

**MINUTES OF COUNCIL MEETING**  
**December 1, 2022, 7:00 p.m.**  
**TOWN OF VIRGINIA CITY, MONTANA**  
**Elks Lodge & Zoom Meeting**

**Council Present:** Justin Gatewood, David Bacon, Amy Grice (via Zoom), Jon Osborn, Kacey Smart  
**Absent:** None

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

**Public Present:** Jim Jarvis, Cody Marxer, Sheri Jarvis, Pat Jacobs, Jim Kleis, Scott Petersen, Tanya Engle, Laurie Hansen (via Zoom), Angela Mueller, Monroe Gatewood

**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 Jon Osborn announced that he will be stepping down from his position on the Town Council, effective at the conclusion of this Council Meeting. A nomination for a new Council Member will be made at January's Council Meeting.

**3) Public Comment:**

None

**4) Clerks Report:**

Clerk Timber Baceski has finished updating the Zoning Map, following the changes made by the passage of Ordinance 01-2022. She is shifting focus to the Annual Financial Report, which is due on December 31<sup>st</sup>, 2022. This will be completed with the assistance of Denning, Downey, and Associates, who are also helping to complete the closing of the 2021-2022 Fiscal Year.

The Town has also received its first ARPA payment of just over \$62,000 from the first tranche.

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

HPO Eric Barsness has been speaking to new property owners/potential home builders regarding zoning and design review guidelines. HPAC has began meeting every Saturday to host work sessions for the updating of the Design Review Guidelines.

**7) New Business:**

a) Chamber of Commerce – Farmer's Market

i) Chamber of Commerce representative Erin Leonard was unable to attend the meeting tonight and has requested to reschedule the discussion of this agenda item at a future meeting

b) Barsness/Grice Consolidation Proposal & c) Dirks Consolidation Proposal

i) Mayor Gatewood explained that there are still questions that need to be answered before the Council can move forward in reviewing the consolidation proposal. The Town is taking a deliberate and careful approach with the consolidations proposals, as they are precedent setting. The Town needs to find answers to the following questions:

- What happens when one party (an adjacent property owner) doesn't respond to a notice? How is the lack of response interpreted? What if an adjacent property owner says no?
- Redevelopment Plan – exactly where (block/lot description) would development happen in the future?

ii) Bobbie Dirks disagreed with Mayor Gatewood on the need for exact descriptions of where future development would be placed. Mayor Gatewood stated that visibility from historic areas, utility placement, etc. are all affected by the placement of the future development, and therefore the exact descriptions are necessary for the Council to make an informed and just decision.

iii) Town Clerk Timber Baceski will send out notices to the adjacent property owners for both Consolidation Proposals, including the valuation of the relevant street(s)/alley(s). The Town will allow a minimum of two weeks to receive responses from those property owners. There may be a need to schedule a work session specifically for consolidation sometime mid-January.

d) Salmonsens Conditional Use Application

i) Council President Dave Bacon mentioned that the Planning Board has been in discussion about how many short-term rentals there are in Virginia City; some of the Board is concerned by it. Mayor Gatewood added that he had done the math and came up with an approximate figure of 8% of dwellings currently being used for short-term rentals.

ii) Councilmember Kacey Smart noted that Virginia City doesn't have the things a normal community would have that could be curbed/affected by short-term rentals, like schools, and that most are completely seasonal.

iii) Council President Dave Bacon mentioned that parking plan states that 6+ vehicles can be parked at the residence; however, if six cars were actually parked there, it would spill into Town Property. He suggested that it shouldn't be advertised for 6+ vehicles.

**MOTION: To approve the Salmonsens Conditional Use Application, with the condition that parking is limited to no more than four vehicles.** Motion made by Dave Bacon; 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) Montana Heritage Commission Sign Permit Application

**MOTION: To approve the MHC Sign Permit Application.** 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.**

f) Final Draft Growth Policy Review

i) Cody Marxer of Great West Engineering has finished the Final Draft of the Growth Policy; it is a very workable document. The Council will look over it and make a decision at the January Council Meeting. The Source Water Protection Plan will be finished tomorrow, so both will be decided on at the next meeting.

ii) Mayor Gatewood thanked Bobbie Dirks, Cody Marxer, and the Virginia City Planning Board for their work and efforts to involve the public in the creation of this document.

g) Town Staff Christmas Bonuses

i) Mayor Gatewood thanked the Town Staff for their service and loyalty to the Town. He recommends a Christmas Bonus of \$150 net for Clerk Timber Baceski, HPO Eric Barsness, Parks Manager Greg Smart, and PWO Robert Erdall.

**MOTION: To approve Christmas Bonuses for Town Staff in the amount of \$150 net.** 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.**

8) Public Works Report:

a) PWO Robert Erdall mentioned that the Town was late sending out sample results to the DEQ last month, but that the issue has already been corrected.

b) Mayor Gatewood mentioned that the Town has received its first application for the Public Works Officer position. The Town will continue taking applications and set a deadline for submission in the near future.

9) Consent Agenda:

a) Minutes from November 3, 2022

**MOTION: To approve the Minutes from November 3, 2022.** 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, Amy Grice, and Kacey Smart in favor. None opposed.**

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

**MOTION: To approve the Accounts Payable, Receivable, Adjustments, and Checks for November 2022.** Motion made by Dave Bacon; Seconded by Justin Gatewood. **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 thanked the Elk's Lodge for letting us use the lodge to hold Council Meetings, and noted that he enjoyed being upstairs at this meeting over being downstairs like we usually are.

11) Adjournment

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

**ADJOURNMENT:**

Meeting adjourned at 9:04 pm

**Respectfully submitted and attested,**

**Justin Gatewood**  
Mayor

**Timber Baceski**  
Clerk Treasurer