

MINUTES OF COUNCIL MEETING
March 2, 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, Eric Barsness HPO

Public Present: Erin Leonard, Jacqueline Connors, Lori Cain, Tanya Engle, Jim Kleis, Maggi George, Rose Fennessey, Monroe Gatewood.

1) **Call to Order:** Meeting was called to order at 7:06 pm by Justin Gatewood, Mayor

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

- a) Councilmember Dave Bacon noted that there was a fire meeting earlier in the day, where the Fire Department Board discussed the \$355,000 being awarded to the Virginia City Rural Fire Department from Madison County to purchase a ladder truck. This will be the only ladder truck in Madison County, and it will arrive around June of this year.
- b) Mayor Gatewood noted that the County has been distributing the LATCF funding by District; the Town of Virginia City and Virginia City Ice were awarded \$80,000 on February 14th, 2023. \$40,000 of that money will go towards Pace Park Playground and the remaining \$40,000 will go towards the completion of the Warming Hut.
- c) Mayor Gatewood went before the Madison County Planning Board on Monday to present the Town's Growth Policy and Sourcewater Protection Plan. Both were well received. The County, though, was unsure what to do with our plans. In previous years, the County Planning Board had reviewed the Growth Policy and Sourcewater Protection Plan and then recommended it for approval by the Commissioners, followed by the adoption of Virginia City's Growth Policy into the County's Growth Policy. Mayor Gatewood will likely present these plans in front of the Commissioners in March.
- d) Mayor Gatewood noted that the historic Courthouse experienced flooding last weekend, with a leak on the second floor. Mayor Gatewood visited the building yesterday, and mentioned that the damage isn't terrible. An emergency meeting will be held on Monday the 13th with the County Commissioners to discuss the County's plans. Mayor Gatewood will attend this meeting, and encouraged representation from the Virginia City Preservation Alliance and the Historic Preservation Advisory Committee. The meeting begins at 10:00AM on March 13th.
- e) Mayor Gatewood mentioned a letter that was submitted to the Town by Maggi George regarding a water leak that occurred at her building and requesting forgiveness for the cost of the water. Mayor Gatewood noted that there have been roughly six water leaks over the past two weeks in town, and that while the Town does the best it can to detect and stop water leaks as a courtesy, the Town cannot catch everything and is not responsible for doing so. Councilmember Jorczyk noted the Town Code, which

states that the Town is only responsible up to the water meter. Mayor Gatewood stated that the Town is not prepared to change policy on this and will not be forgiving the water charges.

f) Mayor Gatewood stated that there have been two alleged incidents of dogs being shot in Town over the last two weeks, and he encouraged the public to say something if they see anything out of the ordinary and to keep dogs chained, fenced, or otherwise contained or under control. Mayor Gatewood noted that it is illegal to discharge a firearm in Town.

3) Public Comments

a) Erin Leonard of the Virginia City Chamber of Commerce mentioned the 5k Run, which will take place on August 26th.

b) Tanya Engle mentioned that the St. Patrick's Day Dinner will be held on March 17th at the Elk's Lodge

4) Clerks Report:

Clerk Timber Baceski reported that all utility accounts had been adjusted following the resolution of our meter-reading difficulties. Those adjustments will be included in the financial reports later in the meeting. The application for the SHPO grant that covers part of our HPO's wages was sent in and a contract will be received soon and presented to Council at the April meeting. Ms. Baceski has also begun the process of sending out Business License Applications.

5) HPO/HPAC Report:

HPO Eric Barsness reported that HPAC has been reviewing plans and continuing to work on the Design Review Guidelines project. The first 20 pages were sent out to the Planning Board, which they will review at their March meeting. HPO Barsness has been working with Clerk/Treasurer Timber Baceski to send letters to permit holders, informing them of their extensions.

6) New Business:

a) Thompson Hickman Library Development Permit Application

i) The existing playhouse at the library's playground is falling apart. The proposed playhouse will not have concrete underneath it; it will just sit atop the ground.

MOTION: To approve the Thompson Hickman Library's Development Permit Application for a Playhouse. 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) Amendment to Schulte Septic Variance

i) Darrell Schulte's Septic Variance was approved by the Council, then went on to the County. However, the plans for the septic had to change to work within the County's guidelines. The original drawing showed the septic to be placed in Block 3; instead, it will cross the alley and go on four lots there. All ten lots are and will remain devoted to the project.

