

**MINUTES OF COUNCIL MEETING**  
**March 4, 2021 7:00 p.m.**  
**TOWN OF VIRGINIA CITY, MONTANA**  
**Zoom Video & Telephone Meeting**

**Council Present On-line:** Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn

**Council Absent:** Erin Leonard

**Staff Present On-line:** Nancy Stewart Clerk/Treasurer, Robert Erdall PWO, Jim Jarvis HPO

**Public Present On-line:** Laurie Hansen, Tanya Engle, Elijah Allen, Kelly Rasmussen, Ken Shields, Toni James, Scott McClintic, Bev Penninger, Sheri Jarvis, Scott McClintic, Scott Petersen, Angela Mueller, Alyson Young, Eric Barsness, Elizabeth Mahoney

**1) Call to Order:** Meeting was called to order at 7:02 pm by Justin Gatewood, Mayor

**2) Election of Mayor and Council President:**

**a) Mayor**

**MOTION: To nominate Justin Gatewood for Mayor.** Motion made by Dave Bacon; Seconded by Jon Osborn. **The question was called. The motion passed by voice vote, Dave Bacon, Jon Osborn, and Amy Grice in favor. None opposed. Justin Gatewood abstained from the vote.**

**b) Council President**

**MOTION: To nominate Dave Bacon for Council President.** Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor. None opposed.**

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

**a)** Continuing to follow COVID-19 numbers. To date there has been 1400 deaths in Montana. Melissa Brummel from the Public Health Department has resigned her position as of this Friday. The council thanks Melissa for the great job she did with the County. If you have not already done so, please get on the vaccine list either at Ruby Valley Hospital or Madison Valley Hospital.

**b)** Mayor Gatewood thanked VC ICE for the great job they are doing on the ice rink.

**c)** The mold issue at the County Courthouse will be on the Commissioner's Agenda next Tuesday.

**d)** Condolences go out to Tom Gnauk and the Penelope Thompson family on Penelope's passing. Michael "Pigger" Clark is doing much better, and we wish him a quick recovery.

**4) Clerk's Report:**

- a) Business licenses have been sent out for the 2021 Resort Tax Year.
- b) A reminder to three of the council members that their term is up at the end of December and they need to file by June to get on the ballot for the next term.

**5) Public Comment:**

- a) Sheri Jarvis stated that over a thousand masks have been made and distributed to the public. The kits to make more masks are at the Thompson Hickman Library, should anyone want to make a mask. Public Health donated 500 blanks to make masks.
- b) Elijah Allen, MHC will let everyone know how things are going in Helena later.

**6) HPO Report:**

- a) The CLG application has been sent to SHPO to renew our contract.
- b) The County is still talking about getting canopies on the Annex by this Spring or Summer. The County Commissioners are also talking about getting gutters on the Court House to help with the mold problem in the building.
- c) HPAC is going to try for two meetings a month to work on the Design Review Guidelines.
- c) Mr. Jarvis asked Public Works to be aware when plowing snow and not put snow piles up against historic fences.

**7) HPAC Report:**

**a) Site/Zoning Permit – Elizabeth Mahoney Home Addition:**

**MOTION: To approve the site/zoning permit subject to putting either 3 x 5 or 4 x 6 double hung windows on the north side.** Motion made by Amy Grice; Seconded by Dave Bacon. **The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor. None opposed.**

**b) Site/Zoning Permit – Jim & Sheri Jarvis Home Addition and Garage:**

After much discussion about the size and the setbacks, it was decided by the Council that the Permit should go before the Public Works Board and the Town Attorney should give the council an interpretation of Ordinance 7-2B-5. **MOTION: To send the Site/Zoning Permit to the Public Works Board for their opinion and to get the Town Attorneys legal opinion on the wording in the Ordinance.** 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, and Amy Grice in favor. None opposed.**

**d) Development Permit – Penninger & Young Pavilion:**

**MOTION: To approve the Penninger & Young Pavilion.** Motion made by Amy Grice; Seconded by Dave Bacon. **The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor. None opposed.**

**e) Development Permit – Town Parking Lot:**

**MOTION: To approve Option #3 without the fence and an entryway of at least 30 feet according to MTDOT regulations.** Motion made by Amy Grice; Seconded by Dave Bacon. **The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor. None opposed. (See attached options)**

**8) Old Business:**

**a) Madison County Ordinance 1-93:**

This ordinance shows road closures for the winter months in Madison County. Ordinance 1-2021 amended Ordinance 1-93 to take Garden Creek Road off the list so it would be open year-round. This ordinance was passed by the County Commissioners on February 9, 2021. Now the Commissioners have Ordinance 2-2021 before them to remove Axolotl Lake Road from the list. The Commissioners have received several letters and e-mails from citizens of Madison County and letters from the Town of Virginia City asking them to hold off on the vote until there is more information on the impacts of this Ordinance.

**9) New Business:**

**a) Resolution 2021-02 - BaRSAA**

**MOTION:** To approve the Bridge and Road Safety Accountability Tax Allocation. Motion made by Dave Bacon; Seconded by Jon Osborn. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.

**b) Resolution 2021-03 – Development and Site/Zoning Permit Terms:**

**MOTION:** To approve the Development Permit (end date 1 yr. from Council approval date) and Site/Zoning Permit (end date 2 yrs. from Council approval date). Motion made by Dave Bacon; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.

**b) Planning Board Nominations:**

1. Greg Jorczyk: Motion made by Dave Bacon; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.
2. Bobbie Dirks: Motion made by Amie Grice; Seconded by Justin Gatewood. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.
3. Eric Barsness: Motion made by Amy Grice; Seconded by Justin Gatewood. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.
4. Roger Williams: Motion made by Justin Gatewood; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.
5. Dave Bacon: Motion made by Amy Grice; Seconded by Justin Gatewood. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor. **Dave Bacon abstained from the vote.**

Angela Mueller will be voted on at the April Council Meeting if she meets the criteria to be on the board.

**10) Public Works Report:**

a) The sander on the snowplow needs parts.

b) The snow is melting.

**11) Consent Agenda:**

**a) Minutes for Council Meeting February 4, 2021:**

**MOTION:** To approve the minutes as amended from February 4, 2021. Motion made by Dave Bacon; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor.

b) **Accounts Payable, Receivable and Adjustments, February 2021:**

**MOTION:** To accept the accounts payable, receivable and adjustments for February 2021. Motion made by Justin Gatewood; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Jon Osborn, and Amy Grice in favor. None opposed.

**12) Public Comment:**

None

**13) 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 9:35 pm

Respectfully submitted and attested,

**Justin Gatewood**  
Mayor

**Nancy Stewart**  
Clerk Treasurer