

Regular Meeting Minutes of January 10, 2022 Bainville Town Council

The Regular meeting of the Bainville Town Council was called to order at 7:00 p.m. by Mayor Toby Romo at the Bainville Fire Hall, 207 Duval Street. Present were: Matt Giese, Carol Rasmussen, Toby Romo and Nick Tester. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; and City Attorney, Greg Hennessey was absent. Guests included: Darrel Rasmussen, Patti Malkuch, Jess Malkuch, Diane Panasuk, Eric Newton, Ernie Bingham, Jo Bingham, Cora Norton, Kirk Panasuk, David Norton, Darin Hannum, James Walling.

Matt Giese moved to approve the agenda as submitted. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Matt Giese moved to approve the minutes dated December 13, 2021 as submitted. Nick Tester seconded the motion. All voted in favor and motion carried.

Treasurer's Report:

Clerk Rogers gave the following Treasurer's Report:

She swore in Toby Romo, Carol Rasmussen and Nick Tester at a swearing in ceremony on December 30th, 2021. Matt Giese was sworn in on January 6, 2022. The Oath's of Office were signed, delivered to the county courthouse and recorded in the county clerk and recorder's office.

- Approve claims with checks dated January 10, 2022.

Matt Giese moved to approve claims with checks dated January 10, 2022 in amount of \$41,338.79.

- Approve JV, UB Vouchers, Payroll slips.

Matt Giese moved to approve voiding Check #13075 in amount of \$110.00 and December Payroll slips in the amount of \$9,295.38.

- Review delinquent accounts.

Clerk Rogers gave a spreadsheet to the council of the delinquent accounts which are 90+ days passed due. She asked the council for some direction to 2 delinquent accounts which belong to previous owners of the property. She feels this is a legal matter at this time.

Mayor and Council discussed the matter and directed staff to proceed with sending notices to the current property owners. She will also notify Mr. Hennessy on proceeding forward with the delinquency.

Mayor Romo stated he would like to look into the delinquent process more and does not recommend shutting water off at this time.

- Update on the American Rescue Plan Act of 2021.
 - Discussion on possible projects for the ARPA Funding

Clerk Rogers reported there is no new update. The Town of Bainville needs to come up with a project to utilize the \$110,585 minimum allocation grant.

Mayor Romo would like to get an audit done and asked Clerk Rogers to provide a list of the state certified auditors to him.

Public Comment

Ernie Bingham asked the Mayor and Council if there was a way to eliminate the Sewer Wastewater Impact Fee or to be able to lower it. Matt Giese gave an update on how the Wastewater Impact Fee came into existence and the intended use for new expansion of the sewer system. Mayor Romo will look into the Impact Fee and put it on a future agenda.

Public Works Report

Lyle Lambert, Public Works, gave the following report:

- Attended a workshop on the Emergency Response Plan. This needs to be updated every 3 years.
- Public Works will be attending the MRWS conference in Great Falls in March 23-25, 2022.

Roosevelt County Sheriff's Report—None

Court Report—1 Citation

Local Emergency Planning Committee

Local Emergency Planning Committee will be meeting in Bainville at 2:00 PM on January 11, 2022.

Old Business

- A. Request from Allen Spencer of Dakotaland to deed over the property to the Town of Bainville in lieu of delinquent Water/Sewer account. *-No Motion*
- B. Approve and authorize the Mayor to sign a short form of agreement between owner and engineer for professional services with Interstate Engineering, Inc. for the Water Main Supply Line – Unaccounted Water Project in the amount of \$16,000. *-No Motion*

Mayor Romo contacted Interstate Engineering and they wanted to apply for the competitive grant which was due January 14, 2022.

Lyle Lambert, Public Works, suggested in the spring after monitoring the water usage and fixing the 2 major leaks, the town should pothole the line coming into town to see what kind of pipe is in the ground. If the pipe in the ground is plastic then the town is good shape but if it is iron ductile pipe then it may be in horrible shape.

No motion

New Business

- A. Elect the president of the council, see Town Code: 2.04.050 & 2.04.060, MCA 7-4-4403
Carol Rasmussen nominated Matt Giese to be president of the council. Council voted on the nomination. Nomination passed unanimously.
- B. Mayor appoints a Town Clerk-Treasurer, 2.08.010, MCA 7-4-4701
 - a. Recommend: The council perform an employee review on Clerk-Treasurer in the first week June of 2022, and make the appointment at the June 13th, 2022 meeting. This will give time for the new mayor and council to get to work with Clerk-Treasurer. Clerk-Treasurer is currently paid \$20/hour, 40 hour per week, there are vacation day and sick day benefits as outlined in Town of Bainville Personnel Policy Manual. This appointment will be a 4-year appointment.

