

**Regular Meeting Minutes of August 8, 2016
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 Fire Hall. Present were: Matt Giese (arrived at 7:45 PM), Dennis Portra, Mandy Hickel and Scott Ross. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; City Attorney, Greg Hennessey. Guests included: Patrick Murtagh, Ralph Gurney, John Gilligan, Steve Harper, Karen Harper, Benjie Butikofer, Cora Norton, Chuck Hyatt, Aggie Hollanda, and Kellen Standley.

Scott Ross moved to approve the agenda. Mandy Hickel seconded the motion. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

Mandy Hickel moved to approve the minutes dated July 18, 2016 and July 26, 2016 Special Meeting as submitted. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

Public Comment--None

Department or Committee Reports

A. Public Works Report

Lyle Lambert, Public Works Director, stated the Department of Labor problems have been fixed except for the skid steer loader training. Rex Loomis from Bobcat of Miles City will be in the area at some time to give them training. He will file an extension with the state until the training can be completed.

Mr. Lambert also stated both him and Dan are busy with getting the water tank project going at the school so they can get it done before schools starts.

B. Roosevelt County Sheriff's Department Update-None

C. Local Emergency Planning Committee

- Emergency Operation Plan
- PDM

Benjie Butikofer stated they will be having a meeting on the 9th of August at the Bainville Fire Hall.

Public Hearing

1. **Ordinance #118**

Public hearing on an ordinance of the Bainville Town Council amending Title 7 Health and Welfare Chapter 7.06 Nuisances

The council did a second reading on an ordinance amending Title 7 Health and Welfare Chapter 7.06 Nuisances. There was no public comment.

Scott Ross moved to approve an ordinance amending Title 7 Health and Welfare Chapter 7.06 Nuisances. Mandy Hickel seconded the motion. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

2. **Ordinance #119**

Public hearing on an ordinance of the Bainville Town Council amending Title 9 Public Peace, Safety and Morals creating a new chapter 9.10 Outdoor Burning Regulations

The council did a second reading on an ordinance amending Title 9 Public Peace, Safety and Morals creating a new chapter 9.10 Outdoor Burning Regulations. There was no public comment

Scott Ross moved to approved an ordinance amending Title 9 Public Peace, Safety and Morals creating a new chapter 9.10 Outdoor Burning Regulations. Mandy Hickel seconded the motion. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

3. **Resolution #140**

Public hearing on a resolution to increase the rates for the users of the Town's water system.

The council indicated there would be a \$9.00/month base rate increase. The rate amount of usage will remain the same as \$3.78/1000 gallons. The increase will help pay for the current water project.

Cora Norton asked the council if the loan gets paid off will the increase go away. Mayor Portra stated it would likely go away.

Scott Ross moved to approve the resolution to increase the rates for the users of the Town's water system. Mandy Hickel seconded the motion. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

4. **Resolution #141 and #142**

Public hearing on a resolution adopting Fiscal Year 2016-17 budget.

Clerk Rogers presented the council with the resolution for Fiscal Year 2016-17 budget and the resolution for setting the mill levy for Fiscal Year 2016-17. The mill levy for Fiscal year 2016-17 will be set at 176.06.

Scott Ross moved to adopt a resolution fixing the annual appropriations for the town of Bainville, Montana for the Fiscal Year 2016- 2017 budget. Mandy Hickel seconded the motion. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

Scott Ross moved to adopt a resolution setting and adopting the mill levy on all real and personal property within the Town of Bainville for the 2016-17 Fiscal Year. Mandy Hickel seconded the motion. Scott Ross and Mandy Hickel voted in favor and Matt Giese was absent from the vote. The motion carried.

Old Business

- A. Zoning Permits: *None*
- B. Continued discussion on a new Town Hall—*No new information*
 - 1. Remodel current building proposal
- C. Discussion regarding contracting services with the County Attorney's office—Attorney Hennessy
The Mayor and Clerk still need to contact the county attorney's office.

New Business

- A. Zoning Permits—
 - 1. Joe Milan—Fence Permit—*Tabled until next meeting*
 - 2. Joe Milan—Garage Permit—*Tabled until next meeting*
 - 3. Bainville School—Special Use Permit: Bainville School use of city owned land located behind Matt Giese's house off Highway 327 at S34, T28N, R58E, COS 313A, Tract 1 Plat 313A, File 6000 in SENW & SWNE Cont. 5.734AC for JH football practice.

Chuck Hyatt presented a special use permit for the use of the empty lot behind Matt Giese's house for Junior High football practice for the 16-17 School Year. The mayor and council decided to wave the fee for the special use permit.

Matt Giese moved to approved the special use permit and wave the fee. Mandy Hickel seconded the motion. All voted in favor and motion carried.

B. Water Project Update—Patrick Murtagh

Patrick Murtagh, Morrison-Maierle, introduced Ralph Gurney to the council. Mr. Guerny will be working as a resident project representative on the project for a couple of weeks and will be replaced with Purnal Whitehead, Senior Resident Project Representative. The contractor will begin constructing the road and starting the tank foundation.

C. **Resolution 143**—Adopt a resolution relating to \$868,000 Water System Revenue bonds (DNRC Drinking Water State Revolving Loan program), consisting of \$500,000 subordinate lien taxable Series 2016A Bond and \$368,000 Series 2016B Bond; authorizing the issuance and fixing the terms and conditions thereof—Clerk Rogers

Clerk Rogers presented the resolution relating to \$868,000 Water System Revenue bonds (DNRC Drinking Water State Revolving Loan program), consisting of \$500,000 subordinate lien taxable Series 2016A Bond and \$368,000 Series 2016B Bond; authorizing the issuance and fixing the terms and conditions thereof.

Scott Ross moved to adopt a resolution relating to \$868,000 Water System Revenue bonds (DNRC Drinking Water State Revolving Loan program), consisting of \$500,000 subordinate lien taxable Series 2016A Bond and \$368,000 Series 2016B Bond; authorizing the issuance and fixing the terms and conditions thereof. Mandy Hickel seconded the motion. All voted in favor and motion carried.

D. Update from the Local Government Study Commission—John Gilligan

1. Set a public hearing on or before August 22, 2016.
2. Measure gets submitted to the County Election office by August 24, 2016.

John Gilligan presented a draft of the Local Government Study Commission final report. He stated the commission needs to meet and finalize the report. The council has some questions regarding the language and some minor report clean up.

Scott Ross moved to set a public hearing on August 22, 2016 to hear the final report from the Local Government Study Commission. Mandy Hickel seconded the motion. All voted in favor and motion carried.

The meeting will be held at the City Office on August 22, 2016 at 8:00 PM.

E. **Resolution 144**—Review changes to the Employee Personnel Policy Manual per MMIA—Clerk Rogers

Clerk Rogers stated Angela Simonson from MMIA reviewed our Employee Personnel Policy Manual and suggested some changes. Some changes are necessary and some are only suggestions.

Matt Giese moved to adopt a resolution on updates to the Personnel Policy Procedures for the Town of Bainville as required by the State of Montana covering Veterans Preference, ADA, etc. Mandy Hickel seconded the motion. All voted in favor and motion carried.

F. **Resolution 145**—Resolution to adopt an internet privacy policy for the Town of Bainville as required by MCA § 2-17-55—Attorney Hennessy

Attorney Hennessy presented a resolution adopting an internet privacy policy.

Scott Ross moved to adopt an internet privacy policy for the Town of Bainville as required by MCA § 2-17-55. Mandy Hickel seconded the motion. All voted in favor and motion carried.

G. Treasurer's Report:

1. Approve claims with checks dated August 8, 2016
2. Approve JV, UB Vouchers, and Payroll slips

Scott Ross moved to approve the treasurer's report and pay all invoice bills. Matt Giese seconded the motion. All voted in favor and motion carried.

Matt Giese moved to adjourn the meeting at 8:20 PM. Scott Ross 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