

**Regular Meeting Minutes of June 8, 2020**  
**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, Travis Wills and Chuck Hyatt. A **quorum** was established. Also present were: Clerk, Nikki Rogers; Public Works Director and Lyle Lambert were present; and City Attorney, Greg Hennessey was absent. Guests included: David Norton.

Chuck Hyatt moved to approve the agenda with the addition of New Business 2 Fireworks and 3 mowing properties and boulevards. Travis Wills seconded the motion. All voted in favor and motion carried.

Chuck Hyatt moved to approve the minutes dated March 9, 2020 as submitted. Travis Wills seconded the motion. All voted in favor and motion carried.

Travis Wills moved to approve the minutes dated May 11, 2020 as submitted. Chuck Hyatt seconded the motion. All voted in favor and motion carried.

Travis Wills moved to approve the minutes dated May 18, 2020 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment—None

***Department or Committee Reports:***

Public Works

Lyle Lambert, Publics Works, gave the following report:

- Lagoon will be fixed when Alan Engelke has time to finish up the vault issue from this winter. Grinder is working great as the Town is not getting the chunks like the past.
- Burlington Northern Santa Fe (BNSF), Department of Environmental Quality (DEQ), and State of Montana are all on board with the demolition of the small railroad building by the tracks. Once the building is gone it will be returned to gravel and no services will be offered. If they would like future services, they must comply with all future fees for new services.
- Flags to replace the Senior Banners on Clinton Street instead of the traditional flags. Every year the Town is replacing poles because they get destroyed with the weather. MDU owns the street light poles and has granted the school to put up the banners. Mr. Lambert would like to ask the school to use their equipment on the pole if the Town would like to buy the flag banners. The cost is roughly 40.00 per banner and the town needs 11 banners. By Mayor and council consensus proceed ordering the banners.
- Mr. Lambert visited with the engineer from Interstate Engineering, DEQ and State of Montana. They are all recommending the Hollanda's put in a Water Main and Sewer Main. Interstate Engineering needs clarification from the Town on if they would like both of the mains put in. Mr. Butikofer asked if there is a cost to the town of Bainville. Mr. Lambert stated there is no cost to the Town. Mayor Portra wanted clarification on why the mains will be at the top of the hill. Mr. Lambert indicated the plans changed and they would like to have their house on top of the hill. Mayor Portra discussed with the council the changes in the plan to exchange the road and land after he met with Mr. Hollanda. Mr. Lambert reiterated the property owner puts in the mains and road, but the Town will maintain the road once it is built. Chuck Hyatt moved to authorize the Mayor to approve as needed for the Hollanda Project. Travis Wills seconded the motion. All voted in favor and motion carried.
- Bobcat and Toolcat are up for replacement. The bobcat will end up costing \$5,700 more this year because of the new model of skidsteer. Travis Wills moved to approve the upgrade to the new model skidsteer. Chuck Hyatt seconded the motion. All voted in favor and motion carried.

- Mr. Lambert asked the council to keep in mind they may need to purchase a new snowblower attachment for the upcoming winter season. The current one has been breaking down and is worn out.
- Ron Butikofer asked about the pumps at the lift station. Is everything complete? Mr. Lambert indicated Dakota Pump needs to come pick up the pumps which are still outside the office on a pallet. The insurance company issued about \$25,000 to the town for the breakdown which is about half of the cost.
- Mr. Butikofer asked about the culvert size. Mr. Lambert stated he puts in 18-24 inch culverts in. Mayor Portra asked about the Rhea and Evans Culverts. Mr. Lambert stated they haven't been able to get to the project yet. He has been in contact with Mr. McLaughlin and he's ok with purchasing a culvert.
- Mr. Butikofer asked if Public Works can get a sweeper for the grass laying on top of the lots. Mr. Lambert will look into it. Clerk Rogers presented the bid quotes for lawnmowers and weed eaters. Mayor Portra indicated they will talk about them in a budget meeting.

Roosevelt County Sheriff's Department Update—None

Legal Issue

1. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessy—Still pending

Policy/Ordinance Review—None

Local Emergency Planning Committee

Next Meeting will be Tuesday, June 9, 2020 in Froid at 2:00 PM.

Ron Butikofer will attend the meeting.

Trail Committee Update—No Update

Committee Recruitment

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

Old Business

- A. Old Permits: Fence at 311 Clinton—Diane Panasuk

- ❖ Discuss public nuisance at 311 Clinton Street in regard to the letter sent February 26, 2020.
  - Review Chapter 7.06 Nuisances specifically 7.06.055 Notice of Violation
  - Review MCA 75-10-501 Definitions and 75-10-505 Shielding and Removal of Junk Vehicles Generally

Mayor and Council consensus to remove this item from the agenda with no further action at this time. Review the sewer line proposal for Gracie's Bar and Casino at 212 Clinton Street ST N

Mayor and Council consensus to remove this item from the agenda until the proposal is available from the State of Montana.

- B. **Ordinance**— An ordinance of the Bainville Town Council amending Title 15 Buildings and Construction Chapter 15.02 Building Regulations to include shipping containers as movable storage structures.

Mayor Portra indicated he would like to set a public hearing for the next meeting.

- C. Discussion on a Town vehicle and possible changes to Vehicle Policy.

Mr. Hyatt stated he would like to postpone this purchase for a year. Mr. Butikofer and Mr. Wills expressed interest in pursuing a town vehicle. Mayor Portra asked Clerk Rogers to find out what insurance implications are for the city and employees.

D. Update from new property owner regarding 5862 County Road 405 North

Mayor Portra spoke with Tom Johnston and Mr. Hennessy was not going to be in attendance so Tom won't be here too.

E. Welcome sign proposal by BPA and FFA – Mr. Powell

Mayor and Council consensus to remove this item from the agenda with no further action at this time.

New Business

A. New Permits:--No Permits

B. Treasurer's Report:

- Approve claims with checks dated June 8, 2020 in the amount of \$32,381.98
- Approve JV, UB Vouchers, and Payroll Slips
- Review delinquent accounts for tax liens
- Financial Update with Valli
- Budget Timeline for FY 20-21

Chuck Hyatt moved to approve the Treasurer's report. Travis Wills seconded the motion. All voted in favor and motion carried.

C. Emergency resolution—Adopt an emergency resolution of the Bainville Town Council to declare certain days to shoot fireworks within Town limits.

Mayor and council discussed the dates for lighting off fireworks for the Fourth of July. They indicated noon on June 29, 2020 through 11:59 PM on July 5, 2020. Chuck Hyatt moved to adopt an emergency resolution to declare certain days to shoot fireworks within Town limits.. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Clerk Rogers informed the council that Bainville Community Association (BCA) is not having a celebration this year due to the COVID-19 pandemic. They may have a celebration later this fall.

D. Mowing boulevard properties

Mayor directed staff to send a letter to all property owners within the corporate limits of Bainville regarding their lots being kept tidy and mowed. By council consensus the rate for the town mowing lots will be \$50.00 an hour per person per machine with one hour minimum.

Chuck Hyatt moved to adjourn the meeting at 8:35 PM. Travis Wills 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