

**MINUTES OF TOWN COUNCIL MEETING**  
**February 1, 2024, 7:00 p.m.**  
**TOWN OF VIRGINIA CITY, MONTANA**  
**Elk's Lodge**

**Council Present:** David Bacon, Amy Grice (via Zoom), Kacey Smart, Greg Jorczyk

**Absent:** Justin Gatewood

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

**Absent:** None

**Public Present:** Tanya Engle, Margaret George, Rose Fennessey, Don Mefford, Christina Koch, Bill Koch, Liz Mannarino of The Madisonian, Toni James, Lance Otto, Mark Jacobs, Pat Jacobs

**1) Call to Order:** Meeting was called to order at 7:00 by David Bacon, Council President

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

a) Councilmember David Bacon noted that there has been an issue in Town regarding dogs on the loose and barking.

**3) Public Comments**

a) Tanya Engle mentioned that Brunch & Bingo at the Elk's Lodge will happen on Sundays through March.

**4) Clerks Report:**

Clerk Timber Pruett is working on preparations for the upcoming Resort Tax season, as well as preparing for this year's audit. Clerk Pruett has also been working with HPO Barsness to prepare checklists and guides for applicants, employees, and new residents.

**5) HPO/HPAC Report:**

HPO Barsness reported that he has continued working further on the Design Review Guidelines, using an AI program to detect differences between the newly drafted guidelines and the existing regulations within the Town Code. HPO Barsness has also been working on a quick guide for the sign ordinances and design guidelines.

**6) New Business:**

a) Site/Zoning Permit Application – Smits (Car Garage)

**MOTION:** **To approve Site/Zoning Permit Application for Smits (Car Garage).** Motion made by Kacey Smart; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Kacey Smart, David Bacon, Greg Jorczyk, and Amy Grice in favor. None opposed.

**b)** Encroachment and Hold Harmless - Runck

**MOTION:** **To approve the Encroachment and Hold Harmless for Runck.** Motion made by Dave Bacon; Seconded by Kacey Smart. The question was called. The motion passed by voice vote, Kacey Smart, David Bacon, Greg Jorczyk, and Amy Grice in favor. None opposed.

**c)** Discussion of Carnival Rides – Bill Koch

**i)** Bill Koch presented his ideas for bringing carnival rides to Virginia City to the Town Council. No permits are currently in place for the carnival rides. David Bacon suggested that Bill Koch meets with Eric Barsness, HPO, and prepare to present something official to the HPAC Board at their next meeting.

**d)** Use of ARPA Funds / Retaining Hard Rock Construction

**i)** The Town is looking to retain Hard Rock Construction for upcoming projects that use the ARPA contingency funds, which requires Town Council approval.

**MOTION:** **To approve the retention of Hard Rock Construction and the use of contingency funds on the specified projects.** Motion made by Dave Bacon; Seconded by Amy Grice. The question was called. The motion passed by voice vote, Kacey Smart, David Bacon, Greg Jorczyk, and Amy Grice in favor. None opposed.

**e)** Resolution 2024-01 – Local Government Voter Review

**i)** Article XI, Section 9 of the Montana Constitution requires that every 10 years the citizens of every county and municipal government get the opportunity to review the structures of their local government. This resolution is required to begin the review process.

**MOTION:** **To approve Resolution 2024-01 for Local Government Voter Review.** Motion made by Dave Bacon; Seconded by Kacey Smart. The question was called. The motion passed by voice vote, Kacey Smart, David Bacon, Greg Jorczyk, and Amy Grice in favor. None opposed.

**f)** Resolution 2024-02 to Recommend a Funding Priority List for HB355

**i)** The project chosen for the HB355 application is the replacement of the pumps at the lift station.

**MOTION:** **To approve Resolution 2024-02 to Recommend a Funding Priority List for HB355.** Motion made by Dave Bacon; Seconded by Kacey Smart. The question was called. The motion passed by voice vote, Kacey Smart, David Bacon, Greg Jorczyk, and Amy Grice in favor. None opposed.

**g)** Purchasing of Lagoon/Sewer Operator Manual

**i)** Roger Williams was able to secure a copy of the manual for no cost. The Town no longer needs to purchase one.

**h)** Update on ARPA Water Project

**i)** Discussed in Agenda Item 6d

**7) Public Works Report:**

PWD Shane Leach noted that there have been a number of leaks detected in Town, around six of them. Property owners have been notified and the leaks are being fixed.

**8) Consent Agenda:**

**a)** Minutes from January 4, 2024 Hearing

**i)** Changes to be made:

- Amy Grice was present on Zoom

**MOTION:** **To approve the Minutes from January 4, 2024 Hearing as amended.** Motion made by Amy Grice; Seconded by David Bacon. **The question was called.** The motion passed by voice vote, Kacey Smart, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.

**b)** Minutes from January 4, 2024 Council Meeting

**i)** Changes to be made:

- Agenda Item 7b: change window to windows (plural)
- Agenda Item 7c: change hand over to hang over
- Agenda Item 8: change on to of

**MOTION:** **To approve the Minutes from January 4, 2024 Council Meeting as amended.** Motion made by David Bacon; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Kacey Smart, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.

**c)** Invoices and Checks January 2024

**MOTION:** **To approve the Invoices and Checks for January 2024.** Motion made by Dave Bacon; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Kacey Smart, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.

**d)** Accounts Payable, Receivable, Adjustments, and Electronic Checks January 2024

**MOTION:** **To approve the Accounts Payable, Receivable, Adjustments, and Electronic Checks January 2024.** Motion made by David Bacon; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Kacey Smart, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.

**e)** Bank Reconciliation for December 2023

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

**f)** Great West Draw

**MOTION:** **To approve the Great West Draw as presented.** Motion made by David Bacon; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Kacey Smart, David Bacon, Amy Grice, and Greg Jorczyk in favor. None opposed.

**9) Public Comment:**

a) None.

**10) Adjournment**

**MOTION: To Adjourn.** Motion made by David Bacon; Seconded by Amy Grice. **The question was called:** Motion was passed by voice vote, all in favor. None opposed.

**ADJOURNMENT:**

Meeting adjourned at 7:51 pm.

**Respectfully submitted and attested,**

**Justin Gatewood**  
Mayor

**Timber Pruett**  
Clerk Treasurer