

Bluff Town Council Meeting DRAFT Minutes
Tuesday, September 15, 2026, at 4:00 pm MDT
Bluff Community Center – 190 N 3rd E Street, Bluff, UT 84512

4:01 pm: Meeting called to order

Roll Call

Town Council: Mayor Josh Ewing, Jennifer Davila, Gary Haws, Britt Hornsby, Spencer Wade
Staff: Erin Nelson, Charmayne Sandoval (virtual)

Review and Vote to Approve Meeting Minutes from September 1, 2026, Regular Meeting

Text stated that the motion passed "four to one." Suggest changing the wording because an abstention is not a "no" vote. Update the minutes to state that the motion passed "in favor" or with "four votes" rather than using a ratio that counts an abstention as an opposing vote.

Review and Vote to Approve Meeting Minutes from September 8, 2026, Work Session

Under public comment, a speaker's name was incorrectly spelled as "Beth" and needs to be corrected to "Bev."

Review and Vote to Approve Meeting Minutes from September 10, 2026, Special Meeting

No corrections or edits.

Ewing called to approve the amended September 1, 2026, Regular Meeting minutes, the amended September 8, 2026, Work Session minutes, and the September 10, 2026, Special Meeting minutes. Voted in Favor: Haws, Davila, Hornsby, Wade & Ewing.
Motion passes unanimously

Public Comment

Jenny Burns, co-owner (with her husband Greg) of the veterinary clinic on 6th Street for the past ten years, addressed an ongoing property issue. She requested that all five committee members walk to the end of their property/fence to inspect the city property at the end of Sixth Street. Due to a steep drop-off/embankment near the trail where it used to be flat, they can no longer open their gate to access their property safely. Mayor Ewing noted that they (Ewing and Haws) already visited the site and verified the location of the property pin and the embankment drop-off near the trail. Mayor Ewing made a reminder that a separate public comment period for Proposition 7 (EMS services tax increase) would follow later in the agenda.

Unfinished Business

1. Discussion and Updates Regarding 6th West Status and Vote to Place Cottonwood Addition Road Improvements Projects on Hold

The town council held a closed session last week (with no votes taken, per Utah law) and had multiple conversations with neighbors and the landowner. Council members also visited the site to speak with residents. There is unanimous agreement to prioritize and resolve the issue with reasonable speed and monetary investment, while recognizing that actions taken here could impact similar situations across town. The council is determining whether to use current or new legal counsel (a separate upcoming agenda item). While no formal final resolution has been reached yet, conversations with the landowner are ongoing.

Ewing called a vote to put road construction and activity in that specific area on hold until a complete resolution is reached.

Voted in favor: Hornsby, Davila, Haws, Wade and Ewing

Motion passes unanimously

2. Review and Vote to Award Town of Bluff Legal Counsel Contract

The town has used Manny from Grand Junction for legal services, but costs have risen. To ensure taxpayer resources are spent efficiently and to secure counsel with deeper Utah municipal law experience (given Utah's unique laws), the town issued a Request for Proposals (RFP). The RFP deadline was extended by a month to ensure a robust response, resulting in four total bids. Mayor Ewing and Town Manager Nelson reviewed the bids and interviewed three of the four bidders (excluding the most expensive bidder, as they were unlikely to score highest given their cost). The two top firms had similar hourly rates, but Hayes Godfrey Bell stood out due to their extensive Utah municipal experience. Todd Godfrey (who would serve as direct legal counsel) is relied upon by the Utah League of Cities and Towns to conduct municipal training, which the council viewed as a strong testament to the firm's qualifications and knowledge of annual legislative changes. Monticello also uses Hayes Godfrey Bell (with a different partner), and the firm is well acquainted with Bluff's current stage of incorporation and development. Because Hayes Godfrey Bell handle a high volume of municipal clients, they can leverage pre-existing templates, potentially saving the town money despite matching the base partner rate of \$220/hour. None of the firms are heavy-litigation shops. For specialized litigation (such as water law or bonding), separate specialized counsel would be brought in above and beyond the standard contract. Council members expressed a preference for this approach to avoid past missteps of relying on a single "one-stop shop." Regarding potential conflicts with Monticello (since both use the firm), the council discussed that the firm regularly handles collaborative matters by advising each municipality separately to protect their respective interests. The immediate step is to award the RFP contract to Hayes Godfrey Bell. A formal resolution to appoint Todd Godfrey as the official town attorney will follow at a following meeting. Town Manager Nelson will work with Mayor Ewing to get the contract in place promptly.

Ewing called a vote to award the legal counsel contract to Hayes Godfrey Bell

Voted in favor: Hornsby, Davila, Haws, Wade and Ewing

Motion passes unanimously

3. Update on PEPH Benefits Eligibility and Discussion and Vote to Adopt Employee Benefits Policy

Town Manager Nelson clarified that the town is not legally required to offer health insurance to all employees working 20 or more hours under Utah Retirement Systems (URS) guidelines, giving the town the flexibility to set its own threshold. Under the proposed tiers, full-time employees working 36 or more hours are eligible for health insurance, maternity or parental leave, URS retirement, and paid time off (PTO). Part-time employees working between 20 and 36 hours are eligible for URS retirement and PTO, but not health insurance, noting that state rules require offering at least two paid benefits to part-time staff for them to qualify for URS retirement. Limited part-time employees working under 20 hours remain ineligible for URS retirement and paid time off. Additionally, the parental leave policy will be amended to specify that individuals approved for maternity leave are excluded from taking parental leave simultaneously, so that parental leave applies instead to situations like spouses of individuals giving birth, adoptions, or surrogacy to ensure the policy can pass. Finally, regarding vacation payout at separation, employees can carry over up to 1.5 years of accrued vacation, but separation payouts are capped at one year, or one year's worth of accrued hours based on their tenure, because Utah lacks statutory requirements for paying out unused vacation time upon separation, the policy must explicitly define this rule.

Ewing called a vote to approve the employee benefits policy with the discussed updates and draft changes.

Voted in favor: Hornsby, Davila, Haws and Ewing. Abstain: Wade (due to conflict of interest)

Motion passes with four votes in favor, one abstention

4. Review and Vote to Approve Interlocal Agreement to Provide Building Inspection Services for Monticello City

The council agreed to table agenda item number four regarding the interlocal agreement with Monticello for building inspection services. Specific details, particularly what happens if the town loses its building inspector (as discussed in a prior work session) and how much to increase the current building inspector's pay rate to cover the new workload from Monticello, still needs to be discussed. Council would like the newly awarded legal counsel (Hayes Godfrey Bell) to review the agreement before final approval. If Monticello's council passes their agreement next week and urgently needs an agreement from the Town of Bluff, a special meeting could be called, otherwise, it can wait until the first meeting in October. Monticello would pay the Town of Bluff, \$10,000 annually (split into two payments). Monticello collects all building fees and permits and handles their own constituents; the Town of Bluff handles no money or administrative pieces for them. Monticello's zoning and the Town of Bluff's zoning are kept entirely separate. They are only sharing the building inspection and building code enforcement side (since both follow the same state building code). The Town of Bluff is liable if their building inspector makes a mistake against the general building code. However, any issues related to Monticello signing off on things that do not meet their specific local zoning code falls entirely on Monticello. Monticello prefers contract services due to their internal benefits policies and structure, making an interlocal agreement an efficient way for the Town of Bluff to assist them.

5. Review and Approve Vehicle Use Policy

The council reviewed updates to the vehicle use policy, focusing on non-employee use, authorized operators, and passengers. The policy establishes an "authorized vehicle operator" list maintained by the town manager, requiring pre- and post-vehicle inspection logs. Drivers can be removed from the list if their driver's license expires or they violate policies. The policy states, town vehicles should only be used when prior approval is obtained. (Personal vehicle mileage/stipend details are handled separately under the travel policy). The town's current vehicle only has two seats. Town Manger Nelson noted she is finalizing insurance details with the Utah Local Government Trust. The council discussed practical scenarios, such as bringing a spouse along to help load supplies or attend joint meetings (e.g., San Juan County events). Random passengers or hitchhikers are strictly prohibited. However, bringing a passenger (like a spouse helping load the pancake breakfast supplies) is permissible if prior approval is granted by the town manager or mayor (with the administrative director acting as backups if needed). It was explicitly agreed and reinforced by liability concerns, that no children under 18 are allowed as passengers in town vehicles under any circumstance. Contractors generally use their own vehicles per their contracts, but the town manager has the flexibility to add them to the authorized list if needed (e.g., pulling the town's trailer).

Ewing called a vote to approve the vehicle use policy as drafted.

Voted in favor: Hornsby, Davila, Haws, Wade and Ewing

Motion passes unanimously

6. Discussion and Vote on Town Council Stance on San Juan County Proposition 7

The council discussed taking a formal stance on San Juan County Proposition 7 (regarding EMS services), following prior work sessions and meetings. A brief statement was proposed, with the deliberate strategy of keeping it short to minimize the requirement for lengthy opposing views under legal guidelines. It was noted that Chair Jeremy Hogard of San Juan County EMS had been contacted and confirmed he has not heard of a formal or organized opposition (such as a "citizens against proposition 7" group). The council reiterated that they would continue to welcome and provide space for opposing viewpoints during future public comment periods.

Public Comment Period Regarding SJC Proposition 7 RE 1% Increase for EMS

The floor was opened for public comment to satisfy the legal requirement to provide equal time and a platform for opposing viewpoints on the proposition. In-person attendees and online participants (via chat or raised hand) were invited to speak in opposition to Proposition 7. No Public Comment.

Ewing called a vote to adopt the town's position as drafted in the agenda

Voted in favor: Hornsby, Davila, Haws, Wade and Ewing

Motion passes unanimously

7. Reminders / Other

- Housing Consultant RFP to be Issued September 21st**

The housing consultant Request for Proposals (RFP) will be issued around September 21st (next week). Council members have one more week to review the draft (which was included in the work session packet) and provide any feedback or suggested changes.

- **Town Council Invited to State Treasurer & Auditor**

A special meeting with the State Treasurer and State Auditor will take place in Monticello this Friday (September 18, 2026), at 1:30 PM. To address concerns regarding property evaluations and situations involving the San Juan County auditor, ensuring property assessments are handled correctly and legally. Mayor Ewing plans to attend, and other council members are welcome to join.

- **Pancake Breakfast on Saturday, September 19th**

This coming Saturday at 8:00 AM at the fire station (moved there this year to provide a better feel for emergency environments and allow kids to check out fire trucks and ambulances). It serves as a fundraiser for all local emergency services (not just fire and EMS) and acts as an engaging community event.

- **Grounds Clean Up**

The Community Grounds Cleanup is scheduled for September 29th and 30th from 3:00 PM to 6:00 PM to clean up the community center grounds ahead of the meet-and-greet event, with volunteers encouraged to help.

- **Meet the candidates on September 30th**

Scheduled for September 30th at the community center, offering an opportunity to meet candidates running for countywide and state legislative positions.

8. Joint Discussion with Bluff Planning and Zoning Commission Regarding Proposed Zoning Code Changes

Roll Call

Malia Collins (Chair), Brian Whitney, Anne Brown (virtual), Tom Hiserodt (excused absent), Marcia Hadenfeldt – joined virtually at 5:35pm

The Town Council and the Planning and Zoning (P&Z) Commission held a joint meeting to discuss a comprehensive revamp of the town's zoning code. The current code is largely out of date and misaligned with recent state-level legislation. Aside from smaller additions like the RV ordinance, the zoning code has not undergone a major rewrite since its original adoption.

The proposed zoning and district simplifications involve several key changes across different zones. Agricultural zones are combined from three into two, with A1 serving as a more restrictive zone for open space, true agriculture, or recreational and BLM lands, while A2 allows single-family dwellings and accessory dwelling units (ADUs) while restricting short-term rentals. Commercial zones are also simplified from three down to two, featuring C1 focused on a walkable, mixed-use downtown corridor integrating commercial and residential properties like the historic highway strip, and C2 focused on heavier commercial uses such as gas stations, lodging, and potentially new RV parks. A new "Factory Industrial" zone has been added for heavy industrial uses including machine shops, recycling, commercial food production, and large-scale energy development. Residential changes and setbacks include reduced residential setbacks from 25 to 20 feet and 15 to 10 feet, and commercial setbacks reduced from 50 feet to 30 feet to encourage development while balancing safety, alongside an adjusted minimum residential lot area of 0.3 acres to help non-conforming lots comply, subject to separate septic approvals.

Key community discussion points centered around several major topics during the joint session. The council and P&Z debated restricting new RV parks to C2 zones, particularly near the San Juan River, where concerns were raised about protecting the river corridor from intense development or flooding, leading to discussions about implementing a specific river setback. While short-term rentals (STRs) are managed via separate town council ordinances rather than direct P&Z zoning updates, the council noted that STR regulations, sign ordinances, and kennel rules should be targeted as medium term goals for 2027. Finally, emphasizing lessons learned from past incorporation pushback, the council agreed to go "above and beyond" a standard public hearing by planning a conversational open house or presentation during the first meeting in November, followed by a formal public hearing at the second meeting in November, to actively gather community feedback.

8. Adjourn (6:05pm)

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

Minute Taker: Charmayne Sandoval

Draft Minutes Published: September 17, 2026

Approved Minutes Published: