

Bluff Town Council Regular Meeting Minutes

March 19, 2024

Bluff Community Center at 4:00 p.m.

190 N 3<sup>rd</sup> East P.O. Box 324

435-672-9990

Regular meetings are held the first three Tuesdays of every month at 4:00 p.m. Requests to be on the agenda may be submitted in writing to Ann Leppanen (ann@townofbluff.org) at least 4 days

before the meeting. Agendas and minutes are posted at:

townofbluff.org and audio, in addition, at the Utah Public Notice Website.

To view the livestream, or watch past recordings, please visit our YouTube channel:<https://www.youtube.com/channel/UCTqBxSP-Erhxq6muVMX6vdw>.

This meeting was held in person and virtually

The meeting started at 4:01 p.m.

Roll Call Mayor Ann K. Leppanen, Luanne Hook, Jennifer Davila, Linda Sosa, Britt Hornsby

Erin Nelson Town Manager

Approval of Bluff Town Council and Utah Dine Bikeyah's Joint Work Session Meeting Minutes of March 12, 2024

Hornsby motioned to approve the minutes, Davila seconded and Leppanen, Sosa, Hook, Davila and Hornsby voted in favor

Approval of Bluff Town Council Work Session Meeting Minutes of March 12, 2024

Hornsby motioned to approve the minutes, Davila seconded and Leppanen, Sosa, Hook, Davila and Hornsby voted in favor

Approval of Bluff Town Council Regular Meeting Minutes of March 12, 2024

Hornsby motioned to approve the minutes, Davila seconded and Leppanen, Sosa, Hook, Davila and Hornsby voted in favor

**Public Comment:**

Hannah Whitney with Kate Aitchison of Cow Canyon Coffee spoke about their disappointment in the Council's vote to keep the original application for the use of Fire Mesa Kitchen. She asked for reconsideration of a discounted fee subscription for businesses who use it regularly. Leppanen thanked her for her ideas, noted they have been allowed to use the kitchen at no cost until April 1<sup>st</sup>, and realized there has been a lack of communication among all parties leading to confusion. She will meet with Nelson, Sosa and Malia Collin and discuss options.

**Unfinished Business:**

**1. Discussion and Vote on Approval of Sub-Award Agreement for the Environmental Protection Agency Grant; Discussion and Vote on Anti-Lobby Disclosure; Discussion and Vote on Approval to Move Forward on Final Modifications of the Environmental Protection Agency Grant (Nelson/All)**

Nelson reported that she, Leppanen, Janet Slowman-Chee and Melanie Daniels met today in a DRC meeting. They discussed procurement policy. Dr. Chee had signed the grant

agreement several days earlier. All the deliverables were sent in Monday to the EPA, including Dine Bikyah's plan for the \$200,000.00 for their part of the building use. Later in the afternoon Leppanen and Nelson met with the grant project officer who said part of the plan was out of the scope of the building renovation; it was for the plans for the outside of the building. That part will have to be reworked. Davila motioned for approval of the sub-award agreement for the EPA grant, Hornsby seconded and Leppanen, Sosa, Hook, Davila and Hornsby voted in favor. Leppanen explained she checked with the Town Attorney about the anti-lobby disclosure and it is routine, federal funds cannot be used for lobbying. Hornsby motioned to sign the disclosure, Davila seconded and Leppanen, Sosa, Hook Davila and Hornsby voted in favor. Nelson suggested that because there are several modifications needed the final modification discussion and vote be moved to the April 2<sup>nd</sup> meeting.

### **2. Reminder of Active Shooter Drill on Friday, March 22, 2024 at 1:00 p.m. at the Bluff Elementary School (Leppanen)**

Leppanen explained many locals were not aware of the last drill and were very concerned while it was happening. Sosa will send out an email ahead of the drill. It will happen after the children leave.

### **3. Discussion and Vote on Transfer of Funds to Public Treasurer's Investment Fund (PTIF) (Sosa)**

Sosa checked with our accountant about transferring \$100,000 from our Roads Account to our PTIF reinvestment account. Hook motioned to move the funds, Hornsby seconded and Leppanen, Sosa, Hook Davila and Hornsby voted in favor.

### **4. Report on March 13, 2024 Bluff Water Works Meeting (Davila)**

Davila reported that it was a routine meeting. Gary Lichtenstein is waiting for survey documents from board members to come in so he can compile their information.

### **5. Discussion of Active Transportation Advisory Committee's Work (Hook)**

Hook updated how the Utah Trails Network is creating a paved trail system state-wide and it is a UDOT program. This is mandated by the State and there is a planning and design grant for UDOT. Bluff is in the first tier of towns that will get planning, design and construction for trails, though, it is 35 out of 42 so it will be in the future. Letters asking for support of the program were supplied by UDOT and the committee forwarded them to local businesses, the Navajo Nation and other entities to sign and send back so they could be forwarded.

