

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on October 14, 2008 at 7:30 p.m. in Council Chambers at 5901 Main Street.

Roll call was taken with the following in attendance: Joseph A. Williams, Mayor, Neil Fadely, Kenneth Hackenbracht, J. Bucky Miller, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Absent: Todd Holtzman. Also present: Charles Moore, Town Manger and Judy Fultz, Clerk. Visitors present: Vickie Withers, Gerald Forsburg, and Kellie Mumaw.

Mayor Williams reported the Town staff did a good job on the Apple Grape Festival. The police escorted the antique cars through town. Many thanks to the Chamber of Commerce for a job well done.

COMMITTEE REPORTS:

Councilman Hackenbracht, Chairman of the Public Facilities Committee, reported they will be ready to operate at the new sewer plant on October 21st and hope we will be ready.

Councilman Shepherd, Chairman of the Finance Committee, reported the finance committee met on the third Thursday in September. The auditors have finished with the audit. Beginning July, 2009, we will have a \$350,000 per year note payment on the sewer plant.

Mayor Williams reported he was impressed with Jeff Sterner and the auxiliary. They did a good job with traffic control for the Apple Grape Festival.

Councilman Holtzman reported the auxiliary had worked 13.5 hours. The police department made three arrests on significant cases. A new light bar valued at \$900 was installed on one of the department patrol units. A grant that was recently obtained was used to purchase the equipment. The light bar replaces one that was approximately twelve years old.

Councilman Miller, Chairman of the Public Properties Committee, reported the Cub Scouts have signed up to use the conference room the first and third Wednesday of the month.

Motion by Councilmember Whetzel and second by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of September 9, 2008 Meeting and 2- Resolution R-11-2008 Amending Equipment Acquisition Fund Budget to Provide funds for Joint Purchase of Street Sweeper-Staff Recommends APPROVAL.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore reported the Planning Commission recommends tabling Northern/Western Areas Planning Study until further Commission work session can be held on October 27, 2008 at 5:00 p.m. Motion by Councilmember Whetzel and second by Councilman Fadely to table the Northern/Western Areas Planning Study until the next council meeting.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Hackenbracht and second by Councilmember Whetzel to approve Ordinance O-10-2008 Rezoning Valley Ice Property from X-T to I-1 Industrial.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilmember Whetzel and second by Councilman Hackenbracht to approve Ordinance O-05-2008 Ordinance to Amend chapter 66 (Zoning) of the Code of the Town of Mount Jackson, Virginia, Relating to Adult Businesses with Amendment #1 and Amendment #2. The changes were made to comply with the State Code.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and second by Councilman Miller to appoint Ms. Vickie Withers, CPA, Finance Director, as Town Treasurer effective November 3, 2008.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

The Visitor's Center Park Gazebo construction has been approved by VDOT. We went through the whole process again and it did not affect historic resources and other environmental concerns. Approval is subject to final VDOT approval of contract. We must add to the contract that we will not hire illegal aliens. The architect is working on the elevator and we will bid in two or three phases. Motion by Councilman Hackenbracht and second by Councilman Miller to award the bid to Vision Restoration and Contracting in the amount of \$38,422. Jerry Forsburg was the designer.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Kellie Mumaw gave a report from the Chamber of Commerce. She thanked the Town staff and police department. The Town moved the caboose to the Food Lion parking lot. Weather resistant brochure racks have been ordered. Tom Chipley did the design on the Rt. 11 Crawl and will draw a map on the caboose showing Edinburg to New Market. The

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area will be tar and chip. A letter was sent to Chris French about installing brackets on the telephone poles for banners. The Christmas event will have music at the auditorium with the Stonewall Jackson band on December 5th. The parade has been tabled. A Scavenger Hunt will be held, the tree lighting will be done, and Santa will be in the Visitor Center.

Motion by Councilmember Whetzel and second by Councilman Fadely that the Council of the Town of Mount Jackson convene a closed meeting at 8:05 p.m. under the Virginia Freedom of Information Act State Code Sect. 2.2-3711 (A)(1) To discuss personnel involving specific officers, appointees or employees of the Town of Mount Jackson for the purpose of considering such individuals' appointment, promotion, performance, demotion, salary, disciplining or resignation, State Code Sect. 2.2-3711 (A)(5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, and State Code Sect. 2.2-3711 (A)(7) To discuss legal matters involving actual or probable litigation with legal counsel, staff or consultants where such consultation in the open session would adversely affect the negotiating or litigating posture of the Town of Mount Jackson.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and second by Councilman Miller to return to the regular meeting at 8:50 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Fadely	None	Councilman Holtzman
" Hackenbracht		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Councilmember Whetzel stated the Council of the Town of Mount Jackson hereby certifies by roll call vote, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the

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motion convening the closed meeting were heard, discussed or considered by the Council of the Town of Mount Jackson.

Vote:	Fadely	So Certify
	Hackenbracht	" "
	Miller	" "
	Shepherd	" "
	Whetzel	" "
	Williams	" "

Ayes - 6, Nays - None, Absent - 1.

Motion by Councilman Miller and second by Councilman Shepherd to adjourn the meeting. Motion carried.

CLERK

MAYOR

