

**GRANTSVILLE CITY
RESOLUTION 2015-01**

**A RESOLUTION OF THE GRANTSVILLE CITY COUNCIL OPPOSING THE
RELOCATION OF THE UTAH STATE PRISON TO THE TOOELE COUNTY.**

Recitals: Legislative History

1. **WHEREAS**, the 2011 General Session of the Utah Legislature passed House Bill 445 ("HB445"), entitled "Prison Relocation and Development Authority Act," and enacted Utah Code Chapter 63C-13. The term "prison relocation project" was defined in UCA §63C-13-102 to mean "a project . . . to relocate the state prison to another suitable site in the state in order to allow private development of the land on which the state prison is presently located . . ." [emphasis added]. The duties of the Prison Relocation and Development Authority ("PRADA") created by UCA §63C-13-103 included the preparation and issuance of requests for proposal ("RFP"), and the evaluation of prison relocation proposals. Under UCA §63C-13-104, this RFP process was "to provide a public forum for considering the feasibility of and proposals for a prison relocation project" [emphasis added]; and,
2. **WHEREAS**, the 2013 General Session of the Utah State Legislature passed Senate Bill 74 ("SB74"), entitled "Prison Relocation and Development Amendments, " and amended UCA Chapter 63C-13. The amendments repealed the definition of the term "prison relocation project" and repealed the PRADA duty "to provide a public forum." The amendments established new PRADA duties, including issuing an RFP regarding a new prison development, a current prison development, or a master prison development. (UCA §63C-13-104.3.) The meaning of the term "new prison development project" included a new prison at one or more suitable locations other than the prison's current location. (UCA §63C-13-102.) The meaning of the term "current prison development project" did not appear to include building a new prison on the site of the existing prison, but appeared to contemplate leaving the existing prison at its existing location, and

privatizing the existing prison. (Id.) The amendments required holding "at least one public hearing in each location where a new prison is proposed to be located" (UCA §63C-13-104.3(1)(e), emphasis added); and,

3. **WHEREAS**, the 2014 General Session of the Utah State Legislature passed Senate Bill 270, entitled "Repeal of Prison Relocation and Development Authority," repealing UCA Chapter 63C-13 referred to in Recitals 1 and 2 above; and,

4. **WHEREAS**, the 2014 General Session of the Utah State Legislature passed House Concurrent Resolution 8 ("HCR8"), entitled, "Concurrent Resolution Regarding Moving the State Prison." In HCR8, the Legislature resolved that "the Utah State Prison facilities currently located in Draper should be relocated from that site to one or more other suitable locations in the state." HCR 8 established 13 criteria to guide the prison relocation effort, including the following enumerated criteria:

- a. whether to locate the new prison on land already owned by the State (e.g., including the prison's current location);
- d. the new prison location should help facilitate an adequate level of volunteer and staff support (i.e., be a close enough commute);
- e. the new prison should be within a reasonable distance of comprehensive medical facilities;
- f. the new prison should be compatible with surrounding land uses for the foreseeable future; and,
- k. careful consideration should be given to access to courts, visiting and public access, expansion capabilities, emergency response factors, and infrastructure availability.

100 total possible points, Proximity issues could receive 35 total points, Land and Environment issues could receive 15 total points, Infrastructure issues could receive 15 total points, Community Services issues could receive 15 total points, Development Costs could receive 10 total points, and Community Acceptance could receive 15 total points; and,

8. **WHEREAS**, of the 26 potential new prison sites, seven are located in Tooele County and one is a 900-acre site owned by the Larry H. Miller companies located on Sheep Lane (the "Miller Site"; see a map of the Miller Site attached as Exhibit C); and,

9. **WHEREAS**, as ranked by the Criteria, the Miller Site is ranked 6th out of the 26 current sites, receiving a score of 72.5 out of 100 (see the Commission site screening results for the top 14 potential new prison sites attached as Exhibit D). The Miller Site received 20 out of 35 possible points for Proximity issues, 14 out of 15 possible points for Land and Environment issues, 12 out of 15 possible points for Infrastructure issues, 9.5 out of 10 possible points for Community Services issues, 7 out of 10 possible points for Development Costs issues, and 10 out of 15 possible points for Community Acceptance; and,

10. **WHEREAS**, although the Miller Site received 10 out of 15 possible points for Community Acceptance, Commission consultant Robert Nardi was quoted in a December 2, 2014, news article as saying "'We're not expecting community acceptance is going to be high on anybody's lists'"¹ and,

11. **WHEREAS**, the Miller Site ranked 6th out of 26 possible new prison sites, receiving a score of 72.5 out 100 possible points, although no Commission representative spoke with an elected or appointed representative of Grantsville City or Tooele City while conducting or prior to disclosing the ranking. No Commission representative spoke with an elected official of

¹ "County now on short list for prison," Tooele *Transcript*-Bulletin, December 2, 2014.

Grantsville City or Tooele City prior to a hastily called meeting at the Grantsville City Public Library on December 1, 2014; and,

12. **WHEREAS**, the Grantsville City Council finds the Community Acceptance ranking to lack credibility because the affected communities and their respective elected representatives were not consulted regarding the Miller Site prior to its ranking²; and,

13. **WHEREAS**, the Grantsville City Council finds the Infrastructure ranking to lack credibility because the affected communities and their respective public works directors and engineers were not consulted regarding the Miller Site prior to its ranking; and,

14. **WHEREAS**, the Grantsville City Council finds the Community Services ranking to lack credibility because the affected communities and their respective community development directors, economic development directors, and planners were not consulted regarding the Miller Site prior to its ranking; and,

15. **WHEREAS**, the Grantsville City Council finds the Community Services ranking to further lack credibility because the Community Services criterion insufficiently addressed the consideration mandated by HCR8 and SB268, regarding "locating new prison facilities to be compatible with surrounding land uses for the foreseeable future." Further, there is no evidence that the ranking considered the Tooele County land use designations, zoning district designations, and existing and adjacent land uses for the Miller Site, which uses include a large public recreational facility, a large private recreational facility available to the public, a large distribution warehouse, and future industrial and commercial uses; and,

16. **WHEREAS**, the Grantsville City Council finds the Community Services ranking to further lack credibility because the Miller Site is immediately adjacent to and shares a border with the master planned residential development of Overlake within the incorporated boundaries

² "Commission has misgivings about Utah prison site finalists," Salt Lake Tribune, December 15, 2014.

of Tooele City. The Overlake development has been discussed, planned for, and development phases approved for construction since 1996. The pending development of the Overlake properties was further solidified through a settlement agreement approved by the Tooele City Council on August 6, 2014, to bring an end to extended litigation and again clearing the way for residential development activities to proceed. The presence of existing and future land uses makes locating a new prison on the Miller Site not "compatible with surrounding land uses for the foreseeable future" (HCR8) because the affected communities and their respective community development directors, economic development directors, and planners were not consulted regarding the Miller Site prior to its ranking; and,

17. **WHEREAS**, the Commission minutes of December 3, 2014, state that "the [ranking] scores were calculated by independent experts with many years of national experience in siting correctional facilities," a statement belied by the lack of consultation with local experts, as described above; and,

18. **WHEREAS**, the Grantsville City Council finds that the site ranking process that resulted in the Miller Site ranking lacked credibility because, as stated by Mr. Nardi in the December 3, 2014, Commission meeting minutes, "no detailed field investigations were conducted during the screening process"; and,

19. **WHEREAS**, the Commission, on December 3, 2014, voted on new site selection criteria for evaluation of the 6 preferred sites, of which the Miller Site is one. The new selection criteria are as follows (from the minutes of the meeting):

- a. Have any issues been discovered with the site to date that would make the site unreasonably difficult or costly to develop?

- b. Is there an identified, compelling state interest that would likely be impaired by locating the correctional facility on the site being assessed?
- c. Is the proposed site in the path of expected concentrations of population growth and increasing population density that will likely occur in the foreseeable future?
- d. What is contemplated in the land use plan of the local community where the proposed site is located?

20. **WHEREAS**, although the Commission purported to adopt new assessment guidelines for evaluating new prison sites, the Commission is not authorized to ignore the assessment guidelines or evaluation criteria established by the Legislature in SB268, and the Commission must satisfy both the criteria established in SB268 and additional criteria established by the Commission; and,

21. **WHEREAS**, the Grantsville City Council suggests that had the current prison site been evaluated together with the 26 potential new prison sites, the current site would have ranked highest in every criterion; and,

Recitals: Open and Public Process

22. **WHEREAS**, the Grantsville City Council finds that the site ranking process that resulted in the Miller Site ranking was not a sufficiently open and public process. The process did not provide the public openness required by the language and intent of HB445. The process did not include the local public hearing required by the language and intent of SB74. No public hearing has been held in Grantsville City, Tooele City, or Tooele County regarding the Miller Site, or a public hearing for any site at any other location anywhere in the State of Utah; and,

23. **WHEREAS**, the Commission minutes from December 3, 2014, indicate a "decision to delay public disclosure of the sites, their associated screening scores, and detailed information on

the screening process . . . made at the request of state and local officials. . . ." belying the legislatively-declared intention of an open and public process for selecting a new prison site; and,

24. **WHEREAS**, the statement in the Commission minutes from December 3, 2014, indicating that "this prison relocation effort has been much more transparent than the state's usual processes for acquiring land" is belied by the lack of an open and public process, including that elected officials of Grantsville City, Tooele City, and Tooele County were only informed by the Commission of the possibility of the Miller Site being a potential short-list site on December 1, 2014, the announcement being officially made on December 3, 2014; and,

25. **WHEREAS**, the Commission minutes from December 3, 2014, state that "now that the commission has approved sites for further assessment and established guidelines under which those sites will be assessed, it can move forward to address public engagement in the site selection process." The Grantsville City Council suggests that this process is backwards. SB268 already identified numerous and detailed criterion under which sites could be assessed. Public engagement should have been part of the initial site assessment, as promised in several prior legislative enactments and as necessarily implied in the Community Acceptance section of the Criteria; and,

26. **WHEREAS**, a December 4, 2014, news article quoted Tooele City Mayor Patrick Dunlavy as stating that the Commission "'made a decision about the site without any local input"³; and,

³ "Miller property possible new prison location," Tooele *Transcript-Bulletin* < December 4, 2014.

Recitals: Present and Foreseeable Land Uses

27. **WHEREAS**, while the Miller Site is currently located in unincorporated Tooele County, the Miller Site has been included in Grantsville City's Annexation Growth Plan since 2010 (reference Ordinance 2010-11, Exhibit E) (map attached as Exhibit F); and,

28. **WHEREAS**, immediately adjacent to the Miller Site are located the expansive Tooele County fairgrounds facilities, the world-class Miller Motorsports Park, and an approximately 600,000 square-foot warehouse and distribution facility. A new prison on the Miller Site would damage the reputation of these two major recreational facilities, and is thus incompatible with current and foreseeable uses; and,

29. **WHEREAS**, the Commission minutes from December 3, 2014, state the Commission's intention to find a new prison location "that would prevent the reoccurrence of the situation in Draper." If the Commission is referring to the encroachment of residential, commercial, and industrial development on the existing prison site, and the existing prison site becoming more desirable for redevelopment, then the Miller Site is not a suitable site because the Miller Site, located in the middle of the Tooele Valley, on a major north-south collector road that is on the state STIP list for improvement to a major highway, on the boundaries of Grantsville City and Tooele City, adjacent to existing major recreational and industrial development, and adjacent to planned major residential, commercial, and industrial development would, in fact, replicate the situation in Draper on the scale of Tooele County (see the Commission's December 3, 2014, meeting minutes attached as Exhibit G); and,

30. **WHEREAS**, a December 3, 2014, news article reported House Speaker-elect Greg Hughes, R-Draper, as saying that "he did not want a new site to face the same issues with encroaching development as the once-remote Draper prison. 'We are not looking to replicate the

same problems or just shift the challenges that are going on right now with the Draper prison to just simply another political jurisdiction. That's not our interest"⁴; and,

31. **WHEREAS**, a December 2, 2014, news article quoted PRADA estimates of a \$20 billion redevelopment of the current prison location.⁵ This redevelopment, however, would come at the expense of desired and needed development in Tooele County, in the Tooele Valley, and specifically at the Miller Site, which would in turn not see any economic development. The Grantsville City Council opposes the redevelopment of the current prison location at the expense of the economic development of the Miller Site and the Tooele Valley; and,

32. **WHEREAS**, the Commission minutes from December 3, 2014, state that "having an engaged and receptive community is critical to having a successful corrections operation." The Grantsville City Council states unequivocally that the Grantsville City community is not receptive to a new state prison on the Miller Site; and,

33. **WHEREAS**, a December 4, 2014, news article quoted Mr. Nardi as stating that the Miller Site "is isolated with little to no development nearby."⁶ To say that the Miller Site is currently isolated and undeveloped is not only wrong but requires one to completely ignore the facts to make this statement. There currently is a 600,000 square foot distribution center facility that would be completely surrounded on three of its four sides with direct privity with the prison if the Miller site is selected. Grantsville City and Tooele City now and always are in the process of attempting to bring in more development and employment opportunities in this area as there are established businesses and infrastructure. Foreseeable uses for the Miller Site are viable and planned that would bring tremendous economic development benefits to Tooele County that would be foreclosed by the new prison site; and,

⁴ "Six sites now under consideration for new state prison," *Deseret News*, December 3, 2014.

⁵ "County now on short list for prison," *Tooele Transcript-Bulletin*, December 2, 2014.

⁶ "Miller property possible new prison location," *Tooele Transcript-Bulletin*, December 9, 2014.

34. **WHEREAS**, a December 4, 2014, news article quoted County Commissioner Bruce Clegg as stating, "I don't think putting the prison in the middle of the valley is a good choice" in part because the location could be problematic as Grantsville and Tooele cities grow in the future. The article quoted County Commissioner Jerry Hurst as stating that the Miller Site "is right in the middle of the valley in an area that the county and the city's plans call for projects that could be far more beneficial to our economy and community"⁷; and,

35. **WHEREAS**, a December 9, 2014, news article reports Greg Miller, one of Larry H. Miller's sons, as explaining that "Building a prison across the street from the motorsports park would be a departure from [his] original goals for the property ." Greg Miller was reported to have said, "I would like to see a little village populated with progressive and ethical businesses that produce goods and services. . . . While the businesses may not all be motorsports related, they will help lend sustainability to Miller Motorsports Park"⁸; and,

Recitals: Infrastructure

36. **WHEREAS**, while the Miller Site, together with site scoring and ranking, was disclosed to the public on December 1, 2014, Grantsville City representatives were not contacted by state engineering consultants until a phone conversation on December 10, 2014; and,

37. **WHEREAS**, the Miller Site is located outside the boundaries of any current municipal or service district capable of providing a culinary water supply to the Miller Site. The new prison, therefore, would be required to develop, operate, and maintain its own culinary water system. A Tooele County water district may exist in name, but it is Grantsville City's understanding that

⁷ Miller property possible new prison location," Tooele *Transcript-Bulletin*, December 4, 2014.

⁸ "Opposition mounts to prison site in valley," Tooele *Transcript-Bulletin*, December 9, 2014.

this district, if it exists, is not currently functioning, does not have any water infrastructure in place, and does not have certified culinary water system operators⁹; and,

38. **WHEREAS**, by State of Utah law, Grantsville City is authorized to provide water outside its corporate boundaries on a surplus basis only. Grantsville City is not willing nor will it provide access to its culinary water system and provide the approximately 700 acre-feet of water necessary for a new prison on the Miller Site at this point in time. Grantsville City is currently using its culinary water for its needs and for future growth.; and,

39. **WHEREAS**, the Tooele Valley is currently under State of Utah groundwater management plans that prohibit and/or restrict the movement of water rights within the valley. Current State of Utah water rights policy prevents or restricts water rights transfers into the eastern segments of the valley, and prohibits the movement of water rights more than three miles perpendicular to the current point of diversion; and,

40. **WHEREAS**, the Commission received a report on December 22, 2014, in which the Commission's consultant identified no environmental constraints with the Miller Site. However, current water policy for the central Tooele Valley, including the Miller Site, is significantly impacted by the expanding presence of the Tooele Army Depot groundwater contamination plume. This plume is monitored by EPA Region 8 (EPA ID# UT3213820894). The plume is reported to be moving in a north-westerly direction towards the Miller Site. Diversion of groundwater from within the plume is prohibited. Diversion of groundwater from wells located on or near the Miller Site would likely exacerbate the plume's expansion, and would likely be prohibited by the Environmental Protection Agency. The only other culinary water sources

⁹ Notwithstanding, Tooele County is listed as the agent for the West Erda Improvement District. Jerry Houghton, elected Tooele County Recorder, is listed both as the contact and as the Certified Operator (D1). The system is currently showing 17 connections with a pump capacity of 200 gpm.

would be Grantsville City and Tooele City. (See a graphic of the plume area attached as Exhibit H); and,

41. **WHEREAS**, the Tooele Valley watershed, being relatively limited in size, is more strongly impacted by cycles of water drought than other watershed communities. As a result, development within the Tooele Valley requires additional water planning for redundancy and surety of water supply than in other areas, such as, along the Wasatch front. Utilizing the projected quantities of water for a new prison in the Tooele Valley will significantly impact the ability to provide sufficient water supplies for residential, commercial, and industrial growth vital to the health of the community; and,

42. **WHEREAS**, the Miller Site is located outside of any current municipality or special district capable of providing sanitary sewer service. The new prison, therefore, would be required to develop, operate, and maintain its own sanitary sewer treatment and disposal system. Tooele County has no wastewater treatment capability. The only operational wastewater treatment facilities with the Tooele Valley, and of any significant capacity, are the Grantsville sewer lagoons, and the Tooele City Water Reclamation Facility. Grantsville City does not have the capacity to provide services for the proposed prison construction as presented by PRADA and the PRC. Further, Grantsville City does not currently provide any sewer services outside of its municipal boundary and will not do so for the Miller site; and,

43. **WHEREAS**, the demands of a new prison upon either Grantsville City's or Tooele City's wastewater treatment system would be significant, if not impossible, and would require significant extension and/or upsizing of system infrastructure and treatment facilities, inclusion of pumping systems, and potential pre-treatment requirements. These increases would also require expansion of personnel and equipment for operation and maintenance. As with water

capacity, allowing a new prison to utilize the remaining existing capacity of Grantsville City's sewer lagoons would prevent Grantsville City from providing sanitary sewer services to residential, commercial, and industrial growth vital to the health of the community; and,

44. **WHEREAS**, while a new prison location is desired to be within a 30-mile radius of the existing prison, and the Miller Site may be located within this 30-mile radius, the actual travel distance is in excess of 45 miles, with a travel time of 45-60 minutes (or more) depending on traffic and weather; and,

45. **WHEREAS**, the Grantsville City Council believes that the Miller Site, and any Tooele Valley site, is unsuitable for a new prison location because Interstate 80 is the single point of access into and out of the Tooele Valley from the Salt Lake Valley. Historic events have resulted in frequent closures of I-80 between SR-201 and SR-36 . The only maintained alternate route is from the south through Rush Valley. This has happened as recently as December 29, 2014, when Interstate 80 was closed east bound for several hours, not allowing any traffic to leave the valley except through Lehi; and,

47. **WHEREAS**, during a December 22, 2014, meeting of the Commission, Commission consultants suggested that the Miller Site would require infrastructure-related costs of \$25-\$30 million dollars. The Grantsville City Council believes this number to be a substantial underestimate. Wastewater treatment costs would require an on-site package plant costing approximately \$5 million dollars, or an equivalent expansion to Tooele City's reclamation facility or Grantsville's treatment facility. Seven-hundred acre-feet of water rights, if they are available in quantities that can be points of diversion for the Miller Site, could cost \$10,000 or more per acre-foot, for an estimated cost of \$7 million. (In addition to the monetary cost, this amount of diversion for a prison would be at the opportunity cost of about 2,800 acres of retired

farm land or about 1,000 new houses.) A new prison on the Miller Site would require at least two wells at an estimated cost of \$2 million each. A water reservoir with booster pumps and pump houses would cost another estimated \$1.5 million. The estimated cost of water and sewer infrastructure alone is \$17.5 million. Additional infrastructure would include power, communications, and natural gas; and,

47. **WHEREAS**, in addition to the utility infrastructure discussed above, transportation infrastructure would cost at least \$50 million because the first phase of the Mid-Valley Highway would become a necessity. To say that the Mid-Valley Highway was already planned is disingenuous because no adequate funding sources for phase one of the project have been identified to date, and no near-term timeline for construction has been identified to date. Whereas phase one of the Mid-Valley Highway has been a frequently-discussed but unfunded project, the relocation of the prison to the Miller Site would require this transportation infrastructure as part of the prison relocation and construction costs. Existing state, county, and municipal roads would be inadequate for a new prison on the Miller Site; and,

Recitals: Media Representations

48. **WHEREAS**, during the December 1, 2014, meeting held in the Grantsville City public library, Mr. Nardi explained that the Miller businesses filled out a Site Offer Form found on the Commission's website. A December 2, 2014, news article reported Mr. Nardi explaining that "The site was volunteered to the commission as a candidate by its private property owners, rather than the state approaching its owners to consider selling it should it be determined to be the most suitable site."¹⁰ A December 4, 2014, news article reported Mr. Nardi explaining that "The owner of the site, the Larry H. Miller Group, offered the site to the commission for

¹⁰ "County now on short list for prison," Tooele *Transcript-Bulletin*, December 2, 2014.

consideration."¹¹ To the contrary, however, a December 5, 2014, news article reported that state officials "approached the family of Larry H. Miller."¹² The article reports this statement of Linda Luchetti, spokeswoman for the Miller Family Real Estate company: "They asked if they could look at it and the Millers said they could look at it"¹³; and,

49. **WHEREAS**, a December 4, 2014, news article stated that "The only site that made the initial cut that hasn't faced immediate opposition is one in Tooele County, near SR 112 and the Depot Boundary Road,"¹⁴ or, in other words, the Miller Site. The Miller Site didn't face immediate opposition from Grantsville City because Grantsville City's elected officials had been previously assured by the Commission that "all Tooele County sites were off the list of prison finalists."¹⁵ Further, the Commission had chosen to keep the list of finalist sites confidential. Finally, Grantsville City's elected leaders were not informed by the Commission that the Miller Site was in the top six finalist sites until the December 1st meeting, in which meeting both Mayor Marshall of Grantsville City and Mayor Dunlavy of Tooele City opposed a new prison at the Miller site. In Mayor Marshall's words, as reported in the article, "We don't want a prison here."¹⁶ In fact, the Miller Site faced immediate opposition from the leaders of both Grantsville City and Tooele City, and from County Commissioners Bruce Clegg and Jerry Hurst, as well as County Commissioners-elect Myron Bateman and Wade Bitner; and,

50. **WHEREAS**, a December 8, 2014, news article stated the opposition of Tooele County's elected leaders with this lead statement: that "they are united in their opposition to the only plot

¹¹ "Miller Property possible new prison location," *Tooele Transcript-Bulletin*, December 4, 2014.

¹² "Politically connected among owners of prison-site prospects," *Salt Lake Tribune*, December 5, 2014.

¹³ *Id.*

¹⁴ "Six potential Utah prison sites unveiled," *Salt Lake Tribune*, December 4, 2014.

¹⁵ "Miller property possible new prison location," *Tooele Transcript-Bulletin*, December 4, 2014.

¹⁶ *Id.*

now under consideration" : the Miller Site.¹⁷ The article quotes Erik Gumbrecht, chairman of the Tooele Republican Party, as saying, "To have [the Miller Site] contain a prison, I think, ruins the whole potential opportunity" for the utilization and development of the area as "the gateway between Grantsville and Tooele and all the areas around there," which areas include the Miller Motorsports Park and the Deseret Peak recreational complex.¹⁸ The Grantsville City Council agrees with these concerns; and,

51. **WHEREAS**, on December 9, 2014, the Tooele County Republican Party issued a statement that a new prison on the Miller Site would "severely impact growth"¹⁹ in the Tooele Valley , and would "residually damage our ability to flourish,"²⁰ citing three main examples. First, the Miller Site is "too close to the Deseret Peak Complex. This facility represents one of the largest investments the county has made, and was built with the intention of bringing conventions, sporting events, business events and other activities to our county."²¹ Second, new businesses would "be swayed from establishing in this area,"²² a concern cited most notably by West Jordan City regarding a potential new prison site in that city.²³ Third, the Miller Site is too close to areas in which the Party would like considered for residential housing. While the Grantsville City Council is non- partisan, the Council agrees with the concerns expressed by the Republican Party as summarized in this Recital; and,

52. **WHEREAS**, Merrell Nelson, Utah House Representative for District 68, has stated that a new prison on the Miller Site would be "in the path of current and projected population growth

¹⁷ "Tooele open to Prison, but not near Motorsports Park, Salt Lake *Tribune*, December 9, 2014.

¹⁸ "Tooele open to Prison, but not near Motorsports Park, Salt Lake *Tribune*, December 9, 2014.

¹⁹ "Opposes prison site," Tooele *Transcript-Bulletin*, December 9, 2014.

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ "Six potential Utah prison sites unveiled," Salt Lake *Tribune*, December 4, 2014. "Six sites now under consideration for new state prison," Tooele *Transcript-Bulletin*, December 3, 2014.

and economic development. What we envision and plan for this area is homes, stores, commerce, services, convention center/hotel, and recreation center in connection with the Motorsports Park and Deseret Peak Complex-and not a prison!"²⁴ While the Grantsville City Council is non-partisan, the Council agrees with the concerns expressed by the Republican Party as summarized in this Recital; and,

53. **WHEREAS**, more recently than his December 4th statements, County Commissioner Shawn Milne is reported to have stated on December 9th that the Miller Site "is central to the county's economic development plans and it is in the path of growth for the communities in Tooele Valley."²⁵ The Grantsville City Council agrees with this statement. The County Commissioners are now unified against a new prison on the Miller Site²⁶; and,

54. **WHEREAS**, a local citizen group "No Prison in Tooele County" has published its objection to Tooele County hosting a new prison: (1) the stigma of a prison town will make it hard to attract other businesses and will harm the county's economic development efforts; (2) addition burdens on schools²⁷ and social services; (3) low job creation because of commuting employees; and (4) scarce water resources being diverted from business opportunities to the prison.²⁸ The citizen group stated that "'Our reasons for not wanting the prison in our county are just as valid as those of other proposed locations who are also opposed to the prison being relocated to their communities We love our families just as much, we work just as hard, and we are dedicating just as much of our lives to creating the best standard of living we can.'"²⁹ While the Grantsville City Council is non-partisan and non-endorsing of

²⁴ "A higher and better use than for a prison," Tooele *Transcript-Bulletin*, December 9, 2014.

²⁵ "Opposition mounts to prison site in Tooele Valley," Tooele *Transcript-Bulletin*, December 9, 2014.

²⁶ "Marshall: 'We don't want this prison,'" Tooele *Transcript-Bulletin*, December 23, 2014.

²⁷ A concern echoed by Scott Rodgers, Superintendent of Schools, in "Citizens boost fight against prison,"

²⁸ *Id.*

²⁹ *Id.*

citizen groups in general, the Council agrees with the concerns expressed by "No Prison in Tooele County" with respect to the Miller Site; and,

55. **WHEREAS**, in a December 22, 2014, news article Tooele County Commissioner Shawn Milne is quoted as stating, "We are united in opposition to the Miller site, but after that, the coalition of opposition by elected officials breaks down."³⁰ The Grantsville City Council affirmatively states that this statement does not reflect the united opposition of Grantsville City and Tooele City to any new prison location identified anywhere in Tooele County. In this respect, the municipal opposition is united and unbroken; and,

56. **WHEREAS**, on October 15, 2014, an initial health impact assessment on the location of a new prison in Tooele County was presented in a public hearing by the Westminster College School of Public Health. The assessment found, among other things , the following: (1) prison relocation will bring little to no increase in employment to Tooele County; (2) there is no evidence that a new prison would be an economic boon to Tooele County; (3) increased commuting from urban areas to Tooele County might contribute to lower air quality, including in Tooele County; (4) Tooele County lacks the infrastructure needed to deliver critical utility services to a new prison, including 257 millions of gallons of water per year; (5) Tooele County's medical services, mental health services, and low income housing resources may be burdened beyond their present capacities by prisoner families and prisoners choosing to live in Tooele County³¹:

57. **Whereas**, on December 23rd, Draper City Mayor Troy Walker stated "We have done our bit for king and country . . . I don't believe Draper should have to bear the burden forever."³² The Grantsville City Council believes that Tooele County has been asked to carry a heavy

³⁰ "Commission wants to be 'civil' about state prison," Tooele *Transcript-Bulletin*, December 22, 2014.

³¹ *Id.*

³² "Moving the Utah State Prison isn't a done deal. Salt lake *Tribune*, December 22, 2014.

burden for the State of Utah by hosting its waste treatment facilities which handle hazardous waste and providing landfill services for the Wasatch Front. Tooele County was home for over 70 years to Deseret Chemical Depot where the world's most toxic chemical and nerve agents known to mankind were stored and destroyed. Stericycle and Utah's Air Quality Board recently reached a settlement agreement for Stericycle's unlawful burning of radioactive material at its incineration facility in North Salt Lake in the amount of \$2.3 million.³³ This fine will be reduced by half if the facility relocates to Tooele County within three years.³⁴ Grantsville City is not looking to take the "burden" of another community to satisfy its 'bit for king and country' when it has done more than Draper will ever do, we 'have done our bit for king and country.'

³³ "State approves fine, future moving date for Stericycle" Salt lake *Tribune*, December 3, 2014.

³⁴ *Id.*

NOW, THEREFORE , BE IT RESOLVED BY THE GRANTSVILLE CITY COUNCIL, WITH THE FULL SUPPORT OF THE GRANTSVILLE CITY MAYOR, AS FOLLOWS:

1. The Grantsville City Council calls upon the Commission to remove the Miller Site, and all Tooele County sites, from consideration as possible locations for a new state prison.
2. The Grantsville City Council expresses its unified and adamant opposition to a relocation of the Utah state prison to the Miller Site.
3. The Grantsville City Council expresses its unified and adamant opposition to a relocation of the Utah state prison to any Tooele County location.
4. The Grantsville City Council finds a compelling, countervailing public interest in not allowing a new prison to be constructed in the Tooele County.
5. The Grantsville City Council finds that a new prison in Tooele County would not be an economic boon to Tooele County or the surrounding municipalities, but would be a substantial deterrent to Grantsville City's, Tooele City's, and Tooele County's ability to attract desirable industry and desirable commerce and to expand existing industrial, commercial, service, and recreational uses and opportunities.
6. The Grantsville City Council finds that a new prison in Tooele County would not be an economic boon to Grantsville City, Tooele City, or Tooele County, but would be a substantial drain upon Grantsville City, Tooele City, and Tooele County resources, including the following:
 - a. groundwater , water rights, and water delivery infrastructure;
 - b. wastewater treatment collections and treatment infrastructure;
 - c. transportation infrastructure ;
 - d. school systems;
 - e. social services;

f. property-tax-generation .

7. The Grantsville City Council finds that many of the concerns expressed by Salt Lake County and Utah County municipalities, as summarized above and in the referenced news articles, apply equally to Tooele County municipalities.

8. The facts and policy concerns articulated in the above Recitals are hereby incorporated into this Resolution as findings of the Grantsville City Council.

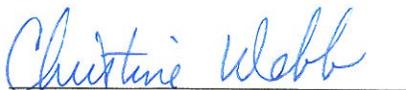
9. As stated in this Resolution, The Grantsville City Council believes the Prison Relocation Commission has not operated inside their prescribed legislative framework. The City Council may seek all legal remedies afforded it to assure that the site selection process is completed free from undue political and financial influence.

This Resolution shall become effective upon passage by the Grantsville City Council..

**NOW THEREFORE, BE IT RESOLVED AND ADOPTED BY THE CITY COUNCIL
OF GRANTSVILLE, UTAH, THIS 7TH DAY OF JANUARY, 2015.**


By Mayor Brent K. Marshall

ATTEST:



Christine Webb

City Recorder

(SEAL)



Exhibit "A"

House Concurrent Resolution 8 (2014)

1 **CONCURRENT RESOLUTION REGARDING MOVING THE**
2 **STATE PRISON**
3 2014 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Brad R. Wilson**

6 Senate Sponsor: Jerry W. Stevenson

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor addresses the relocation
11 of the Utah State Prison.

12 **Highlighted Provisions:**

13 This resolution:

- 14 ▶ concludes that it is in the best interests of the state to move the state prison from its
- 15 current location in Draper;
- 16 ▶ resolves that the prison should be relocated from its current location;
- 17 ▶ identifies factors that should be given careful, serious, and deliberate consideration
- 18 in the process of relocating the prison; and
- 19 ▶ directs that a copy of the resolution be given to various persons.

20 **Special Clauses:**

21 None

23 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

24 WHEREAS, the question of whether to move the Utah State Prison from its current
25 location in Draper has received much attention and study, including the work of the Prison
26 Relocation and Development Authority (PRADA) over the past two years and an in-depth
27 study commissioned by PRADA;

28 WHEREAS, the decisions of where and how to relocate prison facilities must be given
29 careful, serious, and deliberate consideration, taking into account many important factors,

30 including:

31 a. whether to locate new prison facilities on land already owned by the state or on land
32 that is currently in public or private ownership but that the state may acquire or lease;

33 b. the efforts of the Commission on Criminal and Juvenile Justice to evaluate criminal
34 justice policies to increase public safety, reduce recidivism, and reduce prison population
35 growth should be supported;

36 c. new prison facilities should be conducive to future inmate programming that
37 encourages a reduction in recidivism;

38 d. the location of new prison facilities should help facilitate an adequate level of
39 volunteer and staff support that will allow for a correctional program that is commensurate
40 with the high standards that should be maintained in the state;

41 e. new prison facilities should be located within a reasonable distance of
42 comprehensive medical facilities;

43 f. new prison facilities should be located to be compatible with surrounding land uses
44 for the foreseeable future;

45 g. new prison facilities should be supported by one or more appropriations from the
46 Legislature;

47 h. the preparation of performance specifications for new prison facilities, to facilitate a
48 high quality correctional program, and for the use of the current prison site should be designed
49 to maximize the overall value to taxpayers;

50 i. construction should be phased in over a period of time;

51 j. every reasonable effort should be made to maximize efficiencies and cost savings
52 that result from building and operating newer, more efficient prison facilities;

53 k. access to courts, visiting and public access, expansion capabilities, emergency
54 response factors, and the availability of infrastructure should be given careful and serious
55 consideration;

56 l. the existing relationship between the state and counties regarding the housing of state
57 prisoners in county facilities should be respected, and serious consideration should be given to

58 the role county jails and sheriffs can play in the future in terms of housing prisoners and
59 possibly moderating the need for the state to build and maintain additional prison facilities; and

60 m. the land on which the current prison is located in Draper should be used, disposed
61 of, or redeveloped through an orderly, competitive, and open process, with the goal of
62 maximizing the economic development potential of the property and achieving the greatest
63 benefit to the state's taxpayers;

64 WHEREAS, the citizens of the state will be best served by a relocation of the current
65 prison facilities, as these and other relevant factors guide the decisions of where and how to
66 move the current prison facilities; and

67 WHEREAS, considering all relevant factors, including the substantial expense that will
68 be required in coming years to maintain, replace, expand, and upgrade existing prison facilities
69 at the Draper location, the cost savings to be realized over time from new, more efficient
70 facilities, the opportunity to tailor new facilities to any improved correctional programs, and
71 the substantial economic and other benefits from changing the use of the current prison
72 property, it is sound public policy and in the best interests of the state to move the prison
73 facilities from their current location in Draper:

74 NOW, THEREFORE, BE IT RESOLVED by the Legislature of the state of Utah, the
75 Governor concurring therein, that the Utah State Prison facilities currently located in Draper
76 should be relocated from that site to one or more other suitable locations in the state.

77 BE IT FURTHER RESOLVED that the relocation of prison facilities should be guided
78 by the principles stated in paragraphs a through m of this resolution.

79 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah
80 Department of Corrections, the Prison Relocation and Development Authority, and the
81 members of Utah's congressional delegation.

Exhibit "B"

Final Weighted Criteria

Final Weighted Criteria
 Adopted by the
 Prison Relocation Commission
 September 3, 2014

Criteria	Points Assigned by Commission
Proximity Proximity to Staff, Visitors, and Volunteers Proximity to Medical and Treatment Providers Proximity to Legal Services	35
Land and Environment Land Area and Topography Soil Characteristics Wetlands Hazard Avoidance (floods, faults, landfills, etc.)	15
Infrastructure Access to Roadways Water Supply Wastewater Treatment Electric Power Natural Gas Telecommunications	15
Community Services/Other Emergency Response Services Adjoining and Nearby Land Uses Ownership	10
Development Costs	10
Community Acceptance	15
Grand Total	100

Exhibit "C"

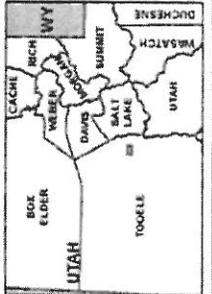
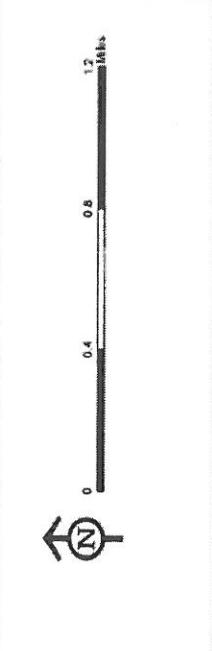
Miller Site Plat



Utah Prison Siting Program
Prospective Sites

TOOELE COUNTY - 7
Tooele County, Utah

Louis Berger



Legend

TOOELE COUNTY - 7
Miller Family Site - 900 acres

Exhibit "D"

Prison Relocation Commission
Site Screening Results for 14 Highly Ranked Sites

High Relocation Commission
 Site Screening Results for 14 Highly Ranked Sites
 1/23/2014

County		Salt Lake	Salt Lake	Utah	Salt Lake	Utah	Tooele	Tooele	Salt Lake	Utah	Tooele	Utah	Tooele	Utah	Tooele
Category	Criteria/Indicator(s)	Southwest Valley	Airport North	Northwest Utah Valley	I-80/7200 West	Lake Mountains West	SR 112/ Depot Boundary Road	West Tooele Valley	I-80/North-South SR 111	Ogden Valley South	I-80/ Burmeister Road	Southwest Utah Valley	TAD Brook/Rush Valley	Lake Mountain Book	South Hill I-80 Book
Proximity (35 points)	Proximity to D-3 pier (10 points)	10	10	7.5	10	7.5	5	2.5	7.5	7.5	2.5	5	2.5	5	0
	Proximity to existing workforce (10 points)	10	10	10	7.5	5	2.5	2.5	7.5	5	5	7.5	2.5	2.5	5
	Medical Treatment (UMC) (10 points)	10	10	7.5	10	2.5	7.5	5	7.5	2.5	7.5	0	5	2.5	5
	Legal Services (2nd & 3rd District Courts) (5 points)	4	4	2	4	3	5	5	4	3	5	0	5	0	3
Proximity Total Score		34	34	27	31.5	18	20	15	26.5	18	20	12.5	15	10	13
Land & Environment (15 points)	Land Area and Topography (5 points)	5	5	2	5	5	2	5	4	5	4	3	4	4	2
	Soil Characteristics (3 points)	3	1	2	2	0	3	0	3	2	2	2	5	2	2
	Wetlands (3 points)	3	2	3	2	3	3	3	2	3	1	3	3	3	1
	Hazard Avoidance (flood hazard zones, seismic hazard, soils with liquefaction potential, presence of landfills) (4 points)	4	2	3	2	4	3	4	2	4	2	3	2	3	3
Land & Environment Total Score		15	10	10	11	12	14	12	9	14	10	12	11	12	8
Infrastructure (15 points)	Access to Roadways (3 points)	3	3	3	3	3	3	3	3	3	3	2	3	3	3
	Water Supply (3 points)	2	3	3	2	3	3	3	1	0	0	0	0	0	0
	Wastewater Treatment (3 points)	2	3	3	2	3	1	1	0	0	0	0	0	0	0
	Electric Power and Natural Gas (3 points)	2	3	3	2	3	2	2	1	0	1	0	1	0	1
Infrastructure Total Score		12	15	15	12	15	12	12	8	6	7	2	7	6	7
Community Services/Other (10 points)	Emergency Response Services (5 points)	4	5	5	4	4.5	4.5	3.5	3.5	3.5	4	2	2.5	2.5	0
	Adjoining and nearby Land Uses (5 points)	4	4	5	4	5	5	5	5	5	5	5	5	5	5
Community Services/Other Total Score		8	9	10	8	9.5	9.5	6.5	8.5	8.5	9	7	7.5	8.5	5
Development Costs (10 points)	Land acquisition costs (4 points)	3	0	3	0	5	3	3	0	5	5	5	5	5	0
	Site preparation costs (2 points)	2	2	0	2	2	2	0	1	2	0	2	2	0	2
	Infrastructure extensions/upgrades costs (3 points)	2	2	3	2	3	2	2	1	0	0	0	0	0	0
Development Costs Total Score		7	4	6	4	10	7	5	2	7	5	7	7	5	2
Community Acceptance (15 points)	Stated interest from community reps and/or risk of opposition (15 points)	10	10	12	10	10	10	10	7.5	7.5	5	12	5	10	5
	Community Acceptance Total Score	10	10	12	10	10	10	10	7.5	7.5	5	12	5	10	5

Exhibit "E"

Grantsville City Ordinance 2010-11

Grantsville City
Record of Ordinance Adoption

A regular meeting of the City Council of Grantsville City was held at City Hall in Grantsville, Utah of Wednesday, 16th day of June at the hour of 7:00 p.m., there being present and answering roll call the following:

Brent Marshall	Mayor
Todd Castagno	Council Member
Tom Tripp	Council Member
James Vera	Council Member
Mike Colson	Council Member
Mike Johnson	Council Member

Also Present:

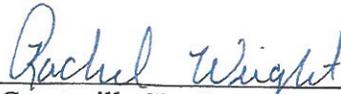
Ronald Elton	City Attorney
Rachel Wright	City Recorder

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting approved, the ordinance 2010-11 was introduced in writing, read in full, and pursuant to a Motion made by Councilman Vera. Seconded by Councilman Castagno and was adopted by the following vote:

Yea:	Unanimous
Opposed:	None
Abstained:	None

The ordinance was then signed by the Mayor and recorded by the City Recorder in the official records of Grantsville City, Utah. The ordinance is attached:



Grantsville City Recorder

GRANTSVILLE CITY
ORDINANCE NO. 2010-11

AN ORDINANCE ADOPTING AN AMENDED ANNEXATION POLICY PLAN.

Be it enacted and ordained by the City Council of Grantsville City, Utah as follows:

SECTION ONE: PURPOSE. This ordinance is for the purpose of updating and revising the Grantsville City Annexation Policy Plan. The State of Utah has enacted legislation that requires communities to develop and adopt Annexation Policy Plans before annexing unincorporated lands into their incorporated boundaries (UCA §10-2-401.5) Grantsville City desires to plan for the future expansion of its boundaries in a manner that is consistent with its General Plan and in ways that will preserve and enhance the quality of life now enjoyed in Grantsville City. Grantsville City is willing to consider annexation of surrounding lands that are within its designated annexation areas. The Planning Commission and City Council have held duly noticed public meetings and hearings according to Utah Law.

SECTION TWO: POLICY STATEMENT. This ordinance is adopted in order to provide Grantsville City with a growth plan that will guide the development and expansion of the municipal boundaries through annexation in a manner that is consistent with the General Plan of Grantsville City and the laws of the State of Utah. It is the intent of this Annexation Policy Plan to protect and enhance the private property rights of property owners within the municipal boundaries and in the unincorporated areas surrounding Grantsville City. It is further the intent that the regulations contained herein shall encourage sound planning practices and reduce the major sources of problems usually associated with the annexation process. The following statements are reflected in the State Law governing annexations and are included as a part of this

Annexation Policy Plan. Sound development within Cities and Counties is essential to the continued economic development of the State of Utah. Municipalities are primarily created to provide urban type governmental services essential for development and for the protection of public health, safety and welfare in residential, commercial, and industrial areas, and in areas under-going development. Municipal boundaries should be extended, in accordance with specific standards, to include areas where urban-type governmental services and facilities are needed and can be provided for the protection of public health, safety and welfare, and to avoid the inequities of double-taxation and the proliferation of special service districts. Areas annexed to municipalities in accordance with appropriate standards should receive the services provided by the annexing municipality consistent with a planned extension policy. Areas annexed to municipalities should include all of the urbanized unincorporated areas contiguous to municipalities, securing the residents within these areas a voice in the selection of their government and the services they shall receive. Decisions with respect to municipal boundaries and urban development need to be made with adequate consideration of the effect of the proposed actions on adjacent areas and on the interests of other government units, on the need for the cost of local government services, the ability to deliver the services under the proposed actions, and on factors related to population growth and density of the geographic area. The economic and financial impacts of annexation to affected governmental entities must be evaluated to ensure that annexation is financially desirable.

SECTION THREE: EXPANSION AREA MAP. A map of the Expansion Area is included in this Annexation Policy Plan is attached hereto as Exhibit "A", which is made a part of this Ordinance by reference. This map outlines the boundaries of each area outside, but

adjacent to, the Grantsville City municipal boundary, that may be considered for annexation. The Expansion Area Map shows the area where the City can provide municipal services. The map also includes areas of influence that impact watershed areas, wetlands areas, sensitive lands, etc. Even though the properties are designated on the Expansion Area Map as “Expansion Area” there is no guarantee that an annexation request will be approved by Grantsville City. Any petition for annexation may require additional requirements than those contained in the current Annexation Policy Plan.

SECTION THREE: ANNEXATION CRITERIA. The following criteria shall guide the City’s decisions regarding annexation petitions:

A. The character of the community. Reference the General Plan Goals and Objectives and the Mission Statement or Vision of the Community.

B. The need for municipal services. The need for services shall be outlined on the petition for annexation by the petitioners as well as their recommendations for how these services are to be provided. The Council shall determine what services are actually needed as well as how and when they are to be provided and financed.

C. Plans for extension of municipal services. The City plans to provide services economically within its boundaries first. As streets are built they should conform to the current and amended street master plan. As new streets are built in annexed areas, they shall conform to the master street plan. Proposed streets, water-lines, sewer plans, parks, etc. shall be projected as needs dictate and shall be included in the Capital Facilities Plan.

D. How the services shall be financed. A long-range financing plan shall be developed consistent with the General Plan and the Capital Facilities Plan to extend services to new areas.

A uniform financing plan that outlines the cost of providing new services to annexed areas should be developed with each annexation, as well as how these costs shall be met. The cost to provide new services to annexed areas shall be financed by the property owners and users of lands in that area unless otherwise determined by the City Council.

E. An estimate of the tax consequences. The property owners petitioning for annexation should prepare a report showing the tax consequences to properties covered by the annexation and present these with the petition for annexation. The tax impact within the municipal boundaries should be prepared by the City, and presented as a final report on the tax consequences before a final decision is made on annexation.

F. The interests of all affected entities. The following is a list of the public and private governmental entities that either own property or provide services within the Expansion Area: Tooele County, North Tooele County Fire Protection Service District, Tooele County School District, Tooele County Special Service District (Water), Grantsville Soil Conservation District, Tooele Valley Mosquito Abatement District, the State of Utah and the United States of America. Tooele County currently provides limited, public safety, utilities and other general government services to some parts of the Expansion Areas. Tooele County's policy has been that municipal type development should occur in cities. The Tooele County School District provides school service to Grantsville City and the Expansion Area. The North Tooele County Fire Special Service District provides fire protection services to the areas located in the Expansion Area boundaries. Grantsville City has under an interlocal agreement with most governmental entities located within Tooele Valley, has responded to the Expansion Area to assist Tooele County and the North Tooele County Fire Special Service District in fire suppression and law enforcement

activities. The North Tooele County Fire special Service District will lose its taxes from private property located in the Expansion Area if annexed into Grantsville City, but will not be required to provide direct services to the areas annexed.

G. Avoiding Gaps, Overlaps, Islands, or Peninsulas. The City shall avoid the creation of gaps, overlaps, islands, and or peninsulas as annexations occur.

H. Projected Costs of Infrastructure. Grantsville City will include costs of servicing the Expansion Areas in a Capital Facilities Plan. The costs of over-sizing lines and facilities will be included in the City's Impact Fee Analysis. The costs to install lines and facilities in the Expansion Area itself will, in most cases, be borne by the property owner or developer.

I. Full Development Plan. The City shall encourage development within the municipal boundaries in an effort to utilize undeveloped lands. Policies shall be adopted to encourage the appropriate use of undeveloped lands within the City and within the Expansion Area consistent with the General Plan.

J. Consistency with General Plan. All annexations shall be in harmony with the Grantsville City General Plan. The goals and objectives of the Grantsville City General Plan shall guide all development and consideration of annexation.

K. Inclusion of Agricultural and Recreational Areas. Agricultural areas are included in the Expansion Area and shall be considered for annexation when it is consistent with the Agriculture Protection Act of Utah, the General Plan, and the desires of the owners of said property. In general, agricultural areas shall be protected from development, unless it is the desire of the property owners of said lands to develop. Recreational areas shall be considered for annexation to the City with the intent that municipal services are needed and can be provided

effectively consistent with the General Plan.

L. Size of Expansion Areas. The expansion areas of the City shall be of sufficient size to accommodate planned commercial and residential growth consistent with the General Plan, taking into account the following: 1. Land with natural constraints, i.e. sensitive lands, water sheds, water drainage, cliffs, steep slopes, views, vegetation preservation, etc. 2. Agricultural land to be preserved. 3. Greenbelt and open space lands. 4. Public street projections and reservations. 5. Existing projects with development potential. 6. Land use patterns already created by existing subdivisions, recorded plats, or large lot divisions, etc. 7. Plans to continue the building pattern in existing developments to their completion. 8. Preservation of public infrastructure and water sources, and 9. Needs for preservation of open-space, parks, wildlife habitat.

M. Location of Expansion Areas. The following factors shall be considered in determining the precise location of Expansion Area Boundaries: 1. Geographic, topographic, and manmade features; 2. The location of public facilities; 3. Availability of needed services; limits of capacities and extension limits. 4. Jurisdictional boundaries of other public entities and improvement districts, and 5. Location of natural resource lands and critical areas. Planning growth in this manner shall provide the following advantages to the City: 1. Encourage an efficient development pattern. 2. Identify and maintain protected Agricultural Areas. 3. Avoid unnecessary and premature consumption of land that cannot be developed or serviced efficiently. 4. Provide a focused plan for preserving existing public facilities and capital investments and extension of public facilities in the future. 5. Develop and maintain fiscal integrity in City operations by encouraging the full utilization of existing streets and other public facilities.

6. Diversify and strengthen the tax base of the community. 7. Encourage the development of local job opportunities. 8. Protect and preserve natural and environmental features that are desired by the community. 9. Provide for future developments by advanced mapping of needed facilities and services, and 10. Facilitate development by providing sufficient areas within each tier and planned zones appropriate to support anticipated populations.

O. Expansion Area Map. The Expansion Area Map shall provide a view of present and future uses of land for each City, to make efficient use of resources 20 years into the future. This should be updated periodically, along with the General Plan.

P. Criteria for Annexations. In addition to the foregoing, Grantsville City shall only consider lands for annexation that meet the following criteria: 1. It is a contiguous area according to the definition herein. 2. It is contiguous to the municipality. 3. The annexation shall not leave or create an unincorporated island or peninsula, and 4. The area is within the proposed annexing municipality's Expansion Area.

SECTION FOUR: FACTORS CONSIDERED. The City has considered the following in considering, developing and adopting this annexation policy plan:

A. An attempt to avoid gaps between or overlaps with the expansion areas of other municipalities;

B. The population projections for Grantsville City and adjoining areas for the next 20 years. The Governor's Office of Planning has projected the population of Grantsville City for 2010 at 9435, 2015 at 15,217, 2020 at 19,315, 2025 at 24,842 and 2030 at 33,900. Most of the expansion area does not include residential areas and it is not anticipated that significant residential development will not occur in these area.

C. Current and projected costs of infrastructure, urban services and public facilities necessary to facilitate full development of the City and the expansion area. Grantsville City intends to include costs of servicing the Expansion Areas in a Capital Facilities Plan. The costs of over-sizing lines and facilities will be included in the City's Impact Fee Analysis. The costs to install lines and facilities in the Expansion Area itself will, in most cases, be borne by the developer and;

D. The need over the next 20 years the requirement for additional land suitable for residential, commercial and industrial development in conjunction with the City's general plan; and;

E. The reasons for including agricultural lands, recreational areas and wildlife management areas in the municipality.

SECTION THREE: REPEAL OF PREVIOUS ANNEXATION POLICY PLANS.

All former annexation policy plans adopted by the City that are in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR: EFFECTIVE DATE. This Ordinance shall take effect upon the publication of a short summary in a newspaper of general circulation within Grantsville City, as provided for by law.

Adopted, enacted and ordered that a summary be published, by the Grantsville City Council, this 16th day of June, 2010.

GRANTSVILLE CITY COUNCIL


BY MAYOR BRENT MARSHALL

ATTEST:

Rachel Wright
RACHEL WRIGHT, CITY RECORDER

(SEAL)



Date of Publication June 24, 2010

7W

6W

EXHIBIT "A"

Grantsville City Annexation
Policy Plan

This plat was prepared
pursuant to Utah Code
annexed 2011, as
amended, Section 17-
201. The plat is
subject to the
provisions of the
Utah Code, and is
subject to the
provisions of the
Utah Code, and is
subject to the
provisions of the
Utah Code.

1S

5W

2S

2S

3S

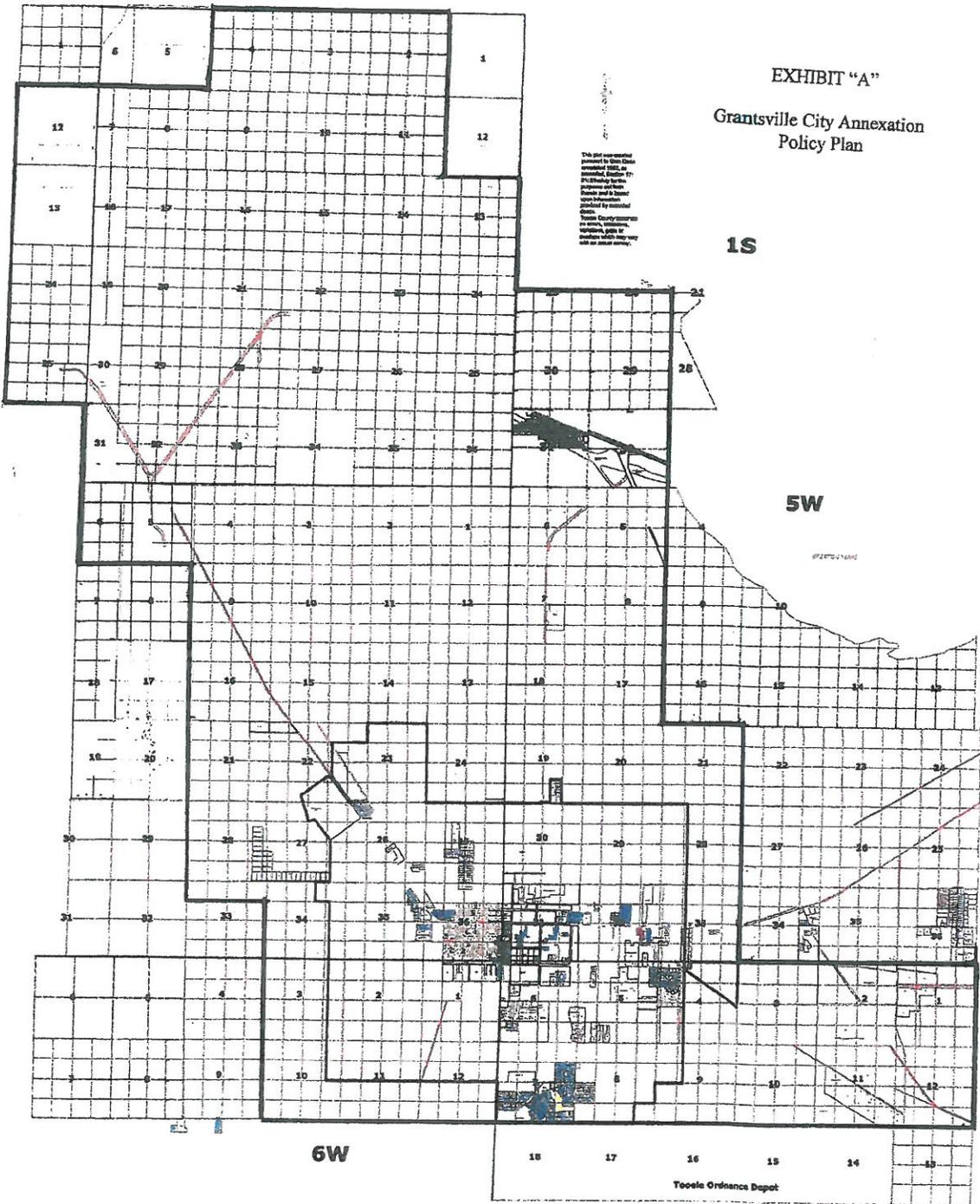
3S

6W

18 17 16 15 14 13

Tooele Ordnance Depot

5W



PROOF OF PUBLICATION

STATE OF UTAH }
County of Tooele } SS.

**GRANTSVILLE CITY
NOTICE OF ADOPTION
OF ORDINANCE**

NOTICE IS HEREBY GIVEN that the Grantsville City Council enacted the following ordinances:

1. Ordinance No. 2010-06, adopting revised fire department regulations was approved on April 21, 2010.

2. Ordinance No. 2010-11, adopting an amended annexation policy plan and map was approved on June 16, 2010.

3. Ordinance No. 2010-12, establishing the compensation of the elective, statutory and appointed officers of Grantsville City for the 2010-2011 fiscal year was approved on June 16, 2010.

4. Ordinance No. 2010-14, amending Chapter 20 of the Grantsville City Land Use Management and Development Code relating to signs, by deleting some prohibited signs, expanding the use of signs not requiring permits and amending the regulations for temporary signs and garage sale signs was approved on July 7, 2010.

5. Ordinance No. 2010-18, amending Section 16-9 of the Grantsville City Code by prohibiting the use of certain high powered weapons during hunting seasons was approved on September 1, 2010.

These ordinances will take effect upon the publication of this notice. The ordinances may be reviewed or a copy may be obtained from the Grantsville City Recorder at 429 East Main Street, Grantsville Utah.

DATED this 22nd day of February, 2011.

Christine Webb
Grantsville City Deputy Recorder

(Published in the Transcript Bulletin February 24, 2011)

I, Scott C. Dunn, being first duly sworn, depose and say that I am the Publisher of the Tooele Transcript-Bulletin, a twice-weekly newspaper of general circulation published each Tuesday and Thursday at Tooele City, Tooele County, Utah; that the notice attached hereto and which is a part of the proof of publication of

Grantsville City
Notice of Adoption of Ordinance

was published in said newspaper for one issue(s), the first publication having been made on the 24th day of February, 2011, and the last on the 24th day of February, 2011; that said notice was published in the regular and entire issue of every Thursday edition of the newspaper during the period and time of publication, and the same was published in a newspaper proper and not in a supplement. Said notice was also placed online at www.utahlegals.com.



Scott C. Dunn

Subscribed and sworn to me this 10th day of March, 2011.



Notary Public

TOOELE **TRANSCRIPT**
BULLETIN


Notary Public
CHRISTIN EVANS
Commission # 581161
My Commission Expires
January 5, 2014
State of Utah

Exhibit "F"

Grantsville City Annexation Growth Map

Exhibit "G"

Prison Relocation Commission Minutes

December 3, 2014

(Draft – Awaiting Formal Approval)

**MINUTES OF THE
PRISON RELOCATION COMMISSION**

Wednesday, December 3, 2014 – 2:00 p.m. – Room 210 Senate Building

Members Present:

Sen. Jerry W. Stevenson, Senate Chair
Rep. Brad R. Wilson, House Chair
Sen. Karen Mayne
Sen. Evan J. Vickers
Rep. Gregory H. Hughes
Rep. Eric K. Hutchings
Rep. Mark A. Wheatley
Director Rollin Cook
Director Ron Gordon

Staff Present:

Mr. Brian J. Bean, Policy Analyst
Mr. Bryant R. Howe, Assistant Director
Mr. Robert H. Rees, Associate General Counsel
Ms. Sara J. Thomas, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.leg.utah.gov.

1. Committee Business

Chair Wilson called the meeting to order at 2:16 p.m.

MOTION: Sen. Stevenson moved to approve the minutes of the October 22, 2014, meeting. The motion passed unanimously. Rep. Hutchings and Mr. Gordon were absent for the vote.

2. Opening Remarks

Sen. Stevenson provided an overview of the prison relocation effort since the Legislature and the governor concluded, in the 2014 General Session, that it was in the best interests of the state to relocate the correctional facility currently in Draper. He displayed "Site Screening, Assessment, and Detailed Technical Evaluation Processes" and reviewed some of the major milestones in the site selection process, including the identification of 26 potential sites, the adoption of site selection criteria, and the screening and scoring of the potential sites using the adopted criteria. Sen. Stevenson explained that following the screening of the 26 potential sites, consultation with the Department of Corrections, and meetings with local officials in affected communities, six highly ranked sites will be recommended for further evaluation.

Chair Wilson emphasized that no attempt has been made by anyone associated with the commission to manipulate the screening scores in any way, stating that the scores were calculated by independent experts with many years of national experience in siting correctional facilities. He explained that the decision to delay public disclosure of the sites, their associated screening scores, and detailed information on the screening process was made at the request of state and local officials concerned about the impact that public disclosure would have on potential large-scale economic development projects of interest and potential benefit to the whole state. He remarked that the new prison must be located where it will retain and attract the highest caliber security, administrative, educational, medical, therapeutic, rehabilitation, and operations employees in order to enable it to operate efficiently at the taxpayer's expense.

3. Consultant Updates on Site Screening

Mr. Brad Sassatelli, MGT of America, Inc., introduced and thanked his team of consultants and turned the time over to Mr. Robert Nardi, Senior Vice President, Louis Berger Group, to present "Correctional Facility Siting – Status."

Mr. Nardi outlined the steps of the site selection process. He explained that the primary search area for prospective sites was Davis County, Weber County, Salt Lake County, northern Utah County, eastern Tooele County, and southeastern Box Elder County. He reviewed the siting criteria adopted by the commission at its September 3, 2014, meeting and explained that each of the 26 prospective sites was screened against these weighted criteria. Mr. Nardi informed the commission that MGT of America's site screening team was made up of urban and regional planners, civil engineers, environmental engineers, architects, environmental specialists, and geographic information systems specialists. He explained that no detailed field investigations were conducted during the screening process; rather, a variety of data sources were used to screen out obviously unsuitable sites. After briefly discussing how sites were identified, Mr. Nardi presented the results of the site screening process. He provided information on the following six highly ranked sites:

- Airport North (Salt Lake County)
- I-80/7200 West (Salt Lake County)
- Southwest Valley (Salt Lake County)
- SR 112/Depot Boundary Road (Tooele County)
- Northwest Utah Valley (Utah County)
- Lake Mountains West (Utah County)

Sen. Stevenson commented that the six highly ranked sites presently constitute the best sites submitted for consideration and noted that the commission is open to considering other sites that may yet be offered.

In response to a question from Rep. Hutchings, the commission discussed how local input will be taken into consideration in the further evaluation of the six highly ranked sites.

MOTION: Sen. Stevenson moved to endorse the recommendation of the chairs and consultants and approve the six highly ranked sites for further assessment as potential sites for a new correctional facility. The motion passed unanimously.

4. Proposed Assessment Criteria

Welcoming the members of the public in attendance, Rep. Hughes observed that this prison relocation effort has been much more transparent than the state's usual processes for acquiring land. He stated that the commission has been looking for a site with natural barriers to encroachment that would prevent the recurrence of the situation in Draper. However, he noted, proximity to medical facilities, courts, and a population base from which the new facility can draw employees and volunteers is also essential. He explained that the screening criteria adopted by the commission on September 3, 2014, have taken these matters into consideration and successfully screened out unsuitable sites. Rep. Hughes explained that, going forward, different guidelines need to be applied to the six highly ranked sites endorsed by the commission for further evaluation. He responded to questions from the commission regarding potential assessment guidelines.

MOTION: Rep. Hughes moved to adopt the following assessment guidelines for the six highly ranked sites undergoing further review:

- Have any issues been discovered with the site to date that would make the site unreasonably difficult or costly to develop?
- Is there an identified, compelling state interest that would likely be impaired by locating the correctional facility on the site being assessed?
- Is the proposed site in the path of expected concentrations of population growth and increasing population density that will likely occur in the foreseeable future?
- What is contemplated in the land use plan of the local community where the proposed site is located?

The motion passed unanimously.

5. Process Moving Forward

Mr. Bean explained that now that the commission has approved sites for further assessment and established guidelines under which those sites will be assessed, it can move forward to address public engagement in the site selection process.

Rep. Hutchings commented that having an engaged and receptive community is critical to having a successful corrections operation.

MOTION: Sen. Stevenson moved that the chairs be directed to formulate a public engagement plan and to present the plan for consideration at the next commission meeting. The motion passed unanimously.

Chair Wilson noted that the commission will meet again on December 22, 2014, at 2:00 p.m. to hear a report from MGT of America on the assessment of the six highly ranked sites and to present a public engagement plan.

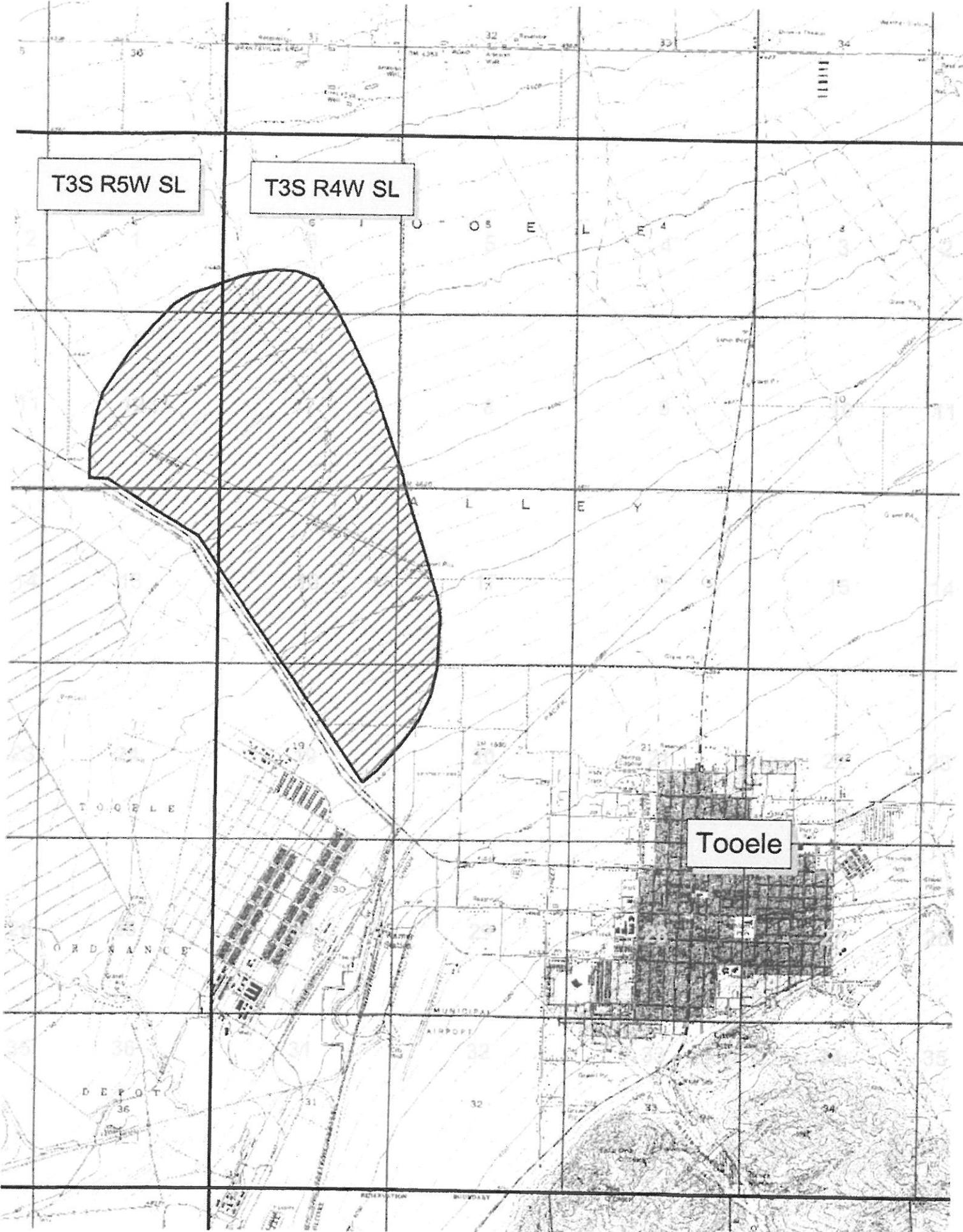
6. Other Items/Adjourn

MOTION: Rep. Hutchings moved to adjourn the meeting. The motion passed unanimously.

Chair Wilson adjourned the meeting at 3:22 p.m.

Exhibit "H"

Map of Groundwater Contamination Plume



T3S R5W SL

T3S R4W SL

Tooele



OLENE S. WALKER
Governor
GAYLE F. McKEACHNIE
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

ROBERT L. MORGAN JERRY D. OLDS
Executive Director *State Engineer/Division Director*

September 21, 2004

Dear Water Users:

The purpose of this letter is to apprise you of events subsequent to the public meeting held in Tooele, Utah on July 7, 2004 regarding the Northeast Boundary Plume at the Tooele Army Depot (TAD). The meeting was held to consider a proposal to amend the State Engineer's Tooele Valley Ground-Water Management Plan to ban the drilling of new wells in the TCE affected area northeast of TAD.

Data was presented at the meeting by EMH Engineering (consultants to the U.S. Army) and this Division. This presentations may be viewed on the Internet through the Division's website located at <http://waterrights.utah.gov>.

A comment letter, dated July 26, 2004, was received from the Utah School and Institutional Trust Lands Administration (SITLA). Based on the data presented at the meeting, SITLA requested that the proposal be modified to prohibit new culinary wells in the effected area until the ground water meets accepted drinking water standards. This would permit SITLA to develop non-culinary wells on their property, if the need should arise in the future. This change in the proposal was discussed at the meeting and appears to fit within the scope of the requested restrictions.

Tooele County submitted a comment letter requesting a ban on cross-valley change applications. The State Engineer is considering the merits of the request and is not acting on it at this time.

Effective the date of this letter, the management plan is amended to read: All applications which contemplate drilling wells and withdrawing ground water for culinary purposes within the TAD Northeast Boundary Plume Management Area shown on the accompanying figure will be denied unless data is presented which conclusively establishes the water can be used without adverse affects to human health or negatively impact the plume containment and cleanup program currently in progress.

I thank you for your interest in the protection and management of the water resources of Tooele Valley.

Sincerely,

Jerry D. Olds, P.E.
State Engineer

JDO:wes