.K. Mohanty, Preconstruction
Ken Berg, Research
John Neil, Materials
David Miles, Engineer for Operations
Mack Christensen, Traffic and Safety
L. Robert Fox, Chief, Right of Way
Max Ditlevsen, Comptroller
Larry Mitchell, Motor Carriers/Ports of Entry
Randy Hunter, Risk Management
Melanie Buck, Community Relations
Tim Buntrock, Region One
Jim McMinimee, Region Two Director
Tracy Conti, Region Two
David Alvarez, Region Two
Lisa Wilson, Region Two
Carolyn Prickett, Region Two
Alan W. Mecham, Region Three Director
Merrell Jolley, Region Three
Gerald Robinson, Region Three
David Downs, I-15 Team
Brian Wilkinson, I-15 Team
Byron Parker, Legacy Highway Project
Carlos Bracerias, Legacy Highway Project
John Baxter, FHWA
Steve Alder, Attorney General's Office

Dee Larsen, Leg. Research & General Counsel
Ben Christensen, Leg. Research
Representative Duane Bordeaux
Representative Brad King
Representative Glenn Way
Mayor Marie Huff, Spanish Fork
Representative Jim Gowans
Teryl Hunsaker, Tooele County Commission
Lois McArthur, Tooele County Commission
Gary M. Griffith, Tooele County Commission
Leon Bear, Chairman, Skull Valley Goshute Indians
Russell Allen, Skull Valley Goshutes
Kenneth Neal, Rose Park Community Council
Marc Heilesen, Sierra Club
Mike Hegarty, Michael Baker Jr., Inc.
Pat Winmill, Parsons Brinckerhoff
John Thomas, Sear Brown
Michael Long, DMJM
Beverly Slack, Japai Project Office
Necia Christensen, CHAD Group
Ben Christensen, CHAD Group
Kathy DeJong, CHAD Group
Mary Jane Emrazian, CHAD Group
Carl Stuart, KSL

APPROVAL OF MINUTES

Commissioner Clyde moved to approve the minutes of the November 12, 1997 Commission meeting held in Salt Lake City, Utah. It was seconded by Commissioner Larkin and passed unanimously.

SR 6 THROUGH SPANISH FORK CANYON

Representative Glenn Way thanked the Commission for putting this item on the agenda. He said that he has driven SR 6 from I-15 to Helper many times, and knows the traffic problems associated with the road. He mentioned an article in the Deseret News which said that approximately 50% of all deaths in canyons and along the Wasatch front have happened in Spanish Fork Canyon. And, many times, accidents are caused by people that aren't involved in the accidents. People cutting in and out and passing in oncoming traffic create a lot of problems. Rep. Way also mentioned the backup of cars that occurs on I-15 that are trying to exit onto SR 6.

Mayor Marie Huff of Spanish Fork briefly addressed the Commission. She also spoke about the current conditions that exist on SR 6 and in Spanish Fork Canyon. She said the increase in traffic has been tremendous. There is a need for a wider traffic lane. There have been 33 fatalities in the canyon, including October, this year. And although some widening has been done, a lot of work is still needed on the canyon road. She would appreciate the Commission looking very seriously at something being done

to improve the conditions and make it easier for the traffic that is on the road. The discussion then focused on SR 6 and the I-15 exit.

Commissioner Clyde asked Mayor Huff where she would recommend the department start on SR 6. She replied at the mouth of Spanish Fork Canyon, through the red narrows. It's really bad there. Commissioner Clyde asked Rep. Way the same question. Rep. Way said he recognizes that it would cost over \$300 million if there were to be four lanes all the way. He said he would first look at putting in dividers in some areas, but not in areas where there is a passing opportunity.

Representative Brad King spoke. He said he drives the canyon nearly every day in the fall. He talked about the fatalities on the road, and said that Senator Dmitrich is putting together a map that will show exactly where the fatalities are. Rep. King suggested starting with the most dangerous parts of the highway, where it will save the most lives. It's a safety issue, not just a convenience issue that the people in Eastern Utah are concerned about. People don't know where the passing lanes are and take chances when they get tired of following behind a truck. Most of the fatal accidents that happen are head-on accidents. There would be fewer head-on accidents if it was a divided highway. He referred to the STIP program and the funds that have been allocated to widening the road from Price to Wellington to four lanes. He said that he's never heard anyone complain about that road.

Alan Mecham made a few remarks. He said that in his mind, the backup on I-15 occurs southbound with cars trying to get off on Spanish Fork Main Street in the evening, not necessarily on SR 6. It's a free flow ramp all the way to the new signal that was put in on 10th North. Also, there is a \$15 million project in the STIP that goes from I-15 to the Moark Junction area, which is the mouth of Spanish Fork Canyon. Mr. Mecham said they just had a concept meeting and they talked about some of these issues through the urbanized section of the road, widening it to four lanes and taking care of some of the traffic increases there. There is also an ongoing future project to put in some passing lanes and some safety features up the canyon. It is part of the Centennial Highway Fund. That is being pursued with passing lane studies and feasibility studies, and the department has about \$1 million in the coming year to start the design of that project.

12300 SOUTH IN DRAPER

Tracy Conti explained that since they talked the last time about possibly doing a change order and extending the project to 265 West, Draper City has come back and given a best and final offer, which is to purchase or acquire the right of way. Mr. Conti said he is asking the Commission if the department should proceed with the \$1.25 million available for P.E. in the 1998 year, use that for construction, and add this as a change order to the project that was just let last month. Clarification was given as to the exact location of the project. Director Warne said \$1.25 million is programmed in FY 98 for the design, or engineering work from the project on 12300 South that was supposed to end at the railroad. He asked Mr. Conti how much money is being requested. Mr. Conti said about \$700,000, which leaves about \$550,000 to continue the engineering effort on 12300 South. Director Warne said he believes it is a good move to extend the project to 265 West. It makes sense. Draper has been working a long time to make this happen, and right of way was an important part of that.

Commissioner Clyde expressed concern about taking money from design further west where it's still imperative in getting that road done. It seems to be cutting this up into short sections rather than

getting the whole thing further west. The bottleneck is just being moved somewhere else. Director Warne said that the department is particularly concerned with the conditions to relieve the truck traffic, with much of that coming out of Coca Cola. This does resolve that particular issue. The future funding to improve 12300 South to the west would likely come from the Centennial Fund, and that's not programmed at this time. So, it seems prudent to take care of this particular problem at 265 West and leave enough money in there for the engineering work.

Commissioner Lewis moved to adopt the recommendation of the department to move \$700,000 of FY 98 planning and engineering money to the project on 12300 South, extending construction to 265 West, and leaving a portion of money for further consideration for the next phase of planning and engineering. Also, Draper City will provide the right of way to accommodate the construction project. It was seconded by Commissioner Clyde and passed unanimously.

I-15 AWARD FEE FOR APRIL THROUGH OCTOBER 1997

Clint Topham explained that the I-15 contract had a provision where the department could pay the contractor up to \$50 million in award fees depending on timeliness of performance and quality that was built into the project. That was to be considered in six month periods over the life of the project. The first six month period has come to an end, and they are working on establishing exactly what that fee will be. A process of determining the fee has been put together, and the governor and legislative leadership appointed an oversight committee which included some legislators, some legislative and governor's staff, and some private citizens. Considerable time has been spent in developing the process. There are between 60 and 100 people who are involved in monitoring and evaluating the project. Mr. Topham said that he, Mr. Downs and two of the principals from Wasatch Constructors make up a committee who will review the information that's provided, and will make a recommendation to Director Warne who will then make the final decision on the award that is made. Mr. Topham turned the time over to David Downs for further explanation.

Mr. Downs said that this process is very rigorous and is somewhat complicated. He distributed a handout to the Commission that provides a quick overview of what the award fee is about, and said the award fee is a part of Wasatch Constructor's profit. It was always intended to be a tool used to focus the design builder's attention to some very important areas on the project. The performance is tied to not only their schedule, which is a little over \$21 million, but also in three other areas. Those areas are quality, management, and how they deal with maintenance of traffic and informing the public of issues associated with that. This process is not a substitute for the more traditional processes used to assure quality on the job. Just as the department does on any other project, they assure that the project is built to contract standards and specifications. So, the award fee is an effort focused on the processes and systems that Wasatch is putting in place to assure quality, and in essence it's a system to oversee some of the activities of work the department would normally be involved with that have now been turned over to the design builder, such as the quality control/quality assurance program. That's one of the systems that is reviewed as part of the award fee process.

Mr. Downs continued by saying that actual evaluations are performed on a monthly basis, and in actuality, they're performed on a day to day basis. Wasatch Constructors is provided with monthly feedback associated with their performance, and they're involved in these evaluations. Leading up to this

six month determination, to date, they have been meeting on a monthly basis discussing and reviewing performance associated with the award fee. And, as was previously mentioned, there are 60 plus individuals involved in monitoring and evaluating performance. Mr. Downs went into further detail on how performance is assessed. Once the evaluations are completed, they're all put together and given to the award fee oversight committee. Again, a review is done to assure that all of the information is very detailed, thorough, and meets the procedures. Any disagreement in the process between what the contractor is seeing and what the department is seeing, is elevated and discussed to reach a common understanding, and what the expectations and resulting scores are. The executive director of UDOT is where the award fee amount is determined. So, all the efforts of evaluating and scoring really is one big report or recommendation which is forwarded to Director Warne for final determination. Director Warne stated that the department is very comfortable with the process. It's very rigorous and a lot of work, and they feel a significant responsibility in terms of public trust. There was general discussion on the fee amount.

RECOMMENDED CHANGES IN NOISE WALL PROCEDURES

Clint Topham said that two months ago, some decisions about the noise wall program in the Millcreek area were finalized. At that time, the department told the Commission that they would like to go back and take an internal look at the procedure and make some recommendations. Mr. Topham referred to the information under Tab 6 in the Commissioner's binders, and said they are the recommendations they've brought forward to date. He said the department feels that the process should be more inclusive of local governments. In looking at some of the issues that have come before the Commission recently, the department feels that the request should be made through local governments. Also, in regards to the petitioning of the department for noise walls, there is a list of requirements that would be looked at. The local government would look to see whether or not they should even come forward with a petition, whether or not it's adjacent to the right kind of highway, whether or not the receptors are close enough to the highway, and whether or not the people in the area are in favor of it. Then, when a request comes from a local government, UDOT will do a study on that area. The department thinks it's best to do the studies based on a request coming from a community. Then UDOT would study the whole area, take the readings needed, and give out the information based on the model and the number of homes it affects, and not just give individual readings to people along the area. Then, from that information a candidate project list could be developed. All of the areas that meet UDOT's standards would be included, and then presented to the Commission in order of the decibel level, with a recommendation around the decibel level.

Mr. Topham said that there have been some questions as to whether or not the department should just prioritize based on noise level alone, or whether or not the fact that an area has been on the list for a long time ought to come into play in that formula. That could be addressed in a couple of ways. Being able to do the correct studies and keep those studies up to date, that's one way the timeliness can be addressed. Also, the department could recommend to the Commission that a three year program be adopted off the candidate list of projects. And once the three year program has been adopted, to go ahead and build the noise walls on that program regardless of what happens. If a new area came in and had a higher decibel level, it wouldn't replace any projects on the three year program, but could replace some projects on the candidate list. In addition, the Commission doesn't have to prioritize based just on decibel level. The Commission could look at an area and say that particular area has been on the list a long time and something should be done now. The department would like to have a procedure adopted to go along

with the policy. Mr. Topham said that each of the regions have a little different way of going about doing these studies, and the department wants to make sure that it's standardized to a procedure.

Representative Duane Bordeaux briefly spoke. He said that he appreciates the opportunity to address the Commission. He represents District 23, and this has been an issue for some time. He said that he and Senator Suazo are looking at introducing legislation to address some of their concerns, one being that the present rating right now is based only on a decibel reading. They would like to see something in the policy to address how long people have been waiting on the list. The other issue of concern is the money available to build the sound walls.

Kenneth Neal, chair of the Rose Park Community Council, said he's interested in a project that runs along the east side of Victoria Drive, from 900 North to 1400 North. Their project keeps moving down the list because of the ruling that decibel readings only is considered, and some readings may only be .1, .5, or .6 above their project. They're asking for fair treatment, and time on the list ought to be considered on projects that actually get funded.

Commissioner Lewis asked about local governments that refuse to deal with the issue. What recourse is there for citizens who have a legitimate need? Mr. Topham responded that the local government is not being asked for funding, they are being asked to determine whether the community wants the noise wall, and to see if they have laws in place. They need to have a noise ordinance. Also, he said many cities have appreciated being involved and working with the department. Commissioner Lewis suggested that in addition to the amount of time on the list, there ought to be some sort of mechanism for citizens who don't have success with local governments. Commissioner Bodily said he assumed that the local government in an unincorporated area would be the county commission, and he could see situations arising in unincorporated areas where citizens might not get the response they might in a city by going to the local government. He also proposed that the department may want to set some kind of criteria where a project couldn't be bumped by another project unless the decibel level was at a certain degree above it. Commissioner Eastman said that before one group or neighborhood is allowed to go ahead of another, both groups would have to be studied on a concurrent basis. Mr. Topham said that the conclusions he's drawn from today's discussion are that the Commission would like to make sure that peoples needs can be addressed whether or not the local municipality brings something forward, and to look at the issue of length of time on the list, and to see if there's something the department could come up with that is acceptable to the Commission. Chairman Brown mentioned the importance of continuing to review alternative mitigation for noise, independent of walls themselves. Mr. Topham said that the department would like to bring back adjustments to the policy, and also a procedure, at the January meeting.

Commissioner Eastman made a motion to advise UDOT to pursue this concept to a final policy level, and bring it back for approval. It was seconded by Commissioner Lewis and passed unanimously.

RECOMMENDED PEDESTRIAN SAFETY PROGRAM

Clint Topham discussed the proposed pedestrian safety formula. He said that last month there were suggestions made that the department might want to look at, such as future ADT, looking at actual speed rather than posted speed, and looking at limited sight distances as different variables in that equation. He

stated that in regards to current safety issues, the most current data ought to be used and the department ought not to be projecting what it might be in the future. And with the current information on the posted speed in order to use the actual speed, additional studies would have to be done. Using the posted speed in this formula would give the kind of results needed. And, there was only one location where site distance was an issue, and that was at 3100 South, which has already been funded.

Mr. Topham stated that there was one significant change in the formula. One thing that was talked about at the last meeting was putting a denominator in the formula of the cost of the project, which put all of the overpasses at the bottom of the list. The department recommends taking the cost out of the denominator. Mr. Topham referred to the list of projects and said that the projects on the list have been identified by the regions, but it may not be all inclusive yet. The department's recommendation is to adopt the formula on the first page without the cost in it, to prioritize projects for safety, and to look at future enhancement funds that the department might get to fund the safety program. The Commission wouldn't necessarily have to adopt the list today. The department could add any additional projects and evaluate any areas the Commission wants. Mr. Topham said that the department would like the Commission to adopt the formula.

Mary Jane Emrazian from the CHAD Group asked about 4100 South and why it wasn't on the list. It was their next priority after 3100 South. Mr. Topham said it was probably just inadvertently left off, and it will be added to the list. There was additional discussion focusing on the list, the ranking of projects, and funding. Director Warne said that it's the department's recommendation for the Commission to approve the process, then have the department come back at the next Commission meeting, apply the process, and address which projects would be recommended for completion. It's anticipated that the highway bill will be renewed and there will be enhancement money.

Commissioner Lewis moved to approve the approach of using the proposed pedestrian safety formula, without the cost denominator. It was seconded by Commissioner Larkin and passed unanimously.

STIP REVIEW IN RESPONSE TO THE EXTENSION OF ISTEA

Linda Toy said that last month, Congress passed a six month extension of ISTEA rather than doing a multi-year bill. Out of that bill, the department ended up with \$89 million in funding that can be spent through May 1, 1998, or it is lost. Based on that, the department went back to the STIP and looked at the program to see if there were any adjustments that needed to be made, and determined that for now there are no adjustments that need to be made. She said the bill does allow for flexibility to move funds from one type of program to another, but when the multi-year ISTEA comes along, those funds have to be restored back to their original category.

Chairman Brown asked about the enhancement money in the \$89 million. Ms. Toy responded that there are enhancement projects that have been programmed, and those will proceed as they are already on the program. Clint Topham said that there is no new enhancement money, but the department is spending money out of the enhancement category on projects that have already been programmed and have been moving along through the process and now are ready to be advertised. Ms. Toy said that it is anticipated that the enhancement program will continue in the next ISTEA at least at the same level that it's at now. It's not guaranteed, but it is expected. There was some discussion regarding frozen funds.

I-15 NORTH/LEGACY -- WEST DAVIS HIGHWAY DISCUSSION

Carlos Braceras gave the Commission an update on both projects. He said that their project team is managing the Legacy -- West Davis Highway as well as the I-15 north project because the two projects are very related and they are analyzing those as a solution to the north corridor issue. Handouts were given to the Commission as part of the presentation. Mr. Braceras said that purpose in need for the Legacy project has been demonstrated and the outstanding issue now is alignment location. Right now, the cities support Plan C, which is a western alignment. The Corps of Engineers supports Alternative A, an eastern alignment. He then went into detail about the two alignments and the impacts. In regards to resolving the alignment location issue, Mr. Braceras said UDOT, the cities, the Army Corps of Engineers, the governors' office and members of the legislature have been meeting, attempting to resolve the issue. It has resulted in a coming together of the two alignments, but a complete consensus has not been reached yet. The Corps of Engineers can only permit the least damaging, practical alternative. Mr. Braceras also explained the 404 and NEPA processes and discussed the schedule implications if selection for a preferred alignment is postponed until after the formal public hearing. Chairman Brown talked about the Corps' control based on environmental laws of the country, and expressed concern that the public perceives that they get input, but in reality they don't. There was additional discussion on this topic, mitigation, and an MOA between the Corps and the EPA.

Mr. Braceras next discussed the I-15 North project. He referred to the binders that were given to the Commissioners. He said that the binders have information on the purpose of need for the road, the public involvement process to date, and includes some small pullout maps showing the types of improvements that are being talked about. The project is basically going to be a mirror image of what's being done on the I-15 South project. It will be a ten lane section with four general purpose lanes in each direction and an HOV lane. Both the Legacy and the I-15 North projects need to be moved through the process at the same time. And, if one project is pushed and changed it's going to affect the other project. Mr. Braceras said that they have been working really well with the cities on I-15 North, and feel that there is a general agreement with the local municipalities and the public. They have made several changes to the project due to public input. Interchanges have been eliminated or reconfigured at the public's request. He said the current issue is the HOV access into SLC from the north. SLC doesn't want another access point into the city. Traffic studies show that for HOV to work, there needs to be a separate HOV access from the north, just as there is from the south. That's a key component for the success of both projects. Further discussion ensued.

CONSIDERATION OF ADDING TO THE STATE HIGHWAY SYSTEM **F.A. ROUTE 2652 FROM I-80 TO DUGWAY THROUGH THE SKULL VALLEY** **INDIAN RESERVATION**

Director Warne said the Governor has asked that the department bring to the Commission, a proposal that the Commission adopt as a state highway, F.A. Route 2652, which is a county road in Tooele. There is clear compelling state interest involved. Ownership of the road would allow the department to establish regulations and standards regarding the transportation of high level nuclear waste.

Tooele County Commissioner Teryl Hunsaker spoke to the Commission. He said he appreciates the relationship they have had with the Transportation Commission, and the efforts that UDOT has placed in Tooele County. But, they are here today because they don't know what is going on, and they would

like to find out. They feel like they've been ambushed. They were not aware of the Governor's actions until late yesterday afternoon, and don't understand the motivations for this action. They would like to know why this was not discussed with Tooele County, as it's a Tooele County road. What are the financial impacts to both the State of Utah and Tooele County, and how does this affect Tooele County's road construction master plan. They have a lot of questions they want answered. They don't believe the Transportation Commission should take action at this time, but should give UDOT and Tooele County 60 to 90 days to discuss this issue and answer some of these questions.

Tooele County Commissioner Lois McArthur said she can only echo what Chairman Hunsaker has said. She wondered why, at a time when there may be discussions going on between the Utah Association of Counties and the League of Cities and Towns about the possibility of transferring some of the state roads to county jurisdiction, why this road would come up to be transferred back to the state. And, when the state already has so much money to spread so thinly through all their other roads, why they would even want to take on a county road at this time.

Gary Griffith, Tooele County Commissioner, echoed the concerns of the other County Commissioners. He made an analogy between President Clinton announcing a new national monument without any consultation, and Governor Leavitt taking a county road away from Tooele, and said the parallel is very similar. He stated that it is obvious that this was done for purely political reasons. There needs to be more than political ambition when a decision like this is made. If the department has money to upgrade the road, then he suggested that it be spent on SR 36. That's where they'd like to see the money go.

Representative James Gowans addressed the Commission. He said he too was a bit shocked with this. He finally talked to the Governor late yesterday afternoon and wondered if any of the Tooele County Commissioners knew about this. He was told by the Governor that they had been notified. When he called Commission Chairman Hunsaker, Chairman Hunsaker had not heard anything. Rep. Gowans expressed concern over the lack of communication. He then discussed the statute and designation of state highways. He asked if anyone had evaluated the Skull Valley Road, and does the highway meet the standards?

Leon Bear, Chief of the Skull Valley Band of Goshute Indians and Chairman of the Skull Valley Executive Committee expressed his concern about the right of way across the Indian reservation. He said they were given no notice of the intent of the state, and feel that the right of way might be violated on the agreements between the Indian tribe and the State of Utah. When the state didn't give them any notice of the proposal or that they were terminating the county's jurisdiction over the road, they felt that was not a courtesy extended to the band.

