

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on October 14, 2003 at 7:30 p.m. in Council Chambers located at 5901 Main Street.

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

Vice-Mayor Whetzel called the meeting to order due to the absence of the Mayor. A roll call of attendance was called.

Rhoda Tibbetts thanked the Council for allowing the Food Pantry use of the community center for the past twelve years. They have decided to accept the offer from Mr. & Mrs. Peter Shoemaker for use of a building rent- free for as long as they need it for the Food Pantry. To maintain harmony between the Town, the citizens, and the Food Pantry, they have decided to decline the generous offer of \$50,000 or a new shell building. They are asking for a relocation grant of \$10,000 from the proceeds of the Blue Bell building to bring the new location up to safe and sanitary standards. The new location should be up and running by Jan 15, 2004. They are asking for use of the Blue Bell building through the December distribution date.

Councilman Holtzman stated he thinks it is great the Food Pantry has made this decision. He feels the park is not the appropriate place for the Food Pantry. He thinks the Town made the right decision to sell the Community Center building.

Mitzi Wolfe stated she wanted to reiterate what is in the letter. The Food Pantry board did not want negative thoughts for the Food Pantry.

Tony Rose stated he looked at the building. The park was given to the Town by the Lions Club. They did not want to see any building on it.

Motion by Councilman Koontz and seconded by Councilman Hackenbracht to accept the letter from the Food Pantry and give them a donation of \$10,000.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore stated his report is included in the agenda, but there will be a closed session at the end of the meeting on personnel and real estate.

Councilmember Whetzel stated the employees did a great job with the hurricane threat. Travis Cave has been hired to fill the police vacancy.

Councilman Hackenbracht stated the North Fork Regional Sanitation Authority will meet on November 21, 2003. There should be a decision on the pipeline or the upgrade of the Mt. