

**Regular Meeting Minutes of March 9, 2020
Bainville Town Council**

The Regular meeting of the Bainville Town Council was called to order at 7:00 p.m. by Mayor Dennis Portra at the Bainville Town Hall, 211 Clark Avenue East. Present were: Ron Butikofer, Chuck Hyatt, Dennis Portra and Travis Wills. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; City Attorney, Greg Hennessey. Guests included: Tammie Richardson, Cora Norton, Judy Grimsrud, Bernie Popp, Joe Popp, Thomas Holliday, Joe Eastes, Dana Salivar, Hoss Salivar and Kirk Panasuk.

Chuck Hyatt moved to approve the agenda with the addition of the general dog complaint under Public Comment and Fence Permit under New Business #2. Travis Wills seconded the motion. All voted in favor and motion carried.

Travis Wills moved to approve the minutes dated February 13, 2020 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment

- Joe Popp asked the Mayor and Council members about the status of Sophie Panasuk's house. He has concerns about the house being filled with black mold and being a health hazard.
- General at large dog complaint
Mayor Portra and Council discussed the issue of dogs running at large.

Public Works Report

Mr. Lyle Lambert gave the following report:

- The lift station and generator have been fixed and are working great
- He stated he has some issues with the insurance company over the inspection of the pumps
- Public works will begin to work on the plugged culverts
- He has been working on organizing the city drawings and maps.

Roosevelt County Sheriff's Department Update Report—None

Legal Issues—None

1. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessey

Local Emergency Planning Committee

Next LEPC meeting: Tuesday, March 10, 2020 in Bainville

Trail Committee Update

- Committee Recruitment
- Community Development Block Grant (CDBG) Planning Grant for Trails Plan

Old Business

- A. Review the sewer line proposal for Gracie's Bar and Casino at 212 Clinton Street ST N—*No Update*
- B. Withdraw the request from D Panasuk to have water and sewer permanently disconnected at 210 Evans Street

Clerk Rogers stated she has received on March 5, 2020 a written statement from Diane Panasuk regarding the withdrawal of disconnecting the water at the Welcome Court.

- C. **Ordinance**— An ordinance of the Bainville Town Council amending Title 15 Buildings and Construction Chapter 15.02 Building Regulations to include shipping containers as movable storage structures.

Ron Butikofer asked for a clean copy of the ordinance. Clerk Rogers will provide a clean version to the council members at the next meeting.

D. Discussion on a Town vehicle and possible changes to Vehicle Policy.

- Review the bid from Fox Ford, Wolf Point MT

Mayor Portra and Council members reviewed and discussed the one proposal in the amount of \$34,450 from Fox Ford. They would like Mr. Lambert to provide some more proposals for the next meeting.

E. Update from new property owner regarding 5862 County Road 405 North—No Update

New Business

A. New Permits:

1. Shipping Storage Container--BHP Properties

Mayor Portra and Council members reviewed the permit. Chuck Hyatt moved to approve the permit. Ron Butikofer seconded the motion. All voted in favor and motion carried.

2. Fence at 311 Clinton—Diane Panasuk

Mayor Portra and Council members reviewed the permit. Ron Butikofer moved to approve the permit. Motion died for lack of second. Chuck Hyatt requested more information from the property owner regarding the section length on the permit.

B. Edward D Jones Update—Tammie Richardson

Mayor Portra and Council members discussed the investments with Ms. Richardson.

C. Discussion on the request to annex two 40-acre parcels on County Road 1009, whereas on 40-acre parcel is known as Shotgun Creek.

Tom Holliday asked the council if they would be willing to annex the two 40 acre parcels west of Bainville on County Road 1009 known as Shotgun Creek Subdivision. One of the 40 acre parcels is platted and the other is not but is adjacent to one another. Currently, the platted parcels have access to Dry Prairie Rural Water and are on septic sewer.

Mr. Lambert stated the fire protection would need to be fixed as there are no hydrants working. The Town would lose their ISO rating if they annexed without the protection.

Mayor and Council asked if Mr. Holliday would contact the county sanitarian to find out what he can and can not do if he wants to proceed with the annexation.

D. Request from Sanfield Developments, LLC to return Impact Fee money paid for Truck Stop development off of County Road 1007.

Clerk Rogers stated she received a request from Wagner Harmon, Sanfield Development for the return of the impact fee money paid for the Truck Stop development off of county road 1007. Mayor Portra and council members discussed it and see if the Town can refund the money.

E. Discussion on hiring Summer Maintenance Worker Timeline

Clerk Rogers stated it is time to start advertising for the Summer Maintenance people. She asked if they would like to advertise and if so, how many positions. Chuck Hyatt moved to advertise until filled and hire 2 Seasonal Mowing/Maintenance workers start date of May 1, 2020. Travis Wills seconded the motion. All voted in favor and motion carried.

F. Review the Building Permit Policy and Process as permits expire in allotted timeline.

Clerk Rogers asked the Mayor and Council members if they would like the Clerk to contact people when their building permits expire or would this be the applicant responsibility. Mayor Portra stated the applicant needs to re-apply to extend their permit time.

Clerk Rogers asked for clarification on who can put in a building permit. Mayor Portra stated the applicant should be the property owner or if the applicant has a letter from the property owner stating it is ok for the permit.

G. Review the Chapter 1.08 General Penalty

Mayor Portra and Council members reviewed Chapter 1.08 General Penalty. No changes will be made at this time.

H. Review Chapter 7.06 Nuisance and develop general practices

Clerk Rogers asked the Mayor and Council members to provide her with some guidance in developing an internal policy regarding “What is a public Nuisance?” and how does a person file a nuisance? Council members stated they would like to see 3 written complaints from different complainants in regard to a public nuisance.

I. Upcoming Training:

1. Montana Rural Water Conference, Great Falls MT, March 25-27, 2020
2. Montana Healthy Communities Conference, Helena MT, April 28,2020 – April 30, 2020

Lyle Lambert, Dan Lambert, Clerk Rogers and Chuck Hyatt will attend the Montana Rural Water Conference held in Great Falls. Mr. Butikofer requested the staff and council give a report at the next council meeting.

J. Treasurer’s Report:

- Approve claims with checks dated March 9, 2020
- Approve JV, UB Vouchers, and Payroll slips
- Update from Sidney Tax Service--None
- Review Accounts Receivable—None

Ron Butikofer moved to approve the Treasurer’s Report. Travis Wills seconded the motion All voted in favor and motion carried.

Ron Butikofer moved to adjourn the meeting at 9:25 PM. Travis Wills seconded the motion. All voted in favor and motion carried.

Attest:

Approved By:

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

/s/Dennis Portra
Dennis Portra
Mayor