

**MINUTES OF COUNCIL MEETING**  
**January 5, 2023, 7:00 p.m.**  
**TOWN OF VIRGINIA CITY, MONTANA**  
**Elks Lodge & Zoom Meeting**

**Council Present:** Justin Gatewood, David Bacon, Amy Grice, Kacey Smart      **Absent:** None

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

**Public Present:** Tanya Engle, Jim Kleis, Bobbie Dirks, Maggi George, Cody Marxer

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

**MOTION:** To move Agenda Item 3 (Public Comments) above Agenda Item 2a (Election of Mayor). Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

**3) Public Comments**

a) Tanya Engle mentioned that the Elk's Lodge is seeking new members. Brunch and Bingo will begin again soon.

**2) Mayor and Commissioner's Reports/Comments:**

a) Election of Mayor

**MOTION:** To appoint Justin Gatewood as Mayor of Virginia City. Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called.** Justin Gatewood recused himself from the vote. The motion passed by voice vote, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

b) Election of Council President

**MOTION:** To appoint Dave Bacon as Council President of Virginia City. Motion made by Amy Grice; Seconded by Kacey Smart. **The question was called.** Dave Bacon recused himself from the vote. The motion passed by voice vote, Justin Gatewood, Amy Grice, and Kacey Smart in favor. None opposed.

c) Election of Vacated Council Seat

i) Mayor Gatewood is extending the search for a replacement Council Member and will present a nomination at the February Council Meeting.

d) Swearing in of New Council Member

i) Tabled until February Council Meeting

e) Mayor Gatewood noted that on December 20<sup>th</sup>, Madison County allocated \$200,000 to Virginia City, which we are able to add onto existing ARPA plans.

f) Mayor Gatewood mentioned that the public that the Public Works Director position has been advertised for over two months now. The Town has one application in hand, with three other interested parties. Mayor Gatewood proposed a deadline for applications of January 20, 2022 so that interviews can begin in February.

g) The Elling House will have its first Chautauqua in January; they will be held monthly through April.

#### 4) Clerks Report:

Clerk Timber Baceski is preparing to print and file W-2's and 1099's, as well as working on the Management's Discussion and Analysis for the Annual Financial Report, which is being completed in cooperation with Denning, Downey, and Associates.

#### 5/6) HPO/HPAC Report:

HPO Eric Barsness is looking into fencing options for the MHC's Stonewall Hall project. HPAC will be reviewing one Site/Zoning permit later this month, which will go to Council in February. HPAC did not hold a meeting in December, but has continued to have work sessions on Saturdays to further the overhaul of Design Review Guidelines.

#### 7) New Business:

##### a) Growth Policy Review

i) The Town of Virginia City is required to have a Growth Policy in place before zoning regulations can be put in place. The Growth Policy was worked on largely by the Planning/Zoning Board, in cooperation with Cody Marxer from Great West Engineering. A lot of the policy is based on data taken from the Planning Board Survey that was distributed in 2022.

**MOTION: To adopt the Growth Policy as amended.** Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.**

##### b) Source Water Protection Plan Review

i) The Source Water Protection Plan was initially written in 2000, and then updated in 2016. The Town is now updating that document again, as it is supposed to be updated every five years. This updating of this document was completed by the Source Water Protection Committee, which included Justin Gatewood, Jon Osborn, Robert Erdall, Roger Williams, Kristi Kline, Scott Kelley, and others. It was completed within four meetings.

ii) One major change between the 2016 SWPP and this updated version is the inclusion of the B obst Groundwater Investigative Study, which documents how vulnerable our source water is to contaminants and other wells that could affect the way our aquifer produces.

**MOTION: To adopt the Source Water Protection Plan with amended date.** Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.**

##### c) Amendment for MDT Permit

**MOTION:** To approve the amendment for the MDT Permit. Motion made by Dave Bacon; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

d) Main Meter Replacement Proposal

i) The proposed new meter would automatically do water readings and send notifications to the Town Office and/or the utility operator directly when an error occurs. It would make the transference of information faster and more effective for the Town.

**MOTION:** To approve the Main Meter Replacement Proposal. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

e) Great West Draw for LFR Funds

**MOTION:** To approve the Great West Draw. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

f) First Reading of Draft Ordinance 01-2023 to Amend Zoning of Energy Systems

i) Councilmember Kacey Smart suggested that there should be guidelines to go with the ordinance or some sort of material for Council/HPAC to reference when making approvals. This could be folded into the Design Guideline overhaul that HPAC is doing.

ii) Changes to be made: take out the word “modern”, add “effective 30 days after approval”

**MOTION:** To approve the First Reading of Draft Ordinance 01-2023 to Amend Zoning of Energy Systems, as amended. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

8) Public Works Report:

a) Public Works Director Robert Erdall has been moving snow in Town; a new blade was installed on the plow. The engine heater in the skidsteer was replaced earlier this week as well.

9) Consent Agenda:

a) Minutes from December 1, 2022

**MOTION:** To approve the Minutes from December 1, 2022. Motion made by Dave Bacon; Seconded by Justin Gatewood. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

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

**MOTION:** To approve the Accounts Payable, Receivable, Adjustments, and Checks for December 2022, with the acknowledgement that the water/sewer revenue is incorrect. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

10) Public Comment:

a) None

**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 8:37 pm

**Respectfully submitted and attested,**

**Justin Gatewood**  
Mayor

**Timber Baceski**  
Clerk Treasurer