

MINUTES OF COUNCIL MEETING
May 4, 2023, 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Elks Lodge & Zoom Meeting

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

Absent: Kacey Smart

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

Absent: None

Public Present (via Zoom): Jim Jarvis, Chere Jiusto, Elijah Allen (via Zoom), Pat Jacobs (via Zoom)

1) **Call to Order:** Meeting was called to order at 7:03 pm by Justin Gatewood, Mayor

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

a) Councilmember Amy Grice was able to tour the Madison County Courthouse, accompanied by County Commissioner Bill Todd, Pat Jacobs, and HPO Eric Barsness. Councilmember Grice noted that she was amazed by the beauty of the courthouse and the minimal amount of mold that remains. Councilmember Grice mentioned that she is waiting with great anticipation and optimism for an engineering report to become available to the public, which should happen soon. Councilmember Grice also noted that there was no odor present in the courthouse except for that of disinfectant, though the group was unable to view the basement level, as Commissioner Todd was unsure if there was a key. The original mitigation report estimated that the cost of mitigation was around \$11,000 and would take two weeks. It has been months since the release of that report.

b) Mayor Gatewood reported that there has been a lot of County issues and engagement in the past month, and that the Town will continue to push collaboration between the Town and County. Mayor Gatewood thanked those who have written letters to the Madisonian voicing their support for the restoration of Virginia City's historic Courthouse.

c) Mayor Gatewood mentioned that opening weekend for Virginia City is approaching quickly. The parade will be held on May 27th, put on by the Chamber of Commerce in commemoration of Memorial Day and the opening of the season.

3) **Public Comments**

a) Tanya Engle mentioned that the Elk's Lodge will celebrate their 125th birthday on May 12th, with cake and a potluck. Community members are encouraged to attend. A larger celebration will be held in August as well.

4) Clerks Report:

a) Clerk Timber Baceski presented the Planning Governance Letter to the Town Council. This letter is an overview of what to expect in the coming audit for the 2021-2022 Fiscal Year, sent by Jonathan Mahrt of Denning, Downey, and Associates.

5) HPO/HPAC Report:

HPO Barsness reported that he, Mark Jacobs, and Lance Otto have been meeting on Saturdays to push the Design Review Guidelines project towards completion. HPO Barsness is looking forward to getting feedback from the Town Council. There will be a few more photos and drawings added, but the project should be finished within a few weeks. The final section of the document has been reviewed by the Planning Board and will go back to HPAC this week.

6) New Business:

a) Methodist Church Restoration Project – Chere Jiusto, Preserve Montana

i) Chere Jiusto of Preserve Montana presented a powerpoint regarding the restoration of the Methodist Church in Virginia City. The Methodist Church has been on the Montana Heritage Commission's list of projects for a long time. The project will be done in phases and have no increase to the footprint of the building.

ii) WHEREAS, the draft Construction Drawings for the project were made available for public comment and the environmental findings were presented and reviewed at a public meeting; WHEREAS, no substantive public comment was received raising environmental concerns; WHEREAS, the Virginia City Town Council concurs with the Montana Heritage Commission that Restoration of the Grace Methodist Church will not significantly affect the quality of the human environment and that an Environmental Assessment and EIS for this project is not necessary;

MOTION: For the Town Council of Virginia City to support the project to Restore the Grace Methodist Church and that the project met the MEPA criteria for a categorical exclusion. Motion made by Amy Grice; Seconded by Justin Gatewood. **The question was called. The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.**

b) Sign Permit Application – Destination Virginia City

i) The dimensions presented within the application exceed the allowable dimensions for Sandwich Board Signs per the Virginia City Town Code. Clerk Timber Baceski noted that she referenced outdated guidelines when assisting the applicant.

