

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
November 29, 2016 - 9:00 A.M.

PRESENT: COMMISSIONER LARRY A. ELLERTSON, CHAIR
COMMISSIONER WILLIAM C. LEE, VICE-CHAIR
COMMISSIONER GREG GRAVES

ALSO PRESENT:

David Shawcroft, Civil Div. Chief Deputy Attorney
Robert J. Moore, Deputy Attorney
Paul Jones, Deputy Attorney
Carl Hollan, Deputy Attorney
Michelle Araujo, Commission Office
Lisa K. Nielson, Commission Office
Brian Voeks, Commission Office
Nathan Ivie, Utah County Commissioner-Elect 2017
Bryan E. Thompson, Utah County Clerk/Auditor
Robert Baxter, Utah County Purchasing Manager
Vicky Westergard, Clerk/Auditor's Office
Kris Poulson, Utah County Assessor
Burt Garfield, County Assessor's Office
Jim Stevens, County Assessor's Office
Bryce Armstrong, Community Development
Josh Ivie, Community Development
Andrea Allen, Utah County Recorder's Office
James O. Tracy, Utah County Sheriff
Dalene Higgins, Utah County Sheriff's Office

Gary Ratcliffe, Utah County Surveyor
Kim Jackson, Utah County Treasurer
Ralph Clegg, Utah County Health Dept. Director
Patty Cross, Utah County Health Department
Dana Cundiff, Utah County Health Department
Eric Edwards, Utah County Health Department
Bryce C. Larsen, Utah County Health Department
Steve Mickelson, Utah County Health Department
Cammie Taylor, Utah County Personnel Director
Richard Nielson, Utah County Public Works Director
Ashley Soltysiak, HEAL Utah
Dave Sewell, Provo City Council
Don Jarvis, Provo City
Sheldon Wimmer, Alpine City Mayor
Andrew Jackson, Mountainland Assoc. of Governments
Shaun Seager, Mountainland Assoc. of Governments
Bill Exeter, -No further information given-
Mike Stansfield, Fairways Media
Katie England, *The Daily Herald*
Renée Caron, Clerk/Auditor Administrative Assistant

Commissioner Ellertson called the meeting to order at 9:05 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Andrew Jackson, Mountainland Association of Governments
PLEDGE OF ALLEGIANCE: James O. Tracy, Utah County Sheriff

CONSENT AGENDA

(Track A, 01:32)

1. **DECLARE ATTACHED LIST OF COMPUTER EQUIPMENT AS SURPLUS AND ALLOW DISPOSITION BY PUBLIC AUCTION**
2. **DECLARE UNIT 701836 SURPLUS AND AUTHORIZE DISPOSAL OF THE VEHICLE TO THE INSURANCE COMPANY DESIGNATED AUTOMOTIVE SALVAGE YARD**
3. **DECLARE SPECIFIED ITEMS AS SURPLUS TO BE SOLD VIA PUBLIC AUCTION OR DISPOSED OF AS JUNK**
4. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE LICENSE AGREEMENT WITH THE UTAH VALLEY CONVENTION CENTER FOR A UTAH COUNTY SHERIFF'S OFFICE TRAINING EVENT TO BE HELD DECEMBER 13, 2016**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 2

5. **APPROVE 40 HOURS OF LEAVE WITHOUT PAY FOR AN EMPLOYEE IN THE WIC DIVISION OF THE HEALTH DEPARTMENT**

6. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2016-6 (ABATEMENTS) (Continued from the November 22, 2016 Commission meeting)**

The commissioners requested Consent Agenda Item No. 6 be continued to a future meeting of the Board.
CONTINUED TO DECEMBER 13, 2016

7. **RATIFICATION OF PAYROLL FOR PAY PERIOD 24**

8. **RATIFICATION OF WARRANT REGISTER SUMMARY FOR NOVEMBER 29, 2016**

Consent Agenda Item Nos. 1 through 5, and 7 and 8, were approved as written. Commissioner Ellertson recommended the following Regular Agenda items be moved to Consent:

1. **APPROVE THE MINUTES OF THE OCTOBER 11, 2016 COMMISSION MEETING**

2. **APPROVE THE MINUTES OF THE OCTOBER 18, 2016 COMMISSION MEETING**

3. **APPROVE THE MINUTES OF THE OCTOBER 25, 2016 COMMISSION MEETING**

The commissioners requested Regular Agenda Item No. 3 be continued to the next meeting of the Board.
CONTINUED TO DECEMBER 6, 2016

5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 3 TO AGREEMENT NO. 2015-173 WITH THE UTAH DEPARTMENT OF HEALTH FOR THE NURSE FAMILY PARTNERSHIP (MIECHV) PROGRAM**

6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH CENTRO HISPANO FOR ABSTINENCE EDUCATION**

ACTIONS TAKEN

Consent Agenda Item Nos. 1 through 5, and 7 and 8, were approved, authorized, and ratified; and No. 6 was continued to the December 13, 2016 meeting of the Board. Regular Agenda Item Nos. 1, 2, 5, and 6 were approved and authorized; and No. 3 was continued to the December 6, 2016 meeting of the Board.

AGREEMENT NOS.: 2016-830 through 2016-835

REGULAR AGENDA

4. **DENY (OR ADOPT) AN ORDINANCE TO AMEND THE UTAH COUNTY GENERAL PLAN LAND USE MAP FROM AGRICULTURAL/WATERSHED TO RESIDENTIAL, AND TO AMEND THE UTAH COUNTY ZONE MAP FROM THE CRITICAL ENVIRONMENT (CE-1) ZONE TO THE TRANSITIONAL RESIDENTIAL (TR-5) ZONE IN SECTION 7, T4S R2E, ALPINE AREA OF UTAH COUNTY**

(Track A, 03:06)

Bryce Armstrong of the Utah County Community Development Office summarized an applicant has requested properties on a water system be allowed on five-acre lots in transitional residential zones. If approved, the re-zone and plan amendment would apply to approximately fifty acres in a CE-1 (Critical Environment 1) Zone near Alpine City. Commissioner Graves noted that while the land is not currently included in Alpine City's plan, the mayor has indicated being in favor of the re-zone to facilitate the annexation process.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 3

Bryce Armstrong mentioned the Utah County Planning Commission has recommended denial of the ordinance by a 4-2 vote; there is concern over other development in the area which has not been annexed. At Commissioner Ellertson's request, Mr. Armstrong gave a history of the establishment of TR-5 (Transitional Residential 5) Zones in the 1970's and traditional zone use. Commissioner Ellertson noted had the area been included in the Alpine City General Plan, it would have been within the TR-5 Zone; Mr. Armstrong agreed. It was also noted that the applicant has not included the entire region in the request to re-zone – hillsides and other non-buildable sections would remain in the CE-1 Zone.

Commissioner Lee asked about the timing of the application in relation to Alpine Cove, pointing out the Cove still has not been annexed into the city many years after the fact. Bryce Armstrong acknowledged re-zoning land in general can sometimes remove motivation for annexation. Commissioner Lee stated he would prefer developments to remain in the cities, or at least see a clear path and declaration by the city so that land does not remain in limbo for thirty or more years. Mr. Armstrong replied the city generally leads the process, but in this case the applicant presented and Alpine City has indicated support for the request. Commissioner Lee pointed out the timing is likely related to a referendum option: if approved within the county, any petitioners would need to gather more signatures than if approved as part of the city. Mr. Armstrong confirmed the referendum issue was brought up during the Utah County Planning Commission meeting because the thresholds are significantly different.

Commissioner Graves expressed concern in response to the referendum comment. He noted a land use plan from the 1970's would be considered outdated at this point. Commissioner Graves also stated it would be contradictory for the county to deny a re-zone because the county would rather the land be incorporated into a city, while also claiming any re-zone should be considered as a permanent county addition. Commissioner Graves explained the re-zone or any resulting referendum needs to be handled by the county if it is for county land. He finds it offensive that a referendum was even discussed as part of the Planning Commission's decision instead of the focus on whether land use has met county policy and requirements. Commissioner Graves pointed out the discussion should center around land use, impact upon homes, and the potential water issues presented by Alpine Cove because of well-drilling – not whether 600 or 18,000 signatures would be needed for a referendum.

(Track A, 14:40)

Utah County Deputy Attorney Robert J. Moore clarified the referendum issue was brought up by the Alpine City Mayor during a meeting. When Mr. Moore noted the annexation of this area is not currently included in the city's plan, Commissioner Graves repeated it should not matter what Alpine City may or may not intend to do; the matter before the Board is whether the application meets the requirements to allow for a re-zone. Commissioner Graves noted the arbitrarily applied word 'critical' when used in planning can lead to undue panic where the original intent was to encourage development in the cities. Commissioner Graves, Commissioner Ellertson, and Mr. Moore discussed the purpose of CE-1 zones.

Commissioner Ellertson noted there have been previous discussions about TR-5 versus CE-1 zones, and questioned if it is time to re-address those zoning criteria. Robert Moore replied TR-5 zoning is intended for transitional properties, but at this point Alpine City has not put the land in question on their annexation plan. Commissioner Graves asked why that should matter if all other requirements are met, pointing out there are three other similar developments in the county. Mr. Moore talked about the difficulty in providing emergency response services. Commissioner Lee added Utah County does not want to become like Salt Lake County; the practice has been to encourage development within cities, and changing policy now could begin a path of having businesses, and other lot requirement changes, throughout the entire county.

Commissioner Ellertson asked about the differences between Alpine Cove and this proposed development. He noted the Cove has not been annexed yet because the owners have protested that action. The applicant for this land wants to annex into Alpine City. Bryce Armstrong confirmed the difference of intent in owners, noting there were seventy owners in the Alpine Cove situation as opposed to the one applicant for today's agenda item. Mr. Armstrong also pointed out that his office has been consistent in their recommendations for these TR-5 Zone developments, which seem to be unique to this area. Commissioner Ellertson considered placing restrictions on the application. Utah County Civil Division Chief Deputy Attorney David Shawcroft advised that the county cannot place restraints regarding ownership, even if the current property owner agreed to the conditions. Commissioner

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 4

Graves repeated his view that the Board should only be considering whether the applicant's proposal meets the requirements which have been set by the county, and not focusing on the intent of the city.

Commissioner Graves stated the difference in this application compared to three rulings made in the last three years is that the city has shown support for this zoning change as they re-evaluate their general plan. Bryce Armstrong mentioned specifically the Box Elder South Subdivision, the 'Mulberry' property, and Pine Grove. Mr. Armstrong summarized how there was no legislative process for Box Elder South as that land was already located within a TR-5 Zone, and the Mulberry property was continued by the Commission until it was ultimately annexed. Mr. Armstrong stated Pine Grove best fits this situation in similarity, as it was not being considered for annexation and was re-zoned.

(Track A, 26:13)

Alpine City Mayor Sheldon Wimmer approached the bench. He stated he has lived in Alpine for more than forty years, watching the growth and development there. Mayor Wimmer mentioned Alpine City is currently amending their annexation policy statement to include additional properties as part of the city. Mayor Wimmer mentioned serving on the Alpine City Council in the 1980's, stating if the city had chosen at that time to annex to the Forest Service boundaries, it would have allowed for more orderly and painless growth for Alpine over the last few decades. He talked about meeting with the Lehi Mayor and others regarding plans to annex or develop three more properties into Alpine, including Alpine Cove – that process has started as of the most recent City Council meeting. Mayor Wimmer also mentioned the city considered waiting for the annexation policy statement to be updated, but the process is taking longer than they would like and so instead there are plans to amend it as needed. He confirmed Alpine Cove was excluded because the owners at that time excluded themselves.

Commissioner Lee asked why the county would not want to wait until the annexation policy statement has been updated, and Mayor Sheldon Wimmer outlined the timeline of events moving forward if that is the action the Board chooses. Once presented to the Planning Commission, and then City Council, it would be late January 2017 at the earliest. The commissioners and the mayor continued discussing the projected sequence. Commissioner Lee expressed his view is not that the land should not be annexed or developed, but that he would like to see the process followed whereas the city declares their intent before the county acts. He mentioned this is premature, and Mayor Wimmer noted it would simplify their process if the land is designated TR-5 zone. Commissioner Graves added he would rather see the land re-zoned so that the county is not included in the development portion at all. They discussed water systems and service.

(Track A, 34:35)

Alpine resident Ross Welch came forward to represent the landowner applicant. He acknowledged the concern regarding Alpine Cove, and called it an educational experience. Mr. Welch summarized the Cove was developed under county standards at the time; going forward, they plan to develop projects to city standards to better facilitate annexations. He noted the citizens of the Cove were also wary of entering a city with a debt-load after investing so much money into their water system. Mr. Welch provided some background on why development has been delayed up to this point and how it is working out in favor of building toward city standards. He commented on over-worrying the residents by calling the zone 'critical environment;' by changing to transitional residential zoning, the owner can work with the city to develop the land. Mr. Welch reiterated the landowner wants to develop in the city, as creating a water system for the county would be very expensive.

Commissioner Lee and Ross Welch addressed development agreements. Mr. Welch indicated he would be agreeable to a contract wherein the county grants TR-5 Zone status with minimum one-acre lots, understanding that the county wants the developer to make Alpine City their priority. Mr. Welch mentioned a stipulation on time could also be discussed. When Commissioner Graves pointed out there is no development agreement included as part of the proposed ordinance today, Mr. Welch noted the zoning could be contingent upon a development agreement. Mr. Welch went on to speak about how this development will improve safety in the area by providing better access points for the Pine Grove and Alpine Cove subdivisions. The land will also serve as a fire break.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 5

Commissioner Graves repeated his earlier comments regarding the meaning of CE-1 Zones: ‘critical environment’ does not mean that an area cannot be developed, and was initially created as a means to direct development to certain areas. Commissioner Lee repeated he is not against development, but wants the correct process followed; a future Board should not have to fight over this issue in thirty years because of the requirement to send snow plows across the county for the sake of thirty homes. Ross Welch pointed out that by delaying action, the county would in effect be taking a stand and putting all imposition on the landowner by refusing to remove the critical environment zoning label. Commissioners Lee and Graves debated these points with Mr. Welch and each other, commenting on a past Alpine City Mayor refusing to accept their own annexation plan because of that label.

Ross Welch summarized his points: the zoning label has an impact on the city as they consider annexation, and changing the label will incentivize the city to look at the development objectively. He repeated the landowner wants the project in the city, and asked Commissioner Lee to consider the situation from Mr. Welch’s point of view: development is being prevented because the county is insisting the land is considered critical environment. When Commissioner Lee retorted that the owner purchased the land knowing it was within CE-1 Zone, Commissioner Graves countered, using an example of properties in Eagle Mountain being purchased under the same type of rezoning speculation due to a prison relocation.

(Track A, 57:15)

Commissioner Ellertson suggested taking action. He questioned why the Board would delay the process if the land is developable and is only being constrained by policy put into effect forty years ago. Utah County Deputy Attorney Robert J. Moore asked that if the Board is moving to adopt the ordinance and amend the zone map, that they consider holding a vote for two weeks to allow him time to draft a development agreement as discussed. Commissioner Lee mentioned annexation into Alpine City would remain an option with the development agreement, and Mr. Moore noted the lot acreage would be dependent upon the contract. This led Commissioner Graves to comment on water use in the county. He stated the bigger the lots, the worse the water issue – 67% of Utah County water is being dumped into the ground. Commissioner Graves also mentioned that he does not want to continue the agenda item to a future meeting and re-hash the same argument, and asked if anyone in the audience is present to comment on this issue before he makes his motion. None came forward.

Commissioner Graves made the motion to adopt an ordinance amending the Utah County General Plan Land Use Map from Agricultural/Watershed to Residential, and to amend the Utah County Zone Map from the Critical Environment (CE-1) Zone to the Transitional Residential (TR-5) Zone, contingent upon a development agreement to be included on the December 13, 2016 Utah County Commission meeting agenda, as detailed in Regular Agenda Item No. 4. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
Greg Graves**

NAY: William C. Lee

ORDINANCE NO. 2016-26

Commissioner Lee noted for the record his ‘nay’ vote is because he believes the Board is acting prematurely.

7. APPROVE A MOUNTAINLAND ASSOCIATION OF GOVERNMENTS UTAH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD UP TO \$140,000.00 TO SPANISH FORK CITY FOR THE CENTER ST – 600 E TO 900 E SANITARY SEWER AND WATERLINE REPLACEMENT PROJECT

(Track A, 1:04:15)

Commissioner Lee pointed out areas in the contract where the incorrect year of 2016 was listed instead of 2017, and Utah County Deputy Attorney Paul Jones stated the corrections would be made. Commissioner Lee also commented on CDBG and HUD monies being dictated by the federal government, noting it would be worth looking into whether the risk of litigation on fair housing is worth accepting the funds.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 6

Commissioner Lee made the motion to approve the Mountainland Association of Governments Utah County Community Development Block Grant Award to Spanish Fork City as outlined in Regular Agenda Item No. 7. The motion was seconded by Commissioner Graves and carried with the following vote:

**AYE: Larry A. Ellertson
Greg Graves
William C. Lee**
NAY: None

AGREEMENT NO. 2016-836

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A LETTER TO PROVO CITY REGARDING PARKING FOR THE UTAH COUNTY CONVENTION CENTER *(Continued from the November 22, 2016 Commission meeting)*

(Track A, 1:07:41)

Commissioner Ellertson invited public comment on the parking issue, and none came forward. He asked if the Provo City Attorney has been contacted, and Utah County Civil Division Chief Deputy Attorney David Shawcroft confirmed the current draft letter includes all changes based on the most recent conversations during meetings with Provo City. Utah County Deputy Attorney Carl Hollan concurred, mentioning the updated letter is the same included within the online agenda request system.

Commissioner Ellertson commented on the responsibility of providing parking, noting the key phrase “shall be transferred to Utah County.” David Shawcroft confirmed that language was included in the original interlocal agreement. When Commissioner Ellertson asked about the meaning of that sentence, Carl Hollan noted Provo City had sent a letter in the last week identifying parking spots available to any members of the public that could also be used for conference center guests; combined with the city’s statement of the “future is murky,” it could be inferred they are not intending to transfer ownership interest as required by the county. Commissioner Graves mentioned the original feasibility study included a parking structure to be constructed by the city. Commissioner Lee pointed out the city has claimed to follow the spirit of the contract rather than the language of the contract, and Mr. Hollan responded that is concerning because it is difficult for the county to secure stable parking without defining ownership interest. Commissioner Ellertson talked about timing and operations, stating the purpose of this letter is to have sincere discussion with Provo City in finding solutions for the parking issue.

Commissioner Lee asked about the availability of documents for public viewing, and Renée Caron of the Utah County Clerk/Auditor’s Office confirmed any attachments within the online agenda request system would be updated and ‘live’ in real-time – if any person checks the agenda link and documents have not been marked as private, they would see the same supporting back-up available to the commissioners at the same times.

Commissioner Graves made the motion to approve the letter to Provo City regarding parking for the Utah County Convention Center as detailed in Regular Agenda Item No. 8. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
Greg Graves
William C. Lee**
NAY: None

AGREEMENT NO. 2016-837

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 7

(Track A, 1:16:18)

9. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES *(Suggested for today's date, at this location, following the completion of the Regular Agenda items) (Announce the vote of each commissioner)*

STRICKEN

10. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, WATER RIGHTS, OR WATER SHARES, PREVIOUSLY PUBLICLY NOTICED FOR SALE *(Suggested for today's date, at this location, following the completion of the Regular Agenda items) (Announce the vote of each commissioner)*