### **6. Discussion on Adopting a Policy for Eliciting Letters of Support and Committee By-Laws in General (All)**

Leppanen suggested writing a policy for advisory committees before they reach out to outside entities and organizations. Hornsby thought it might cause confusion about who a letter is from. The Navajo Nation may have assumed a letter was from the Council not a committee. UDOT will be reaching out to the Navajo Nation with the plan. Being placed on the Town agenda allows for discussion among the Council before action is taken and transparency.

### **7. Discussion of *Acton et al v. Town of Bluff* Discovery Requests (Leppanen/Nelson)**

Nelson stated the Court, through Bruce Baird, has asked for rather broad discovery of all written communications about the disconnect. Past and present Council members and Planning and Zoning Commissioners will need to check all social media, Facebook, texts and

emails and work with Nelson to get copies to the Court by April 1<sup>st</sup>. Baird is also asking that we admit or deny the Town can protect the aquifer.

### **New Business:**

#### **8. Presentation and Discussion of Bluff Commons Platform (Kirsten Ewing)**

Ewing gave a verbal presentation for the community platform that will be located at bluffcommons.com. This is a community board for ride share, classified ads, a calendar of events, etc. She has been researching how this is working in other areas. Participants would create an account. The Council said it could be helpful and beneficial to the community and thanked Ewing. It is a public project directed by Ewing.

#### **9. Presentation and Vote on Local Arts Agency Designation for Bluff Community Foundation (Amanda Podmore)**

Rolland Lee spoke for Podmore about seeking this local designation which will open up more funding sources for them for projects like the mural. The Council liked this idea but needs to know if it keeps the Town from supporting other groups because the information sheet mentions "primary art agency." This will be moved to the April 2<sup>nd</sup> meeting.

#### **10. Response to Late Fee Letter for Employee Withholding from IRS (Sosa/Leppanen)**

Sosa explained the letter from the IRS charging the Town \$1,000.00+ for sending employee withholding quarterly taxes in late for four different quarters. The letter explained Covid caused backups. Because all of these were sent on time and in full she sent copies of the paperwork and cancelled checks, as instructed by an IRS officer. This happened once before and it took months for Sosa and Leppanen to have the balance removed.

**At 5:26 p.m. the internet failed and the streaming stopped.**

#### **11. Discussion of Utah League of Cities and Towns Presentation on March 14, 2024 Regarding Land Use Updates (Leppanen/Nelson/Sosa)**

This contained new mandates and will be worked on by our consulting firm, Hanson.

#### **12. Report on the March 16, 2024 Emergency Food Pantry Town Yard Sale (Leppanen/Sosa)**

Ginny Burns and Anne Brown with a group of volunteers had a successful sale, making about \$1,400.00. Many people in town donated items. They had planned to hold the sale outside but Leppanen offered the use of the gym and donated the rental fee.

#### **13. Financial Report (Sosa)**

At last week's meeting it was noted the Treasurer must sign checks. Sosa explained that when Brant Murray was the Treasurer he signed almost every check and now Davila is Treasurer and she has signed almost every check. It was suggested that we write policy for signing checks when the Treasurer is not available, using a deputy treasurer. Hook motioned to approve the checks, Hornsby seconded and Leppanen, Sosa, Hornsby, Hook and Davila voted in favor.

February

St. Christopher's - \$650.00 AmeriCorps housing

Spencer Wade - \$240.00 Contract labor

Malia Collins - \$124.00 Reimburse Food Safety Permit

Kathy Carson - \$22.39 Reimburse office supplies

P&Z Stipends - \$150.00

Erin Nelson - \$1829.58

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Patricia Bellson - \$102.51

Malia Collins – \$831.15

Krieg - \$237.50

DS Accounting - \$750.00

NetForce - \$646.25

NetForce - \$60.00 fix computer

Helgerson - \$50.00

Pathway - \$700.00

Spencer Wade – \$71.90 reimburse supplies

Ann Leppanen - \$17.13 reimburse modular keys

Malia Collins - \$37.19 reimburse spin mop FMK

Malia Collins – \$194.80 Reimburse CC supplies

Pelorus - \$500.00

New Technology Solutions - \$50.00

Utah State Tax Commission - \$180.82

Dufford Waldeck - \$2751.00

Rocky Mtn. Power - \$ 487.10

BWW - \$60.00

Emery Telecom - \$248.46

DOI/BLM - \$758.60 airport

Bankcard - \$1585.47

Google Suites – \$84.54

XMission - \$15.00

Amazon - \$137.81 CC supplies

Webstore - \$42.29 FMK supplies

Redd's True Value - \$280.59

USPS - \$68.00

Utah Withholding Taxes - \$552.65

Brand Central - \$347.60 Printing

Direct Supply - \$59.99 FMK

Jviation - \$1001.47 airport

School Project

Rocky Mt. Power \$330.58

BWW = \$35.00

#### **14. Other**

P&Z will meet tomorrow.

At 5:34 p.m. Hornsby motioned to close the meeting, Davila seconded and Leppanen, Sosa, Hornsby and Davila voted in favor.

Linda Sosa Recording Officer

For requests to receive emails/meeting invitations, email [linda@townofbluff.org](mailto:linda@townofbluff.org)