

MINUTES OF COUNCIL MEETING
August 4, 2022, 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Elks Lodge & Zoom Meeting

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

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

Public Present: Brittany Cselle, Ty Cselle, Tanya Engle, Jamie Leonard, Scott Petersen

1) Call to Order: Meeting was called to order at 7:02 pm by Justin Gatewood, Mayor

2) Mayor and Commissioner's Reports/Comments:

a) Councilmember Dave Bacon mentioned that while the Clover Fire is not expanding much, it is burning on terrain that makes it difficult to fight. It will likely last until October. Madison County is currently under a red flag warning, meaning all burning is prohibited within the County. Councilmember Bacon encouraged the community to spread awareness regarding the burn ban.

b) Councilmember Amy Grice announced that the results from the Planning Board's Growth Policy Survey are in. There were a total of 69 responses. The following data was presented:

- 49% of participants thought of Virginia City as an excellent place to live
- 2/3 of participants live within city limits
- 80% of participants are full time residents
- 91% of participants own their own home
- 50% of participants thought that additional housing is needed in town
- 1/3 of participants said no additional development is needed in town
- 80% of participants support greenhouses within town limits
- 41% of participants support solar panels exclusively outside of historic areas

c) Mayor Gatewood noted that the streetlight project is finished; the cobra head lights have been removed on the West side of Town, to the Annex, and replaced with more historic looking streetlights.

d) Mayor Gatewood thanked the Virginia City Rural Fire Department for their efforts over the Fourth of July weekend celebrations, noting that though there was a small fire, it was put out very quickly.

e) Mayor Gatewood noted the following upcoming events: Jerry Joseph is having a concert this weekend, the Victorian Ball will be held August 19-21, and the tri-county co-ed softball team tournament will be held August 19-21.

3) Public Comment:

a) Tanya Engle mentioned that the Elk's Lodge is in need of a new ice machine and will be taking donations. Ms. Engle also mentioned the Library Cabaret, which will take place at the Elk's Lodge on August 28th.

b) Jamie Leonard, pastor at St. Paul's Episcopal Church, thanked the Town for the road maintenance in front of and behind the church, as well as maintenance of the handicap parking spot. Ms. Leonard mentioned that the church will be holding a concert on the 17th of August to raise money for the repair and preservation of stained glass windows.

4) Clerks Report:

Clerk Timber Baceski has begun working on the budget for FY22-23. The Preliminary Budget will be presented to the Council at the September Council Meeting. A special meeting will be held on September 15th to approve the Final Budget.

5/6) HPO/HPAC Report:

a) The streetlights that are up now are temporary; the permanent ones will be constructed over the winter.

b) HPO Eric Barsness and the HPAC Board have spent a lot of time recently working on design aspects for Brewery Park. HPAC has also been discussing how best to inform people about the rules and procedures that are in place for building in Town, and how to maintain the historic feel of town. HPO Barsness noted that moving forward, they want to focus on accurate historic detail over accuracy of the exact material used.

7) New Business:

a) First Reading of Draft Ordinance 01-2022 to Amend NHRD Zoning

i) Corrections to be made: change "resolution" to "ordinance", add "effective 30 days after approval of second reading"

MOTION: To approve the First Reading of Draft Ordinance 01-2022 with corrections. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, Kacey Smart, and Amy Grice in favor. None opposed.**

b) Petersen Development Permit Application – Windows

i) Mr. Petersen would be placing windows on the second floor where there are currently screens placed. The space is already framed for windows, and the windows will match what is in place for the rest of the house.

MOTION: To approve Scott Petersen's Development Permit Application. 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, Kacey Smart, and Amy Grice in favor. None opposed.**

c) Ranahan Development Permit Application – Windows

i) Mr. Ranahan would like to take out the three existing west windows and replace them with two windows that are a bit shorter, to better fit cabinets inside, as well as replace the south porch windows and the windows on the east side.

MOTION: To approve Tim Ranahan's Development Permit Application, with the caveat that the old windows are preserved after being replaced. Motion made by Amy Grice; Seconded by Jon Osborn. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, Kacey Smart, and Amy Grice in favor. None opposed.

d) Virginia City Farmacy Sign Permit Application

MOTION: To approve the Virginia City Farmacy's Sign Permit Application. Motion made by Amy Grice; Seconded by Jon Osborn. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, Kacey Smart, and Amy Grice in favor. None opposed.

e) VCPA Handrail Design Review

MOTION: To approve the VCPA's handrail design. Motion made by Justin Gatewood; Seconded by Dave Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, Kacey Smart, and Amy Grice in favor. None opposed.

f) Barsness Variance Application – Outbuilding

i) Councilmember Amy Grice will recuse herself from voting, as it is her application in part.

ii) A variance is needed since this would be an outbuilding placed in front of the residence. There is no room in this case for the outbuilding to be placed behind the residence. It also exceeds the allowed 200 square feet; it would be 864 square feet in total.

MOTION: To approve Eric Barsness' Variance Application, with the condition that the property the outbuilding is built on is consolidated/aggregated. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Kacey Smart, in favor. None opposed.

g) Barsness Variance Application – Frost Free Spigot

i) This variance is for water service that exceeds 100 feet. The water line would be placed across private property but would be around 300 feet. The water service would just be for a frost free spigot for the horses, and would be in the same area as the outbuilding discussed in the previous variance.

MOTION: To approve Eric Barsness' Variance Application for Water Service, limited to a frost free spigot, that will extend beyond the 100 foot maximum, provided that liability is on the property owner if the line is ever damaged, and proper permitting is filed with the Town. Motion made by Justin Gatewood; Seconded by Dave Bacon. Amy Grice recused herself from the vote. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Kacey Smart in favor. None opposed.

ii) Revisiting of the Barsness/Grice Site/Zoning Permit Application

MOTION: To approve the Barsness/Grice Site/Zoning Permit Application Motion made by Dave Bacon; Seconded by Jon Osborn. Amy Grice recused herself from the vote. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Kacey Smart in favor. None opposed.**

h) Planning Board/Zoning Commission Resignation

i) David Laufenberg is resigning from the Planning Board for the Town of Virginia City. The Town will advertise the opening on the Planning board, then come to the September 1st meeting with a nominee.

i) Madison County Planning Board

i) The Madison County Planning Board and the county Commissioners viewed David Laufenberg as a representative of Virginia City, so Virginia City didn't ever get a designated seat on the Board. With Mr. Laufenberg's resignation, the Town will be formally requesting seat on the Planning Board, as Sheridan, Twin Bridges, etc. already have.

j) De-Chlorination Efforts and Plans

i) The Town began chlorinating its' water about 17 years ago. There is incredible water in town, but a broken line resulted in a bad test; the line wasn't properly fixed, resulting in another bad test, which led to the chlorination of our water. Many improvements have been made to our system since then, though. Mayor Gatewood has been speaking with a representative from the DEQ about trying to get a deviation from the chlorination rules, which would likely end up being a UV treatment as an alternative. Costs are being researched.

ii) Mayor Gatewood suggested having a raw water sample sent in with the regular monthly water samples. Currently, one raw sample is sent per year.

MOTION: To begin monthly sampling of raw water in Town. Motion made by Amy Grice; Seconded by Dave Bacon. **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.**

8) Public Works Report:

PWO Robert Erdall has been working on the Warming Hut. The State visited and inspected the Town's water infrastructure, which went well. The speed bumps have been installed, and positive feedback has been received.

Jack McCormick may be retiring soon, and PWO Erdall is retiring next year. The Town needs to formulate a succession plan. Some duties may need to be contracted out, such as the bathrooms, landscaping, etc. Mayor Gatewood will be contacting the County to see what services they may offer.

9) Consent Agenda:

a) Minutes from June 30, 2022

i) Corrections to be made: take out second "of" in HPO Report, change "non-pained" to "non-painted" in Zarzeka Application, take out extra apostrophe in Clerk's Report

MOTION: To approve the Minutes from June 30, 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.

c) Accounts Payable, Receivable, Adjustments and Checks July 2022

MOTION: To approve the July 2022 Accounts Payable, Receivable, Adjustments and Checks. 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, Kacey Smart, and Amy Grice in favor. None opposed.

10) Public Comment:

Skunks are present all over town. The public can trap on their own property, but that is all that can really be done. The Smart family and Roger Williams have traps available for use.

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 9:01 pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer