

Public Hearing

The Mt. Jackson Town Council held a public hearing on April 12, 2005 at 7:30 p.m. in Council Chambers at 5901 Main Street. The purpose of the hearing was to receive comments on the proposed sale of approximately 5.8 acres of land in the Mount Jackson Technology/Industrial Park to One Stop Deli, Inc. for \$210,000. Town Manager Moore reported a public hearing had been held . One Stop Deli proposes to move their entire operation and expand. The settlement will be late April or early May. There were no comments from the public. The hearing was adjourned.

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held immediately following the public hearing on April 12, 2005.

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

At 7:00 p.m. the following action was taken: Motion by Councilmember Whetzel and seconded by Councilman Miller to go into closed session under the Virginia Freedom of Information Act Sec. 2.2-3711 (A) (1) Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body. The closed session concluded at 7:30 p.m.

Motion by Councilmember Whetzel and seconded by Councilman Miller to return to the regular meeting.

ROLL CALL VOTE:

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

4 AYE, 2 ABSENT, motion carried.

Whereas, the Mt. Jackson Town Council convened a closed meeting on 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

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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
Miller	“ “
Shepherd	“ “
Whetzel	“ “
Williams	“ “

Ayes – 5, Nays – None, Absent – 2.

Councilman Holtzman came into the meeting at 7:35 p.m.

Councilmember Whetzel asked whose name should be on the last motion of the council minutes of March 8, 2005 to adjourn. It was noted it should be Councilmember Whetzel. Under new business add Item #3 Attorney Carolyn Perry Bond Request. Motion by Councilmember Whetzel and seconded by Councilman Miller to add Item #3 Bond Request to New Business.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore reported Jerry Forsburg and the Veterans Park Committee had a meeting and will meet in June.

Mayor Williams thanked all the volunteers in Town.

Councilman Shepherd reported everyone should have a copy of the financial report.

There will be a Personnel Committee next week.

Motion by Councilmember Whetzel and seconded by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of March 8 Meeting and March 22 Continuation Meeting, 2- Acceptance of Monthly Financial Report, 3- Ordinance O-04-2005 Amending Zoning Code – Reschedule Joint Public Hearing for May 2, 2005, 7:30 p.m., 4- R-04-2005 Budget Transfer for Part-time Help- I & I Project; Part-time Intern – Comprehensive Plan and Administrative Projects; Transfer of Funds for Emergency

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Sewer Line Repair, 5- Award of Contract for Emergency Sewer Line and Manhole Repair to G. B. Foltz Contracting Company; 6- Approval of Creation of Two Temporary Employee Positions; 7- Set Hearing on FY 2006 Town Budget – May 10, 2005, 7:30 p.m.; 8- Award of Bid – 3-Year Contract Award to PBGH for the Town’s Annual Audit; 9- Approval of Resolution Declaring May 2005 National Historic Preservation Month in Mount Jackson; 10- Approving Proclamation for “Kids Day America”, May 14, 2005; 11- Approval of Monthly Community Outreach Events in Town Hall and Waiving Fees for Same; and 12- Virginia Byways – Approval of Letter Requesting Evaluation by VDOT.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilmember Whetzel to approve the Special Use Permit for One Stop Deli to develop new food processing plant on 5.5 acres in Mount Jackson Technology/Industrial Park.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilman Miller to approve the sale of approximately 5.8 acres of land in Mount Jackson Technology/Industrial Park to One Stop Deli, Inc. for \$210,000.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

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Motion by Councilman Hackenbracht and seconded by Councilman Shepherd to approve a one-year parking waiver for Gary Staton at 5791-5799 Main Street. At the end of one year, the applicant will need to reapply as recommended by the Planning Commission.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Hackenbracht to appoint Warren Bock to the Planning Commission to fill the vacancy left by George Whiting.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilmember Whetzel to declare Municipal Clerks Week May 1 – 7, 2005.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore reported the Industrial Development Authority is a tax- exempt financing authority. The Central Shenandoah Criminal Justice Training Academy was created under the provisions of Chapter 17, Article V, Title 15.2 of the Code of Virginia of 1950, as amended, by the respective governing bodies of the several localities in the 5th, 6th, 7th, 9th, and 10th Planning Districts, including Town of Mount Jackson in order to conduct criminal justice education and training for criminal justice personnel, including law enforcement officers and special appointed police officers. The Academy wants to

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obtain a fixed rate, “bank-qualified” tax –exempt refinancing of the outstanding amount of the 1999 note. The Executive Committee has requested the assistance of an industrial development authority to issue it up to \$2,100,000 tax-exempt, “bank-qualified” revenue bond for the benefit of the Academy in order for the Academy to refinance the 1999 Note and pay costs incidental thereto. The Town and the IDA will accept no obligation for the repayment. Motion by Councilman Shepherd and seconded by Councilmember Whetzel to authorize the Industrial Development Authority to proceed to issue up to \$2,100,000 tax-exempt, “bank-qualified” revenue bond for the benefit of the Academy.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

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

CLERK

MAYOR