



**Bainville Town Council Meeting
Bainville Fire Hall
207 Duval Street**

Tuesday, February 15, 2022 at 7:00 PM

I. Call Meeting to Order

II. Pledge of Allegiance

III. Roll Call—Establish a quorum

___ Mayor, Toby Romo

___ Councilperson, Nick Tester

___ Councilperson, Matt Giese

___ Councilperson, Carol Rasmussen

IV. Approval of Agenda

V. Approval of Minutes dated January 10, 2022.

VI. Approval of Special Meeting dated January 25, 2022.

VII. Treasurers Report

A. FY to date Income & expense statement

- Approve claims with checks dated February 15, 2022 in the amount of \$26,053.54.

➤ January Payroll was in the amount of \$10,720.57.

- Approve closing JV for FY 2021 and UB Vouchers

- Approve and authorize the mayor to sign February 2022 payroll checks on February 28, 2022.

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

The Town has been approved for ARPA funds of \$110,585. We need to submit an application for the use of these funds by January 1st of 2023. The applications are reviewed monthly. The funds must go towards a water and sewer infrastructure improvement project.

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

IX. Department or Committee Reports

A. Public Works Report: Generator at lift station was repaired on 02/03/2022.

- Working with Interstate Engineering to submit a request to improve sewer lines with ARPA funds held by the county.

- Completed a review of the Town Emergency Response Plan 01/26/2022.

- Cleaned out Water House on 02/04/2022.

- Unaccounted water amounts have come down significantly after major leak repair.

➤ Jan. 2020 was 913,830 gal.

➤ Jan. 2021 was 612,231 gal.

➤ Jan 2022 was 321,179 gal.

B. Fire Chief Report

- Update Fire Extinguishers

- Fire Danger Report

- Upgrade Hand-held radios

C. Roosevelt County Sheriff's Department Update.

- Request from Sheriff Frederick to send two officers to training March 28 – April 1, 2022. The cost is \$1,300 for both registrations and monies would come out of their Reserve Training account.

D. Local Emergency Planning Committee Update.

- Update on the new Civil Defense Siren at the Lagoon
 - Next LEPC meeting will be April 12, 2022 in Culbertson at 2:00 PM
- E. Dry Prairie Meeting update. Their Resolution to increase the water rates was approved at the meeting on February 3, 2022.
- Present Town Rate/EDU = \$14.25/EDU x 210.28 EDUs = \$2996/month
 - New Rate (June 2022) = \$17.25/EDU x 210.28 EDU = \$3627/mo. (**\$7570** annual increase to base rate)
 - Present Consumption Rate/gallon = \$1.50/1000 * 17,714,600gal (average use in last 3 years) = \$26,571 annual cost to Town of Bainville.
 - New Consumption Rate/gallon = \$2.07/1000 * 17,714,600 gal = \$36,669 annual cost to Town. (**\$10,097** annual increase).
 - \$7570 + \$10,097 = **estimated annual increase to town of \$17,667**. (based on average usage of last 3 years)
- *** these are estimated costs and calculations. These are not actual figures.

X. Old Business

- A. Request from Allen Spencer of Dakotaland to deed over the RV Park property to the Town of Bainville in lieu of delinquent Water/Sewer account.
- The owner emailed the town and is willing to put the documentation together for this transaction.
 - Current Utility Bill is \$37,980.64.

XI. New Business

- A. Sewer impact Fee Review.
- MCA 7-6-1602 states that Impact fee's must be reviewed every 5 years.
 - MCA 7-6-1602 states that Impact fee's must be deposited in a special proprietary fund.
 - MCA 7-6-1602 states that if the Impact fee's are not collected or spent in accordance with the impact fee ordinance or resolution, the fee must be refunded to the owner of the property at the time of the refund date.
 - MCA 7-6-1604 Impact fee advisory committee is responsible for the review and monitors the process of calculating, assessing, and spending impact fees.
- B. City Attorney RFQ
- C. Bridge and Road Safety and Accountability Program (BARSAA) for calendar year 2022 will receive an allocation in the amount of \$15,692.66. The allocation can be used on materials for Street improvements.
- D. Clinton Street/Highway 327 Improvement Project. Approve and authorize the Mayor to submit required paperwork to the State Department of Transportation (DOT) for approval to install walking paths on each side of Clinton/Highway 327 Street from Highway Avenue north to Highway 2.

XII. Adjourn

Next Meeting will Monday, March 14, 2022 at 7:00pm.

Regular Meeting Minutes of January 10, 2022 Bainville Town Council

The Regular meeting of the Bainville Town Council was called to order at 7:00 p.m. by Mayor Toby Romo at the Bainville Fire Hall, 207 Duval Street. Present were: Matt Giese, Carol Rasmussen, Toby Romo and Nick Tester. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert; and City Attorney, Greg Hennessey was absent. Guests included: Darrel Rasmussen, Patti Malkuch, Jess Malkuch, Diane Panasuk, Eric Newton, Ernie Bingham, Jo Bingham, Cora Norton, Kirk Panasuk, David Norton, Darin Hannum, James Walling.

Matt Giese moved to approve the agenda as submitted. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Matt Giese moved to approve the minutes dated December 13, 2021 as submitted. Nick Tester seconded the motion. All voted in favor and motion carried.

Treasurer's Report:

Clerk Rogers gave the following Treasurer's Report:

She swore in Toby Romo, Carol Rasmussen and Nick Tester at a swearing in ceremony on December 30th, 2021. Matt Giese was sworn in on January 6, 2022. The Oath's of Office were signed, delivered to the county courthouse and recorded in the county clerk and recorder's office.

- Approve claims with checks dated January 10, 2022.

Matt Giese moved to approve claims with checks dated January 10, 2022 in amount of \$41,338.79.

- Approve JV, UB Vouchers, Payroll slips.

Matt Giese moved to approve voiding Check #13075 in amount of \$110.00 and December Payroll slips in the amount of \$9,295.38.

- Review delinquent accounts.

Clerk Rogers gave a spreadsheet to the council of the delinquent accounts which are 90+ days passed due. She asked the council for some direction to 2 delinquent accounts which belong to previous owners of the property. She feels this is a legal matter at this time.

Mayor and Council discussed the matter and directed staff to proceed with sending notices to the current property owners. She will also notify Mr. Hennessy on proceeding forward with the delinquency.

Mayor Romo stated he would like to look into the delinquent process more and does not recommend shutting water off at this time.

- Update on the American Rescue Plan Act of 2021.
 - Discussion on possible projects for the ARPA Funding

Clerk Rogers reported there is no new update. The Town of Bainville needs to come up with a project to utilize the \$110,585 minimum allocation grant.

Mayor Romo would like to get an audit done and asked Clerk Rogers to provide a list of the state certified auditors to him.

Public Comment

Ernie Bingham asked the Mayor and Council if there was a way to eliminate the Sewer Wastewater Impact Fee or to be able to lower it. Matt Giese gave an update on how the Wastewater Impact Fee came into existence and the intended use for new expansion of the sewer system. Mayor Romo will look into the Impact Fee and put it on a future agenda.

Public Works Report

Lyle Lambert, Public Works, gave the following report:

- Attended a workshop on the Emergency Response Plan. This needs to be updated every 3 years.
- Public Works will be attending the MRWS conference in Great Falls in March 23-25, 2022.

Roosevelt County Sheriff's Report—None

Court Report—1 Citation

Local Emergency Planning Committee

Local Emergency Planning Committee will be meeting in Bainville at 2:00 PM on January 11, 2022.

Old Business

- A. Request from Allen Spencer of Dakotaland to deed over the property to the Town of Bainville in lieu of delinquent Water/Sewer account. *-No Motion*
- B. Approve and authorize the Mayor to sign a short form of agreement between owner and engineer for professional services with Interstate Engineering, Inc. for the Water Main Supply Line – Unaccounted Water Project in the amount of \$16,000. *-No Motion*

Mayor Romo contacted Interstate Engineering and they wanted to apply for the competitive grant which was due January 14, 2022.

Lyle Lambert, Public Works, suggested in the spring after monitoring the water usage and fixing the 2 major leaks, the town should pothole the line coming into town to see what kind of pipe is in the ground. If the pipe in the ground is plastic then the town is good shape but if it is iron ductile pipe then it may be in horrible shape.

No motion

New Business

- A. Elect the president of the council, see Town Code: 2.04.050 & 2.04.060, MCA 7-4-4403
Carol Rasmussen nominated Matt Giese to be president of the council. Council voted on the nomination. Nomination passed unanimously.
- B. Mayor appoints a Town Clerk-Treasurer, 2.08.010, MCA 7-4-4701
 - a. Recommend: The council perform an employee review on Clerk-Treasurer in the first week June of 2022, and make the appointment at the June 13th, 2022 meeting. This will give time for the new mayor and council to get to work with Clerk-Treasurer. Clerk-Treasurer is currently paid \$20/hour, 40 hour per week, there are vacation day and sick day benefits as outlined in Town of Bainville Personnel Policy Manual. This appointment will be a 4-year appointment.

Mayor Romo asked to wait until June to make the appointment since he is new to the Mayor role and he can review the job description. Clerk Rogers will remain as the Town Clerk-Treasurer. He also thanked Clerk Rogers for her time in answering questions.
- C. Mayor appoints a City Judge, 2.00.010
 - a. Recommend: Penny Hendrickson. The Town currently pays \$150/month

Mayor Romo recommends Penny Hendrickson as our Town Judge at 150.00 per month. Matt Giese moved to appoint Penny Hendrickson as the Town Judge for the Town of Bainville. Nick Tester seconded the motion. All voted in favor and motion carried.

D. Mayor appoints a Town Attorney, 2.00.010–*No Motion*

- a. Recommend: there is no current contract, I would like to put this out for bid & fill position by May 9th, 2022 for a 2 year contract (MCA 7-4-4602).
- b. Review the contract with Roosevelt County for Attorney prosecution services. The Town currently pays \$500/month to Roosevelt County Attorney

Mayor Romo would like to put the Town Attorney role out for bids and fill the appointment by the May meeting for a two year term.

E. Mayor appoints Fire Chief. 2.10.010

- a. Recommend: Appoint Lyle Lambert to be the fire chief for the Town of Bainville. Mayor Romo spoke with Mr. Lambert and he is willing to be the fire chief for the Town of Bainville. He thanked Mr. Lambert for his time and knowledge.

Matt Giese moved to appoint Lyle Lambert as Fire Chief for the Town of Bainville. Nick Tester seconded the motion. All voted in favor and motion carried.

Matt Giese thanked Mr. Lambert for his service.

F. Approve and authorize the Mayor to sign the Dakota Pump Annual Maintenance Agreement in the amount of \$700.00.

Mayor Romo stated he visited with Public Works and they agree this company is very good at what they do at the lift station.

Matt Giese moved to approve and authorize the Mayor to sign the Dakota Pump Annual Maintenance Agreement in the amount of \$700.00. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

G. Review the 2022 Town Council meeting dates and Holiday Schedule.

Mayor Romo clarified there are two potential conflicts: Valentine’s Day and Columbus Day. He would like to hold the next meeting on February 15, 2022. School board meeting is on Wednesdays and there is no fire board meeting on that Tuesday. Columbus Day is Monday October 10, 2022 so the meeting would likely be on Tuesday October 11, 2022.