Mayor Romo asked to wait until June to make the appointment since he is new to the Mayor role and he can review the job description. Clerk Rogers will remain as the Town Clerk-Treasurer. He also thanked Clerk Rogers for her time in answering questions.
- C. Mayor appoints a City Judge, 2.00.010
 - a. Recommend: Penny Hendrickson. The Town currently pays \$150/month

Mayor Romo recommends Penny Hendrickson as our Town Judge at 150.00 per month. Matt Giese moved to appoint Penny Hendrickson as the Town Judge for the Town of Bainville. Nick Tester seconded the motion. All voted in favor and motion carried.

D. Mayor appoints a Town Attorney, 2.00.010–*No Motion*

- a. Recommend: there is no current contract, I would like to put this out for bid & fill position by May 9th, 2022 for a 2 year contract (MCA 7-4-4602).
- b. Review the contract with Roosevelt County for Attorney prosecution services. The Town currently pays \$500/month to Roosevelt County Attorney

Mayor Romo would like to put the Town Attorney role out for bids and fill the appointment by the May meeting for a two year term.

E. Mayor appoints Fire Chief. 2.10.010

- a. Recommend: Appoint Lyle Lambert to be the fire chief for the Town of Bainville. Mayor Romo spoke with Mr. Lambert and he is willing to be the fire chief for the Town of Bainville. He thanked Mr. Lambert for his time and knowledge.

Matt Giese moved to appoint Lyle Lambert as Fire Chief for the Town of Bainville. Nick Tester seconded the motion. All voted in favor and motion carried.

Matt Giese thanked Mr. Lambert for his service.

F. Approve and authorize the Mayor to sign the Dakota Pump Annual Maintenance Agreement in the amount of \$700.00.

Mayor Romo stated he visited with Public Works and they agree this company is very good at what they do at the lift station.

Matt Giese moved to approve and authorize the Mayor to sign the Dakota Pump Annual Maintenance Agreement in the amount of \$700.00. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

G. Review the 2022 Town Council meeting dates and Holiday Schedule.

Mayor Romo clarified there are two potential conflicts: Valentine's Day and Columbus Day. He would like to hold the next meeting on February 15, 2022. School board meeting is on Wednesdays and there is no fire board meeting on that Tuesday. Columbus Day is Monday October 10, 2022 so the meeting would likely be on Tuesday October 11, 2022.

Carol Rasmussen moved to accept the proposed meeting dates and holiday schedule with the recommendations submitted by Mayor Romo. Matt Giese seconded the motion. All voted in favor and motion carried.

H. **Resolution**—Adopt a resolution to approve First Community Bank of Montana and Edward D Jones signature resolution

Clerk Rogers recommends the council put 3 people on the checking accounts instead of only 2. She suggests the Mayor, Clerk-Treasurer, and Council President be on the accounts with 2 signature required.

Nick Tester moved to adopt a resolution to approve First Community Bank of Montana and Edward D Jones signature resolution with the Mayor, Clerk-Treasurer, and Council President. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

I. Update on Dorothy Crawley quiet title for 211 Clark Avenue East lot.

Matt Giese gave a brief update on the Dorothy Crawley quiet title. Lyle Lambert stated the problem is trying to find the heirs to Dorothy Crawley to sign off on it. Mayor Romo will contact City Attorney Hennessy and discuss it with him.

J. Discuss Dry Prairie Public Hearing on water rate increase.

Mayor Romo discussed the rate increase from Dry Prairie. They are proposing an increase of \$3.00 from 14.25 to 17.50 per month and an increase in Consumption rate from 1.50 to 2.07 per 1000 gallons. He will attend the public hearing meeting on February 3, 2022 at 1:00 PM.

K. Petition Roosevelt County to abandon County Road 1007 from the railroad crossing to Highway 2 by the cemetery.

Mayor Romo stated in order to change the ward boundaries from the current boundary to the town limit boundary, the Town will need to change the name of County Road 1007 by the cemetery. The process involves getting a petition from the people currently residing on the road or have designated addresses. A citizen suggestion Granley Street would be a good name for the street.

L. Review Ward Map revisions

Mayor Romo stated this is part of the process after the petition has been signed then follow up with a resolution changing the Ward Map

M. Review Montana Code Annotated in the number of council members per ward.

Mayor Romo stated if you are less than 1000 people you are considered a Town. There is a statute that says you can have 2 council members per ward. In 1970 Bainville moved from two wards to one ward which would limit the number of council members on council to 2 members and the Mayor. He will look into this matter and ask for some advice on how to proceed.

Matt Giese moved to adjourn the meeting at 8:07 PM.

Attest:

Approved By:

/s/Nikki Rogers
Nikki Rogers, CMC
Clerk-Treasurer

/s/Toby Romo
Toby Romo
Mayor