STRICKEN

Commissioner Lee made the motion to strike Regular Agenda Item Nos. 9 and 10 from the agenda. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

11. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS *(Suggested for today's date, at this location, following the completion of the Regular Agenda items) (Announce the vote of each commissioner)*

Commissioner Lee made the motion to set a date, time, and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to follow the Regular Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

SET

12. APPROVE AND SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION *(Suggested for today's date, at this location, following the completion of the Regular Agenda items) (Announce the vote of each commissioner)*

Commissioner Lee made the motion to set a date, time, and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to follow the Regular Agenda items today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Graves and carried with the following vote:

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 8

AYE: Larry A. Ellertson
William C. Lee
Greg Graves
NAY: None

SET

WORK SESSION

1. DISCUSSION ON DIESEL EMISSIONS

(Track A, 1:18:05)

Ashley Soltysiak, Policy Director for HEAL Utah, came forward. She explained HEAL (Healthy Environment Alliance) is a non-profit organization based in Salt Lake City, and they have been focusing on improving clean air and renewable energy in the state. Ms. Soltysiak explained forty-eight percent of emissions along the Wasatch Front are from the transportation sector, thirty-nine percent is from area sources – homes, businesses, furnaces, water heaters, dry cleaning – and the remaining thirteen percent is caused by heavy industry. She talked about the testing process and how diesel fuel is eight to nine times more likely to fail tests than comparable gas.

Ashley Soltysiak went on to address the health impacts of poor air quality: dizziness, headache, irritation in the ears, nose, and throat, asthma attacks, and more for those with chronic conditions. She asked the Board to consider following the example set by the Weber County Health Department, which now requires on-board diesel testing. Ms. Soltysiak and the commissioners discussed different ways people tamper with their vehicles to falsify the tests, and noted the state of Utah does not meet the national standards. Utah County Health Department Director Ralph Clegg and Dana Cundiff of the Air Quality Division were also involved in the discussion, specifically addressing the challenges Utah County would face if diesel testing becomes mandatory.

PUBLIC COMMENTS

(Track A, 2:08:49)

Andrew Jackson of the Mountainland Association of Governments stated there has been no scientific evidence collected to prove there is any difference in air quality when diesel or gasoline vehicle testing is implemented. The Environmental Protection Agency (EPA) gives a small credit on gasoline vehicles, but none on diesel vehicles. Mr. Jackson questioned why people should be forced to test their diesel vehicles if there is no credit awarded for such action. He commented on proposed legislation that could minimize vehicle tampering.

(Track A, 2:12:25)

Utah County Commissioner-Elect Nathan Ivie commented on owning four diesel vehicles, and the additional expense he goes through to ensure emissions are minimized while safely operating the machinery. He emphasized that while drivers of gasoline vehicles may think it is unfair to pay annual registration fees, diesel owners overall – especially those with newer vehicles – spend more money to operate at the required standards.

(Track A, 2:17:10)

Don Jarvis of Provo City Sustainability mentioned speaking with a representative of the Utah Division of Air Quality who confirmed most newer diesel vehicles manufactured since 2008 are almost as clean in their emissions as natural gas machines. Mr. Jarvis noted when tampering occurs to diesel vehicles, it is very costly to repair them to emission standards; Utah County effectively provides an incentive for selling those types of vehicles by being the only county along the Wasatch Front without diesel testing.

This concluded the public comment portion of the open meeting, and the meeting recessed at 11:27 A.M. to go into closed sessions. The public meeting reconvened at 12:03 P.M.

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES – November 29, 2016

Page 9

Commissioner Graves made the motion to adjourn the November 29, 2016 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Lee and carried with the following vote:

**AYE: Larry A. Ellertson
William C. Lee
Greg Graves**
NAY: None

There being no further business nor public comment, the meeting adjourned at 12:03 P.M. The minutes of the November 29, 2016 Commission meeting were approved as transcribed on January 10, 2017.

WILLIAM C. LEE, Commission Vice-Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor