

**MINUTES OF COUNCIL MEETING**  
**October 7, 2021, 7:00 p.m.**  
**TOWN OF VIRGINIA CITY, MONTANA**  
**Elks Lodge & Zoom Meeting**

**Council Present:** Justin Gatewood, Dave Bacon, Amy Grice, Kacey Smart (via Zoom), Jon Osborn

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

**Public Present:** Toni James, Elijah Allen, Don Mefford, Scott Petersen, Hannah Clark, Tanya Engle, Emily Osborn, Ken Shields, Pat Jacobs, Marc Jacobs, Scott Kelley, Matt Pease (via Zoom), Laurie Hansen (via Zoom), Adina Von Berg (via Zoom), Matt Carey (via Zoom).

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) Amy Grice reported that the Virginia City Post Office began offering recycling again. Councilmember Grice will be taking the recycling from the Post Office to the dump.

b) Mayor Gatewood reported that Pharm406 will be back on Saturday, October 9<sup>th</sup>, from 10:00-2:00 near the Community Center. This clinic will provide free vaccinations for Tdap, shingles, pneumonia, and COVID.

c) The Source Water Protection Plan Committee will recommence; Kristie Kline, Montana Rural Water Systems Specialist, will be helping the Town out with that process.

d) Mayor Gatewood will be meeting with Sheriff Fortner to discuss the Interlocal Agreement. There have been a lot of cows in town recently; this and other items will be discussed at the meeting, as the Town feels the Sheriff's Office has a responsibility to respond to those calls.

e) Mayor Gatewood announced that People & Carnivores want to host another Bear Awareness event sometime this month, likely on Saturday, October 23<sup>rd</sup>, before 3:00pm. There are 12 more bear-proof garbage containers that can be purchased with a small donation.

f) The Council Election is coming up, and ballots will be sent out on October 13<sup>th</sup>. Mayor Gatewood spoke with the Elections Office and received a list of registered voters. This list was reviewed to ensure accuracy in voting eligibility.

3) **Public Comment:**

Elijah Allen informed the Council that the auditor for the Montana Heritage Commission has given the green light for MHC to help with streetlights. Mayor Gatewood will meet with Elijah Allen to discuss this further.

4) **Clerks Report:**

Timber Baceski reported that the Town's website ([www.townofvirginiacitymt.com](http://www.townofvirginiacitymt.com)) has been updated. The website now has Council Minutes from that past year, as well as printable permit application forms.

**5) HPO Report:**

HPO Barsness has been working with Hannah Clark on the location of her loafing shed. HPO Barsness has also been reviewing plans for the Brewery Park project as well as plans for the Davidson's home in Block 56.

**6) HPAC Report:**

**a) Brewery Park Design Review**

**i)** The HPAC Board had questions regarding where the benches and picnic tables would be located, as well as where the path would be placed.

**ii)** Elijah Allen informed the Council that the gravel would be ADA accessible gravel, and that the granite boulder retaining walls would be three feet high. Mr. Allen also added that parking spaces would be five feet deeper than depicted in the drawings, which will squeeze the trellis area towards the creek.

**iii)** A Development Permit Application has not been submitted for this project at this time. The Council will hold a special meeting on October 21<sup>st</sup> where the Brewery Park project will be revisited for approval, given that a Development Permit Application is submitted before the meeting.

**b) Warming Hut Design Review**

**i)** Virginia City Ice (VICE) has been raising funds for this project for many years. Scott Kelley, President of VICE, reported that the organization has reached their initial fundraising goal and are ready to build the Warming Hut.

**ii)** Scott Kelley informed the Council that he believes a shed roof would be more ideal than a gable roof because the shed roof would blend in better, deal with drainage better and be more cost effective.

**iii)** Eric Barsness reported that he created two designs for this project. The first design featured a false front, but this design was denied by the HPAC Board. The second design featured a shed roof, which the HPAC Board liked better. Eric also mentioned that one goal in the design is to make the building appear shorter by using a "belly band" that runs horizontally to break up the height of the structure. The building will be 45'x20', which is less than one third of the length of the rink itself.

**iv)** A Site/Zoning Permit Application was not submitted for this project; the Council will revisit the Warming Hut project for approval on October 21<sup>st</sup>, given that a Site/Zoning Permit Application is submitted before the meeting.

**c) Clark Loafing Shed – Setback Clarification**

**i)** Hannah Clark proposed moving her loafing shed towards North Street; Ms. Clark would like the shed to be located five feet off of North Street.

**ii)** Mayor Gatewood noted the Town Code, which indicates that a setback variance can be made if topographical hardships prevent the normal setback requirement from being met. The Nulte's house set a precedent, given that it has a 25-foot setback from North Street, so a variance will be needed in order for the loafing shed to be granted a five foot setback from North Street.

**7) New Business:**

**a) Montana Heritage Commission – 5 Year Strategic/Business Plan**

**i)** Elijah Allen, Executive Director of the Montana Heritage Commission (MHC), reported that the legislative session ended in June, and the MHC's annual funding was raised from \$400,000 to \$1,000,000. Also, the MHC received a National Endowment for the Humanities Grant (NEH) for African American History. The NEH Grant will go towards preserving three African American Heritage properties: the Bickford, Cogswell and Jack Taylor houses.

**ii)** The MHC is considering installing new bathrooms at the train depot, the Montana Picture Gallery, Stephano's Fine Art Gallery, and more locations.

**iii)** The train system will be upgraded; there will be new cars and occupancy will double.

**iv)** Elijah Allen noted that there is a lot of money to be made in music festivals, family reunions, weddings, etc. He informed the Council that Virginia City is currently capable of housing roughly 250 people, including B&B's/private rentals. The MHC wants to get that number to roughly 500.

**v.)** Elijah Allen announced that the MHC is courting donors for preservation/restoration of Stonewall Hall. He scheduled a meeting with a potential big donor for tomorrow and asked that the Mayor or Council Member join. The Council expressed their appreciation and said that someone would.

**b) Road Names – Bummer Dan Way and High Street**

**i)** PWO Erdall reported that the County's Planning Department needed road names for the annex on the west side of town. PWO Erdall suggested from the south side of Grant Mine Road to Alder Gulch Road could be Bummer Dan Way, and in front of the Smart's home could be High Street instead of that area having highway addressing.

**MOTION: To approve Bummer Dan Way and High Street as road names for the annexed portion of town.** 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.**

**c) HPAC Board Member Nomination**

**i)** HPO Barsness nominated Lance Otto to fill the vacant position on the HPAC Board.

**MOTION: To approve Lance Otto as HPAC Board Member.** 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.**

**8) Public Works Report:**

PWO Erdall reported that road work has begun and grading will begin soon, now that we have more moisture. Buildings have been winterized and culvert cleaning will also begin soon.

**9) Consent Agenda:**

**a) Minutes from September 16, 2021 Council Meeting:**

**MOTION: To approve the September 16<sup>th</sup> minutes as amended.** Motion made by David 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.**

b) Accounts Payable, Receivable, Adjustments, and Checks September 2021

**MOTION: To approve the September Accounts Payable, Receivable, Adjustments, and Checks.** Motion made by Justin Gatewood; 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.

**10) Public Comment:**

Tanya Engle noted that the Elk's Lodge will be having a meeting on October 18<sup>th</sup> at 6:00pm, where reimbursement for using the Lodge as a meeting area will be discussed.

**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 8:32 pm

**Respectfully submitted and attested,**

**Justin Gatewood**  
Mayor

**Timber Baceski**  
Clerk Treasurer