

Regular Meeting Minutes of April 11, 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, Mandy Hickel, Dennis Portra and Scott Ross. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert. Absent was City Attorney, Greg Hennessey. Guests included: Diane Panasuk, Dana Salivar, Joe Popp, Bernie Popp, Paula Swearingen, Tammy Richardson.

Mandy Hickel moved to approve the agenda as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Ron Butikofer moved to approve the minutes dated March 14, 2019 as submitted. Mandy Hickel seconded the motion. All voted in favor and motion carried.

Public Comment

A. Complaint regarding dog at large chasing chickens

A written complaint has been filed with the Town of Bainville regarding a loose dog harassing chickens on their own property. The Council and Mayor Portra discussed the complaint and asked staff to write the owners of the dog notifying of the complaint.

B. Diane Panasuk inquired on disconnecting Stan Pfeil's water service, so he won't get the monthly bill. Ms. Panasuk indicated she is the power of attorney for Mr. Pfeil who has been placed in the nursing home in Culbertson. The nursing home stated he cannot have any assets, so she is trying to disconnect the water, so Mr. Pfeil won't get a monthly bill. Ms. Panasuk is looking to sell the property at a discounted rate, but the new property owners will have to pay the Sewer Impact fee to get it hooked up again.

Mayor Portra stated it would be in the best interest of the new buyers to keep the services there and sell it rather than having them pay the impact fee. Ms. Panasuk stated she will keep the services for three months to see if anyone is interested in the property.

C. Clerk Rogers asked the Mayor and Council what year of a mobile home can be let into town? Mayor Portra stated it depends on the condition of the houses. He would need to see pictures of the mobile homes to make sure they are in decent shape.

D. Scott Ross had a constituent ask if Matt and Heather Giese had a permit for the "shed" they put up in the back yard. Clerk Rogers stated they did not put up a shed. It is a bar on their back deck which is not attached to their house. Mayor Portra stated is considered deck furniture.

Public Works Report

Lyle Lambert, Public Works, gave the following report:

- New Bobcat Skidsteer and Tool Cat have arrived
- Public Works is working on the remaining water meter installations. Clerk Rogers asked Mayor Portra if the Town of Bainville has the right to shut off the water at a location if the property owners do not let the town in the house to change out the meter. Mayor Portra responded with a yes. It is also a \$50.00 turn on fee once the water has been turned off.
- Public Works attended a class in Sidney. It was an excellent training.
- Alarm system as the lift station. Can Public Works get the phone line hooked up so it will call them if there is an alarm. Mayor Portra stated yes.
- No word from Pace on when they will be in the area.
- Sanitary Survey will take place on Wednesday with people from Montana Department of Environmental Quality to review the water tank and lagoons.

- Is there Sewer and water at Civic Center? The property owner might want to hook up the water and sewer again. They understand if there is no hookups that there will be a sewer impact fee.
- Mr. Lambert will be attending classes for the Emergency Response Plan in Poplar

Roosevelt County Sheriff's Department Update—No Update

Legal Issues—No Update

- A. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessy
- B. MacBain/RL Signor Legal Issue
- C. S Panasuk Litigation Update

Local Emergency Planning Committee—No Update

Update from Bainville April 9, 2019 Meeting
Next meeting date: May

Trail Committee Update—No Update

- A. Community Development Block Grant (CDBG) Planning Grant for Trails Plan

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—*Tabled*
- B. Authorize the Mayor to sign the following forms in regard to the Water System Improvements Project (Clerk Rogers):--*Tabled*
 - 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—*Tabled*

New Business

A. New Permits:

- Kyle Crusch—Building Permit to build a fence for a chicken coop.

Mayor and Council discussed this permit and there were no questions. Scott Ross moved to approve the building permit to build a fence for a chicken coop. Ron Butikofer seconded the motion. All voted in favor and motion carried.

B. Edward D. Jones update on Security coming due – Tammie Richardson

Tammie Richardson reviewed with the council regarding the Edward D Jones account.

C. Discussion on Medical Marijuana Dispensary in Bainville.

Paula Swearingen asked the Mayor and Council if there would be interest in having a Medical Marijuana Dispensary in Bainville. Scott Ross stated this is a possible tax revenue for the Town of Bainville and he is all for it. Mayor Portra was not sure if it is a tax revenue for the Town. Council was concerned about the licensing and security issues. Mayor Portra indicated some more questions needs to be answered before it can go forward.

D. Direct staff to advertise summer maintenance workers and set up hiring timeline.

The Council and Mayor directed staff to advertise for summer maintenance workers.

- E. Approve and authorize the Mayor to sign the Greener By the Yard contract in the amount of \$320.00 to spray Simard Park in 2019.

Scott Ross moved to approve and authorize the Mayor to sign the contract in the amount of \$320.00 to spray Simard Park in 2019 by Greener By the Yard. Ron Butikofer seconded the motion. All voted in favor and motion carried.

F. Treasurer's Report:

- Approve claims with checks dated April 11, 2019
- Approve JV, UB Vouchers, and Payroll slips
- Next meeting Thursday, May 16, 2019 at 7PM

Clerk Rogers indicated she will be in Bozeman for the 50th Montana Municipal Clerk's/Treasurers and Finance Officers training the week of May 5 through May 10, 2019. The next council meeting will be on Thursday May 16, 2019 at 7:00 PM if there is no objection. No one rejected the change of date.

Scott Ross moved to approve the claims with checks dated April 11, 2019 in the amount of \$20,551.37

Mandy Hickel moved to adjourn the meeting at 7:50 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