

Regular Meeting Minutes of November 13, 2019
Bainville Town Council

The Regular meeting of the Bainville Town Council was called to order at 7:03 p.m. by Mayor Dennis Portra at the Bainville Town Hall, 211 Clark Avenue East. Present were Ron Butikofer, Dennis Portra, Mandy Hickel and Scott Ross. A **quorum** was established. Also present were: Clerk, Nikki Rogers and Public Works Director, Lyle Lambert. City Attorney, Greg Hennessey was absent. Guests included: Jason Morgan, Beth Morgan, Eric Newton, Diane Panasuk, Joe Popp, Bernie Popp, Travis Wills, David Norton Tommy Johnston and Dana Salivar.

Scott Ross moved to approve the agenda with the addition of New Business A. Patrick Butikofer permit for roof on shed. Mandy Hickel seconded the motion. All voted in favor and motion carried.

Scott Ross moved to approve the minutes dated October 14, 2019 with a correction under New Business Letter C correcting Mr. Butikofer to Mr. Ross. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment

Clerk Rogers indicated in the council packet she included a dog complaint regarding two dogs attacking a cat in the cat's own yard. A letter was issued to the dog owner's and this was their second offense. The dog owner indicated they will be on collars with an invisible fence.

Department or Committee Reports

Public Works

Lyle Lambert, Publics Works, gave the following report:

- Highway Avenue is completely done. Patrick Construction fixed the culvert they damaged but the rest of the culvert will need to be done in the near future.
- The water and sewer have been installed at the new Mathew Arp house on Evans.
- Lift Station is in dire need as it is down to one pump. Mr. Lambert stated the repairs must be made sooner rather than later. Mr. Butikofer asked about the volume and where is it coming from. Mr. Lambert indicated it is coming from town and some groundwater. It has been running about seventy percent but in the last 4 days it has been running ninety percent. Mr. Lambert stated it is roughly about 70,000 gallons a day and the pump hours does not even come close. Mr. Ross asked why are we going with the bigger pumps for such a small job? Mr. Butikofer asked for some quotes on 5 horsepower pumps as he thinks the 10 horsepower pumps are excessive. He researched some online and they are available. Mr. Lambert stated first the design of the system is the pumps kick on every 30 minutes regardless, second the smaller pumps are not available through any local companies who services the pumps and they may last about a year. The quote from Dakota Pump is for 10 horsepower chopper pumps. Scott Ross moved to approve the purchase of 2 chopper pumps in the amount of \$. Mandy Hickel seconded the motion. Ross and Hickel voted yes with Butikofer voting nay. Motion seconded and carried.

Roosevelt County Sheriff's Department Update—None

Legal Issue

1. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessey—Still pending
2. MacBain/ RL Signor Legal Issue—New Business Letter D.
 - Discussion on properly disconnecting water and sewer permanently for the following addresses:
 - Target Hospitality, 5682 County Road 405 South

Clerk Rogers stated she received a check for the total amount due for the delinquent water and sewer that is owed on the MacBain Property. She would like direction from legal, Mayor and Council on how to handle releasing the lien on the property.

Local Emergency Planning Committee

Next Meeting will be Tuesday, November 12, 2019 in Poplar.

Trail Committee Update—No Update

Community Development Block Grant (CDBG) Planning Grant for Trails Plan

Old Business

A. Review the sewer line proposal for Gracie's Bar and Casino at 212 Clinton Street St N—None

B. Review and discuss the Building Permit process.—Pending

Clerk Rogers suggests to the Mayor and Council to define “movable sheds” to include the Shipping containers or Connex boxes.

Dana Salivar asked if the Town is trying to be a Home Owner's Association. Mayor Portra stated no. Mayor Portra stated we live within a community where there are standards of things you can do, things you can't do, and things you shouldn't do. Some of the ordinances need to be made clear to make things easier for everyone to understand.

C. Discuss the purchase and implementation of Timeclock Plus—Pending

Clerk Rogers asked if the council would like to proceed in purchasing the Timeclock Plus and Black Mountain interface. Clerk Rogers stated Timeclock Plus is web based and Black Mountain Interface. Mr. Ross suggested the Mayor and Council President be administrators on the payroll. Clerk Rogers gave Ron Butikofer the direct line to Robert Hampton at Timeclock Plus.

D. Review and discuss the procedures regarding living in RV Campers.—Pending

Mr. Ross brought it to the attention of the council and Clerk that there is an RV parked at the Welcome Stop. He is thinking someone is actually living in the RV. Clerk Rogers will follow-up with the Manager or Owner regarding if they have permission.

Mayor Portra expressed there are two different scenarios regarding living/working out of a camper and staying in a camper for short period of time. Several in attendance voiced their opinions on living in RV Campers.

E. Discuss the water and sewer hookup fees.

Mr. Ross indicated he would like to discuss the item but it was not taken up in the meeting.

New Business

A. New Permits:

- Patrick Butikofer—Roof on existing building with a carport

Mr. Butikofer stated Patrick would like to put a new roof on an existing storage building with an additional carport attached. It is an existing structure within a 5-foot setback.

Mayor and Council approved the permit via council consensus.

B. Status Check on Mobile home at 413 Clinton Street

Diane Panasuk asked if she could turn the mobile home which was moved to 413 Clinton into a storage building instead of dismantling the mobile home like she originally agreed too.

Mayor Portra agreed Ms. Panasuk would make it look good but this is not what was permitted and it opens a huge problem for others.

Continued discussion happened later in the meeting. Mr. Butikofer moved to suspend order to demolition of mobile home until clarification from the attorney. Scott Ross seconded the motion. All voted in favor and motion carried. Clerk Rogers will notify Attorney Hennessy to see if he is available to attend a meeting on November 14, 2019.

C. Review the Audit for Fiscal Years 2017 and 2018

Clerk Rogers provided the council a copy of the audit from Downing and Denning,

D. Discussion on options for 5862 County Road 405 North

Tommy Johnson is in the process of buying the old Mancamp site. He is asking what his options would be help alleviate the water/sewer fee. Mayor Portra let Mr. Johnston know that there is a punch list remaining on the property that have not been done since MacBain owned it.

E. Treasurer's Report:

- Approve claims with checks dated August 12, 2019 in the amount of \$28,336.99
- Approve JV, UB Vouchers, and Payroll Slips
- The next meeting will be on Wednesday, November 13, 2019 at 7:00PM

Scott Ross moved to approve the invoices in the amount of \$28,336.99. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Scott Ross moved to approve the Journal Vouchers. Mandy Hickel seconded the motion. All voted in favor and motion carried.

Scott Ross moved to adjourn the meeting at 8:51 PM. Mandy Hickel 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