



We have reviewed and do approve the City Council Meeting Minutes of March 8, 2024, presented at the March 28, 2024, City Council Meeting.

Mayor

City Council

[Signature]  
Rochele Dopham

Date:

Prepared by:

March 28, 2024

Callie Bassett



**Parowan City Council Meeting Minutes**  
**March 8, 2024 – 12:00 p.m.**  
**Parowan City Council Chambers**  
**35 E 100 N, Parowan, UT 84761**

**Elected Officials Present:** Mayor Mollie Halterman, Councilmember David Burton, Councilmember John Dean, Councilmember Sharon Downey, Councilmember David Harris, Councilmember Rochell Topham

**City Staff Present:** Dan Jessen, City Manager; Callie Bassett, City Recorder; Jeremy Franklin, Power Superintendent

**Public Present:** There were no others present.

- 1. Welcome and Call to Order:** Mayor Halterman called the meeting to order at 12:02 p.m.
- 2. Opening Ceremonies:** Jeremy Franklin offered the invocation. He then led the council in the pledge of allegiance.
- 3. Declaration of Conflicts With or Personal Interest In Any Agenda Item:** No conflicts were declared.

**ACTION MEETING:**

**4. Discussion of SB 161**

Mayor Halterman said they were alerted to write a statement to Governor Cox to veto this bill. This bill is very complicated and complex. She said the council coming together on this with a position from the city would be more powerful.

Dan said this is a tricky issue, and he did not want the council to feel pressured to sign a letter if they did not want to. He explained that the federal EPA and the state's DEQ have approved the current IPA coal plant going off-line and the new IPA Renewed plant coming online as part of Utah's statement implementation plan (SIP). The bonding for this is in place and they are currently building the new plant, all with the understanding that the coal plant will go off-line. This is part of the state implementation plan (SIP).

However, Dan said the state came in at the last minute and said IPA cannot take the coal plant offline. The state invented an alternative permit that is dramatically coercive. It creates a new agency that it does not finance. This law (S.B.161) says that IPA (which Parowan is part owner of) must submit a permit by a certain date and if they do not, the legislature will replace the board of IPA and take control. Dan said that is the equivalent of the state government replacing this city council. He said it is like "reaching in to our city and saying we don't like how you are running your water system; therefore, we are going to make you do something different and if you don't do it, we'll replace your city council and take over operation of your city." That is what is going on.

Dan said this throws off the balance of the entire state's SIP. He said the IPA did not like the 5<sup>th</sup> substitute of S.B 161, but it was less crazy than the 6<sup>th</sup>. The legislature came out with the 6<sup>th</sup> substitute and the House passed it 10 minutes later. The 6<sup>th</sup> Substitute removed all the things that mad the bill not so crazy, and potentially passes more costs on to IPA and the Utah municipalities. This bill is very problematic. It leaves the municipalities exposed. Jeremy said if the state wants to require IPA to keep the coal plant intact, then the state should be the ones that fund it and apply for the required Air permit with the EPA. He said there are a lot of unknowns on what the future would look like with both plants

operating side by side, especially since the current air permit was issued to IPA knowing the coal plant would be retired. They want the governor to veto the bill and negotiate a new bill.

Dan read the letter to the council for their approval.

**MOTION:** Councilmember Downey moved to forward the letter to the governor.

**SECOND:** Councilmember Burton seconded the motion.

**VOTE:** All councilmembers voted in favor of the motion. The motion carried.

## 5. Communications to State Government

This discussion was part of the previous agenda item.

## 6. Adjournment

**MOTION:** Councilmember Burton moved to adjourn the meeting.

**SECOND:** Councilmember Topham seconded the motion.

**VOTE:** All councilmembers voted in favor of the motion. The motion carried. The meeting adjourned at 12:39 a.m.

\_\_\_\_\_  
Mollie Halterman, Mayor

\_\_\_\_\_  
Callie Bassett, City Recorder

Date Approved: \_\_\_\_\_



Dear Governor Cox,

We sincerely thank you for your tireless work and thoughtful dedication to Utah. We recognize the difficulty of the weighty decisions you must make when enacting complex, controversial laws that affect us all, sometimes profoundly. Whether or not to sign SB 161 is one of those difficult decisions you must make. Parowan City is extremely worried about the legal, financial, operational, and constitutional problems that this bill creates, in its current form. Many of the significant effects of this bill are simply unknown since the bill does not even begin to answer some of the biggest problems it creates, if signed.

Please understand that Parowan City does not disagree with underlying intent of the bill and we are not at odds with the Legislature's underlying reasons for passing it. However, we are deeply concerned about final language in the bill. Despite weeks of good-faith negotiation, a last-minute substitution of this bill was underhandedly declared a "compromise" and then rushed through the approval process. This sleight-of-hand method to pass a bill is indicative of poor government that you have fought so diligently to change throughout your administration. The resulting bill is very problematic to say the least. No doubt you are receiving many valid technical, legal, and monetary arguments against this bill.

It is Parowan City's intent to simply ask you to engage in good, responsible government; and to give the two sides a chance to reach a true compromise that works. We earnestly seek to "disagree better" with the authors of this bill. **We ask you to veto SB161 and provide leadership in bringing the two parties together for a solution** for the shareholders and for Utah. We believe that your leadership and influence can lead to a workable compromise.

Rather than simply complaining, we are willing to suggest that some better approaches to finding middle ground on this issue could be: 1) to set up an interim committee to work through the issue and come back with a better bill, 2) to hire an objective industry expert as a 3<sup>rd</sup> party arbitrator who could help navigate this complex and charged issue. Both methods could hopefully lead to a solution which could avoid expensive impacts to affected municipalities, counterproductive litigation, unwanted federal involvement, etc. Parowan City is a relatively small player that could be negatively impacted in a large way if there is not a better solution. We humbly do not seek to *be right* on this issue; instead we seek to *get it right* for all those affected.

Thank you for your thoughtful consideration of using your veto power on this bill. Please take pause and consider assisting us in finding a better solution in a manner that restores faith in good government and policy to provide better results for Parowan's citizens and for Utah.

Sincerely,

Parowan City Mayor, Mollie Halterman; Councilmembers, David Burton, John Dean, Sharon Downey, David Harris, Rochelle Topham