

MINUTES OF COUNCIL MEETING
November 3, 2022, 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Elks Lodge & Zoom Meeting

Council Present: Justin Gatewood, David Bacon, Amy Grice, Jon Osborn, Kacey Smart

Absent: None

Staff Present: Timber Baceski Clerk/Treasurer, Robert Erdall PWO, Eric Barsness HPO

Public Present: Laurie Hansen (via Zoom), Scott Petersen

1) Call to Order: Meeting was called to order at 7:00 pm by Justin Gatewood, Mayor

2) Mayor and Commissioner's Reports/Comments:

a) Mayor Gatewood informed the public that Pharm406 will be hosting a drive-by vaccination clinic on November 8th at 4:00pm.

b) Mayor Gatewood noted the success of the well-attended candidate forum for Madison County at the Community Center and reminded the public to vote on Tuesday, November 8th.

3) Public Comment:

None

4) Clerks Report:

Clerk Timber Baceski has submitted the application for the Town to receive BaRSAA funding and is continuing to collect and track down delinquent Resort Tax, though she noted that there are less delinquencies this year compared to last year.

5/6) HPO/HPAC Report:

a) HPO Eric Barsness reported that the Board has continued to work on building guideline review. Board member Lance Otto has been taking a lot of reference photos to use within the guides being created. HPAC has scheduled work sessions every Saturday until the end of January to work on this project.

b) The HPAC Board has been working with the Planning/Zoning Board on the Draft Solar Ordinance. The first reading for the Zoning Board will take place on November 16th, with a second reading on December 14th. From there, it is expected to go to Town Council for a first reading on January 5th, with approval at the second reading on February 2nd.

7) **New Business:**

a) Dan McCauley, President Emeritus of Great West Engineering

i) Dan McCauley updated the Council on the ongoing ARPA projects. If all goes well, Mr. McCauley estimates that bidding could begin early next year. If bidding is pushed back, to mid-summer for example, it may have to wait until next year as to avoid disrupting tourism activities. The project has been set up in four bid schedules to ensure our money goes as far as possible. Inflation, supply chains, etc. has created a volatile market that has the potential to force us to rebid. The County has more ARPA related money, though, and discussions are happening to see the Town is eligible to receive any of that funding.

ii) Dan McCauley mentioned the Growth Policy, which is in the Final Draft stage. There will be a public hearing on November 16th to potentially finalize the Growth Policy, which would then go to Council on December 1st.

b) Kim Johnston – People and Carnivores

i) People and Carnivores is a Montana-based wildlife organization that uses various tools and methods to reduce conflicts with these animals. The organization has worked closely with Virginia City and Nevada City, mostly to keep bears out of trash cans in the area. These prevention efforts have added up and made a considerable difference. This winter, People and Carnivores wants to focus on forming a Bear-Smart Committee for the Town of Virginia City.

c) Elk's Lodge Sign Permit Application #1

MOTION: To approve the Elk's Lodge Sign Permit Application, with waiver of the application fee.

Motion made by Amy Grice; Seconded by Jon Osborn. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Jon Osborn, Amy Grice, and Kacey Smart in favor. None opposed.**

d) Elk's Lodge Sign Permit Application #2

MOTION: To approve the Elk's Lodge Sign Permit Application, with waiver of the application fee.

Motion made by Amy Grice; Seconded by Jon Osborn. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Jon Osborn, Amy Grice, and Kacey Smart in favor. None opposed.**

e) Elk's Lodge Sign Permit Application #3

This application was rescinded.

f) Elk's Lodge Sign Permit Application #4

This application was rescinded.

g) Public Works Director – Job Notice

i) Public Works Director Bob Erdall will be retiring in seven months. The Town needs to post a job notice. There is a shallow labor pool in the Virginia City area with other municipalities also seeking Public Works employees. Clerk Timber Baceski will begin posting the advertisement for the position.

h) Tennis Court Demolition

i) The Town is considering demolishing the tennis court. Bob Erdall and Greg Smart would take it down, and the asphalt would go to Nevada City. After it's gone, the Council can revisit the plan for Pace Park, as that space was originally designated to be a garden space.

MOTION: To approve the demolition of the tennis court in Virginia City. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Jon Osborn, Amy Grice, and Kacey Smart in favor. None opposed.**

i) Resolution 2022-04 for Distribution of BaRSAA Funds

MOTION: To approve Resolution 2022-04 for Distribution of BaRSAA Funds. Motion made by Dave Bacon; Seconded by Justin Gatewood. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Jon Osborn, Amy Grice, and Kacey Smart in favor. None opposed.**

8) Public Works Report:

a) PWO Robert Erdall reported that he and Greg Smart have been working on roads and culverts. Most things are done for winterization around town. All documentation has been sent to MET for the water project; Robert Erdall spoke with Dan McCauley, who recommended we use a magnetic meter instead of a physical rotary driven meter, as they're far more accurate and would give us more complete data.

b) Public Works Board member Scott Petersen asked the Council why there was no input from HPAC, Planning/Zoning, and Public Works Boards concerning the installation of solar panels on the Kelley property on Warren Street. Mr. Petersen noted that the Public Works Board believed the solar panels to be structures subject to zoning regulations. The Council informed Mr. Petersen that the solar panels being constructed on the ground took advantage of a loophole within Town Code, which is in the works to be corrected, and that the Town Attorney advised the Council against intervening. The Council took no further action.

9) Consent Agenda:

a) Minutes from October 6, 2022

i) Corrections to be made: add "as amended" to the approval of Minutes from September 1st, change "including a resolution that would need to pass and be followed by a vote" to "including a county-wide referendum that would need to pass by a public vote" and replace "a" with "the" in front of "county level" in agenda item 2e, and add "County Commissioner" in front of "Ron Nye" in agenda item 5/6.

MOTION: To approve the Minutes from October 6, 2022 as amended. Motion made by Justin Gatewood; Seconded by Jon Osborn. **The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, Amy Grice, and Kacey Smart in favor. None opposed.**

b) Accounts Payable, Receivable, Adjustments and Checks October 2022

MOTION: To approve the Accounts Payable, Receivable, Adjustments, and Checks for October 2022. Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, Amy Grice, and Kacey Smart in favor. None opposed.**

10) Public Comment:

a. Mayor Gatewood noted that he will meet with the new County Commissioner Elect within the next few weeks for an introduction.

b) Mayor Gatewood mentioned that next month, a resolution will be drafted and Council will be asked to exercise extra-territorial authority for water protection. This will also require approval of the County Health Department and the County Commissioners.

11) Adjournment

MOTION: To Adjourn. Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called: Motion was passed by voice vote, all in favor. None opposed.**

ADJOURNMENT:

Meeting adjourned at 9:05 pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer