

**Regular Meeting Minutes of November 15, 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; City Attorney, Greg Hennessey and Public Works Director, Lyle Lambert was absent. Guests included: Dan Lambert, Jess Malkuch, Patty Malkuch, Toby Romo, Carol Rasmussen.

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 October 11, 2021 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment—None

Public Works Report

Dan Lambert, Public Works, gave the following report:

- Public Works had a chance to look for leaks on the town supply line. They found a leak near the valve that was replaced a few years ago. He would like to repair the leak before it fails completely. He would also like to look into a new supply line into town from Dry Prairie but would need to get an engineer on board to see if its needed. They would like to recommend Jordan Mayer from Interstate Engineering. Mayor and Council directed him to contact Alan Engelke to repair the leak.
- Jordan Mayer sent a revised proposed map for the sewer at Gracie's. Mayor and Council reviewed the changes to the plan. Mayor Portra stated the line must be a 3 inch line and state it on the drawing.

Ron Butikofer moved to approve the plan with the inclusion of line must be 3-inch line. Matt Giese seconded. All voted in favor and motion carried.

- The weirs have been built and will be put in place at the lagoon.

Roosevelt County Sheriff's Report—None

Court Report—Mayor and Council reviewed the 9 citations provided by the court.

Legal Issues

City Attorney Hennessy gave the following report finishing up the ongoing legal issues:

- He is finishing up the MacBain/Tom Johnston agreement with Mr. Johnston vacating all water/sewer hookups.
- He also wanted to know if the council wanted to go into executive session on the advisement of the nuisance violation matter.
- On the Dorothy Crawley quiet title, he will try to get it wrapped up before the new year.

Policy/Ordinance Review--None

Local Emergency Planning Committee—Next meeting will be held January 11, 2022

Old Business—None

New Business

A. New Permits: None

B. **Resolution**—A resolution declaring an emergency regarding voting rights within the Town of Bainville.

Mayor Portra explained the town limits is described as one square mile and the industrial park has been annexed to the town. Election administrator has been using an election ward map that is oddly shaped instead of using Town limit boundary. Mayor Portra stated he has gone round and round with the county regarding the ward map. Clerk Rogers read a statement from the County Election Administrator Cheryl Hansen. She stated they haven't been able to find any resolutions relating to updating the ward map on file with her office since 1981. City Attorney Hennessy drafted the resolution with the map and ordinance 52 as exhibits. This resolution should correct the ward boundaries to match the city boundaries going forward.

Matt Giese moved to adopt a resolution declaring an emergency regarding voting rights within the Town of Bainville. Ron Butikofer seconded the motion. All voted in favor and motion carried.

C. Treasurer's Report:

- Approve claims with checks dated November 8, 2021 amount of \$20,863.94.
- Approve JV, UB Vouchers, Payroll slips in the amount of \$8,086.39
- Review delinquent accounts.

Matt Giese moved to approve voiding Check Number 013091 due to billing error. Ron Butikofer seconded the motion. All voted in favor and motion carried.

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

Matt Giese moved to adjourn the meeting at 8:12 PM.

Attest:

Approved By:

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

/s/Dennis Portra  
Dennis Portra  
Mayor