

Bluff Town Council Regular Meeting Minutes
August 6, 2024

Bluff Community Center at 4:00 p.m.
190 N 3rd 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 Notic Website. This meeting was held virtually and in person.

Meeting was called to order at 4:00pm

Roll Call

Mayor Ann Leppanen, Luanne Hook, Jennifer Davila, Linda Sosa, Britt Hornsby,
Town Manager Erin Nelson
Notetaker Melanie Daniels

Approval of Bluff Town Council Regular Meeting Minutes of July 16, 2024

Council Member Hornsby motioned to approve the minutes and Council Member Davila seconded. Council Members Leppanen, Sosa, Hook, Hornsby, and Davila all voted in favor and the motion passed.

Public Comment:

Tina Krutsky made a public comment concerning the Council's inquiry into laying ADA accessible sidewalks and parking accommodations. She stated she was a part of the February 2023 strategic planning committee to draft a plan for West Park. They had a list of suggestions already submitted that did not address ADA accessibility specifically but had several other suggestions for the park including potable water, restrooms, and a parking lot expansion. She hopes the Council will preserve the character of the park, utilize the plan submitted, and explore other ways to provide accessibility if needed.

Unfinished Business:

1. Report on the Design Review Committee Meeting on July 30 and August 6, 2024

Town Manager Nelson began the report by recapping what had happened at both the July 30 and August 6 DRC meetings, where Utah Diné Bikéyah (UDB) expressed their concerns at the July 30 meeting and was absent from the subsequent August 6 meeting. After Town Manager Nelson's report, Mayor Leppanen emphasized to the Council the comments made by UDB's Executive Director (ED) Janet Slowman-Chee at the July 30 DRC meeting. ED Slowman-Chee informed the DRC that the UDB Board Members were unwilling to vote on an Engineer/Architect due to feelings over a notice not being run in the Navajo Times. UDB requested the bidding period remain open beyond the Monday August 12, 2024, deadline. Mayor Leppanen was in strong opposition to that request as there had been more than enough done by the Project Manager to remediate the oversight by UDB. Council Member Davila and Town Manager Nelson confirmed those comments by UDB leadership. The plan remains to pick

an Engineering/Architect consultant at the August 21, 2024, joint meeting between the Town and UDB Board of Directors.

2. Report on Deposition Preparations in the *Acton et al v Town of Bluff* Litigation

Town Manager Nelson and Mayor Leppanen met with the Town's attorney in Grand Junction Colorado to prepare for depositions August 7-9 in Monticello. Mayor Leppanen feels prepared for the depositions and as of this meeting there are no trial dates set.

3. Last Call for Attendance at Utah League of Cities and Towns Annual Conference in Salt Lake City on September 4 and 5, 2024

This is a last call for Council Members who wish to stay close to the conference area as rooms are filling up. Council Members attending will coordinate with Mayor Leppanen to make arrangements for travel.

4. Discussion of Replacing Net Force's IT services with a New Provider

Town Manager Nelson reported a rate increase for Net Force and relayed her general concerns with the service. The Town Manager requested help from the Council to search for service providers, as there have been no interested parties as of this meeting and Council Member Hornsby volunteered to assist Nelson.

5. Update on Bluff Community Center West Door and Security Doors

Mayor Leppanen updated the council on the status of the ADA compliant door on the West side of the building and discussed possible remedies to ensure there is ADA compliant accessibility, per the funding agreement for the project.

6. Discussion and Vote on Updated Anti-Discrimination Resolution

Town Manager Nelson reported on the EPA funding requirements surrounding Anti-Discrimination Policies for the Town and how the existing resolutions and policies needed to be updated. The Council agreed with the adaptations to the Anti-Discrimination Policies. Council Member Hornsby motioned to adopt the updated Anti-Discrimination Resolution and Policies. Council Member Davila seconded the motion and there was no discussion on the motion. Council Members Hook, Sosa, Leppanen, Hornsby, and Davila voted in favor and the motion passed unanimously.

7. Report out on Transient Room Tax Annual Reporting

Town Manager Nelson explained the parameters of collecting the Transient Room Tax (TRT) to the Council and Public. Additionally, the Town Manager was able to confirm that the appropriate documents were submitted for the Resort Tax, which Council Member Hook explained in the discussion.

New Business:

8. Discussion and Vote on Posting Public Comment on the Town of Bluff Website

Mayor Leppanen reported on an emerging pattern of public interactions where public comments are being shared with Counselors second and third hand and expecting those interactions to be published as a public comment on the website. The Council and Town Manager discussed other municipality practices and state laws around public comments mad in

public meetings and those made outside of public meetings. The Council agreed to wait to vote on a motion so the Council can seek legal advice on the best way to proceed.

9. Discussion and Vote on Sandbags and Sand

Town Manager Nelson updated the Council on sandbags received by the Bluff Volunteer Fire Department. Town Manager Nelson clarified that the sand bags themselves were free of charge from the county, however, the sand will need to be purchased by the town. Council Member Hook made the motion to approve the \$350.00 to pay for sand and Council Member Hornsby seconded the motion. Council Member Davila asked about the procedures around managing and disseminating the sand. Town Manager Nelson said she would follow up with the fire department about those concerns. There was no further discussion and Council Members Hornsby, Hook, Davila, Sosa, and Leppanen voted in favor of the motion. The motion passed unanimously.

10. Discussion of West Park Kiosk and ADA Compliant Sidewalk and Parking

Council Member Hook explained her reasoning for wanting to include ADA compliant sidewalks at West Park and acknowledged the comments made by the public around the amount of planning already invested into West Park. The Council discussed various options for funding updates to West Park and how it would be organized in the capital improvement plan. Ultimately, the Council clarified that the concrete for the sign is moving ahead as planned and there will be no concrete laid for sidewalks at that time.

11. Discussion of Memorandum of Understanding with Beras Ears Partnership for Support and Cooperation on International Dark Sky Application.

Mayor Leppanen updated the Council on the status of the partnership between the Town and Bears Ears Partnership. Mayor Leppanen confirmed that she had received the bullet points they would like to include in the Memorandum of Understanding. Mayor Leppanen reported that those points have been shared with the Town's Attorney, however, given his work load this week will need to follow up on when that document can be expected.

12. Discussion of Noxious Weed Control and Additional Tax Possibility

Mayor Leppanen presented the Council with a news article from the San Juan Record about a tax that can be imposed for mitigation of noxious weeds. The Mayor clarified that she is not asking for a tax to be imposed today but permission to explore the possibility of the Town using this type of funding source to address the noxious weeds in Town.

13. Update on Pelorus Training for Staff

Council Member Sosa reported that there are monthly trainings for Pelorus users and the new Bookkeeper had been connected with a Pelorus representative to learn the functions of the software.

14. Discussion of Open House for Bluff Community Center Remodel and Artist Hall

Mayor Leppanen informed the Council of her desire to host an open house at the BCC for all the improvements made by AmeriCorp and showcase how CARES money was used by the town this fall. The Mayor asked the Council to consider turning the hallway's south wall in the Town office complex into a showcase for local artists. No further action was taken on this matter and will be reintroduced into the agenda at a later date.

15. Visit by Congressman John Curtis and Staff on Wednesday August 21st

Mayor Leppanen clarified the schedule of Congressman John Curtis, who will be here on Wednesday, August 21, 2024, and asked if there were any Council Members who wished to attend so she could coordinate with the host. The Mayor stressed the importance of community involvement as this may be one of the few times they will be able to ask him questions directly.

16. Uranium Transport to White Mesa Mill Has Started; Safety Measures

Mayor Leppanen reported that she has not had the time to thoroughly investigate the matter but wants to relay to the community there is intention to move Uranium to White Mesa Mill through the Town.

17. Discussion of Ergonomically Correct Chairs

Mayor Leppanen expressed concern over the safety of the chairs currently being used in the office complex and asked the Council if she could start researching quotes for sourcing new chairs. There was no objection.

18. Approval of Weeding and Mowing at the Cooperative Culture Center

Mayor Leppanen reported that the Design Review Committee was concerned about the fire hazard caused by the number of dried weeds surrounding the Cooperative Culture Center. The Mayor asked if there was any objection to her use of emergency funds to pay for removal of the hazard. There was no objection from the Council.

19. Gravel Tax

Council Member Sosa reported on the Gravel Tax and when it can typically be expected.

20. Planning and Zoning Update

Council Member Hook reported that there have been two work sessions for the Planning and Zoning commission since the last meeting and gave a general summary of what they've been able to complete since the last Town Council meeting. Mayor Leppanen reported on the billing for the Hansen Consultant Group for work done on the Subdivision Ordinance and discussed how the Council and Planning and Zoning board will need to collaborate moving forward.

21. Fire Restriction

Fire Chief Lott reached out to Mayor Leppanen about whether there should be a discussion about fire restrictions since the Town is not in the rain zone that has lessened the fire danger throughout the rest of the state. The Council decided to move the discussion to the scheduled work session so details of that restriction can be established.

22. Other

Council Member Hornsby updated his availability for meeting times.

23. Executive Session to Discuss Imminent of Pending Litigation Pursuant to Utah Code 52-4-204

Council Member Hornsby made the motion to move into executive session to discuss imminent or pending litigation pursuant to Utah Code 52-4-204 and after that to move to adjourn. Council Member Davila seconded the motion and there was no discussion. Council Members Sosa, Hook, Davila, Hornsby and Leppanen voted in favor. The motion passed unanimously. The open portion of the meeting ended at 5:22p.m.