

MINUTES OF COUNCIL MEETING
December 3, 2015 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Rehearsal Hall

Council Present: Robert Erdall, Scott Petersen, Justin Gatewood, Scott Kelley

Council Absent: Erin Leonard

Staff present: Nancy Stewart Clerk/Treasurer, Roger Williams PWO, Jeff MacDonald, HPO, Victor Bunitsky, Attorney

Public Present: Toni James, David Bacon, Holly Driskill, Julie Strobel, Randy Strobel, Sandy Evans, Bill Koch, Gaylord Atkins, Billy Doyle

1) Call to Order: Meeting in the Rehearsal Hall of Virginia City was called to order at 7:00 p.m.
By Robert Erdall

2) Mayor and Commissioner's Reports/Comment:

- a) Councilman Kelley stated that there was a bear proof dumpster at the Palisades. The Madison County Sanitarian said that the Alder dump site would get one in May.
- b) The ice rink is now open. ICE picked up hockey boards from Big Sky.
- c) Councilman Petersen thanked the Virginia City Rural Fire Department for all of their support over the last month.
- d) Mayor Erdall thanked the public for all of their support over the last few years. Mr. Erdall will be retiring at the end of December.

3) Comments from the Public:

- a) Elijah Allen, MHC, thanked Mayor Erdall for all of his hard work with the legislature, etc.
- c) Montana Heritage Commission's annual report is on line at virginiacitymt.com.
- d) Elijah Allen, MHC, announced that Scott Kelley would be taking over the Wells Fargo Coffeehouse this next year.

4) HPO Report:

- a) HPO MacDonald continues to look into customized playgrounds for the town parks.

b) Mr. MacDonald stated that a grant proposal for the Montana History Foundation is due in mid January. This grant could be extended to Tendoy Park as well as the cemeteries.

c) HPO MacDonald is continuing with the survey on the Town's parks and properties. The inventory and survey will include a brief conditions assessment of built elements and services, alongside general recommendations for improvements and priority. The inventory and survey will further lend to greater planning, budgeting, and future development fundraising for the various parks and structures.

d) Mr. MacDonald talked with a producer who is interested in a production on the life of Henry Plummer. He would like to air the story on the History Channel.

5) Public Works Report:

a) PWO Williams commented on the kid's pond project. The dam is nearly done and culverts are being put in. The road has been widened and a dry hydrant is being put in. Gravel from town property is being donated for this project.

b) Roger Williams stated that the meetings with Great West Engineering are ongoing.

c) The Source Water Protection Plan is almost done. There will be approximately 2 more meetings to get this all done.

d) There is a public meeting on December 7th at the County. The implementation of the town's growth policy is on the agenda.

e) Reports of several frozen pipes have been coming in to Public Works. Also, the campground gorged.

f) Councilman Gatewood asked PWO Williams about having PSI levels tested on homeowner's water in the upper part of town. Mr. Williams said he could do this if the home owners would like it tested.

6) HPAC Report:

a) **Andy Thomas Shed Permit:**

MOTION: To approve the Thomas shed permit. Motion made by: Justin Gatewood; Seconded by: Scott Kelley. **The question was called.** The motion was passed by voice vote; Bob Erdall, Justin Gatewood, Scott Kelley and Scott Petersen in favor. None opposed.

b) **Rank's Mercantile Sign Permit:**

MOTION: To approve Rank's sign permit from mid September to mid May. Motion made by: Scott Petersen; Seconded by: Robert Erdall. **The question was called.** The motion failed by voice vote; Bob Erdall and Scott Petersen in favor. Justin Gatewood and Scott Kelley opposed.

7) New Business:

a) Bill Koch variance for septic tank:

Mr. Koch would like to put a septic tank on his property, Block 62, lots 1-2 & 11-12. Mr. Koch needs to fill out a site/zoning permit and put this before HPAC.

b) Violation Protocol:

MOTION: To move this item down on the agenda after Weber Flags. Motion made by: Justin Gatewood; Seconded by: Scott Kelley. **The question was called.** The motion was passed by voice vote; Bob Erdall, Justin Gatewood, Scott Kelley and Scott Petersen in favor. None opposed

c) Mark Weber (Creamery) Flag Violation:

MOTION: To have Victor Bunitsky, Town Attorney, send Mr. Weber a 2nd letter stating what the penalties are and possibly revoking Mr. Weber's business license if the flags are not taken down. Motion made by: Justin Gatewood; Seconded by: Scott Kelley. **The question was called.** The motion was passed by voice vote; Bob Erdall, Justin Gatewood, Scott Kelley and Scott Petersen in favor. None opposed

Violation Protocol:

The process needs to be streamlined and updated in the Town Code Book.

d) Doyle SID Proposal:

Mr. Doyle needs to fill out the proposal and submit this to the Town Council.

e) Madison Street Culvert:

Mayor Erdall stated that the town had tried to resolve this issue with Mr. Colletti.

The Mayor also stated that all of Mr. Colletti's allegations were false and the subject was dropped.

8) Minutes and Consent Agenda for November, 2015:

a) Minutes for Special Meeting, November 5, 2015

MOTION: To accept the minutes of the November 5, 2015 special meeting. Motion made by: Scott Petersen; Seconded by: Robert Erdall. **The question was called.** The motion was passed by voice vote; Scott Petersen, Scott Kelley, Justin Gatewood and Robert Erdall in favor. None opposed.

b) Minutes for Council Meeting, November 5, 2015

MOTION: To accept the minutes of the October 1, 2015 council meeting. Motion made by: Justin Gatewood; Seconded by: Scott Petersen. **The question was called.** The motion was passed by voice vote; Bob Erdall, Justin Gatewood, Scott Kelley and Scott Petersen in favor. None opposed.

c) Consent Agenda:

MOTION: To approve accounts payable for November, 2015. Motion made by: Scott Petersen; Seconded by: Justin Gatewood. **The question was called.** The motion was passed by voice vote; Justin Gatewood, Scott Petersen, Scott Kelley and Robert Erdall in favor. None opposed.

9) Public Comment:

a) Mayor Erdall thanked the Council and Nancy Stewart, Clerk/Treasurer for their support over the last few years.

10) Adjournment:

MOTION: To Adjourn. Motion made by: Scott Petersen; Seconded by: Scott Kelley. **The question was called:** Motion was passed by voice vote, all in favor. None opposed.

ADJOURNMENT:

Meeting adjourned at 8:40 pm

Respectfully submitted and attested,

Scott Petersen
Mayor

Nancy Stewart
Clerk Treasurer