

## Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on October 11, 2005 at 7:30 p.m. in Council Chambers at 5901 Main Street. Present were: Joseph Williams, Mayor, Kenneth Hackenbracht, 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 Rick Hassler, Kim Miller, and Orville Smoot.

Motion by Councilman Shepherd and seconded by Councilmember Whetzel to add resolution about I-81 as last item under new business. Motion carried.

A special presentation by FBI Special Agent Dan Stiefvater was made to Chief Rick Hassler. On February 11, 2005 the police department and council chambers were used by the FBI working on the case of Owen Silvius of Quicksburg for theft of \$476,000. He stated Chief Hassler was a great help in this investigation by allowing them the use of the police department and council chambers.

A preservation award from Shenandoah Preservation League was presented by Richard Downer, President to the Town of Mt. Jackson for the new Town Office building.

Town Manager Moore presented copies of the latest brochure from CBI who built the water tower. The water tower is on the cover of their brochure.

Councilman Shepherd reported the audit is still ongoing. He talked with Cindy George about auto decals. There is a discussion about doing away with them.

Councilman Miller reported the Ordinance Committee is still working on the ordinance for grafitti.

Mayor Williams stated he wanted to praise the auxiliary police officers for the good job they did this past weekend for Apple Harvest Days.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to approve the consent agenda consisting of :1- Approval of Minutes of September 13, 2005 meeting, 2- Acceptance of Monthly Financial Report, 3- Resolution R-17-2005 Authorizing a Grant of \$15,000 to support it Economic Development Enhancement Program-HSRL, 4- Resolution R-18-2005 Approving Amendment to R. Stuart Royer Contract to Allow for Testing Services at New Sewer Plant Project, and 5- Ordinance O-18-2005 an Ordinance to Provide for the Implementation of the 2004-2005 Changes to the Personal Property Tax Relief Act of 1998- Introduction, Set Public Hearing for November 8, 2005, 7:30 p.m.

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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.

Motion by Councilmember Whetzel and seconded by Councilman Miller to authorize the town manager to draft a letter to VDOT asking that Route 292 improvements be included in the six-year plan.

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.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to approve the Special Use Permit for Shenandoah Caverns for an additional building.

ROLL CALL VOTE:

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

3 AYE, 1 ABSTAIN, 2 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilmember Whetzel to approve the Special Use Permit for Valley Fertilizer for an additional mini-storage building from 3 to 7 more for a total of 10.

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.

Motion by Councilmember Whetzel and seconded by Councilman Miller to table the resolution on I-81 until the next meeting.

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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.

Motion by Councilmember Whetzel and seconded by Councilman Miller to go into closed session at 8:00 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.

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 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.

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Vote:	Hackenbracht	So Certify
	Miller	" "
	Shepherd	" "
	Whetzel	" "
	Williams	" "

Ayes - 5, Nays - None, Absent - 2.

Motion by Councilman Miller and seconded by Councilmember Whetzel to adjourn.  
Motion carried.

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CLERK

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MAYOR