Carol Rasmussen moved to accept the proposed meeting dates and holiday schedule with the recommendations submitted by Mayor Romo. Matt Giese seconded the motion. All voted in favor and motion carried.

H. **Resolution**—Adopt a resolution to approve First Community Bank of Montana and Edward D Jones signature resolution

Clerk Rogers recommends the council put 3 people on the checking accounts instead of only 2. She suggests the Mayor, Clerk-Treasurer, and Council President be on the accounts with 2 signature required.

Nick Tester moved to adopt a resolution to approve First Community Bank of Montana and Edward D Jones signature resolution with the Mayor, Clerk-Treasurer, and Council President. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

I. Update on Dorothy Crawley quiet title for 211 Clark Avenue East lot.

Matt Giese gave a brief update on the Dorothy Crawley quiet title. Lyle Lambert stated the problem is trying to find the heirs to Dorothy Crawley to sign off on it. Mayor Romo will contact City Attorney Hennessy and discuss it with him.

J. Discuss Dry Prairie Public Hearing on water rate increase.

Mayor Romo discussed the rate increase from Dry Prairie. They are proposing an increase of \$3.00 from 14.25 to 17.50 per month and an increase in Consumption rate from 1.50 to 2.07 per 1000 gallons. He will attend the public hearing meeting on February 3, 2022 at 1:00 PM.

K. Petition Roosevelt County to abandon County Road 1007 from the railroad crossing to Highway 2 by the cemetery.

Mayor Romo stated in order to change the ward boundaries from the current boundary to the town limit boundary, the Town will need to change the name of County Road 1007 by the cemetery. The process involves getting a petition from the people currently residing on the road or have designated addresses. A citizen suggestion Granley Street would be a good name for the street.

L. Review Ward Map revisions

Mayor Romo stated this is part of the process after the petition has been signed then follow up with a resolution changing the Ward Map

M. Review Montana Code Annotated in the number of council members per ward.

Mayor Romo stated if you are less than 1000 people you are considered a Town. There is a statute that says you can have 2 council members per ward. In 1970 Bainville moved from two wards to one ward which would limit the number of council members on council to 2 members and the Mayor. He will look into this matter and ask for some advice on how to proceed.

Matt Giese moved to adjourn the meeting at 8:07 PM.

Attest:

Approved By:

Nikki Rogers, CMC
Clerk-Treasurer

Toby Romo
Mayor

Special Meeting Minutes of January 25, 2022
Bainville Town Council

The Regular meeting of the Bainville Town Council was called to order at 7:00 p.m. by Mayor Toby Romo at the Bainville Town Hall, 211 Clark Avenue East. Present were: Matt Giese, Carol Rasmussen, Toby Romo; and Nick Tester via phone. A **quorum** was established. Also present were Clerk, Nikki Rogers; and Public Works Director, Lyle Lambert and City Attorney, Greg Hennessey was absent. Guests included: Diane Panasuk, Patti Malkuch, Jess Malkuch, Eric Newton.

Matt Giese moved to approve the agenda with the correction of the date on Agenda item V.. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Minutes dated January 10, 2022 will be available at a later date

Treasurer's Report:

Clerk Rogers gave an update on the FY 2021 Financial Report. She explained she would like to have Valli at Sidney Tax Service to continue to work on the bank reconciliation and have Chet McLean from Helena to prepare the Annual Financial Report. Mr. McLean prepared the FY2020 Annual Financial Report and did a great job.

Matt Giese moved to approve and authorize the Mayor to sign the engagement letter with Chet McLean to complete the FY 2021 Annual Financial Report. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Mayor Romo stated the State has brought it to his attention the Town of Bainville is behind on getting a financial review for FY2020 and Bob Denning is willing to do the review.

Matt Giese moved to approve the FY2020 Financial Review by Bob Denning in the amount of \$3,400. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Public Comment—No Comments were made

New Business

A. Approve and authorize the mayor to sign January 2022 payroll checks on January 31, 2022.

Mayor Romo discussed the current policy for signing payroll checks and would like the council to authorize him to sign January payroll checks on January 31, 2022.

Matt Giese moved to approve the mayor to sign the January 2022 payroll checks on January 31, 2022. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Matt Giese moved to approve paying manual checks #13149 and #13150. Carol Rasmussen seconded the motion. All voted in favor and motion carried.

Matt Giese moved to adjourn the meeting at 7:20 PM.

Attest:

Approved By:

Nikki Rogers, CMC
Clerk-Treasurer

Toby Romo
Mayor

From: [Tim Lingle](#)
To: [Nikki Rogers - CMC-CMMC](#)
Subject: Training
Date: Tuesday, February 8, 2022 12:54:53 PM

Good afternoon,

The Sheriff asked if I could contact you about sending two deputies to this training. (I'll send the link.) The cost is \$650 a piece. I can sign them up and fwd what I can to you. Let me know if this is going to work for you.

Regards,

Tim

<https://dojmt.gov/mlea/professional-programs-schedule/>

The training is for QRF on the above link.... Scheduled for March 28th to April 1

02/11/22
15:06:22

TOWN OF BAINVILLE
Budget Detail Report with Pay Detail
For the Accounting Periods: 7/21 - 2/22

Page: 1 of 1
Report ID: B160

Fund=2810

Fund/Account/ Doc/Line # Check	Description	Invoice Invoice	Date	End Month/ Amount	Year to Date/ Period	Budget/ Vendor	Available Appropriation	%
2810 POLICE RESERVE TRAINING								
420100 Law Enforcement Services								
100 PERSONAL SERVICES								
				/ /				
Object Total:				0.00	0.00	3,000.00	3,000.00	%
380 Training Services								
CL 5782 1	13121 J Standing Training	83399	12/16/21	495.00	12/21	363 Defense Technology, LLC		
CL 5782 2	13121 O Cantrell Training	83399	12/16/21	495.00	12/21	363 Defense Technology, LLC		
CL 5809 1	13144 Training Def Tactics Reg/Meals	20798	12/21/21	181.00	1/22	2 Roosevelt County		
Object Total:				0.00	1,171.00	4,000.00	2,829.00	29%
Account Total:				0.00	1,171.00	7,000.00	5,829.00	
Fund Total:				0.00	1,171.00	7,000.00	5,829.00	

***Detail total may not match report total. The report total reflects the actual amount posting to the budget line. The detail includes all transactions that posted to the budget line during the period (including amounts that may have been closed).
***If edits are made to Payroll JVs in Accounting, this report will display "Payroll JV edited" instead of employee detail.

02/11/22
15:07:48

TOWN OF BAINVILLE
Cash Report by Fund/Account
For the Accounting Period: 2/22

Page: 1 of 1
Report ID: L160

Funds 2810-2810

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
2810 POLICE RESERVE TRAINING 101000 Cash - Operating	13,147.81	0.00	0.00	0.00	0.00	13,147.81
Totals	13,147.81	0.00	0.00	0.00	0.00	13,147.81

*** Transfers In and Transfers Out columns should match, with the following exceptions:

- 1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
- 2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.

TOWN OF BAINVILLE

PO BOX 92
BAINVILLE, MT 59212
406-769-2621

Account Number:	084-00
Service Address:	10 HILL AVE E
Billing Date:	02/01/2022
Current Charges:	636.96
Past Due Charges:	37343.68
Amount Due by 02/15/2022:	37980.64
Amount Due After 02/15/2022:	37980.64

Check here if you have had a mailing address change and indicate this change on the back of the stub.

LLC DAKOTALAND LODGING
ATTN: ALLEN SPENCER
1601 E ROBUR DRIVE
SIOUX FALLS SD 57104

Amount Enclosed: _____

CURRENT READING - REMOTE	INSIDE
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Account Number:	084-00
Service Address:	10 HILL AVE E
Last Payment:	AVAILABLE NEXT MONTH
Billing Date:	02/01/2022

DAKOTA LAND HOMES
ATTN: ALLEN SPENCER
PO BOX
BAINVILLE MT 59212

Current Reading:	01/27/2022	0
Previous Reading:	12/27/2021	0
Usage:		0

Important Messages

TOWN COUNCIL MEETING WILL BE HELD ON TUESDAY FEBRUARY 15, 2022 AT 7:00 PM AT THE FIRE HALL LOCATED AT 207 DUVAL STREET

MAYOR ROMO SAYS GIVE HIM A CALL IF YOU HAVE ANY QUESTIONS (701) 713-0688.

CARDBOARD RECYCLING BIN IS ON THE EAST SIDE OF THE OFFICE AT 211 CLARK AVENUE EAST. PLEASE MAKE SURE YOU BREAK YOUR BOXES DOWN BEFORE PUTTING THEM IN THE DUMPSTER.

THE OFFICE WILL BE CLOSED ON FEBRUARY 21, 2022 IN OBSERVANCE OF PRESIDENT'S DAY.

THINK SPRING!! STAY SAFE AND HAVE A GREAT MONTH!

Service	Current	Past-Due	Balance
WATER	402.16	23325.28	23727.44
SEWER	234.80	13618.40	13853.20
GARBAGE	0.00	400.00	400.00
Totals:	636.96	37343.68	37980.64
DUE DATE	02/15/2022		

PLEASE CONTACT THE OFFICE
IF A PAST DUE BALANCE REMAINS

USAGE HISTORY IN GALLONS

JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2021	AUG 2021	SEP 2021	OCT 2021	NOV 2021	DEC 2021	JAN 2022
0	0	0	0	0	0	0	0	0	0	0	0	0
ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL

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02/11/22
15:23:39

ROOSEVELT COUNTY
Uncollected Taxes with Delinquents with Legals

Page: 1 of 1
Report ID: TX190F

Names from DAKOTALAND to DAKOTALAND
Interest Due as of 02/28/22

Tax ID	Name/Legal	Tax Sale Certificate #	Year	Tax Amount	Penalty	Interest	Total
506405195	DAKOTALAND BAINVILLE LLC MAIL TO: DAKOTALAND ND INVESTMENTS P O BOX 91108 SIOUX FALLS SD 57109-1108	10-Sub/Blk/Lot COMFORD ADDN (B/ / Twn/Rng/Sect 28N/58E /27 COMFORD ADD (BAINVILLE), LTS 1 2 3 4 & S35' OF LT 5 BLK 1 Geo: 4051-27-3-02-03-0000					
		2018000093	18	10,198.84	203.99	3,305.91	13,708.74
		2019000074	19	264.96	5.30	52.92	323.18
		2020000076	20	25,531.30	510.61	3,173.62	29,215.53
			21	17,908.95	0.00	0.00	17,908.95
		Total Due for Tax Payer		53,904.05	719.90	6,532.45	61,156.40
506405196	DAKOTALAND BAINVILLE LLC MAIL TO: DAKOTALAND ND INVESTMENTS P O BOX 91108 SIOUX FALLS SD 57109-1108	Sub/Blk/Lot COMFORD ADDN (B/ / Twn/Rng/Sect 28N/58E /27 COMFORD ADD (BAINVILLE), S PT OF WEST OUTLOT (UNNUMBERED 338' X 290' X 179' 20-Sub/Blk/Lot COMFORD ADDN (B/ / Twn/Rng/Sect 28N/58E /27 COMFORD ADD (BAINVILLE), S PT OF LT 1 BLK 2 Geo: 4051-27-3-01-01-0000					
			21	108.20	0.00	0.00	108.20
		Total Due for Tax Payer		108.20	0.00	0.00	108.20
506407579	DAKOTALAND BAINVILLE LLC MAIL TO: DAKOTALAND ND INVESTMENTS P O BOX 91108 SIOUX FALLS SD 57109-1108	10-Sub/Blk/Lot COMFORD ADDN (B/ / Twn/Rng/Sect 28N/58E /27 COMFORD ADD (BAINVILLE), S 35 FT OF LT 14 & ALL LT 15 BLK 1 Geo: 4051-27-3-02-01-0000					
			21	46.27	0.00	0.00	46.27
		Total Due for Tax Payer		46.27	0.00	0.00	46.27
# of Delq.	3	Grand Total		54,058.52	719.90	6,532.45	61,310.87

Bainville Impact Fee Committee Meeting

November 20, 2013, 7:00 p.m., Town Hall

The Bainville Impact Fee Committee met to consider the

The following were present: Pam Beckman, Rob Buck, local developer; Matt Giese, Dennis Portra, Scott Ross and Dana Salivar. Absent was Valli Hauge, CPA. Also present were Dave DeGrandpre, Land Solutions, LLC; Lyle Lambert, public utilities and Judy Romo, clerk.

The meeting was called to order at 7:00 p.m. A quorum was established and the agenda was approved.

Dave De Grandpre explained that impact fees are set up to pay for growth. New growth will pay for expansion needed. Fees will be used to fund the next wastewater expansion, scheduled for 2015. After final plans are submitted and approved, fees and administrative fee are paid and a permit is issued. The impact fee for Bainville wastewater system is set at \$7030 per unit or EDU plus a five per cent administrative fee.

Rob Buck moved to recommend adoption of the wastewater service area report and impact fee resolution to the Bainville Town Council. Seconded by Dennis Portra, all in favor, motion carried.

Meeting was adjourned at 8:23 p.m.

Judy Romo, clerk

02/11/22
13:37:18

TOWN OF BAINVILLE
Trial Balance with Revenues and Expenditures
For the Accounting Period: 1 / 22

Page: 1 of 1
Report ID: LB200

5311 SEWER IMPACT FEES

		Opening Balance	Change	Closing Balance
Assets				
5311.101000	Cash - Operating	49,210.00		49,210.00
5311.101025	Cash - Sewer Impact Fees	91,390.00		91,390.00
5311.101030	Cash - Sewer Impact Administrative Fees	7,381.50		7,381.50
	Total Assets	147,981.50		147,981.50
Liabilities and Fund Equity				
5311.272000	Unreserved Retained Earnings	147,981.50		147,981.50
	Total Liabilities and Fund Equity	147,981.50		147,981.50

Request for Qualifications (RFQ)
For Town Attorney Services
Submission Due Date: May 2, 2022 5:00 PM

Contact/Submittal Address:

Town of Bainville
Ms. Nikki Rogers
PO Box 92
Bainville, MT 59212

Telephone (406) 769-2621

REQUEST FOR QUALIFICATIONS(RFQ):

The Town of Bainville, Montana is seeking a law firm or individual attorney to provide Town Attorney services on a two (2) year contract basis. Law firms and attorneys are invited to submit qualifications and proposals for the provision of these services. In order to be considered; proposals must address each of the concerns requested in this document, including rates and fees.

SUBMISSION DEADLINE:

All proposals must be received no later than Monday May 2, 2022 by 5:00 PM.

INTRODUCTION:

The Town of Bainville has a population of approximately 271 and is a full service Town, providing residents with administrative, police, fire, and public works services.

SCOPE OF SERVICES/DESCRIPTION OF RESPONSIBILITIES:

The Town attorney will be required to provide general municipal counsel, basic legal services, and advice on special projects. The Town requests one attorney is designated as the point of contact or lead attorney. Accessibility to and a timely response from the attorney is essential to this position.

Minimum qualifications include a Juris Doctorate from an accredited law school, a license to practice law in the State of Montana, and be a member in good standing with the Montana Bar. Experience with Montana municipalities and knowledge of Municipal and Contract law is preferable.

General municipal counsel of the Town Attorney includes but is not limited to: (1) having charge of all litigation in which the Town is a party ; (2) representing the Town in all legal matter and proceedings in which the Town is a party or interested; (3) advising the Town Council or any committee or member thereof, and the heads of all departments and all other officers and agencies of the Town as to all legal questions affecting the Town's interest; (4) approving as to form all ordinances, contracts, deeds, bonds, and any other documents to be signed in the name of, or made to or with the Town.

Basic legal services include: (1) reviewing or drafting ordinances, resolutions, contracts, agreements, deed, easements; (2) providing advice regarding government operations, elections, open meetings, open records, Town Ordinances, State law , routine matters, personnel matters, and property matters including real estate acquisitions and sale, annexation, zoning, condemnation and public finance; (3) reviewing agendas and materials for Council meetings, anticipating and preparing legal advice on items to be addressed at the Council meetings, attending Town Council meetings which are generally held on the second Monday evenings of each month; and (4) providing legal opinions upon request.

Special projects including large projects requiring 20 hours or more, such as an extensive drafting or revising of ordinances or code sections, research concerning in-depth issues, etc.