MOTION: To approve the Sign Permit Application for Destination Virginia City, with the provision that the dimensions are decreased to a maximum size of 40"x20". 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 Greg Jorczyk in favor. None opposed.**

c) Sign Permit Application – Virginia City Farmacy

MOTION: To move Agenda Item 6e (Street Furniture Permit Application – Virginia City Farmacy) to be discussed at the same time as Agenda Item 6c (Sign Permit Application – Virginia City Farmacy). 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 Greg Jorczyk in favor. None opposed.

i) The proposed sign will have to offset the proposed bench if both are approved in order to stay within 25% maximum boardwalk coverage.

MOTION: To approve the Sign Permit Application for the Virginia City Farmacy, with the condition that it cannot be placed directly opposite the street furniture, if approved. 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 Greg Jorczyk in favor. None opposed.

e) Street Furniture Permit Application – Virginia City Farmacy

MOTION: To approve the Street Furniture Application by the Virginia City Farmacy for a bench, with the condition that it cannot be placed directly opposite the sandwich board 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, and Greg Jorczyk in favor. None opposed.

d) Sign Permit Application – Madison County Mental Health Local Advisory Council

i) This sign has hung outside the Courthouse in May for the past six years during May for Mental Health Awareness Month. Per ordinance, anything that will be up for more than two weeks needs a permit and Council approval.

MOTION: To approve the Sign Permit Application for Madison County Mental Health Local Advisory Council. 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, and Greg Jorczyk in favor. None opposed.

f) Development Permit Application – Montana Heritage Commission (Opera House Ramp)

i) An aluminum handicap ramp is presented in the application. HPAC didn't like the material or the idea of a temporary ramp. Pat and Mark Jacobs will be bringing in a team to look over the town through the lens of accessibility to make suggestions for other solutions. Pat Jacobs mentioned that she has reached out to an architect, who will be coming into town on May 19th to work with Pat Jacobs and Jim Jarvis to walk down Wallace Street and identify key locations where accessibility needs improvement.

MOTION: To table Agenda Item 6f (Development Permit Application – Montana Heritage Commission (Opera House Ramp)). 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 Greg Jorczyk in favor. None opposed.

g) Development Permit Application – Montana Heritage Commission (Stonewall Hall)

i) Elijah Allen, Executive Director of the MHC, spoke about the project. Mr. Allen noted that this is a national project that has received national publicity in well-known newspapers. A website has been put together as well (savingstonewallhall.com). The website contains a timeline for the

project. \$1.3 million has been raised in private donations. Hopefully the project will be complete by fall of 2024.

ii) An encroachment permit from the Department of Transportation will be required for the fencing. The fence would be erected mid-June, with construction starting in July.

MOTION: To approve structural stabilization including the removal of the top brick portion of masonry wall (east and west elevations), removal of the front facade and replacement with a new stone facade to match the original, exterior stone and brick masonry restoration, replication and reuse of original wood window sash for Stonewall Hall. 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 Greg Jorczyk in favor. None opposed.

MOTION: To approve the disassembly and reconstruction of the rear coal shed to match the existing for use as a mechanical room for Stonewall Hall. 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 Greg Jorczyk in favor. None opposed.

MOTION: To table the installation of fencing until it can get approval at the June 1st Council Meeting, following the approval of an encroachment permit from the Public Works Board. 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 Greg Jorczyk in favor. None opposed.

h) Development Permit Application – Rambling Moose (Restrooms)

MOTION: To approve the Development Permit Application for Restrooms at the Rambling Moose Campground. Motion made by Dave Bacon; Seconded by Justin Gatewood. **The question was called.** Greg Jorczyk recused himself from the vote. The motion passed by voice vote, Justin Gatewood, David Bacon, and Amy Grice in favor. None opposed.

i) Development Permit Application – MaGee/Brook (Windows)

i) Windows were replaced at this property last year without going through the proper permitting process, which was needed due to there being a change of material.

MOTION: To approve the Development Permit Application for Windows for MaGee/Brook. 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 Greg Jorczyk in favor. None opposed.

j) Conditional Use Application – Joe Shields

MOTION: To approve the Conditional Use Permit for a short-term rental for Joe Shields at 111 W Wallace Street. 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 Greg Jorczyk in favor. None opposed.

k) Bear Smart Community Committee

MOTION: To appoint Erin Leonard to the Bear Smart Community Committee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Abby Thomas to the Bear Smart Community Committee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Kate Steeley to the Bear Smart Community Committee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Eric Barsness to the Bear Smart Community Committee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Justin Gatewood to the Bear Smart Community Committee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Allyson Adams to the Bear Smart Community Committee. 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 Greg Jorczyk in favor. None opposed.

l) Pace Park Playground Committee

MOTION: To appoint all individuals that were appointed to the Bear Smart Community Committee to the Pace Park Playground Committee, except for Allyson Adams. 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, and Greg Jorczyk in favor. None opposed.

m) Virginia City/Madison County Historic Preservation Commission Nominees – VC Resolution 2011-01 and Madison County Resolution 5-2011

i) This committee was created in 2011 but never formed. The Town will name three nominees for the Virginia City/Madison County Historic Preservation Commission; the County will hopefully follow suit and name their own three nominees.

MOTION: To appoint Pat Jacobs to the Virginia City/Madison County Historic Preservation Commission, for a term of one year. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Elijah Allen to the Virginia City/Madison County Historic Preservation Commission, for a term of two years. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Amy Grice to the Virginia City/Madison County Historic Preservation Commission, for a term of two years. 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 Greg Jorczyk in favor. None opposed.

n) Virginia City/Madison County Historic Preservation Subcommittee

MOTION: To appoint Lois Stephens to the Virginia City/Madison County Historic Preservation Subcommittee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Diana Bunitsky to the Virginia City/Madison County Historic Preservation Subcommittee. 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 Greg Jorczyk in favor. None opposed.

MOTION: To appoint Justin Gatewood to the Virginia City/Madison County Historic Preservation Subcommittee. 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 Greg Jorczyk in favor. None opposed.

o) Seeking Employees for the Public Works Department

MOTION: To hire Shane Leach for a Part-Time Position as a Helper for the Public Works Department, starting at \$21/hour and working 20-30 hours per week. 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 Greg Jorczyk in favor. None opposed.

p) Seeking Employee for Grant Writing

i) The Town is seeking a part-time contract worker to do grant writing for the Town of Virginia City. There is a litany of grants becoming available and the Town needs to seek outside help to aid in this endeavor. It would be an as-needed position.

MOTION: To begin seeking a contractor for grant writing. Motion made by Dave Bacon; Seconded by Greg Jorczyk. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.

q) Design Review Guidelines, pages 1-20

i) These pages will be reviewed by the Council and be addressed within the next month.

r) Update on ARPA Water Project

i) Projects will begin in the fall for the campground; the paperwork says the work will be done somewhere between May and June, but the Town was assured that it would wait until the season is over or nearly over. The water system improvement and corresponding electronics set up will be happening in the very near future, though; hopefully it will be done before July. A surplus of \$100,000+ in funding is foreseeable and would be used for other high-priority projects, such as replacing the pumps at the pump station.

7) Public Works Report:

Public Works Officer Robert Erdall will be retiring in just over a month. PWO Erdall reported that there was a vandalism incident at the Community Center, where two paper towel dispensers were ripped off the wall, the counter was knocked loose, and mirrors were kicked/damaged. PWO Erdall has been working on demolishing the tennis courts; he is currently tearing up the asphalt and will remove all the poles next before seeding the area.

8) Consent Agenda:

a) Minutes from April 6, 2023

i) The following changes are to be made:

- Agenda Item 6a, clarify that there were multiple options and that the rear elevation was chosen out of those options
- Agenda Item 6b, add “with sliding doors” and “existing windows”
- Agenda Item 2c, hyphenate “well- being”
- Include the motion for the contract with Guza & Associates

MOTION: To approve the Minutes from April 6, 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, and Greg Jorczyk in favor. None opposed.**

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

MOTION: To approve the Accounts Payable, Receivable, Adjustments, and Checks for April 2023. 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 Greg Jorczyk in favor. None opposed.**

c) Great West Draw

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

9) Public Comment:

None

10) 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 9:22pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer