

Public Hearing

The Mt. Jackson Town Council held a public hearing on February 14, 2006 at 7:30 p.m. in Council Chambers at 5901 Main Street. The purpose of the hearing was the Virginia Revolving Loan Fund, Project #C-515331: Town of Mount Jackson application for Virginia Revolving Loan Fund funding to construct a new Wastewater Treatment Plant and Sewer Line Rehabilitation Work. The loan request is for \$6,535,000. A description of the project and an Environmental Assessment of the project are included in the Preliminary Engineering Report prepared for the Town of Mount Jackson. Town Manager Moore reported the Town is required to notify many federal agencies for this project. We need a permit to construct in the river. We need to have an archaeological study done because of a possible Indian campground. This is in the fenced in area and has been studied before on another project. We have contacted an archaeological firm to do the study later in the week and the first of next week. The advertising has been done in accordance with the part of process for public notification. There being no public comments, the hearing was adjourned.

Public Hearing

The Mt. Jackson Town Council held a public hearing on February 14, 2006 in Council Chambers at 5901 Main Street immediately following the Virginia Revolving Loan Fund hearing. The purpose of the hearing was Ordinance O-01-2006- Changing the name of the Industrial Development Authority to Economic Development Authority of the Town of Mount Jackson. There being no public comments, the hearing was adjourned.

Public Hearing

The Mt. Jackson Town Council held a public hearing on February 14, 2006 immediately following the hearing on Ordinance O-02-2006 in Council Chambers at 5901 Main Street. The purpose of the hearing was Ordinance O-02-2006 - To amend Section 62-72 "General Sewer Use Requirements" of the Code of the Town of Mount Jackson to include new limitations imposed on the Town by the Commonwealth of Virginia in the VPDES permit. There being no public comments, the hearing was adjourned.

Public Hearing

The Mt. Jackson Town Council held a public hearing on February 14, 2006 immediately following the hearing on Ordinance O-02-2006 in Council Chambers at 5901 Main Street. The purpose of the hearing was Ordinance O-03-2006 - To amend Section 58-103 of the Code of the Town of Mount Jackson to waive fees for vehicle decals for Auxiliary Police Officers. There being no public comments, the hearing was adjourned.

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on February 14, 2006 in Council Chambers at 5901 Main Street immediately following the public hearing on Ordinance O-03-2006.

Present were: Joseph Williams, Mayor, Kenneth Hackenbracht, Todd Holtzman, Michael Koontz, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Absent: J. Bucky Miller. Also present: Charles Moore, Town Manager and Judy Fultz, Clerk.

Motion by Councilmember Whetzel and seconded by Councilman Shepherd to add closed session for real estate at the end of the meeting.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

David Uhl, President of the Chamber of Commerce, reported that Heritage Day will be May 7th and a golf tournament will be held on June 14th.

Councilman Shepherd reported the audit is ongoing. We hope to have a report sometime in March. The Board of Supervisors has sent us a 15 minute video of Shenandoah County.

Town Manager Moore reported the graffiti ordinance has been done and the first draft will be ready to present at the next meeting.

Motion by Councilmember Whetzel and seconded by Councilman Hackenbracht to approve the consent agenda consisting of: 1- Approval of Minutes of January 10, 2006 meeting, 2- Acceptance of Monthly Financial Report, 3- Approval of Option B Plan to replace water line and two fire hydrants on Shenandoah Street, and 4- Approval of Public Properties and Facilities Committee Recommendation re: Gymnasium Use - Authorizing Removal of old fixtures and allowing use for athletic and social activities.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

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Motion by Councilmember Whetzel and seconded by Councilman Koontz to set the Visitors Center Park Plan public hearing for March 14, 2006 at 7:00 p.m.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilman Koontz to approve the Bowman Apple Products Special Use Permit.

ROLL CALL VOTE:

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

4 AYE, 1 ABSTAIN, 1 ABSENT, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to approve Old Hickory Heights Subdivision Stages 2 through 4. Town Manager Moore stated they have done many things and have gone beyond their requirements. They are making improvements to where they are hooking on to the sewer. They are covering over 30 acres over their subdivision on the water runoff problem.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilmember Whetzel to approve Ordinance O-01-2006 - Changing name of Industrial Development Authority to Economic Development Authority of the Town of Mount Jackson.

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ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to approve Ordinance O-02-2006 - To amend Section 62-72 "General Sewer Use Requirements" of the Code of the Town of Mount Jackson to include new limitations imposed on the Town by the Commonwealth of Virginia in the VPDES permit.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to approve Ordinance O-03-2006 - To amend Section 58-103 of the Code of the Town of Mount Jackson to waive fees for vehicle decals for Auxiliary Police Officers.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to go into closed session at 8:30 p.m. under the Virginia Freedom of Information Act State Code Sect. 2.2-3711 (A) (3) Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the public body.

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ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilman Koontz to return to the regular meeting at 9:00 p.m.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Whereas, the Mt. Jackson Town Council convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Mt. Jackson Town Council that such closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved that the Mt. Jackson Town Council hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which closed meeting was convened were heard, discussed or considered by the Mt. Jackson Town Council.

Vote: Hackenbracht	So Certify
Holtzman	" "
Koontz	" "
Shepherd	" "
Whetzel	" "
Williams	" "

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

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Motion by Councilmember Whetzel and seconded by Councilman Koontz to adjourn the meeting. Motion carried.

CLERK

MAYOR