

**Regular Meeting Minutes of December 13, 2021  
Bainville Town Council**

**The Regular meeting** of the Bainville Town Council was called to order at 7:30 p.m. by Mayor Dennis Portra at the Bainville Town Hall, 211 Clark Avenue East. Present were: Ron Butikofer, Dennis Portra and Matt Giese. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; and City Attorney, Greg Hennessey. Guests included: Diane Panasuk, David Norton, Tim Lingle, Thomas Johnston, Cora Norton, Toby Romo, Jess Malkuch, Patti Malkuch, Deputy Colon, Darrell Rasmussen, Carol Rasmussen, Benjie Butikofer, Eric Newton.

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

Matt Giese moved to approve the minutes dated November 15, 2021 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment

Clerk Rogers thanked the outgoing Mayor Portra and Ron Butikofer for their service. She presented Mayor Portra with a plaque and Mr. Butikofer with a certificate.

Public Works Report

Lyle Lambert, Public Works, stated the water seems to be stabilizing between the water the Town is buying and amount the town is pumping for sewer.

Roosevelt County Sheriff's Report

Tim Lingle, Roosevelt County Sheriff's Office, introduced Deputy Colon. Mr. Butikofer asked about the budget problems in their office. Mr. Lingle said the budget issue is ongoing, but they are working it out.

Court Report—None

Legal Issues

Mayor Portra, Clerk Rogers, and City Attorney Hennessey were on a virtual conference with the County Commissioners regarding Resolution 182 Ward Boundaries. There are several issues with the resolution, and it did not satisfy the county. They would like to see a legal description of the town limit area. This item will be discussed more with the new Mayor and Council.

Policy/Ordinance Review—None

Local Emergency Planning Committee—No Update

Meetings will be held quarterly with the next meeting being January 11, 2022 in Bainville at the Firehall.

Old Business—None

New Business

A. New Permits:--None

B. **Resolution** —A resolution to declare certain days to shoot fireworks within Town limits.

Mayor and Council discussed the dates for the letting fireworks off during the Christmas and New Year holidays. They agreed on the dates of December 24, December 25, December 31,

2021 and January 1, 2022. Matt Giese moved to adopt a resolution to declare certain days to shoot fireworks within Town limits. Ron Butikofer seconded the motion. All voted in favor and motion carried.

- C. Final Agreement with Tom Johnston regarding the formally known as MacBain property located at 5862 County Road 405 South

Mayor and Council discussed this item with City Attorney Hennessy regarding the formally known as MacBain property located at 5862 County Road 405 South. Mr. Johnston has agreed to no hookups at the property for Water and Sewer. Matt Giese moved to approve the agreement with Tom Johnston regarding the formally known as MacBain property located at 5862 County Road 405 South. Ron Butikofer seconded the motion. All voted in favor and motion carried.

- D. Request from Allen Spencer of Dakotaland to deed over the property to the Town of Bainville in lieu of delinquent Water/Sewer account.

This item was tabled until the new year with the new Mayor and Council.

- E. Approve and authorize the Mayor to sign a short form of agreement between owner and engineer for professional services with Interstate Engineering, Inc. for the Water Main Supply Line – Unaccounted Water Project in the amount of \$16,000.

This item was tabled until the new year with the new Mayor and Council.

- F. Treasurer’s Report:

- Approve claims with checks dated December 13, 2021.
- Approve JV, UB Vouchers, Payroll slips, Void Check #13097
- Review delinquent accounts.
- Update on the American Rescue Plan Act of 2021.
  - Discussion on possible projects for the ARPA Funding

Matt Giese moved to approved the Treasurer’s Report. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Matt Giese moved to adjourn the meeting at 8:15 PM.

Attest:

Approved By:

/s/Nikki Rogers  
Nikki Rogers, CMC  
Clerk-Treasurer

/s/Toby Romo  
Toby Romo  
Mayor