

**Formal Agenda
Bainville Town Council Meeting
Town Hall
211 Clark Avenue East
Wednesday July 21, 2021 at 7:30 PM**

I. Call to Order

II. Pledge of Allegiance

III. Roll Call—Establish a quorum

___ Mayor, Dennis Portra

___ Councilman, Ron Butikofer

___ Councilman, Matt Giese

___ Councilman, (TBD)

IV. Approve Agenda

V. Approval of Minutes dated June 21, 2021

[Recommended Motion: I move to approve the minutes dated June 21, 2021.]

VI. Public Comments or Formal Complaints on items not on agenda.

VII. Department or Committee Reports

A. Public Works Report:

B. Roosevelt County Sheriff's Department Update

C. Court Report

D. Legal Issues

E. Policy/Ordinance Review

F. Local Emergency Planning Committee

LEPC meeting held:

VIII. Public Hearing

Resolution—Resolution providing the amendment of the Fiscal Year 2020-2021 budget to acknowledge unanticipated revenues and amend expenditures exceeding the original appropriations.

IX. Old Business

A. Discuss the next step in clean up nuisances.

- Council review of nuisance violations

X. New Business

A. New Permits:

1. Jason Tollett—Update on approved building permit to use existing service from the Methodist Church or if he needs to pay the impact fee for a new service.

B. Request from Duane Rabbe Jr. to light off fireworks in August weather permitting and pending any state or county burn ban.

C. Discussion on FY2022 Budget and Capital Improvement Plan

- Legislative

- Judicial
 - Financial
 - IT infrastructure (See Staff Report)
 - Auditing
 - Elections
 - Counseling Services
 - Facilities Administration
 - Law Enforcement Services
 - Fire Prevention
 - Discuss purchasing a Fire Danger Sign: ≈1200.00
 - Road & Street Services
 - Street Lighting
- D. Treasurer's Report:
- Approve claims with checks dated July 21, 2021.
 - Approve JV, UB Vouchers and Payroll slips.
 - Review delinquent accounts.
 - Update on the American Rescue Plan Act of 2021.
1. Discussion on FY2022 Budget and Capital Improvement Plan
- Continue Work Group Discussion June 21, 2021 – Until adopted
 - August 9, 2021 Adopt the Budget
 - September 9, 2021 Budget needs to be submitted to the State

XI. Adjourn

Next Meeting will tentatively be August 9, 2021 at 7:30 PM

**Regular Meeting Minutes of June 21, 2021
Bainville Town Council**

The Regular meeting of the Bainville Town Council was called to order at 7:16 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. A **quorum** was established. Also present were Clerk, Nikki Rogers; and Public Works Director, Lyle Lambert and City Attorney, Greg Hennessey were absent. Guests included: David Norton, Bernie Popp, Cora Norton, Jess Malkuch, Patti Malkuch and James Walling.

Travis Wills moved to approve the agenda with the addition of adding minutes from June 14, 2021. Matt Giese seconded the motion. All voted in favor and motion carried.

Matt Giese moved to approve the minutes dated May 10, 2021, May 26, 2021, and June 14, 2021 as submitted. Ron Butikofer seconded the motion. Mr. Butikofer asked Clerk Rogers if he could get a draft of the minutes a week earlier than the meeting. Clerk Rogers made a note. All voted in favor and motion carried.

Public Comment

Cora Norton asked if the Town is putting up the flag banners this year for the Heritage America Celebration. Mayor Portra will speak with Public Works.

Ron Butikofer made a comment asking for a copy of the ordinances be sent out in the bills when they are considering them at the next public hearing. Mayor Portra commented the information may be better posted at the three places the agenda is posted, Post Office, Smokey's and/or Welcome Stop. Clerk Rogers stated in going forward she can post it.

Public Works Report

In Lyle Lambert's absence, Clerk Rogers gave the following Public Works report:

- Dan and Lyle Lambert will attend training on Tuesday from 8 – Noon in Culbertson.
- Public Works have been cleaning up the storm trees around town. Mayor Portra stated Public Works has done a lot of progress on picking up the trees.
- Culverts for the Rhea Avenue and 2nd Street have been ordered.
- Public Works would like to move the Christmas Snowflake lights over the sidewalks and put the banners on the street side of the poles. Currently, they need a lift to put up the banners for the celebration. Mayor Portra directed staff to get it done.
- The lawnmower has been having some issues so the Town should look into getting a new one in the next fiscal year. Clerk Rogers stated the current mower is 6 years old.

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—Mayor Portra asked for this item to be removed from the agenda until it has been resolved.

Policy/Ordinance Review—No new ordinances at this time

Local Emergency Planning Committee

- LEPC meeting held July 13, 2021 in Froid
Local Emergency Planning Committee is working on getting school door numbers throughout the county. All school numbering will match what Bainville has on the school. They also have been discussing storm shelters in towns and the possibilities for funding.

Public Hearing

Ordinance 124—An ordinance amending Title 8 Chapter 8.02 Regulation of Animals to include female chickens or hens.

Clerk Rogers indicated the public hearing was the second reading and final draft before adoption. No changes were made between readings.

Matt Giese moved to adopt an ordinance amending Title 8 Chapter 8.02 Regulation of Animals to include female chickens or hens. Travis Wills seconded the motion.

Discussion on the motion: Clerk Rogers asked if there are any current Roosters in town if they are grandfathered in or not. Mayor Portra, Matt Giese and Travis Wills expressed no roosters can not stay after thirty days.

Matt Giese and Travis Will voted in favor. Ron Butikofer voted nay. Motion carried.

Old Business

Travis Wills asked about the survey results. Clerk Rogers indicated she is working on it.

New Business

A. New Permits:

1. BCA—Special Use Permit for Simard Park for Heritage America Celebration on June 26, 2021

Mayor Portra and the council reviewed and discussed the permit application. Travis Wills moved to approve the Special Use Permit. Ron Butikofer seconded the motion. All voted in favor and motion carried.

2. Brett Portra—Permit for a Garage at 309 Duval Street

Mayor Portra and the council reviewed and discussed the permit application. Mayor Portra clarified the addition on the front is an 8' x 12' entry way. Matt Giese moved to approve the permit. Ron Butikofer seconded the motion. All voted in favor and motion carried.

3. Amanda Kinney—Permit for mud room and deck at 619 Evans Street

Mayor Portra and the council reviewed and discussed the permit application. Travis Wills moved to approve the permit application. Matt Giese seconded the motion. All voted in favor and motioned carried.

B. **Resolution 176**—Resolution to declare certain days to shoot fireworks within Town limits.

Mayor Portra and the council reviewed and discussed the resolution. Some discussion regarding the current status as if Roosevelt County has a burn ban. Mr. Butikofer would like to remove the word "or State" in the "Now therefore" clause as the state has nothing to do with the county. Clerk Rogers explained if the state issues a statewide burn ban then the Town must follow their guidelines. Mr. Butikofer disagreed.

Matt Giese moved to adopt a resolution to declare certain days, June 29, 2021 – July 5, 2021, to shoot fireworks within Town limits provided there is no burn ban in effect in Roosevelt County. Ron Butikofer seconded the motion. All voted in favor and motion carried.

C. **Resolution 177**—Resolution for requesting distribution of Bridge and Road Safety and Accountability (BaRSAA) program funds.

Clerk Rogers reviewed the resolution with the Mayor and Council. This calendar year the BARSAA funds will go towards the culvert repair at Rhea Avenue and 2nd Street in the amount of \$14,811.55. Matt Giese moved to adopt a resolution for requesting distribution of Bridge and Road

Safety and Accountability (BaRSAA) program funds. Travis Wills seconded the motion. All voted in favor and motion carried.

D. Update on the American Rescue Plan Act of 2021.

Clerk Rogers gave an update for the Mayor and Council in regard to the ARPA funds. Mayor Portra has signed the three agreements needed to draw down the funds from the state from the Department of Treasury. The Town of Bainville will received \$80,718.83 in American Rescue Plan Act Funds from the Department of Treasury. The Town has already received the first half of the money in the amount of \$40,359.41 on June 21, 2021. The second half of the money will be deposited in June of 2022. She said there is an allocation amount that the Town of Bainville is eligible through the state to receive in the amount of \$110,585. The Town needs to make a plan on what or where to spend the money. Money can only be spent on Water, Sewer, or Broadband Infrastructure.

E. **Resolution 178**—Resolution providing the amendment of the Fiscal Year 2020-2021 budget to acknowledge unanticipated revenues and amend expenditures exceeding the original appropriations and set a public hearing for July 12, 2021.

Mayor Portra stated this is a housecleaning item in order to move money around to balance the budget according to the state. Travis Wills moved to adopt a resolution providing the amendment of the Fiscal Year 2020-2021 budget to acknowledge unanticipated revenues and amend expenditures exceeding the original appropriations and set a public hearing for July 12, 2021. Matt Giese and Travis Wills voted in favor and Ron Butikofer voted nay. Motion carried.

F. **Resolution 179**—Resolution adopting Fiscal Year 2021-2022 preliminary budget and set a public hearing for August 9, 2021.

Matt Giese moved to adopt a resolution adopting Fiscal Year 2021-2022 preliminary budget and set a public hearing for August 9, 2021. Travis Will seconded the motion. Matt Giese and Travis Wills voted in favor and Ron Butikofer voted nay. Motion carried.

G. Discussion on FY2022 Budget and Capital Improvement Plan

- Continue Work Group Discussion June 21, 2021 – Until adopted
- August 9, 2021 Adopt the Budget
- September 9, 2021 Budget needs to be submitted to the State

Mayor Portra and Council discussed having a budget meeting on July 14, 2021 at 7:30 PM. Ron Butikofer asked if the meetings could be held at 7:30 PM. All agreed to move meetings until 7:30 PM.

H. Treasurer's Report:

- Discuss the next step in clean up nuisances.
 - Council review of nuisance violations
- Approve claims with checks dated June 14, 2021 in the amount of \$31,615.34.
- Approve JV, UB Vouchers, Cancel Check Number 12872 and Payroll slips in the amount of \$10,373.63.
- Review delinquent accounts.
- Financial Update with Valli

Matt Giese moved to approve the treasurer's report. Travis Wills seconded the motion. All voted in favor and motion carried.

Travis Wills moved to adjourn the meeting at 8:26 PM.

Attest:

Approved By:

Nikki Rogers, CMC
Clerk-Treasurer

Dennis Portra
Mayor

RESOLUTION NUMBER XXX

A resolution of the Bainville Town Council providing an amendment of the Fiscal Year 2020-2021 budget to acknowledge unanticipated revenues and amend expenditures exceeding the original appropriations.

WHEREAS, the City of Bainville, Montana adopted the Fiscal Year 2020-2021 budget on August 10, 2020, via Resolution #172: and

WHEREAS, the General Fund accounts and Gas Tax Apportionment (Fund #2820) need to be amended to cover unanticipated revenues, expenditures and transfers (see detail below); and

WHEREAS, the City of Bainville is empowered under Sections 7-6-4006, 7-6-4012 and 7-6-4031, MCA to amend the fiscal year budget: and

WHEREAS, pursuant to Section 7-6-4021, MCA, the City Clerk advertised this public hearing in the Community News on July 15, 2021, as well as posted the notice on the City's website and on the City Hall window, at the Post Office, Smokeys Bar and Casino and at the Welcome Stop and

NOW, THEREFORE BE IT RESOLVED that the Bainville City Council hereby appropriates and redistributes the following accounts and directs the City Treasurer to make the following budget amendments in the form of decreases to the following funds and accounts for Fiscal Year 2020-2021:

Proposed decrease in appropriation amounts

| | | Budget Amount | Proposed Change-- Decrease | Ending Budget Amount |
|-----------------|------------------------|--------------------------|---|-------------------------------------|
| 1000.410363.350 | Judicial Services | 3000 | 1000 | 2000 |
| 1000.410500.100 | Financial Services | 50000 | 5000 | 45000 |
| 1000.410530.350 | Auditing | 25000 | 10000 | 15000 |
| 1000.411130.350 | Counseling Services | 35000 | 25000 | 10000 |
| 1000.420100.300 | Law Enforcement | 12000 | 2000 | 10000 |
| 1000.420440.940 | Fire Prevention | 10000 | 5000 | 5000 |
| 1000.430240.100 | Road & Street Serv | 20000 | 5000 | 15000 |
| 1000.430240.940 | Road & Street Serv | 10000 | 5000 | 5000 |
| 1000.430240.950 | Road & Street Serv | 15000 | 15000 | 0 |
| 1000.430263.200 | Street Lighting | 10000 | 10000 | 0 |
| 1000.430900.200 | Cemetery Serv | 500 | 500 | 0 |
| 1000.430900.350 | Cemetery Serv | 15000 | 10000 | 5000 |
| 1000.430900.360 | Cemetery Serv | 5000 | 5000 | 0 |
| 1000.440700.200 | Insect & Pest Control | 10000 | 5000 | 5000 |
| 1000.460400.230 | Parks & Rec | 2500 | 2500 | 0 |
| 1000.460400.350 | Parks & Rec | 10000 | 5000 | 5000 |
| 1000.460400.930 | Parks & Rec | 10000 | 5000 | 5000 |
| 1000.470100.200 | Comm Public Facilities | 10000 | 10000 | 0 |
| 1000.521000.820 | Interfund OP Tr | 20000 | 10000 | 10000 |
| | Total | | 136000 | |

Proposed decrease in appropriation amounts

| | | Budget Amount | Proposed Change-- Decrease | Ending Budget Amount |
|-----------------|-------------------|--------------------------|---|-------------------------------------|
| 2820.430200.100 | Personal Service | 15000 | 15000 | 0 |
| 2820.430200.350 | Professional Serv | 1500 | 1500 | 0 |
| | Total: | | 16500 | |

PASSED AND ADOPTED this 21st, day of July, 2021.

ATTEST:

MAYOR:

Nikki Rogers, CMC-CMMC
Clerk-Treasurer

Dennis Portra,
Mayor

Staff Report

| | |
|-------------------------------|---|
| <p><u>Subject:</u></p> | <p>IT Services: Implement a firewall and setup Microsoft 365 for City Staff and Council. Purchase a desktop, tablets and a laptop using ARPA monies for entire project.</p> <p>Purpose of the project is to create business email accounts for Council members, Mayor and city staff. Clerk Rogers would like to make the monthly packets electronically accessible throughout the month rather than once a month for council review at any time information comes in.</p> |
| <p><u>Fiscal Impact:</u></p> | <p>Council tablets: 4x300.00=1200.00 Tablet Accessories: 4x30.00=120.00 Desktop: 1000.00 Laptop: 650.00 Conversion from current email to new email with @townofbainville.com: 1900.00 [one time cost] Microsoft User Licenses: 3 Council, 1 Mayor, 1 Clerk, and 1 Public Works: 4x8.00/mo.=32.00/mo.; 2x20.00/mo.=40.00/mo. Ongoing Monthly Expense of \$72.00 (32.00 + 20.00=52.00 out of General Fund) (10.00 Water Fund and 10.00 Sewer Fund)</p> <p>Total: ≈5,734.00</p> |
| <p><u>Alternatives:</u></p> | |
| <p><u>Recommendation:</u></p> | <p>Staff recommends a budget of \$6,000 of the American Rescue Plan Act monies to upgrade IT services here in the office for Council, Mayor and Staff.</p> |

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