

MINUTES OF COUNCIL MEETING
June 1, 2023, 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Elks Lodge & Zoom Meeting

Council Present: Justin Gatewood, David Bacon, Amy Grice, Kacey Smart, Greg Jorczyk

Absent: None

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

Absent: None

Public Present: Tanya Engle, Jim Kleis, Bill Koch, John Ward, Howard Palmer, Lisa Carruthers, Don Mefford, Mark Jacobs, Pat Jacobs

1) **Call to Order:** Meeting was called to order at 7:01 pm by Justin Gatewood, Mayor

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

a) Councilmember Amy Grice attended the County Commissioner meeting that took place on May 23rd, which included the 2011 Joint Resolution between the Town of Virginia City and Madison County on the agenda. In early May, the Town of Virginia City Council appointed three members to that commission. At the May 23rd County meeting, the agenda item noted that the resolution would either be amended or repealed. A discussion was had, and the County Commissioners ultimately felt uncomfortable with the resolution as it was written for a number of reasons. These reasons included the County not having a say in choosing a Historic Preservation Officer (HPO) and needing to have funds to support the commission. Commissioner Todd felt it would be a good idea to have representation from the entire county, seeing as historic buildings can be found throughout Madison County.

b) Councilmember Amy Grice researched and wrote an article, which was published in the current edition of the Madisonian, regarding mold and damp conditions in buildings.

c) Mayor Gatewood thanked the Elk's Lodge members for allowing the Council and public to use the meeting space. Mayor Gatewood also thanked the Chamber of Commerce for their work on the Memorial Day Parade, which was very well attended.

d) Madison County submitted a sewer variance request on May 19th. The Public Works Board met on the May 24th and gave their recommendations regarding the variance request. Per Town Code, variance requests require that a notice be posted at the property for 60 days prior to being seen by the Town Council and that a notice be published in the Madisonian for two consecutive weeks prior to being seen by the Town Council, with proof of posting being submitted to the Town Clerk.

e) Mayor Gatewood thanked Robert "Dude" Erdall for his service to the Town of Virginia City, where he has served as Mayor, Fire Chief, Public Works Director, and many other roles over the years. PWO Erdall will have a retirement party on June 17th.

3) Public Comments

a) Tanya Engle mentioned that Brothel Days will take place on June 17th. Posters will be up soon.

b) Don Mefford noted that the brush pile at the edge of town is being filled with a lot of non-natural materials, such as OSB, painted lumber, treated lumber, and palettes. Don Mefford suggested erecting some sort of signage to inform people of what can and cannot be put in the pile. Currently, the pile has to be sorted through before burning can occur. Don Mefford offered to erect the signs for free if the Town makes or purchases the signage.

c) Pat Jacobs mentioned that she has been working on an accessibility study for Virginia City and that she got some information from the MT Department of Transportation; one thing that was mentioned was a rumble strip in the middle of the street. Pat Jacobs noted that a survey was conducted, which showed a staggering number of people don't go to the library in Town because of accessibility issues. Plans have been drawn to help address those concerns. All plans regarding accessibility are still in the preliminary stages and will have to go before the Public Works Board and the Town Council.

4) Clerks Report:

a) Clerk Timber Baceski reported that the annual audit has come to a close. Changes will be made to some procedures as a result of the audit, including invoice processing being reduced to once per month and all checks being presented at monthly Council Meetings for approval.

5) HPO/HPAC Report:

HPO Barsness reported that he, Lance Otto, and Mark Jacobs have finished editing the text portion of the Design Review Guidelines and are now working on formatting the document. Once that is complete, the complete document will go to the Town Council for review and potential approval.

6) New Business:

a) Sign Permit Application – Virginia City Coffee Depot (Large Applied Sign)

MOTION: To approve the Sign Permit Application for the Virginia City Coffee Depot (Large Applied Sign). Motion made by Amy Grice; Seconded by Dave Bacon. **The question was called.** **The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

b) Sign Permit Application – Virginia City Coffee Depot (Sandwich Board)

MOTION: To approve the Sign Permit Application for the Virginia City Coffee Depot (Sandwich Board). 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

c) Sign Permit Application – Virginia City Coffee Depot (Small Applied Sign)

MOTION: To approve the Sign Permit Application for the Virginia City Coffee Depot (Small Applied Sign). 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

d) Sign Permit Application – Bill Koch (Banner)

- i) This is a temporary banner that, if approved, would be taken down on September 3rd (end of season).

MOTION: To approve the Sign Permit Application for Bill Koch (Banner). Motion made by Amy Grice; Seconded by Dave Bacon. **The question was called.** **The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

e) Sign Permit Application – Town of Virginia City (Free Standing Sign)

- i) Councilmember Amy Grice noted that the rendition of the sign is somewhat conceptual in nature and may not be the exact image that would be used on the sign. Walt Long, who has made numerous signs for the Town, will look at the rendition and see what he can come up with. Mayor Gatewood suggested move to a more historic rendition of one of the hikers and going forward with the sign for this season.

MOTION: To approve the Sign Permit Application for the Town of Virginia City (Free Standing Sign). 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

f) Development Permit Application – Georgeson (Framing Gable Roof)

- i) The skylights in this building were leaking, so a dormer was framed and repair work was done for the winter without a permit in place. A complaint was filed with the Town Office, so HPAC has been assisting the applicant to get through the permitting process.

MOTION: To approve the Development Permit Application for Georgeson (Framing Gable Roof). 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

g) Development Permit Application – Schroeder (Barrel Sauna)

- i) Mayor Gatewood noted that the Strobels have a similar sauna in Town; this one would be more hidden than the Strobel's. Town Code does not require hot tubs or saunas to have approval from the Town Council.

MOTION: To deem the Development Permit Application – Shroeder (Sauna) exempt from council review and refund the application fee. Motion made by Justin Gatewood; Seconded by Greg Jorczyk. **The question was called.** **The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

h) Development Permit Application – Schroeder (Fence)

MOTION: To approve the Development Permit Application for Schroeder (Fence), provided setbacks and height maximums are adhered to. 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

i) Development Permit Application – Schroeder (Deck)

MOTION: To approve the Development Permit Application for Schroeder (Deck). 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

j) Development Permit Application – Kelley/Leonard (Fence)

i) The fence would help to hide the solar panels and would replace the chain link fence.

MOTION: To approve the Development Permit Application for Kelley/Leonard (Fence). 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

k) Amendment to Site/Zoning Permit Application – Palmer (Propane Tank)

i) The propane tank was initially approved as an underground tank. Due to financial reasons and size limitations, Mr. Palmer is requesting to have the propane tank located above ground.

MOTION: To approve the Site/Zoning Permit Application Amendment for Howard Palmer (Propane Tank). Motion made by Amy Grice; Seconded by Dave Bacon. **The question was called.** **The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

l) Encroachment Permit Application – Fencing Around Stonewall Hall

i) The Public Works Board recommended eliminating parking on the section of Jackson Street that would be affected by the fencing so that two lanes can remain open. PWO Erdall recommended erecting No Parking signs and attaching them to posts on the fence.

MOTION: To approve the Encroachment Permit Application for Fencing Around Stonewall Hall with the elimination of parking. 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

m) Speed Bump on West Idaho Street

i) The Public Works Board approved the speed bump with four in favor and one against. The speed bump would be about forty yards to the east of the Williams' driveway, near the slow children sign.

MOTION: To approve the Speed Bump on West Idaho Street. 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

n) Hiring of Public Works Director

i) The Town has had a part time Public Works Helper, Shane Leach, for the past few weeks. Shane has done a great job so far and shown himself to be qualified for the position. Mayor Gatewood is proposing that the Town hire Shane Leach as the full-time Public Works Director upon PWD Erdall's retirement on June 19th.

MOTION: To Hire Shane Leach as Public Works Director Upon Robert Erdall’s Retirement. 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

o) Update on ARPA Water Project

i) PWO Erdall spoke with Matt Mudd of Great West Engineering and the SCADA Board has been installed in the Town Office. Matt Mudd said that the new meter is supposed to be installed in the near future and mentioned that the mid-September is the target date to get started on the water lines, with equipment being moved in prior to that. Everything is on schedule thus far.

7) Public Works Report:

Public Works Officer Robert Erdall has been training Shane Leach in the various duties of the Public Works Department. PWO Erdall will retire on June 19th. The dump truck is having its brakes replaced and the tennis courts have been torn down, as well as the fencing. PWO Erdall thanked the Town Council and the Town as a whole for everything it has done for him.

8) Consent Agenda:

a) Minutes from May 4, 2023

i) The following changes are to be made:
- Agenda Item 6j, change “hunt” to “hung”

MOTION: To approve the Minutes from May 4, 2023 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

b) Accounts Payable, Receivable, Adjustments and Checks May 2023

MOTION: To approve the checks for the month of May, 2023. Motion made by Dave Bacon; Seconded by Justin Gatewood. **The question was called.** **The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

MOTION: To approve the Accounts Payable, Receivable, Adjustments, and Checks for May 2023. Motion made by Amy Grice; Seconded by Justin Gatewood. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

c) Great West Draw

MOTION: To approve the draw and letter as presented. 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

9) Public Comment:

a) Jim Kleis noted that it is hard to see around the bush at the stop sign that is located near Leta’s house.

b) Pay Jacobs mentioned that archaeologists will be at Stonewall Hall in the next week, which is the first step before work begins.

10) Adjournment

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

ADJOURNMENT:

Meeting adjourned at 9:01pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer