

## Regular Meeting Minutes of May 10, 2021 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, Matt Giese, Dennis Portra and Travis Wills was absent. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; and City Attorney, Greg Hennessey was absent. Guests included: Cora Norton, Pat Norton, Sasha Van, David Norton, Patti Malkuch, Jess Malkuch, Chuck Hyatt, and Kirk Panasuk .

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 April 14, 2021 as submitted. Ron Butikofer seconded the motion. All voted in favor and motion carried.

### Public Comment

Clerk Rogers informed the Mayor and Council members that Kyle Crusch expressed his appreciation for all the efforts Dan and Lyle Lambert have done to help him remove some trees.

Ron Butikofer expressed he is not happy with who ever trespassed on his property to spray paint two buses.

### Public Works Report

Lyle Lambert Public Works, gave the following report:

- Gopher problem at the lagoon is going away thanks to Ecolab.
- Lawnmower has been taken to Culbertson for service.
- Public Works has been hauling trees.
- Mr. Lambert will try to contact Javier in regard to the stump on Evans street sidewalk.
- Staff will be gone the week of May 18-21 for State Golf and Rural Water Conference in Great Falls.
- Mr. Lambert received a quote from Border Steel in the amount of \$9,425 for 3-42" culverts at the Rhea Avenue West and 2<sup>nd</sup> Street project

Matt Giese moved replace the culverts at Rhea Avenue West and 2<sup>nd</sup> Street. Ron Butikofer seconded the motion. All voted in favor and motion carried.

- Mayor and council have asked Mr. Lambert to get proposals from contractor to fix the corner sidewalk at Evans Street and Rhea Avenue West

### Roosevelt County Sheriff's Department Update—None

### Court Report—None

### Legal Issues

1. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessey

### Policy/Ordinance Review

1. An ordinance amending Title 8 Animals Chapter 8.02 Regulation of Animals to include female chickens or hens.  
Clerk Rogers presented a chicken ordinance to specify only female chicken hens and no roosters are allowed within city limits. The ordinance also clarifies for them to be kept in a chicken house and safety measures to keep them away from predators. Matt Giese and Dennis Portra voted to set a public hearing on June 14, 2021. Ron Butikofer voted no.  
Motion carried.
2. RV Ordinance

Clerk Rogers does not have the RV Ordinance ready to present to the council.

Local Emergency Planning Committee

Next LEPC meeting: May 11, 2021 at 2:00 PM in Bainville

Old Business—None

New Business

A. New Permits:

1. Pat Norton—Fence at 406 Clinton Street

Pat Norton is requesting to put a fence at the back of his property. Mayor and Council reviewed the fence permit. Matt Giese moved to approve the fence permit. Ron Butikofer seconded the motion. All voted in favor and motion carried.

2. Dennis Anderson—Movable Shed at 707 Flynn Avenue East

Dennis Anderson is requesting to move his shed from 317 Duval Street to 707 Flynn Avenue. Mayor and Council reviewed the shed permit. Matt Giese moved to approve the shed permit. Ron Butikofer seconded the motion. All voted in favor and motion carried.

B. Request for variance from Bainville School from Occupied Camper Ordinance

Chuck Hyatt presented a letter on behalf of the Bainville School to request a variance from the town for the outgoing Superintendent to live in her camper while the superintendent house is being worked on. Ron Butikofer moved to approve the variance. Matt Giese seconded the motion. All voted with Matt Giese abstaining from the vote and motion carried.

C. Summer Employment Applications

Clerk Rogers stated there were two applicants for the Summer Mowing/Maintenance positions. Sasha Van and Donna Butikofer applied for the positions. Matt Giese moved to hire both applicants. Ron Butikofer seconded the motion. All voted with Ron Butikofer abstaining from the vote and motion carried.

D. Discussion on FY2022 Budget and Capital Improvement Plan

- Start Work Group Discussion May 24, 2021 – Until adopted
- June 14, 2021 Preliminary Budget
- August 9, 2021 Adopt the Budget
- September 9, 2021 Budget needs to be submitted to the State

Clerk Rogers asked the council to approach the budget season a little differently from the past. She would like to do a department review establishing what needs the Town has and how to fund them while going through each of their budgets. Ron Butikofer asked if she has heard from Valli regarding the beginning balances to the budget. Clerk Rogers has not heard from her.

E. Treasurer's Report:

- Discuss the next step in clean up nuisances.
  - Review Violation letter to send out May 15, 2021
  - March 18, 2021 Letter to D Panasuk regard to culverts

Mayor and Council reviewed the clean up list and the next letter to be sent to the violators. No changes needed to be made so the letters will be sent out on May 15, 2021 to the property owners.

Mayor Portra indicated the Town needs to move forward with removing the culverts from 311 Clinton Avenue. The Town needs to find a contractor to remove the culverts and the Sheriff's Department needs to be contacted. The cost of the removal will be billed to the property owner and put on their taxes if it is not paid

within 30 days. Matt Giese voted yes, Dennis Portra voted yes, and Ron Butikofer voted no in moving forward.

- Approve claims with checks dated May 10, 2021 in the amount of \$20,429.67.
- Approve JV, UB Vouchers, and Payroll slips in the amount of \$10,149.52
- Review delinquent accounts. –Accounts not presented
- Financial update with Valli—Unable to make it to the meeting

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

Matt Giese moved to adjourn the meeting at 8:21 PM. Ron Butikofer 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