

**Regular Meeting Minutes of December 11, 2017**  
**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. Present were: Matt Giese, Dennis Portra and Scott Ross. A **quorum** was established. Absent was Mandy Hickel, Public Works Director, Lyle Lambert. Also present were Clerk, Nikki Rogers; City Attorney, Greg Hennessey. Guests included: Ron Butikofer, Tim Lingle, Angela Benson.

Scott Ross moved to approve the agenda with the addition New Business Letter A. Andy Ullmer New House and garage at 12 Clark Avenue West. Matt Giese seconded the motion. All voted in favor and motion carried.

Scott Ross moved to approve the minutes dated November 15, 2017 as submitted. Matt Giese seconded the motion. All voted in favor and motion carried.

Public Comment--None

Public Works Report--None

Roosevelt County Sheriff's Department Report

Officer Tim Lingle attended the meeting and gave the following report:

- A new officer, Jim Stacy, is moving to Culbertson. He will join Officer Hughes and Vander Kove on patrolling the East end of the county.
- Search and rescue have been helping the departments in Newtown in the case of a missing woman.

Legal Issues

1. Discussion on a quiet title for the Dorothy Crawley property.—Attorney Hennessey  
Attorney Hennessey stated the quiet title is moving along.
2. Update on Water System Improvement Project lawsuit from C&C Excavation.  
Attorney Hennessey stated the Town is in the discovery phase of the suit. Clerk Rogers and Attorney Hennessey are putting together the discovery requests for the lawyers. Also, an issue with venue being in Billings rather than in Roosevelt County has come up.
3. Update on Sophie P lawsuit  
No new information. Clerk Rogers asked if she is to put the accruing charges on the tax rolls if they do not pay the bill. Attorney Hennessey stated proceed like every other account.

Local Emergency Planning Committee

Next meeting date: December 12, 2017 at 2 PM in Froid

No new update from the Local Emergency Planning Committee. Angela Benson from the Searchlight passed along to the council that the committee is looking for a secretary.

Public Hearing

Final Reading on an ordinance amending Title 7 Health and Welfare, Chapter 4 Garbage Sections 30 Containers for and Disposal of Garbage adding mattresses under items and Section 50 Fees by changing each person who shall be connected with the water system to each property owner who shall reside within town limits be required to pay garbage collection fee.

Clerk Rogers stated this is the second and final reading regarding an ordinance amending Title 7 Health and Welfare, Chapter 4 Garbage Section 30 Containers for and Disposal of Garbage adding

mattresses under items and Section 50 Fees by changing each person who shall be connected with the water system to each property owner who shall reside within town limits be required to pay garbage collection fee.

No public to discuss the ordinance. Matt Giese moved to adopt an ordinance amending Title 7 Health and Welfare, Chapter 4 Garbage Section 30 Containers for and Disposal of Garbage adding mattresses under items and Section 50 Fees by changing each person who shall be connected with the water system to each property owner who shall reside within town limits be required to pay garbage collection fee. Scott Ross seconded the motion. All voted in favor and motion carried.

#### Old Business

- A. Zoning Permits: None

#### New Business

- A. Zoning Permits:

- 1. Andy Ullmer—Modular Home at 12 Clark Avenue West

Clerk Rogers explained Mr. Ullmer would like to move a modular home into town at 12 Clark Avenue West. He will also like to build a garage on the north end of the house and a patio slab on the west side of the house. She did caution the council as the deed to the property is still in Diane Panasuk's name. The council discussed the permit and he is within the 10 foot setbacks.

Matt Giese moved to approve the permit pending a copy of the deed of trust as proof of ownership of the property. Scott Ross seconded the motion. All voted in favor and motion carried.

- B. Ordinance—An ordinance amending Title 4 Sewer and Water Chapters 02 Sewer Connection Regulations and 06 Water Regulation to include a change in fees.

***Recommended motion:*** I move to adopt an ordinance amending Title 4 Sewer and Water Chapters 02 Sewer Connection Regulations and 06 Water Regulation to include a change in fees and set a public hearing on January 8, 2018.

Clerk Rogers stated this ordinance is the formal way of changing the fees for the water turn on fee from 20.00 to 50.00.

Matt Giese moved to approve amending an ordinance changing Title 4 Sewer and Water Chapters 02 Sewer Connection Regulations and 06 Water Regulation to include a change in fees and set a public hearing on January 8, 2018. Scott Ross seconded the motion. All voted in favor and motion carried.

- C. Transportation project idea between Railroad Tracks and Highway 2 North on Highway 327.

Mayor Portra discussed a transportation project idea regarding developing a trail between Railroad Tracks and Highway 2 North on Highway 327 in the right away. The council members liked the idea and directed staff to proceed forward with the idea.

- D. Federal Holiday schedule for 2018

Clerk Rogers presented the council with the Federal holiday schedule for 2018. Only one holiday conflicted with the council meetings which happens in October. The staff asked to work on Columbus Day with a council meeting that evening in exchange for the day after Thanksgiving off.

The council agreed with the staff.

E. Grazing option at the Lagoon

Kirk Panasuk would like to graze the lagoon with his cattle. Mayor Portra directed Clerk Rogers to find out some information from Mr. Panasuk for Attorney Hennessy to draw up a contract.

F. Dakota Pump and Control annual inspection agreement.

Mayor Portra stated this is an annual inspection agreement for the lift station. Dakota pump is very knowledgeable in our lift station and there are no problems. Matt Giese moved to approve the annual inspection agreement with Dakota pump and control in the amount of \$700.00. Scott Ross seconded the motion. All voted in favor and motion carried.

G. Treasurer's Report:

- Approve claims with checks dated December 11, 2017
- Approve JV, UB Vouchers, and Payroll slips
- Review account receivable

The council reviewed the claims. Matt Giese moved to approve the Treasurer's report and claims in the amount of \$ 19,504.87. Scott Ross seconded the motion. All voted in favor and motion carried.

Matt Giese moved to adjourn the meeting at 7:45 PM. Scott Ross 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