

**MINUTES OF TOWN COUNCIL MEETING**  
**October 5, 2023, 7:00 p.m.**  
**TOWN OF VIRGINIA CITY, MONTANA**  
**Elk's Lodge**

**Council Present:** Justin Gatewood, Amy Grice (via Zoom), Kacey Smart, Greg Jorczyk

**Absent:** David Bacon

**Staff Present:** Timber Baceski Clerk/Treasurer, Eric Barsness HPO, Shane Leach PWD

**Absent:** None

**Public Present:** Tanya Engle, Fred Zweifel, Niki Kline, Liz Mannerini (The Madisonian), Scott Petersen, Don Mefford

1) **Call to Order:** Meeting was called to order at 7:00 pm by Justin Gatewood, Mayor

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

a) Councilmember Kacey Smart reported that she was approached by a member of the public to discuss barking dogs in town. Mayor Gatewood noted that generally, we ask residents to address their neighbor directly, then go to the Sherriff's Department if needed.

b) Mayor Gatewood reported that the Interlocal Agreement between Madison County and Virginia City, as discussed at the previous Town Council meeting, was given to the Madison County Commissioners. Mayor Gatewood attended a Madison County Commissioner meeting where the Interlocal Agreement was being discussed. Ultimately the County Commissioners did not sign the Interlocal Agreement. David Buchler, attorney for Madison County, will be outlining the County Commissioners objections in a letter to the Town of Virginia City's attorney, Ed Guza.

3) **Public Comments**

a) Tanya Engle mentioned that the kid's carnival will be held on October 28<sup>th</sup> at the Elk's Lodge. There will also be a poker tournament at the Elk's Lodge on November 4<sup>th</sup>. The Christmas Stroll will be held on December 9<sup>th</sup> at the Elk's Lodge.

b) Scott Petersen mentioned that the Town of Ennis and the City of Bozeman are taking measures to designate areas for camping and disallow camping outside of the designated areas; Mr. Petersen asked the Town Council if similar steps would be taken in Virginia City. Mayor Gatewood responded that the Town does have rules in place that prohibits campers or tents being set up in Town, though enforcement is difficult.

c) Fred Zweifel asked the Town Council if the process for snow removal near his building could be changed, as it blocks parking, makes snow shoveling difficult, and causes drainage issues with the gutters. Councilmember Kacey Smart responded, noting that the State Highway Department is responsible for the placement of that snow.

#### 4) Clerks Report:

Clerk Timber Baceski reported that she is finishing the Final Budget Report, and has started the process of getting information to Denning, Downing, and Associates for the audit and the closing of FY22-23. She will begin working on the Annual Financial Report soon, as that will be due on December 31, 2023.

Clerk Timber Baceski read a complaint that was submitted by James Dschaak regarding dogs at large and barking.

#### 5) HPO/HPAC Report:

HPO Barsness attended the State Historical Conference in Helena with Councilmember Amy Grice. HPO Barsness audited the signs that are currently in place at Stephano's Fine Art Gallery; it was found that the number of signs in place exceeded the maximum allowance per Virginia City Town Code. HPO Barsness and Clerk Baceski worked with Stephano to find a solution.

#### 6) New Business:

a) Development Permit Application – Mark Jacobs (Stairs)

i) This permit application includes replacing the stairs/railings and the gate at the property. Mayor Gatewood noted that the gate would need its own permit application.

**MOTION: To approve Development Permit Application for railing on both sides and the steps, with a preference for pavers.** Motion made by Justin Gatewood; Seconded by Kacey Smart. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk and Kacey Smart in favor. None opposed.**

b) Development Permit Application – John Zimmer (Roof)

**MOTION: To approve Development Permit Application for John Zimmer (Roof).** Motion made by Justin Gatewood; Seconded by Greg Jorczyk. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.**

c) Development Permit Application – Fred Zweifel (Roof)

**MOTION: To approve Development Permit Application for Fred Zweifel (Roof).** Motion made by Justin Gatewood; Seconded by Greg Jorczyk. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.**

d/e) Engineering Amendment – Great West Engineering for Water Project / Change Order – PRV Upgrade – Great West Engineering for Water Project

i) Hard Rock Construction mobilized equipment into town two days ago and began work on the water improvement project. The construction team quickly ran into trouble, with the pressure reduction valve vault being too small to fit the new pressure reduction valve (PRV). A change order has been requested by Great West Engineering for the removal of the existing PRV vault

and replacement with a new precast vault. This will cost an additional \$47,650 plus \$10,950 more for engineering and inspection costs. The Town has roughly \$180,000 in contingency funds for the water project that can be used for situations such as this. There is no alternative course of action if we want a new PRV for the system.

**MOTION:** To approve the Engineering Amendment and Change Order for the Water Project. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.

f) Resolution 2023-12 to Adopt and Approve Wages for FY23-24

**MOTION:** To approve Resolution 2023-12 to Adopt and Approve Wages for FY23-24. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.

g) Resolution 2023-13 for VCRFD Contract and Donation

**MOTION:** To approve Resolution 2023-13 for VCRFD Contract and Donation. Motion made by Justin Gatewood; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.

h) Resolution 2023-14 for Donations to be Made in FY23-24

**MOTION:** To approve Resolution 2023-14 for Donations to be Made in FY23-24. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.

i) Resolution 2023-15 to Approve the Budget for FY23-24

**MOTION:** To approve Resolution 2023-15 to Approve the Budget for FY23-24. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.

## 7) Public Works Report:

PWD Shane Leach has been working with Hard Rock Construction as the water project begins, as well as moving forward on the warming hut project. PWD Leach has been improving streets and looking into new equipment for the Public Works department. PWD Leach will be attending water school next week in Bozeman.

## 8) Consent Agenda:

a) Minutes from September 21, 2023

i) The following changes are to be made:

- Agenda Item 2a: change “planes” to “helicopter” and specify that they won’t be flying over Virginia City for the remainder of the current training period, not in general.

**MOTION:** To approve the Minutes from September 21, 2023 as amended. Motion made by Justin Gatewood; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Justin Gatewood, David Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

b) Invoices and Checks September 2023

**MOTION: To approve the Invoices and Checks for September 2023.** Motion made by Kacey Smart; Seconded by Justin Gatewood. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.**

c) Accounts Payable, Receivable, Adjustments, and Electronic Checks September 2023

**MOTION: To approve the Accounts Payable, Receivable, Adjustments, and Electronic Checks September 2023.** Motion made by Justin Gatewood; Seconded by Kacey Smart. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.**

d) Bank Reconciliation for August 2023

**MOTION: To approve the Bank Reconciliation for August 2023.** Motion made by Justin Gatewood; Seconded by Kacey Smart. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Amy Grice, Greg Jorczyk, and Kacey Smart in favor. None opposed.**

e) Great West Draw

None.

9) Public Comment:

a) Mayor Gatewood reminded the public that the election is coming up and voter registration opens next week.

12) Adjournment

**MOTION: To Adjourn.** Motion made by Justin Gatewood; Seconded by Kacey Smart. **The question was called:** **Motion was passed by voice vote, all in favor. None opposed.**

**ADJOURNMENT:**

Meeting adjourned at 8:01 pm.

**Respectfully submitted and attested,**

**Justin Gatewood**  
Mayor

**Timber Baceski**  
Clerk Treasurer