

## Public Hearings

The Mt. Jackson Town Council held two public hearings on August 9, 2005 at 7:30 p.m. in Council Chambers at 5901 Main Street. The purpose of the hearings was to receive comments on O-11-2005 to Amend Article VII, Cigarette Tax, of the Code of the Town of Mount Jackson to Provide that the Levy and Rate and the Registered Agent Discount Shall be Established Annually in the Town Budget Ordinance and Ordinance O-12-2005 Background Checks for Town Employees in Certain Jobs. The hearing was opened and Councilman Miller, Chairman of the Ordinance Committee explained the ordinances. No one from the public spoke. The hearings were adjourned.

## Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on August 9, 2005 immediately following the public hearings 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: Charles Moore, Town Manager and Judy Fultz, Clerk.

At 6:30 p.m. the following action was taken: Motion by Councilman Shepherd and seconded by Councilman Koontz to go into closed session 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 and 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 location or expanding its facilities in the community. The closed session concluded at 7:30 p.m.

Motion by Councilman Shepherd and seconded by Councilman Koontz to return to the regular meeting.

### 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

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

Ayes – 7, Nays – None.

Motion by Councilman Shepherd and seconded by Councilmember Whetzel to add Leasing of Fire Department Building Item #4 under New Business.

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.

Virginia Estep complained about the road in front of her house – Gospel St. Town Manager Moore stated a new water line, new sewer, new hydrant, and a new sidewalk have been installed and it has been surface treated. She advised the tar and gravel comes up under the car. She was advised tar and chip will settle. The road will settle and get solid. It is the same kind of road in Avondale Acres. Gospel Street is not traveled as much and will take longer to get solid than Avondale Acres. Shirley Baker and Sandy Ward also complained about the road. There was also a complaint about the shrubs and a tree that blocks the view when you are entering the road. Town Manager Moore advised he will contact the owner.

Town Manager Moore reported the Town of Luray will be hosting a Living Towns presentation. The Town of Mount Jackson will be hosting this next year.

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Councilman Shepherd reported we are having our annual audit now and it is very different this year.

Councilman Miller reported his committee is working on the Graffiti ordinance.

Councilman Holtzman stated he would like to see the radar sign we share with the Town of New Market in use again.

Councilman Hackenbracht reported that in the I & I Study the engineers have broken it down to three possible areas in South Jackson.

Motion by Councilman Koontz and seconded by Councilman Hackenbracht to approve the consent agenda consisting of: 1- Approval of Minutes of July 12 and August 2, 2005 Meetings, 2- Acceptance of Monthly Financial Report, and 3- Resolution R-12-2005 Commending Mount Jackson FINS Swim Team on a 4-0 Season.

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.

Vito Gentile presented a briefing on Reading, Rhyming, and Readiness. This is a preschool program for 3 and 4 year olds located at three sites- Woodstock, New Market, and Mount Jackson. In late April it was heard the program would be discontinued. The school board was a partner, but they voted not to include any funds in the budget for the program. The County voted not to fund any money in their budget. Yvonne Frazier and the literacy volunteers are trying to secure funds. We have received three months worth of funding. Our goal is to raise \$5,000.00 to operate the Mt. Jackson RRR class for the 2005-06 school year.

Motion by Councilman Miller and seconded by Councilmember Whetzel to approve Ordinance O-11-2005 to amend Article VII, Cigarette Tax, of the Code of the Town of Mount Jackson to provide that the levy and rate and the registered agent discount shall be established annually in the Town budget ordinance.

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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 Miller and seconded by Councilmember Whetzel to approve Ordinance O-12-2005 Background checks for Town Employees in certain jobs.

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 Miller to charge the new Mt. Jackson Fire and Emergency Services Board a combination of rent and lease in the amount of \$600.00 for the appropriate area to be used as the fire department. The department must provide their own insurance. The payments will start October 1, 2005. We need to inventory what is there. The lease is the one drafted by the Attorney.

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

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CLERK

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MAYOR