Chairman Brown said that there have been some legitimate concerns and issues raised by those who have spoken to us. Director Warne said that it's a matter of the storage of high level nuclear waste, and is an issue that is important to all Utahns, not just to Tooele County. It's in the broad interest of the state that caused the Governor to have this request before the Commission today. And, in order to protect the broader interest of the state, one of the things that is important to do is to have jurisdiction and the ability to control and regulate the trafficking of high level nuclear waste on this road. So, the Department of Transportation is asking the Transportation Commission for their favorable consideration.

Commissioner Eastman asked if this needed to be done today. Director Warne responded that it seems that this has progressed along, negotiations are occurring in Tooele County between the tribe and

the county, and it appears that in order for the state to preserve its rights and its ability to regulate this very critical activity, the action should take place today. There was additional discussion about the negotiations between the Goshute tribe and the PFS facilities and Tooele County and the PFS facilities, right of way across the reservation, and safety issues.

Commissioner Bodily asked for more specific information as to what authority the state would have to regulate what travels on state roads. He said he is a little nervous about taking on another road and then having an overrule made by the courts where they say that a route has to be provided for this, and by the way, the road isn't adequate. Director Warne said that by statute, the department has the authority to regulate, and in some ways control, what crosses a highway. There are issues related to interstate commerce that would have to be dealt with that are national in nature, but this being a state highway gives the department flexibility as it relates to the regulation of the transport of high level nuclear waste. Commissioner Bodily said that he's not sure the department is accomplishing what they think they're accomplishing if this is made a state highway. He's not convinced yet.

Commissioner Lewis expressed his concerns and said that there is no single road in the state that isn't affected by just about every other road in the state in one way or another. The suggestion that somehow there is no relationship with the rest of the roads and the Commission's duty as to what happens on the rest of the roads is somehow perceived as less than it is. He thought the Commission not only has the authority, but has the responsibility to deal with those things that go on all of the roads in the state. And there's no question about the fact that is being talked about today is protecting the ability, if it is determined necessary at some point, for the state to regulate what is on that road because it will affect what is on all of the rest of the roads.

Chairman Brown asked for confirmation in relation to the jurisdiction of the roads that if the Commission chooses to take an action today it would have to be ratified by the legislature. Clint Topham said that is correct. The master highway bill that goes before the legislature each year would have to be amended to include any action taken today, and the legislature would have to consider it during the session in January and February. Chairman Brown said that doesn't preclude the legislature from deleting this. If it's in their wisdom, they could amend it out in the legislative process. Mr. Topham said that if the Commission doesn't take an action today, the legislature could take that action during the session if they wanted to do so.

Commissioner Lewis moved that the Commission adopt the recommendation of the department to place F.A. 2652, from I-80 to Dugway, on the State Highway System, with the understanding of being in compliance with statute number 27-12-27. It was seconded by Commissioner Eastman and passed with one dissenting vote by Commissioner Bodily.

Rep. Hunsaker asked if the motion means that UDOT takes over the maintenance of the road tomorrow? Is Tooele County through with that road? He also mentioned that the county has put a lot of money into the road. It's one of the best roads in Tooele County. Is UDOT just going to take it, or will the department pay Tooele County for it? Director Warne responded that as of the action of the Commission, that is the effective time for the transfer of the road. Maintenance and responsibility of that road begins immediately. In terms of reimbursement for the cost of the road, as road jurisdictions have been transferred throughout the state over the years, there has been no compensation between jurisdictions, whether it comes to the state or goes from the state.

Chairman Brown said that the Commission will need to adjourn to discuss an item in an emergency executive session.

Commissioner Eastman moved to adjourn to an emergency executive session for consideration of a Highway 89 legal issue. It was seconded by Commissioner Larkin and passed unanimously.

The meeting adjourned at 4:54 for an emergency executive session.

The regular meeting was called back to order by Chairman Glen Brown at 5:30 p.m.

INFORMATIONAL ITEMS

Next Transportation Commission Meeting

Clint Topham informed the Commission that there may need to be a special Commission meeting called between now and January's meeting to discuss an issue relating to where Bangerter Highway ends at 13800 South.

The next Transportation Commission meeting will be held on Wednesday, January 14, 1998, 1:00 p.m., at the Rampton Complex in the Large Conference Room.

The meeting adjourned at 5:35 p.m.

LeAnn Abegglen, Commission Secretary