Generally, the Town Attorney may anticipate the job requiring up to 20 hours per month or as needed. Town Staff may work in-house to produce initial drafts, such as Town ordinances and resolutions, prior to the attorney's review. The Town may also seek outside specialized counsel as necessary.

The Town Attorney will be required to provide a detailed, itemized billing on a monthly basis, in order to avoid any misunderstanding.

A standing request exists for legal review of contracts, ordinances, and resolutions presented to the Town Council for consideration at its regular meeting in addition to anticipating and preparing legal advice up for consideration, as well as attendance at the regular Town Council meetings. Further, a request for legal services exists upon phone or written request of the Mayor, Council member, or Department Head for official Town business. For all other requests, including citizen's inquiries, approval by the Mayor prior to commencement of service is required. The Town Attorney will be required to generally familiarize himself/herself with the general municipal law and keep abreast of legislation affecting cities outside the scope of billable services.

REQUESTED INFORMATION:

If you or your firm is interested in the opportunity to work with the Town of Bainville, please provide the following information:

1. Firm or individual name and contact information, including email and website addresses and year organized.
2. Summary of qualifications, specializations, experience (including municipal), professional affiliation, special training, availability, Montana Bar license numbers, and contact information for key personnel and proposed lead and back-up attorneys for the Town.
3. Information on any previous experience or services provided, including municipal experience, such as general Town Attorney services, Town-related court cases, condemnation, eminent domain, annexations, zoning, litigation experience, list of past or present municipal clients, etc.
4. List of clients that you currently represent that could cause a conflict of interest with your responsibilities as the Town Attorney. Describe how you would be willing to resolve these or any future conflicts of interest.
5. If your firm or you have filed any litigation in the past five years in which the Town or one of its employees was named as a party, please describe the case(s).

6. Other factors or special considerations you believe would influence your selection.

7. List of references and contact information.

8. Proposed monthly flat rate fee or hourly fee.

OTHER TERMS AND CONDITIONS:

The Town reserves the right to reject any or all responses. The Town reserves the right to waive any variances from the original RFQ specifications in cases where the variances are considered to be, at the sole discretion of the Town, in the best interests of the Town.

All proposals submitted in response to this RFQ shall become the property of the Town. The Town retains the right to use any or all information presented in any proposal to the RFQ, whether amended or not. Selection or rejection of the proposal does not affect this right.

Contracts shall be awarded to the applicant determined to be best qualified to meet the Town's needs with a mutually agreeable start date.

EVALUTION AND SELECTION CRITERIA:

- General qualifications of the candidate for the position and key support personnel
- Quality and extent of services available
- Experience
- References
- Compliance with this Request for Qualifications
- Other criteria which pertain to providing effective and efficient legal services such as availability for questions and contact, timeliness, responsiveness and follow-through

SUBMITTAL:

Please provide one (1) unbound copies of the proposal, including one original with the signature of an authorized individual on a typed letter of submittal. Proposals shall be submitted in a sealed envelope, clearly marked on the outside of the envelope, "Town Attorney Services."

Town of Bainville
Attention: Nikki Rogers
PO Box 92
Bainville, MT 59212

For more information

January 7, 2022

City Clerk
City of Bainville
PO Box 92
Bainville, MT 59212



Subject: Bridge and Road Safety and Accountability Program (BaRSAA) Fuel Tax Allocation

MDT is pleased to notify you of your new fuel tax allocation provided by the 2017 legislature thru the Bridge and Road Safety and Accountability Act (BaRSAA) Program. The new user fee was effective on July 1, 2017.

As provided for in MCA 15-70-130, by March 1 of each year the Montana Department of Transportation (MDT) must allocate BaRSAA funds to each city, town, county and consolidated city-county government in Montana. BaRSAA program funds are in addition to the existing fuel tax distributions provided for in MCA 15-70-101 and 7-14-102(2).

BaRSAA funds are allocated in the same proportion and using the same ratios provided for in MCA 15-70-101(2)(b), (2)(c), and (3). Allocations are calculated based upon the statutory formula. Road mileage reflects each city and county's locally certified mileage received by MDT this past year and the population estimates are based on the 2020 US Census Bureau's population estimates. The allocation available for your local government to request beginning March 1 is summarized below:

Local Government	2022 BaRSAA Allocation
Bainville	\$15,692.66

Beginning March 1, 2022, local governments may request distribution of their 2022 BaRSAA allocation from MDT. Local governments must match each \$20 requested for distribution with at least \$1 of local government budgeted matching funds. Reservation requests can be made between September 1st and November 1st. Per MCA 15-70-130, an adopted resolution is required for distribution and reservation of funds; resolution templates are available on the League of Cities and Towns' and Montana Association of Counties' websites. Distribution and reservation requests must then be made using the WebGrants online application system. This system will allow uploading of the signed resolution and for electronic entry of the information necessary for the distribution and/or reservation of funds to local governments.

Educational resources including a video Webinar and PDF instructions on how to request distribution or reservation of BaRSAA funds, transfer BaRSAA funds, make corrections in WebGrants, and completing and submitting Annual Reports can be found on MDT's website

under Road and Bridge. Please note that Annual Reports are due December 31st of each year for all projects still marked as underway in the Webgrants online application system. If you have not submitted annual reports for 2018, 2019, 2020 and 2021 projects still marked underway, please do so at your earliest convenience.

Additional information on the BaRSAA program is available on the MDT, Montana Association of Counties, and Montana League of Cities and Towns websites.

<https://www.mdt.mt.gov/roadbridge/>

If you have any questions, please contact Geoff Streeter at (406)444-9131 or gstreeter@mt.gov.



Brian Andersen, Supervisor
MDT Geospatial Information Section

Copy: Carol Strizich
Larry Flynn
Katie Potts
Linda Hicks

2022 BaRSAA City Fuel Tax Allocations

City	City Allocation Funds
ALBERTON	\$12,699.48
ANACONDA	\$128,159.57
BAINVILLE	\$15,692.66
BAKER	\$59,917.52
BEARCREEK	\$4,636.32
BELGRADE	\$207,606.52
BELT	\$16,117.36
BIG SANDY	\$25,966.55
BIG TIMBER	\$52,500.90
BILLINGS	\$2,218,184.59
BOULDER	\$40,307.04
BOZEMAN	\$975,291.26
BRIDGER	\$24,658.04
BROADUS	\$18,751.84
BROADVIEW	\$7,705.28
BUTTE	\$733,735.85
CASCADE	\$23,974.39
CHESTER	\$31,430.34
CHINOOK	\$40,172.80
CHOTEAU	\$63,673.98
CIRCLE	\$26,557.68
CLYDE PARK	\$13,410.50
COLSTRIP	\$55,771.05
COLUMBIA FALLS	\$128,639.78
COLUMBUS	\$60,708.79
CONRAD	\$70,478.68
CULBERTSON	\$27,642.17
CUT BANK	\$75,915.46
DARBY	\$20,369.65
DEER LODGE	\$85,468.10
DENTON	\$13,300.90
DILLON	\$102,926.87
DODSON	\$7,262.01
DRUMMOND	\$9,841.17
DUTTON	\$14,766.65
EAST HELENA	\$62,194.68
EKALAKA	\$17,443.31
ENNIS	\$31,528.14
EUREKA	\$41,667.29
FAIRFIELD	\$22,468.75
FAIRVIEW	\$32,312.00
FLAXVILLE	\$5,261.96
FORSYTH	\$59,411.42
FORT BENTON	\$58,597.59
FORT PECK	\$16,746.12
FROID	\$12,282.97
FROMBERG	\$13,711.29
GERALDINE	\$14,686.88
GLASGOW	\$83,578.81
GLENDIVE	\$121,974.00
GRASS RANGE	\$6,200.64
GREAT FALLS	\$1,207,970.19
HAMILTON	\$114,823.84
HARDIN	\$91,576.03
HARLEM	\$24,113.46
HARLOWTON	\$34,168.96
HAVRE	\$207,510.12
HELENA	\$745,746.98
HINGHAM	\$8,438.85
HOBSON	\$12,034.65
HOT SPRINGS	\$22,793.79
HYSHAM	\$13,642.90
ISMAY	\$4,639.57
JOLIET	\$15,597.64

City	City Allocation Funds
JORDAN	\$17,585.56
JUDITH GAP	\$8,316.50
KALISPELL	\$516,841.56
KEVIN	\$11,574.71
LAUREL	\$155,129.96
LAVINA	\$9,126.36
LEWISTOWN	\$162,110.24
LIBBY	\$82,030.48
LIMA	\$13,146.36
LIVINGSTON	\$192,896.10
LODGE GRASS	\$14,125.10
MALTA	\$57,420.96
MANHATTAN	\$56,857.08
MEDICINE LAKE	\$13,855.07
MELSTONE	\$7,874.46
MILES CITY	\$215,991.49
MISSOULA	\$1,446,108.04
MOORE	\$11,744.62
NASHUA	\$15,967.07
NEIHART	\$6,171.41
OPHEIM	\$8,677.93
OUTLOOK	\$6,043.95
PHILIPSBURG	\$34,086.32
PINESDALE	\$26,020.83
PLAINS	\$30,228.13
PLENTYWOOD	\$50,790.14
PLEVNA	\$8,895.14
POLSON	\$131,585.32
POPLAR	\$22,624.33
RED LODGE	\$75,813.71
REXFORD	\$3,766.20
RICHEY	\$10,499.41
RONAN	\$53,371.25
ROUNDUP	\$63,637.59
RYEGATE	\$12,144.71
SACO	\$11,997.70
SAINT IGNATIUS	\$22,528.56
SCOBEY	\$38,348.85
SHELBY	\$109,484.39
SHERIDAN	\$20,897.44
SIDNEY	\$154,602.91
STANFORD	\$18,387.38
STEVENSVILLE	\$47,857.83
SUNBURST	\$23,165.82
SUPERIOR	\$28,267.24
TERRY	\$36,239.72
THOMPSON FALLS	\$45,095.45
THREE FORKS	\$61,638.51
TOWNSEND	\$52,313.49
TROY	\$26,675.60
TWIN BRIDGES	\$13,905.46
VALIER	\$31,778.59
VIRGINIA CITY	\$17,685.40
WALKERVILLE	\$31,970.34
WEST YELLOWSTONE	\$37,087.90
WESTBY	\$8,948.39
WHITE SULPHUR SPRINGS	\$41,163.83
WHITEFISH	\$210,608.08
WHITEHALL	\$31,347.78
WIBAUX	\$23,836.22
WINIFRED	\$10,836.53
WINNETT	\$13,431.74
WOLF POINT	\$67,735.90

Total City Allocations: \$13,308,259.72

2022 BaRSAA County Fuel Tax Allocations

County	County Allocation Funds
BEAVERHEAD	\$184,527.90
BIG HORN	\$166,972.68
BLAINE	\$149,633.83
BROADWATER	\$79,504.64
CARBON	\$111,607.17
CARTER	\$76,983.36
CASCADE	\$251,587.69
CHOUTEAU	\$175,406.06
CUSTER	\$102,754.99
DANIELS	\$63,418.99
DAWSON	\$106,376.64
DEER LODGE	\$48,614.78
FALLON	\$62,078.34
FERGUS	\$164,531.19
FLATHEAD	\$622,851.91
GALLATIN	\$440,903.77
GARFIELD	\$113,280.22
GLACIER	\$148,142.49
GOLDEN VALLEY	\$41,801.17
GRANITE	\$70,988.96
HILL	\$169,549.08
JEFFERSON	\$127,424.14
JUDITH BASIN	\$77,432.89
LAKE	\$226,036.10
LEWIS AND CLARK	\$338,609.81
LIBERTY	\$75,117.13
LINCOLN	\$261,490.81
MADISON	\$153,540.88
MCCONE	\$84,069.38
MEAGHER	\$61,845.18
MINERAL	\$74,786.73
MISSOULA	\$406,428.70
MUSSELSHELL	\$72,959.81
PARK	\$137,797.69
PETROLEUM	\$46,729.07
PHILLIPS	\$147,980.51
PONDERA	\$87,586.66
POWDER RIVER	\$84,784.89
POWELL	\$85,800.14
PRAIRIE	\$56,104.04
RAVALLI	\$354,625.08
RICHLAND	\$112,096.52
ROOSEVELT	\$131,340.74
ROSEBUD	\$147,208.12
SANDERS	\$150,280.53
SHERIDAN	\$91,071.77
SILVER BOW	\$48,904.35
STILLWATER	\$122,021.29
SWEET GRASS	\$61,742.59
TETON	\$123,888.78
TOOLE	\$89,678.35
TREASURE	\$27,521.20
VALLEY	\$187,448.95
WHEATLAND	\$45,202.07
WIBAUX	\$37,168.66
YELLOWSTONE	\$412,328.71
Total County Allocations:	\$8,100,568.13

Hello all!

I hope this new year is going well and you are staying warm! I am enjoying the role of mayor and appreciate the opportunity provided by the voters. I laid out a framework of goals for myself in this first year as mayor, and I wanted to share some of the goals with you.

The first goal is to understand the **Town Finances**. The council recently approved hiring a CPA to finalize the Fiscal Year 2021 Report (July 1 to June 30). This report will give us good information on which to base future decisions. Once the report is completed, the council will have monthly reports showing where we are with YTD (year to date) spending in relation to the current FY2022 budget. We should see these reports at the March meeting. I feel confident that having these two items in place will be a great asset when making our financial decisions at council meetings.

The second goal is understanding our **Town Water Supply** and all associated costs with it. Dry Prairie informed us that in June of 2022 they will be increasing their water rates. There is a public hearing on Thursday, February 3, 2022, 1 P.M., at the Dry Prairie Office in Culbertson. From what I am hearing from their board, the costs for treating the water have increased and this is a necessary change to keep up with those rising costs. I will be looking for and recommending cost-saving changes to the Town budget to offset this increase in the cost of our water supply. The Town repaired a major water leak in late November of 2021 and we have already seen a significant reduction in water use.

My third goal is understanding the **Town Wastewater System** and all associated costs with it. One of the concerns is the sewer impact fee for all new connections. The following information is from the November 20, 2013, "Impact Fee Service Area Report, Wastewater Collection and Treatment System for the Town of Bainville":

- **2008** – Town of Bainville improved the Wastewater System to accommodate 283 persons.
- **2010** – The waste water system was over-run because of the oil -boom, and the Town had to refuse requests for new connections.
- **2013** – The Town worked with MacBain Properties to improve the wastewater system to accommodate 350 people in the MacBain Man camp east of Bainville and add an additional 225 persons to the Town (858 total).
- **2013** - The Town worked with the Engineering Firm, Land Solutions, LLC, to design a system that could handle up to a total of 1258 persons. Currently we have around 270 residents. This proposal included a sewer impact fee of \$7030 for all new connections plus a 5 percent administrative fee. (roughly \$7400 per hook up).
- **2015** – The proposal was approved and construction started. The irrigation system was installed. The impact fee was implemented and charged to all new hook ups. As per the report, the Impact Fee is to be reviewed every 2 years. MCA (Montana Code Annotated) 7-6-1602 also requires impact fees be reviewed every 5 years.
 - The Sewer Impact Fee money collected is to be set aside in a separate account to be used for the sewer improvements necessary to support growth beyond 1258 persons.
 - *The "Impact Fee Service Area Report" is available to the Public.

I will include the **Sewer Impact Fee Review** on the February 15 meeting agenda. There are a lot of details that go into this **Sewer Impact Fee Review** and the council may find it best to hire an engineering firm to complete the review & advise on steps going forward.

The Council meetings focus on the business of the town and do not provide much time for questions and answers. Therefore, feel free to call me, and we can set a time to have coffee and visit about your concerns. I will do my best to answer your questions and will follow up as needed.

Below is a concept drawing of a vision for our Main Street from HWY 2 south to Highway Ave. (Smokey's bar). **This concept has not been approved by the Town Council.** It is a goal that I am actively looking into. Here is the progress so far!

- A nearby land owner has verbally agreed to donate the fill dirt.
- The MT HWY Department emailed the two required forms. (Because this proposal is for a gravel walk path, not a sidewalk, it simplifies the process of approval).
- A local company will loan out their tree spade to move trees into place. We could start with local Cottonwood trees to keep costs down. (Deciduous trees need to be transplanted before they leaf out in the spring or after the leaves are off in the fall).
- The Bainville Community Association is willing to take donations to put towards this project & similar projects. (donations for washed rock, trees, signs, benches, etc...)

This design of a gravel walk path and trees would begin as you enter Bainville and continue south to the tracks. I believe this is a place where we can make a great impression for very little input!

MORE TO COME!!!

-Toby Romo, Mayor

