

Regular Meeting Minutes of December 14, 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, Chuck Hyatt, Dennis Portra and Travis Wills. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert was absent; City Attorney, Greg Hennessey via computer. Guests included: Deputy Michael Ellerton, David Norton.

Chuck Hyatt moved to approve the agenda as submitted. Travis Wills seconded the motion. All voted in favor and motion carried.

Chuck Hyatt moved to approve the minutes dated October 19, 2020 as submitted. Travis Wills seconded the motion. All voted in favor and motion carried.

Travis Wills moved to approve the minutes dated November 9, 2020 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Public Comment—None

Public Works Report—None

Roosevelt County Sheriff's Department Update

Deputy Michael Ellerton gave the update from the Sheriff's office. The sheriff's office no longer has a contract with the City of Poplar as they have been turned over to tribal police. Currently, there are 3 deputies on the east end on patrol.

Court Report—No new citations for the Town

Legal Issues

1. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessey
No new update

Policy/Ordinance Review

1. Dog at Large Ordinance—Discussion on a leash law
 - **Ordinance**—An ordinance amending Title 8 Animals Chapter 8.04 Dogs by changing 8.04.005 Definitions; adding new sections 8.04.050 Stray Dogs, 8.04.060 Notice to Owner; Reclaim, 8.04.070 Control of Pets, 8.04.080 Quarantine, 8.04.090 Enforcement and Penalty and repealing 8.04.010 and 8.04.040 to conform it to Roosevelt County Ordinance No. 7.
 - Update from the County Attorney

Clerk Rogers presented the council with the letter from County Attorney Knudsen explaining the 5 residences in Roosevelt County Ordinance 7. According to the County Attorney the reference of 5 residences indicates the communities of McCabe and Lanark.

Chuck Hyatt moved adopt an ordinance amending Title 8 Animals Chapter 8.04 Dogs by changing 8.04.005 Definitions; adding new sections 8.04.050 Stray Dogs, 8.04.060 Notice to Owner; Reclaim, 8.04.070 Control of Pets, 8.04.080 Quarantine, 8.04.090 Enforcement and Penalty and repealing 8.04.010 and 8.04.040 to conform it to Roosevelt County Ordinance No. 7 and set a public hearing on January 19, 2021. Travis Wills seconded the motion. Mr. Hyatt and Mr. Wills voted in favor. Mr. Butikofer voted nay. Motion carried.

Local Emergency Planning Committee

Next LEPC meeting: Virtual Meeting held at 2:00 PM on December 15, 2020—Cancelled

Old Business

- A. Discuss IT Management with First Call Solutions

- Review PRO IT bid

Clerk Rogers presented a bid from Pro IT and First Call Solutions. She also stated the CARES Act funds are running out. The Mayor and council were concerned with the ongoing costs of each proposal. By Council consensus IT services will be discussed during budget discussions for FY 21-22.

B. Discussion on proposing a new survey to the Town

Mayor and Council discussed a new survey. Clerk Rogers will draft up some questions and present it at the next meeting.

New Business

A. New Permits:

1. Karen Martin—Garden Shed

Mayor and Council discussed the garden shed placement at 307 Clinton. By Mayor and Council consensus the garden shed permit was approved as long as the shed remains movable.

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

Mayor and Council discussed if Christmas holiday should be included with the shooting off fireworks. Mr. Hyatt opposed fireworks on Christmas. Mr. Butikofer favored fireworks on Christmas. Mr. Wills neither favored nor opposed the holiday.

Ron Butikofer moved to adopt a resolution to declare sunset December 24, 2020 until 11:59 PM December 25, 2020 and sunset December 29th until 11:59 PM MDT January 1, 2021 the period to be able to shoot or fire any fireworks or other pyrotechnics in Town limits. Motion died for lack of second.

Travis Wills moved to adopt a resolution to declare sunset December 30, 2020 through January 1, 2021 at 11:59 PM the period to be able to shoot or fire any fireworks or other pyrotechnics in Town limits. Ron Butikofer seconded the motion. Mr. Wills and Mr. Butikofer voted in favor. Mr. Hyatt voted nay. Motion carried.

C. Montana League of Cities and Towns Townhall Update: 2021 Legislative Session

Clerk Rogers gave an update on the Townhall meeting in regard to the upcoming 2021 Legislative Session. She also has information on the bills the League is supporting and opposing.

Clerk Rogers strongly suggest the council attend Fundamentals of Municipal Government webinars from January 11, 2021 to February 23, 2021. She will register council members.

D. Approve and authorize the Mayor to sign an agreement with Dakota Pump & Control in the amount of \$700.00 for lift station maintenance.

Clerk Rogers presented an agreement with Dakota Pump and Control for the lift station maintenance. The agreement amount has not changed since last year. Chuck Hyatt moved to approve and authorize the Mayor to sign an agreement with Dakota Pump & Control in the amount of \$700.00 for lift station maintenance. Travis Wills seconded the motion. All voted in favor and motion carried.

E. Treasurer's Report:

- Approve claims with checks dated December 14, 2020 in the amount of \$53,351.30
- Approve JV, UB Vouchers, and Payroll slips,

- Review delinquent accounts
- Financial Update with Valli—Unable to attend

Chuck Hyatt moved the Treasurer’s Report. Ron Butikofer seconded the motion. All voted in favor and motion carried.

Chuck Hyatt moved to adjourn the meeting at 8:22 PM.

Attest:

Approved By:

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

/s/Dennis Portra
Dennis Portra
Mayor