

**Regular Meeting Minutes of March 14, 2019
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, Dennis Portra and Scott Ross. Mandy Hickel was absent. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; Absent was City Attorney, Greg Hennessey. Guests included: Bernie Popp, Joe Popp, Mike Elkouz, Cora Norton, Dana Salivar, Diane Panasuk.

Scott Ross moved to approve the agenda with addition of old business Letter D. Truck Parking. Ron Butikoker seconded the motion. All voted in favor and motion carried.

Scott Ross moved to approve the minutes dated January 17, 2019 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment

- A. Website Complaint regarding noise from Smokey's
Council discussed the complaint regarding the noise from Smokey's at 11:00 PM. The Roosevelt County Sheriff's office was call and responded.
- B. Unsigned complaint regarding receptionist job requirements
The Council discussed the complaint. The complaint was unsigned, so the town does not have anyone to respond too.
- C. Unsigned complaint regarding parking issue in front of the Post Office.
The Council discussed the complaint. The complaint was unsigned, so they have no one to respond back too.
- D. Joe Popp asked the council if it was possible to get Natural Gas in Bainville. Mayor Portra clarified it is extremely expensive to get natural gas started in Bainville.

Mr. Popp also asked if it is feasible to get a trestle over the BNSF tracks. Mayor Portra stated it would be extremely unlikely the state and BNSF would do anything to fix the blocked crossings.

Public Works Report

Lyle Lambert, Public Works, gave the following report:

- Neptune Installation:
All meters were installed except about eight which when spring comes, they will need to be dug up.
- New meter for the Bainville School was ordered, received and installed.
- Mancamp—Surveyor and Engineering firms have been doing some work on the property and inquired on the as built drawings.
- Sewer Issues at 106 7th Avenue East—Mr. Lambert introduced Mike Elkouz who is having frozen sewer issues. Mr. Lambert indicated the line is frozen about 2ft from the Main. Mayor Portra with the consent of the Council directed Public Works to hire someone to fix and clean out the Main.
- The new Bobcat and Toolcat are on order and will be delivered before the next meeting.
- Pace Construction will be in the area and willing to camera the alley between Evans - Tubman and Rhea Ave - Flynn Ave.

Roosevelt County Sheriff's Department Update—No Update

Legal Issues—No Update as Mr. Hennesy was not in attendance

Local Emergency Planning Committee

Next meeting will be in Bainville at the Fire Hall at 2:00 PM.

Trail Committee Update—No Update

Public Hearing

Public hearing on an ordinance amending Title 2 Administration and Personnel Chapter 2.00 Elective and Appointive Officers correcting the number of Alderperson's on Council; Chapter 2.04 Town Council correcting the number of members for a quorum and Chapter 2.04.070 Meeting Called to Order correcting the time of the Town Council meetings from 7:30 PM to 7:00 PM.

Clerk Rogers stated the ordinance is to correct the number of members and the time of meetings in the Town Code. No public commented on the ordinance. Scott Ross moved to adopt an ordinance amending Title 2 Administration and Personnel Chapter 2.00 Elective and Appointive Officers correcting the number of Alderperson's on Council; Chapter 2.04 Town Council correcting the number of members for a quorum and Chapter 2.04.070 Meeting Called to Order correcting the time of the Town Council meetings from 7:30 PM to 7:00 PM. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Old Business

- A. Authorize the Mayor to sign the release of funds for the Department of Natural Resources and Conservation Loan A and Loan B in the total amount of \$110,029—Clerk Rogers
- B. Authorize the Mayor to sign the following forms in regard to the Water System Improvements Project (Clerk Rogers):
- Construction Completion Certificate
 - Borrower Certification on Payrolls and Statement of Compliance
 - Borrower Certification of American Iron and Steel (AIS)
 - Project Performance standards Certificate
 - One year performance criteria for the Town of Bainville Water System Improvements Project-2016 Construction
- C. Review the sewer line proposal for Gracie's Bar and Casino at 212 Clinton Street ST N—No Update waiting on DEQ
- D. Truck Parking on Flynn Avenue

Mayor Portra would like to discuss the parking of a semi in the wrong direction and on the wrong side of the street. The property owner was in attendance and he asked if the owner of the truck was notified. She indicated he was notified and he did not want to move the truck.

Mayor Portra indicated he would like to find out what it would cost to impound the truck and post it on the truck or hand it to the owner. Councilman Ross and Councilman Butikofer disagreed with the Mayor and will talk with the Truck Driver/Owner.

New Business

- A. New Permits:
- Special Use Permit – Bainville Community Association use of Simard Park for the Heritage Celebration June 29 and 30, 2019
- Mayor Portra stated this permit is for the use of Simard Park the end of June for the Heritage America celebration. Scott Ross moved to approve the permit pending the payment of \$25.00. Ron Butikofer seconded the motion. All voted in favor and motion carried.
- B. Approve and authorize the Mayor to sign a contract with Denning, Downey, and Associates CPA's P.C. in the amount of \$27,560 for FY 17 and FY18 audit services required by state of Montana.
- Mayor Portra received an email message from Attorney Hennessy in regards to the contract which has been okayed for signature if the council passes the contract. Scott Ross moved to approve and

authorize the Mayor to sign a contract with Denning, Downey, and Associates CPA's P.C. in the amount of \$27,560 for FY 17 and FY18 audit services required by state of Montana. Ron Butikofer seconded the motion. All voted in favor and motion carried.

- C. **(Hold until April 11, 2019)** Edward D. Jones Update on Security coming due – Tammie Richardson
- D. Review and approve the Mileage Certification Form for the Fuel Tax Allocation from the Montana Department of Transportation.

Mayor and council reviewed the map and nothing needs to be changed on the mileage certification form. Scott Ross moved to approve the Mileage Certification Form for the Fuel Tax Allocation from the Montana Department of Transportation. Ron Butikofer seconded the motion. All voted in favor and motion carried.

- E. Municipal Elected Officials Training, May 7th – 9th 2019; Best Western Gran Tree Inn Bozeman, MT.—No one will be attending.

F. Treasurer's Report:

- Approve claims with checks dated February 14, 2019 and March 14, 2019
Ron Butikofer moved to approve claims with the checks dated February 14, 2019 and March 14, 2019. Scott Ross seconded the motion. All voted in favor and motion carried.
- Approve JV, UB Vouchers, and Payroll slips
Ron Butikofer moved to approve closing JV's, UB Vouchers, and Payroll slips. Scott Ross seconded the motion. All voted in favor and motion carried.
- Approve the voiding Check #11993
- Annual Financial Report for FY 2018 is available for review

Scott Ross moved to approve the Treasurer's Report. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Scott Ross moved to adjourn the meeting at 9:26 PM. Ron Butikofer 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