

Regular Meeting Minutes of September 16,2020 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: Chuck Hyatt, Dennis Portra and Travis Wills. A **quorum** was established. Also present were Clerk, Nikki Rogers; and Public Works Director, Lyle Lambert. Ron Butikofer and City Attorney, Greg Hennessey were absent. Guests included: Thomas Johnston, David Norton, Karen Martin, Kyle Crusch, Ryan VanKerkove, and Michael Ellerton.

Travis Wills moved to approve the agenda with the addition of Old Business D Update from New Property Owner at 5862 County Road 405 and E. Fence Permit Update. Chuck Hyatt seconded the motion. All voted in favor and motion carried.

Chuck Hyatt moved to approve the minutes dated August 10, 2020 as submitted. Travis Wills seconded the motion. All voted in favor and motion carried.

Public Comment

- Web Complaint regarding dogs at large
A complaint was filed with the Town of Bainville regarding two dogs on the loose harassing some chickens. The complainant stated the brown dog growled and barked at her while she was "shooing" it out of her yard. Mayor and Council discussed this complaint and directed staff to issue each of the dogs' owners a letter.
- Mr. Hyatt commended the Summer Mowing Crew and the people of Bainville on cleaning up the town.

Public Works Report

Lyle Lambert, Public Works, gave the following report:

- Brush Pile—is huge with the amount of trees cleaned up in town.
- Sand Salt Spreader—has arrived and was donated by the Billings Clinic.
- Slagle Tree Service—stated they are still coming but not sure when. It will cost roughly about \$2,750.00-\$3,000. A verbal agreement with Ms. Panasuk is if the town removes the tree then she will fix the sidewalk.
- Stop signs and road signs—are being stockpiled at the lagoon as they were going to scrap the signs.
- Grapple bucket—was purchased from Acme for \$3,900 and works wonderful on the southside of the lagoon.
- Evans & Rhea Project— might be on hold until next spring. Mayor Portra and Mr. Lambert will take a look at the project again.
- Water at 5th and Clinton— A ditch will have to be put in across Clinton. Mr. Hyatt asked how much a concrete dip for storm drainage
- Painting will be happening next week and chip seal next year on Clinton Street
- Alan Engelke submitted an estimate for the sewer repair between Rhea Ave and Flynn Ave. Mr. Lambert will get an estimate from Curt Wood from C and C Excavation. A meeting will be called if the easiest fix to remove the 45 degree corners in the sewer.
- Summer Help—Using summer workers for other job duties is ok.
- Pumper Test—The City Pumper will be tested in the next 20 days.

Roosevelt County Sheriff's Department Update

Deputy Ryan VanKerkove introduced himself and Deputy Michael Ellerton who will be working on the east end of the county. The sheriff's office is full staffed again with Russ Corbell being the third Deputy assigned to the east end. The sheriff's office will no longer oversee the Poplar City Police Department on or about the 19-20 of September. The sheriff's office will then be able to patrol the county better in

different areas. Deputy VanKerkove stated in the Bainville area they have had 18 calls for service. The calls range from 1-2 Domestic, Narcotics, Suspicious Activity, Missing Person and Harassment call.

Mr. Hyatt appreciated the more noticeable patrols in the morning around the school area.

Court Report

Mayor Portra read an email submitted by Judge Hendrickson's Court. There are no citations for the month of August.

Legal Issues

1. Discussion on a quiet title for the Dorothy Crawley property—No update

Policy/Ordinance Review

1. Dog at Large Ordinance—Discussion on a leash law
Mayor and Council discussed the current dog ordinance Chapter 8.04 and what the Roosevelt County (Ordinance No. 7) has in place. Clerk Rogers asked if the council would like to start licensing dogs according to the code. Mayor Portra stated he does not want to be the "Dog Police". Clerk Rogers asked if the Council would be willing to put on a Rabies Clinic along with licensing the dogs? Mr. Hyatt commented the dogs in this town have more rights to roam than he has to privacy.

Clerk Rogers will draft an ordinance to include what the county has in place and Chapter 8.04 for the next meeting. Travis Wills stated he would like to see the restriction of the dog within the owner's control on a leash or within the owner restraint. He feels the dogs need to stop roaming whether they are vicious or not.

Mr. Hyatt asked Mayor Portra for some insight on what has or hasn't worked in his tenure on the council. Mayor Portra is happy with the Sheriff's office for their presence and not having to deal with dogs as their only complaint. Mayor Portra knows there are people that will complain about a dog because they have a grudge against other people. Mr. Hyatt commented if a dog is kept in their own yard then they would have no reason to complain.

Clerk Rogers asked if the license is one time only for the life of the dog or to have a license renewed every year. Mr. Wills stated he is fine with one-time license.

Mr. Hyatt asked if we adopt what the county has in place then the calls would go to 911 rather than the council members. The Sheriff's office would have to handle the call.

Local Emergency Planning Committee

Next LEPC Meeting: LEPC meetings will now be held virtually.

Trail Committee Update—No Update

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

Old Business

- A. Discussion on a Town vehicle and possible changes to Vehicle Policy.
Mr. Hyatt asked for this item to be removed from the agenda.
- B. Discussion on the EDU (Equivalent Dwelling Unit) count with Dry Prairie
Mayor Portra stated Joni Sherman from Dry Prairie called him and their meter was tested and calibrated fine. Our next step would be to see if we have a leak somewhere in the system. Mr. Lambert talked to the independent testing company and she said the flow of water can flow 257 gallons per minute under 110 pounds of pressure. Mayor Portra and Mr. Lambert discussed the pressure. Mr. Lambert talked to various people and they all ask why the Town of Bainville fills their tank through town and not directly to the tank first. Everyone has trouble

figuring the variance from their delivery through town usage to the tank. It is impossible to track.

Chuck Hyatt moved to order a 3" meter and get 2 estimates to install the meter at the water house. Travis Will seconded the motion. All voted in favor and motion carried.

If Mr. Lambert receives 2 estimates, a special meeting should be called to accept one of the bids. This project needs to get done as soon as possible before winter starts and there are problems.

C. Yard Clean-up List Update

Mayor and Council directed staff to include a thank you note to all property owners regarding cleaning up the properties. Thank you for the effort of cleaning up your property.

D. Update from New Property owner regarding 5862 County Road 405 North

Attorney Hennessy drafted an agreement for Thomas Johnston to sign with the Town of Bainville. Mayor and Council reviewed the agreement and feel the need to make some charges.

E. Fence Permit Update

Clerk Rogers asked the council if she needs to follow up with the Fence Permits. Mayor Portra directed staff to issue a letter to the property owner that she may be in violation and have the Roosevelt County Sheriff's office deliver the letter.

New Business

A. New Permits: None

B. **Resolution**—A resolution for requesting distribution of Bridge and Road Safety and Accountability (BARSAA) program funds.

Mayor and Council discussed the resolution. Chuck Hyatt moved to adopt a resolution for requesting distribution of Bridge and Road Safety and Accountability (BARSAA) program funds. Travis Wills seconded the motion. All voted in favor and motion carried.

C. Montana League of Cities and Towns Conference October 7-9, 2020~Virtual~Cities and Towns: Facing Tomorrow Together

Clerk Rogers has registered for the Montana League of Cities and Towns Conference and will be attending the virtual conference at the office.

D. Treasurer's Report

- Approve claims with checks dated September 14, 2020
- Approve JV, UB Vouchers, and Payroll slips
- Review delinquent accounts
- Financial Update with Valli

Chuck Hyatt moved to approve the Treasurer's Report and void check #12628. Travis Wills seconded the motion. All voted in favor and motion carried.

Travis Wills moved to adjourn the meeting at 9:00 PM. Chuck Hyatt seconded 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