

## Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on August 8, 2006 at 7:30 p.m. in Council Chambers at 5901 Main Street..

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

Motion by Councilman Shepherd and seconded by Councilmember Whetzel to close the meeting of July 11, 2006 which was recessed. Motion carried.

Motion by Councilman Koontz and seconded by Councilman Miller to add set public hearing to items # 6 and 7 under Consent Agenda, and under Old Business - delete item #1. Motion carried.

Dale Painter presented the report from the rescue squad for the month of July. They will have a steak dinner on September 23, 2006. They are closing on the new building on August 14th. Renovations will need to be done.

The Mayor asked about the county and the sewer project. The matter is being discussed.

Town Manager Moore reported we have made copies of maps of the Town of Mt. Jackson. We have some printed in color. These could be added as an insert in the newsletter for \$260.00.

Attorney Allamong reported the Town police officers are very well prepared when they appear in court.

Councilman Shepherd reported the auditors are coming in the last of the month.

Councilman Miller reported the Town Manager and the Police Chief are working on an ordinance in regards to blight. Things need to be addressed.

Councilmember Whetzel reported a new police officer has been hired - Michael Miller. He is a resident of Page County and worked in the dispatch center. He begins training in September.

Councilman Holtzman reported the 2006 Ford Crown Victoria has been received and will replace the 1999 car. Bert Young is continuing in a part-time position.

Councilman Hackenbracht reported we had a conference call with DEQ. The status of the design plans is we are waiting for them to be approved. The engineers have designed the plan for the I & I and are just about ready to submit it.

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Motion by Councilman Shepherd and seconded by Councilmember Whetzel to approve the consent agenda as modified consisting of: 1- Approval of minutes of July 11 meeting, 2- Acceptance of Monthly Financial Report, 3- Approve Amendment to Refuse Collection Contract to Authorize Fuel surcharge, 4- Cross roads Catering - 5974 Main St. - Parking Waiver- Set Public Hearing for 7 p.m. September 11, 2006, 5- Ordinance O-14-2006 - Amending Special Use Permit Regulations, Establishing Time Limit, etc. -set Public Hearing for September 11, 2006 at 7 p.m., 6- Ordinance O-15-2006- Ordinance to Amend Section 50-87, 66-32, 66-40, 66-62, 66-64, 66-69, 66-70, 66-92, 66-101, 66-271, 66-327, 66-331, 66-333, 66-335, 66-344, 66-370, 66-409, and 66-410 (Various Zoning and Subdivision Sections) of The Code of the Town of Mount Jackson, 7- Ordinance O-16-2006- Ordinance to Add New Sections 66-10 and 66-11 General Site Design Regulations and Landscaping, Screening, Buffer, and Greenway Regulations to The Code of the Town of Mount Jackson, 8- Resolution R-15-2006- Approving Acceptance of Deed and Agreement to Create an Easement from Hugh Waple for Improved Entrance to New Wastewater Treatment Plant, and 9- Resolution R-16-2006-Approving Revised Criminal Justice Academy Charter.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to approve the Special Use Permit application from Rt. 11 Chips (Tabard Corp.) to construct a 19,200 square foot potato chip and related products factory, retail outlet, tourism attraction, and two accessory buildings on a 10-acre site in the Mount Jackson Industrial/Technology Park.

ROLL CALL VOTE:

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

6 AYE, motion carried.

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Motion by Councilmember Whetzel and seconded by Councilman Miller to recommend the draft form of the Comprehensive Plan and set a public hearing for September 11, 2006 at 7:00 p.m.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilman Shepherd to hire Herd Consultants to do the Red Banks Road Plan study for \$17,000 plus travel and to authorize the overage in the budget which is currently \$15,000.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to develop the design review guidelines and set a public hearing on the guidelines for September 11, 2006 at 7:00 p.m.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to go into closed session at 8:00 p.m. under Virginia Freedom of Information Act State Code Sec. 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members or

consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to return to the regular meeting at 9:05 p.m.

ROLL CALL VOTE:

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

6 AYE, 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 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	" "
Miller	" "
Shepherd	" "
Whetzel	" "
Williams	" "

Ayes - 7, Nays - None.

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

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CLERK

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MAYOR