

Public Hearing

The Mt. Jackson Town Council held a public hearing on May 10, 2005 at 7:30 p.m in Council Chambers at 5901 Main St. The purpose of the hearing was to present the proposed Budget for Fiscal Year 2005/2006. Town Manager Moore reported there is no tax rate increase in real estate or personal property. There is a \$1.00 trash fee increase but no water and sewer increase. The cigarette tax goes from 15 cents per pack to 20 cents per pack. The Capital Improvements budget is 6 millions dollars due to the sewer plant and the I & I but will probably not happen entirely this fiscal year. The budget will be on the agenda for adoption in June. There were no comments from the public. The hearing was adjourned.

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on May 10, 2005 immediately following the public hearing on the budget.

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

At 6:30 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 State Code Sect. 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 body and 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 real property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the 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 Hackenbrach	None	Councilman Koontz
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

5 AYE, 1 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

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

Ayes – 6, Nays – None, Absent – 1.

Several members of the Mt. Jackson Rescue Squad, Gerald Bohus, Dale Painter, Aaron Painter, and Courtney Yeatts, were present at the meeting. Dale Painter gave a report on their activities. They have a monitor from Philips that is used to evaluate the heart. They are the first in the county to have this monitor. They can see if someone is having a heart attack. Each unit costs between 20,000 and 22,000 dollars. Dick Tibbetts thanked the squad for the times they responded to his house.

Councilman Hackenbracht presented an award from the Council to Richard Tibbetts to recognize service to the Town for serving as zoning administrator and for serving on the planning commission.

Councilman Shepherd presented an award from the Council to George Whiting to recognize service to the Town for serving on the Town Council and for serving on the planning commission. Mr. Whiting thanked Town Manager Moore and all the town employees.

Town Manager Moore reported settlement on One Stop Deli has been made. Native American Industries is under construction.

Councilman Shepherd reported the budget will be adopted at the June meeting.

Councilmember Whetzel reported Gale Netz is home and will be here until he has surgery.

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Councilman Hackenbracht reported Gale is back and may be available for input on the new sewer plant. The preliminary plans for the new sewer plant have been prepared.

We will be seeing a demo of a new sludge press. In March DEQ issued a new limit for nitrogen and oxygen and rescinded it the next day. We are ready to start on the Lonas St. sewer line tomorrow morning. The line is very deep and very old.

Motion by Councilmember Whetzel and seconded by Councilman Hackenbracht to adopt the consent agenda consisting of: 1- Approval of Minutes of April 12, 2005 Meeting, 2- Acceptance of Monthly Financial Report, 3- Approval of FINS Swim Team Use of Town Pool for 2005 Season, 4- Approval of Funds for Purchase at Auction of Replacement Bucket Truck, and 5- Authorizing Employee Leave Accumulation/Carry Forward of Up to 30 Days.

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 Ordinance O-04-2005 Amending Zoning Code. An ordinance amending sections of the zoning code of the Town of Mount Jackson to amend fence, storm water, and street lighting regulations; clarify a text error; clarify design guidelines, clarify cross references, and delete an obsolete section.

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.

Mayor Williams stated he wanted to recognize Rhoda Tibbetts for her service to the Food Pantry and Bonnie Good for her work on the Comprehensive Plan Task Force.

Motion by Councilmember Whetzel and seconded by Councilman Shepherd to approve Ordinance O-09-2005 annexing additional land at Shenandoah Caverns and set the joint public hearing for June 7, 2005 at 7:30 p.m.

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ROLL CALL VOTE:

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

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

Motion by Councilman Hackenbracht and seconded by Councilman Miller to approve Ordinance O-10-2005 rezoning lots along Randall St. from I-1 to R-2 and set joint public hearing for June 7, 2005 at 7:30 p.m.

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 adjourn the meeting. Motion carried.

CLERK

MAYOR