

May 19, 2026, Bluff Town Council Regular Meeting **DRAFT** Minutes

Bluff Community Center at 4:00 p.m.

190 N 3rd East P.O. Box 324

435-672-9990

4:00 PM Roll Call: Mayor Josh Ewing, Gary Haws, Spencer Wade, Britt Hornsby, Jennifer Davila
Town Staff: Erin Nelson, Malia Collins, Michael Haviken

Public Comment Period:

Gary Lichtenstein, a homeowner and firefighter in Bluff, reiterated his opposition to the proposed \$50,000 property tax increase to fund an emergency services administrator position. He believes that a \$40,000 administrative position is too much money to spend on emergency services administrator and too little to address our operational shortfalls. Mr. Lichtenstein stated that he believes the \$83,232 figure as the maximum property tax revenue Bluff can raise, based on information from the Utah State tax agency in late 2024.

Mr. Lichtenstein also highlighted that Bluff contributes approximately 4.8% of county sales tax despite representing only 2.1% of the adult population, and over 16% of TRT taxes and referenced House bill 456 passed 2025, which allows San Juan County to enter interlocal agreements with municipalities to use TRT flowback funds for EMS and search and rescue. He questioned whether existing tax revenues could be used before pursuing new taxes and asked for a job description for the proposed administrator position.

Mayor Ewing responded to the comment regarding the “legal maximum” property tax was much higher and would be closer to closer to \$420,000 depending on taxable property values and offered to compare notes with Mr. Lichtenstein.

Linda Sosa was in the audience and agreed with Mr. Lichtenstein’s concern referencing the Powers and Duties handbook discussion of Moab’s high property taxes.

Approval of Meeting Minutes from May 5, 2026 Regular Meeting

Approval of Meeting Minutes from May 7, 2026 Special Meeting

Approval of Meeting Minutes from May 12, 2026 Regular Meeting

Haws voiced a concern that the May 12th minutes included a reference for residents bringing their property tax statements to the open house, which he could not find in the recording. The council agreed to remove that statement from the minutes.

Approval of Meeting Minutes from May 12, 2026 Special Meeting

The four sets of minutes were approved with the change reflected in the May 12th regular meeting minutes. Five in favor, none opposed. Motion passed unanimously.

Unfinished Business

1. Discussion and Vote to Approve Stage I Fire Restrictions Ordinance Effective June 1, 2026

The council discussed the presented, drafted ordinance. Nelson explained that most of the ordinance was in line with approved ordinances from previous years. Haws expressed concerns with multiple

areas of the ordinance including the fireworks provision, citing Utah state law that preempts municipalities from prohibiting state-approved fireworks during permitted periods unless a documented history and county-approved overlay map exist. Nelson stated that the Stage I restrictions were in line with the State of Utah restrictions, and that while she understood that the town council enact an ordinance banning fireworks by themselves without following the state rules for municipalities, she was under the impression that the municipality could regulate potentially “fire causing” elements, such as fireworks under a fire ban within a certain timeframe due to the higher fire risk associated with the summer. She explained that the ordinance ties fireworks restrictions to the state-recognized closed fire season (June 1–October 31), not a year-round ban, and that a severability clause is included in case any portion is found legally invalid.

Haws also had concerns with including the ban on smoking, as well as tracer ammunition, as well as flagged that the penalty structure (up to 6 months in jail and \$1,000 fine) is more severe than state-level penalties, which he stated are typically infractions or Class C misdemeanors.

Hornsby expressed strong concern about fireworks being one of the most reckless fire risks and preferred keeping the provision but acknowledged the legal complexity.

Mayor Ewing suggested tabling the ordinance to research fireworks preemption law and penalty alignment with state standards, noting the first June meeting is June 2nd and an ordinance could be passed at that time.

2. Update from Malia Collins, Project Manager on Bluff Rural Innovation & Civic Center Renovation Grant Spending

Collins confirmed that the project manager's salary can be used as a cash match for the Governor's Office of Economic Opportunity Grant, bringing the amount of grant money which needs to be spent before the end of June to approximately \$43,810. This accounts for allocating \$10K of the USDA grant for Fire Suppression Materials in June, with the remaining \$40K of the USDA grant needing to be spent on materials during the installation phase.

Collins also reported that Rocky Mountain Power will assess the building's electrical service within the next two weeks to determine if a transformer or service upgrade is required. The utility customer (the Town) is required to pay for a transformer upgrade, so this could require expenditure of a significant portion of the grant funds remaining. Collins is also working with Bluff Water Works on upgrades that are needed for the fire suppression system, that may cost \$5K–\$15K.

The Town may need to use a portion of the remaining funds to purchase fixtures like toilets in June if other spending options fall through, though storage logistics are a concern.

Council agreed to proceed with operable windows, noting the total cost of \$14,236 remains well below competing bids. Collins also proposed completing work to level the wooden subfloor to match the rest of the flooring. The current contractor, DRL Enterprises provided a verbal estimate of \$5K. Collins and Nelson will obtain other quotes from local vendors to adhere to the procurement threshold requirements.

New Business

3. Discuss issuing a Request for Proposals for Legal Counsel

Mayor Ewing stated that both the legal counsel and audit services contracts are expensive line items which have increased in cost over the past few years, and that it is best practice (and sometimes required) to periodically solicit competitive proposals. He raised the importance of ensuring Utah-specific legal expertise given constantly changing state laws.

Nelson confirmed that the State Auditor's Office indicated the town can rehire Larson & Company but should conduct an RFP at least every 5 years and noted that current providers are encouraged to submit proposals.

The RFPs will be issued in early June, and submittals will be reviewed in a town council meeting or work session in July before selection.

4. Discuss issuing of a Request for Proposals for Accounting Audit Firm

Discussed under previous agenda item.

5. Update regarding letter of support for San Juan County Economic Development Grant Proposal

Mayor Ewing informed the council he signed a letter of support on behalf of the town for San Juan County's application to the Utah Office of Tourism grant. Grants fund the county's advertising platform and are one of the largest funding sources for county tourism promotion. Jennifer Davila plans to submit her own letter, as she is a representative on the Tourism Tax board, as well.

Reminders / Other

- **Reminder of Your Town Budget at Work Open House from 6:00 - 7:30 pm tonight**

Mayor Ewing outlined the plan for the event. Copies of the tentative budget will be available for reference.

- **Reminder of Public Hearing on Tentative FY2027 Budget for June 2, 2026 at 4:00 PM**

The formal public hearing on the tentative budget is scheduled for June 2, 2026, with a second truth in taxation hearing in August if the tax increase is included in the proposed budget.

6. Other / Adjourn

Collins is exploring a Rocky Mountain Power grant to support completion of the playground project.

Meeting Adjourned at 4:45 PM

Minute Taker: Erin Nelson

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