MOTION: To accept the Amended Septic Variance, with the allocation of all ten lots. Motion made by Kacey Smart; 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.

c) Updates on Legislation, Stonewall Hall, and New Concessionaires – MHC Elijah Allen

i) Elijah Allen, Executive Director for the Montana Heritage Commission, was not present at the meeting, but sent the following information to Mayor Gatewood to be shared with the Council and the public:

- Legislation: HB12 is going to fund \$116,000 for the Hickman residence and \$178,000 for the Coggswell cabins. These will serve as our match requirements to get a federal loan for \$715,000. HB2 is still in play keeping our million allocation so far.
- Stonewall Hall: please visit the new website at www.savingstonewallhall.com for updates on engineering, general contracting information, etc.. Design review should be presented to the Council at the next meeting.
- Concessionaires: Becky Digiovanna is the new concessionaire for the Fairweather Inn and Nevada City Cabins. Her company is called Destination 406.

d) Virginia City Farmers' Market – Resort Tax – Chamber of Commerce Erin Leonard

i) Erin Leonard of the Chamber of Commerce announced that per a unanimous board vote, the Chamber of Commerce will be covering all Resort Tax remittances for each vendor that participates in the Farmers' Market, which will run from the first week of June until Labor Day, if allowable. Mrs. Leonard intends to have more detailed paperwork than what was used last year, including daily vendor totals that will be used to calculate Resort Tax remittances. A representative from the Chamber of Commerce would be present through each Farmers' Market to oversee things.

ii) Councilmember Dave Bacon recommended that the Chamber of Commerce submits one lump sum payment for all Farmers' Market Resort Tax remittances at the end of the Resort Tax season.

MOTION: To approve the Chamber of Commerce paying the Resort Tax remittance for the Farmers' Market as one lump sum at the end of the Resort Tax season. Motion made by Dave Bacon; Seconded by Kacey Smart. 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) Ordinance 02-2023 to Establish a Bear Smart Community Committee

i) This committee has come from the years of cooperation between the Town and People & Carnivores regarding bear mitigation in Virginia City. It is a problem that the Town must stay on top of.

ii) Changes to be made: take out the word "the" before "Virginia City"

MOTION: To approve the first reading of Draft Ordinance 02-2023 to Establish a Bear Smart Community Committee as amended. Motion made by Kacey Smart; 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) Resolution 2023-06 to Establish a Pace Park Playground Committee

i) Madison County awarded the Town of Virginia City funds for the Pace Park Playground Project; this committee will aid in driving that project and ensuring completion in a timely manner.

ii) Changes to be made: add the work “at” before “Pace Park”

MOTION: To approve Resolution 2023-06 to Establish a Pace Park Playground Committee 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.**

iii) Appointments to the Pace Park Playground Committee

MOTION: To appoint Erin Leonard to serve on the Pace Park Playground 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

MOTION: To appoint Kate Steeley to serve on the Pace Park Playground 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

MOTION: To appoint Abby Thomas to serve on the Pace Park Playground 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, Kacey Smart, and Greg Jorczyk in favor. None opposed.**

g) Public Works Position

i) Applications for the Public Works Director position have reopened. The Town has received two applications over the last two weeks, and applications will close again on Friday, March 10th. Interviews will be conducted the following week with Mayor Gatewood, Council President Bacon, PWD Bob Erdall, and Clerk/Treasurer Timber Baceski.

h) Update on ARPA Water Project

i) A formal bid opening was held at the Town Office on March 1st. There were three bids submitted for the upcoming ARPA Water Project. Dan McCauley of Great West Engineering attended the meeting and opened/read the bids.

ii) The Town is required by law to accept the lowest bid, which happens to be the company that did all of our meters in the past, Hard Rock Construction. Great West Engineering is checking the math currently, but the Town can tentatively award the contract to Hard Rock tonight.

iii) There will be extra funds after the proposed project is finished; this will be used to address other infrastructure issues once the scheduled projects are complete. In conjunction with Great West, the Mayor, PWD, and Roger Williams, will be the Town Representative answering any site/project questions during the project.

MOTION: To approve Hard Rock Contracting, as the lowest bid, to be the contractor for the ARPA project, subject to Great West Engineering vetting and approving the math for the bid. 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.

7) Public Works Report:

Public Works Director Robert Erdall reported that he has been working a lot on roads, specifically on snow removal and preparation for when things start to melt off. PWD Erdall reported that the lift station pumps are at their maximum reliable level for operation and will need attention soon.

Upon the request of Mayor Gatewood, PWD Erdall will be compiling an inventory of all the equipment and machinery owned by the Town. PWD Erdall will then look into updating some things, such as possibly putting a plow or bigger bucket on the skidsteer.

8) Consent Agenda:

a) Minutes from February 2, 2023

i) The following changes are to be made:

- Add Bobbi Dirks, Howard Palmer, and Monroe Gatewood to attendance

MOTION: To approve the Minutes from February 2, 2023 as amended. Motion made by Dave Bacon; Seconded by Kacey Smart. 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 February 2023

MOTION: To approve the Accounts Payable, Receivable, Adjustments, and Checks for February 2023, incorrect. Motion made by Justin Gatewood; Seconded by Dave Bacon. 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 Great West Draw. 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.

9) Public Comment:

a) None

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 8:48 pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer