

Bluff Town Council Work Session **DRAFT** Minutes

Tuesday, September 8, 2026, at 4:00 pm MDT

Bluff Community Center - 190 N 3rd E Street, Bluff, UT 84512

4:00 pm: Meeting called to order

Roll Call

Town Council: Mayor Josh Ewing, Jennifer Davila, Gary Haws

Absent: Britt Hornsby, Spencer Wade

Staff: Erin Nelson, Nizhoni Begay, Charmayne Sandoval (virtual)

Public Comment Period:

Bev Kier: Distributed copies of an email sent to the council by resident Ann Leppanen. She contended that a private landowner claiming a town road is a town council matter and argued it exacerbates tensions. Beth stated that an illegal town road closure occurred on September 3rd on Six West going south from Larkspur and stated that this has been an issue for decades. Bev requested Town remove road obstructions immediately to defend taxpayer-paid roads and avoid severe liability should an accident occur.

Joyce Martini: Joyce stated the impacted road (6th West South) is a Class C town road that has functioned as a road for decades in compliance with easement laws. She stated that the Town is obligated to immediately step in and remove road obstructions to protect taxpayers' rights to use their paid roads and prevent the closure from turning into permanent buck-and-rail fencing. Leaving the obstruction unaddressed creates significant potential liability for the town and town council if an accident occurs on that section of the road. Joyce urged the council to address the long-standing issue in a timely manner, noting that community patience is wearing thin.

Lois Young: Spoke to the issue with the blocked street as well, stating the effected route is a Class C street that belongs to the community and is used daily for residents to access their front doors and travel to main roads and is funded by taxpayer money. The closure forces residents to use detours to get home, causing dismay and frustration. The individual's negative actions impacting residents have persisted for decades, making this blockage the latest unacceptable incident. Lois referenced a discussion from the prior town meeting regarding street surfacing where it was suggested that involved parties should resolve the issue themselves, the speaker noted that direct negotiation with the individual who blocked the street has proven impossible over the years. She emphasized that the dispute is a Town matter rather than a personal conflict and she urged the town council to intervene and find resources to permanently resolve the problem.

Ginny Burns: Ginny Burns stated she has lived in Bluff for 10 years with her husband. Residents have held neighborhood meetings for about eight years attempting to resolve issues regarding Six West without success. Relevant information was previously held by an attorney in Blanding, though residents heard he is no longer the town's attorney. Previous reviews determined that Six West is a Class C street running from the highway to the very end. The speaker urged Town Council to take charge of the issue and hire a highly capable attorney specializing in land issues to permanently resolve the matter.

Mayor Ewing clarified that the current town attorney is Chris McAnany from Grand Junction, not Blanding. He also stated Town Council is currently reviewing proposals to enter into a new contract with an attorney to provide legal services to the Town.

Welcome Nizhoni Begay – Emergency Service Coordinator

Nizhoni Begay was introduced as the town's new Emergency Services Coordinator. Nizhoni has a background in EMS, wildland fire, volunteer structure fire, and rapid extrication modules on wildland fires. She also performs shifts and volunteer work in Montezuma Creek and Monument Valley.

The Council then discussed agenda item number #4 so as to not keep Nizhoni longer than reasonable:

Core Priorities Discussed for the Emergency Services Coordinator Position:

- **Emergency Alerts & Plans:** Developing an official emergency alert plan to meet legal requirements and provide residents with clear evacuation protocols and text notifications.
- **Wildland Urban Interface (WUI) & Defensible Space:** Conducting defensible space inventories, yard waste cleanups, and managing fuel loads in backyards.
- **Volunteer Fire Department Support:** Creating hands-on training opportunities (such as chainsaws and extrication practice) to help firefighters maintain certifications and attract new volunteers.
- **Community Cleanup Events:** Expanding cleanup days to different sections of the town rather than just the brick building to make it easier for residents to dispose of yard waste.

The position is structured to allow remote work (paperwork, grant writing, alert planning via a provided device) alongside in-person presence for fuel mitigation and emergencies. Nizhoni plans to be in Bluff frequently, including the following day, and will coordinate closely with Chief Dilego. The council discussed the existing town siren, noting it was previously restricted for regular fire calls due to dispatching changes and mental health considerations for firefighters. The council agreed that the siren remains functional and should be incorporated into the emergency alert plan (e.g., sounding for a sustained period during major emergencies) alongside text alerts and door-to-door notifications, keeping the system as simple and actionable as possible for all residents. Nizhoni will work on a 60-to-90-day startup plan, meet with Josh and Chief Dilego, and bring proposals back to the council for approval.

1. Discuss Drafted Employee Benefits Policy

The primary outstanding issue is understanding whether small towns of Bluff's size are legally required to provide health insurance to employees working 20 hours a week or more, without the option to separate out Part-Time employment for employees averaging 20 and 36 hours. Town Manager Nelson will confirm this requirement with their representative from PEHP. Council noted that forcing health insurance for part-time employees makes hiring and creating new positions excessively expensive, potentially forcing the town to restrict part-time schedules under 20 hours or exclusively hire full-time.

The drafted employee benefits policy is intended to be a piece of a larger comprehensive employee handbook. Future policies, such as the upcoming vehicle use policy, will eventually be combined into this handbook. The policy outlines Utah Retirement Systems (URS) requirements and contribution rates for Tier 1 and Tier 2 options. To avoid needing constant updates when rates fluctuate, the

council discussed changing the language to state that the town of Bluff will contribute to what is required per URS policies.

Council agreed vacation leave should be structured around hours worked rather than number of days to fairly accommodate varying schedules (such as 4-10s versus 5-8s). The council discussed whether PTO should apply to employees averaging 20+ hours or be restricted strictly to full-time employees working 36+ hours, leaning toward full-time eligibility to protect the budget while acknowledging the health benefits of time off. Vacation leave runs on the anniversary of the employee's hire date, requires accrual before use (no borrowing), and can be used in one-hour increments through the timekeeping system. Vacation leave is eligible for payout upon separation, though the council raised concerns about whether full payout creates a perverse incentive to hoard vacation and agreed to research Utah's legal requirements and payout limits.

Health leave shall be available for full-time employees only, operates on a calendar year, and requires notice by December 20th for eligible payouts if no health leave was used over the year. Health leave is not eligible for payout upon separation.

Maternity and parental leave eligibility requires full-time status and at least 12 months of employment with the town. The council discussed re-voting maternity/parental leave provisions when the full council is present, noting that a previous 3-2 straw poll outcome may change due to an abstention. Nelson will confirm insurance rules with PEHP, research Utah vacation payout regulations, and prepare alternative policy options for the upcoming vote at a future meeting.

2. Feedback on Housing Consultant Request for Proposals Document

Making housing options is a priority for the year and the Town initiated plans to hire a housing consultant to collaborate with a working group to develop recommendations and identify barriers. An RFP draft was put together using prior successful templates and included in the meeting packet for council review and feedback.

Outreach has already begun with the wider housing network, including the San Juan County Housing Group, who expressed willingness to circulate the RFP to interested parties. The council expressed concern about receiving excessively high-budget bids that exceed town funds. To signal the importance of pricing to applicants, the council agreed to re-engineer the scoring matrix by increasing the weighting of cost to 25% or 30% of the overall score. Adjustments to scoring categories were discussed, such as combining qualifications with relevant experience to accommodate the higher cost weight. It was noted that standard RFP language includes the right for the town to reject any proposals, meaning they are not locked into signing an expensive contract. If bids come back completely out of budget, the town can pivot alternative avenues, such as seeking grant opportunities, working with a fellow, or partnering with the state. The goal is to release the RFP into the world before the end of the month, hire someone around October or November, and have them working on housing priorities before the end of the year. Malia will serve as the primary contact to collect information and answer questions to ensure a fair process, given that the council is the approving body.

3. Discuss Proposed Interlocal Agreement to Provide Building Inspection Services to Monticello City

Monticello City approached the Town of Bluff regarding building inspection services. Like Bluff, Monticello worked with the County but was looking for an alternative solution. Monticello employs a permit technician who understands local land use regulations, but due to state requirements mandating a certified building official, they need a qualified official without wanting to hire a full-time person for the volume of inspections they have. The proposed interlocal agreement allows Bluff's Building Official to serve Monticello's needs, creating a mutually beneficial partnership between neighboring municipalities in San Juan County. The building official would remain a W-2 employee of Bluff. Minor adjustments to pay structure may be made to ensure fairness, but it will not push him into benefited status.

Monticello proposes to pay Bluff \$10,000 annually. The agreement covers up to 24 visits to Monticello and 66 hours of work performed annually, which is projected to not exceed 20 hours per week for the official. Monticello will also reimburse up to \$2,000 per year for inspector training and certifications, helping Bluff support the official in maintaining his credentials.

Bluff would be liable for work performed by the Building Officials' work in Monticello, just as Monticello takes responsibility for their own land use signoffs. Council noted that liability exists whether the official works locally or in Monticello, making rigorous training, adherence to standards, and separate tracking systems critical. The agreement includes provisions for temporary assistance with land use administration or building permit preparation if either party needs backup, ensuring business continuity given strict state deadlines. The council discussed adding a contingency clause (Section 10) to address what happens if Bluff loses its building official unexpectedly, including prorating refunds for the \$10,000 fee and establishing a hold-harmless clause or fallback network (such as coordinating with Blanding). Both councils are reviewing the document, with Monticello's next meeting scheduled for September 22nd. Erin will incorporate the requested contingency language regarding building official vacancies, gather input from legal counsel, and refine the agreement for future approval.

4. Discuss Projects, Ideas, and Priorities for Emergency Services Coordinator

See "Welcome Nizhoni Begay – Emergency Service Coordinator" where the item was discussed.

5. Discuss Drafted Vehicle Use Policy

The vehicle use policy was significantly beefed up using a few various sources to cover standard operations, vehicle care, driver license requirements, and rules of the road. The primary goal of obtaining the town vehicle is to cut down on expensive mileage reimbursements for personal vehicles, noting that the federal mileage reimbursement rate has risen to 76. Employees must obtain prior approval to use a personal vehicle; otherwise, they are expected to use the town vehicle. Drivers must hold a valid driver's license, exercise reasonable judgment, and avoid distracted or impaired driving. If an employee violates rules and is involved in an accident, the town may decline to protect or cover them legally. Users must use town fuel cards, so fuel consumption and tracking can be properly managed. The policy restricts unauthorized passengers (such as friends and family) from riding in the vehicle, primarily due to strict insurance liability constraints on the large passenger van. A log will be utilized to track check-ins, check-outs, and mileage. Drivers must immediately report any incidents or accidents to the town manager and mayor. The council discussed expanding the policy language from strictly "employees" to "authorized users". This ensures that town council members, planning and zoning members on official business trips, or boards (such as the cemetery board transporting equipment) can legally drive the town vehicle. To become an authorized user, individuals will need to complete requirements such as submitting their driver's license numbers for tracking.

Insurance through the trust (Certa) is being coordinated, and the vehicle is expected to be picked up with driver coverage in place. Erin will revise the draft to incorporate the "authorized user" terminology, outline user requirements, and bring the policy back for a formal vote after further review.

6. Reminders:

Saturday, Sept 19th from 8-10 AM Emergency Services Pancake Breakfast Fundraiser at Bluff Fire Station; flyers are currently posted and available upon request.

September 29th & 30th from 3-6 PM Community Clean Up Days Hosted by Bluff Playground Committee on the Bluff Community Center Grounds. Organized by the playground committee for two nights on the 29th and 30th to prep grounds for the upcoming playground opening (held in conjunction with the Halloween trunk or treat) and the arts festival.

Wednesday, Sept 30th at 6:30 PM Meet-the-Candidates Night at the Bluff Community Center. RSVPs have been received from a county commissioner and a sheriff candidate, with additional outreach underway to ensure robust attendance.

7. Other

8. Motion and Vote to Move into Executive Session to Discuss Strategy for Pending or Reasonably Imminent Litigation Pursuant to Utah Code 52-4-205 and Adjourn Thereafter

Executive Session Status: There was no motion and vote to go into executive session, as it was determined that the legal requirements for pending or imminent litigation under Utah Code 52-4-205 could not be met in good faith.

After further research and discussion involving parties, Mayor Ewing determined that the legal requirements for imminent or impending litigation cannot be met in good faith at this time. The only major exception where imminent litigation could arise is if a town agent committed a legal trespass, prompting strict instructions for employees to avoid any actions that could lead to a trespass violation.

Town leadership previously met with Jim and Luanne Hook and reviewed extensive documentation. While emotions surrounding the 6th Street West issues are high, Ewing cautioned that moving too quickly without careful analysis risks engendering further litigation and costing the town more money. Although separated from broader community complications, leadership expressed hope for a faster and easier resolution to this specific issue following recent conversations.

Because the regular monthly agenda is crowded, the council agreed that an isolated, fact-finding work session would be more beneficial than rushing through the topic during a standard meeting. A special meeting was proposed for midday on Thursday. Meeting notice requirements will be handled before noon the day prior.

8. Adjourn (5:40pm)

For request to receive emails/meeting invitations, email: office@townofbluffutah.gov

Minute Taker: Charmayne Sandoval

Draft Minutes Published: September 14, 2026

Approved Minutes Published: