

**Regular Meeting Minutes of March 23, 2016  
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. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; City Attorney, Greg Hennessey. Absent: Mandy Hickel. Guests included: Benjie Butikofer, David Norton, Daryl Synan, Patrick Murtagh, John Gilligan, Keith Kesserling, Angela Benson, Kellen Standley.

Scott Ross moved to approve the agenda with the addition of F. Local Government Study Commission under Old Business. Matt Giese seconded the motion. All voted in favor and motion carried.

Scott Ross moved to approve the minutes dated February 8, 2016 as submitted. Matt Giese seconded the motion. All voted in favor and motion carried.

Public Comment--None

Public Works Report

Lyle Lambert, Public Works Director, stated 2 curb stops were damaged by a truck and they will be repaired next week. They have already done a one call on both locations.

Mr. Lambert attended 811 Call Before You Dig Training in Wolf Point. He expressed interest in having the Town of Bainville join the list of people they notify when people do a one call. It will not cost the Town of Bainville anything until a call comes in and then currently the price is \$1.57 per call. Matt Giese moved to approve the Town of Bainville join Call Before You Dig. Scott Ross seconded the motion. All voted in favor and motion carried.

Roosevelt County Sheriff's Department Update—None

Local Emergency Planning Committee

Lyle Lambert gave an update on the March 8, 2016 meeting which was well attended at the Bainville Fire Hall.

Old Business

A. Zoning Permits: None

B. Continued discussion on a new Town Hall

- Review staff remodel drawings and discuss the next step

The Mayor and Council reviewed the staff drawings. They had concerns over how it will be arranged. Clerk Rogers handed the council some plain drawings so they may submit a drawing of their own. The discussion will continue.

C. Discussion regarding contracting services with the County Attorney's office—Attorney Hennessy

Greg Hennessy, Town Attorney, reported the Mayor and the County Attorney's office have corresponded regarding contracting their services for the Bainville case load. A concern was raised regarding the number of calls vs the number of cases actually are prosecuted. Mr. Lambert stated he could get numbers for the Bainville area.

D. Town of Bainville Welcome Sign—John Gilligan—No Update

E. Holiday Decorations Update—Mandy Hickel

- FFA Advisor—Mr. Kellan Standley

Kellan Standley, Bainville School FFA Advisor, said he would be interested in the holiday decoration project for the kids in school. The council discussed the students could work on them this remaining school year and into September-October. The Town would like 20 snowflakes for the light poles and a couple extra.

F. Local Government Study Commission (LGSC)—John Gilligan

John Gilligan, Chairperson of LGSC, stated the Local Government Study Commission is nearing completion of the final report. He would like to know if the council wants to hold a special election to add the 4<sup>th</sup> member to the council. The council asked if the measure could be put on the June ballot with the election of the council member in November. Mr. Gilligan will contact the state of Montana to find out if it is too late to put the measure on the ballot for the June Election.

New Business

A. Zoning Permits: None

B. Request from Murtagh Municipal Engineering to pay invoices 196 and 129 regarding the MacBain Property in the amount of \$4,604.00—Patrick Murtagh

Patrick Murtagh, MME, stated Invoices 196 and 129 are in regards to the engineering work on the MacBain Property. In the past, when the money is received from MacBain is when the clerk would pay the engineer. MacBain has not paid the town for these invoices and Mr. Murtagh would like to clear up his outstanding invoices before his firm merges with Morrison-Maierle. Mr. Lambert had several concerns as MacBain has never corrected several issues. He would note there is a punch list to be reviewed and corrected by MacBain before anyone signs off on the lagoon project. Scott Ross moved to approve paying Invoice 196 in the amount of \$1,230.20 and Invoice 129 in the amount of \$3,373.80 for a total amount of \$4,604.00 to Murtagh Municipal Engineering. Matt Giese seconded the motion. All voted in favor and motion carried.

C. Approve the request from Murtagh Municipal Engineering for the following Drawdowns: -- Patrick Murtagh

- Drawdown #7 from the State Revolving Fund in the amount of \$14,771.05.
- Drawdown #1 from Treasure State Endowment Program (TSEP) in the amount of \$13,000.00.
- Drawdown #1 from Community Development Block Grant Program (CDBG) in the amount of \$11,484.99.

Mr. Murtagh presented the drawdown requests from the State Revolving Fund, Treasure State Endowment Program, and Community Development Block Grant Program. Scott moved to approve Drawdown #7 from the State Revolving Fund in the amount of \$14,771.05; Drawdown #1 from Treasure State Endowment Program (TSEP) in the amount of \$13,000.00; and Drawdown #1 from Community Development Block Grant Program (CDBG) in the amount of \$11,484.99. Matt Giese seconded the motion. All voted in favor and motion carried.

D. Approve the request from Murtagh Municipal Engineering to pay Invoice #197 in the amount of 11,254.50; Invoice #212 in the amount of \$2,975.80; and Invoice #213 in the amount of \$756.00 for Grant Administration. –Patrick Murtagh

Matt Giese moved to approve paying Invoice #197 in the amount of \$11,254.50; Invoice #212 in the amount of \$2,975.80; and Invoice #213 in the amount of \$756.00 for Grant Administration with a total amount of \$ 14,986.30 to Murtagh Municipal Engineering. Scott Ross seconded the motion. All voted in favor and motion carried.

- E. Update on the Murtagh Municipal Engineering change over to Morrison-Maierle—Patrick Murtagh

Patrick Murtagh, MME, stated there was one last step from the Town for the changeover to Morrison-Maierle which was to agree and sign a Consent to Assignment agreement. Scott Ross moved to approve the Mayor to sign the Consent to Assignment agreement transferring responsibility to Morrison-Maierle from Murtagh Municipal Engineering, Inc. Matt Giese seconded the motion. All voted in favor and motion carried.

Patrick Murtagh shared some good news from Senator Jon Tester’s office regarding an extra \$200,000 to be brought to the community of Bainville to be used towards the water or sewer projects.

- F. Fourth of July Festivities by Bainville Community Association (BCA)—John Gilligan

John Gilligan from the Bainville Community Association (BCA) asked for a Special Use permit for the use of Simard Park on Friday June 3, 2016 for movie night in the park and on July 1-3, 2016 for the Fourth of July festivities. Mr. Gilligan reviewed some activities for this celebration:

- Parade. BCA will again apply for the permit to close Highway 327.
- Fireman Breakfast
- Street Dance
- Class Reunions
- Other Activities

He asked if the Town would be interested in co-sponsoring again this year. Matt Giese moved to co-sponsor with Bainville Community Association (BCA) on July 1-3, 2016. Scott Ross seconded the motion. All voted in favor and motion carried.

Matt Giese moved to approve the Special Use permit pending the \$25.00 per event payment. Scott Ross seconded the motion. All voted in favor and motion carried.

- G. Town of Bainville Website proposal from Immense Impact, LLC in the amount of \$734.45—Clerk Rogers

Clerk Rogers presented the council with a proposal from Immense Impact, LLC to begin building a website for the Town of Bainville. Council members asked why the Town needed a website. Clerk Rogers stated many people request to make their payments online for services. It would be an easy way to get people involved in the community and to be able to attract new people to town. She stated the one-time set up fee of \$295.00 plus an annual website subscription of \$479.4 minus one month free \$39.95 equals \$734.45. The website includes unlimited tech support and unlimited documents. The ongoing cost to the Town would be the Annual Subscription of \$439.45. The council decided to table the item until next meeting.

- H. Annual Financial Report for Fiscal Year 2015 (14-15)—Clerk Rogers

- Approve Audit Contract with Sidney Tax Service—Clerk Rogers

Clerk Rogers presented the Annual Financial Report for Fiscal Year 2015. A copy of the report will be on file at the office. The Town of Bainville will need to do an audit again this year. She has been in contact with Valli Hauge from Sidney Tax Service and Valli would be able to do the audit for Bainville again this year.

Scott Ross moved to approve the contract with Sidney Tax Service in the amount of \$13,250.00 for audit services. Matt Giese seconded the motion. All voted in favor and motion carried.

- I. First reading and set a public hearing on an ordinance-- An Ordinance of the Bainville Town Council amending Title 9 Public Peace, Safety and Morals Chapter 9.06 Fireworks Prohibited to redefine the dates for shooting off fireworks—Clerk Rogers

Clerk Rogers presented a draft of a firework ordinance to correct the dates for shooting off fireworks to include New Year's Eve. The council decided to table the ordinance pending the changes in the dates for shooting off fireworks.

- J. Seasonal Maintenance Worker Position—Clerk Rogers

- Review Job Description

The council discussed minor changes in the job description and directed the clerk to advertise for the position.

- K. Treasurer's Report:

- Approve claims with checks dated March 14-17, 2016 in the amount of \$60,441.53.
- Approve JV, UB Vouchers, and Payroll slips
- FY 15 Closing Entry JV 356, 357, 358
- Review Delinquent Accounts Receivable.

Scott Ross moved to approve claims with checks dated March 14-17, 2016 in the amount of \$60,441.53 and approve FY 15 Closing Entry JV 356, 357, 358. Matt Giese seconded the motion. All voted in favor and motion carried.

Scott Ross moved to adjourn the meeting at 9:25 PM. Matt Giese 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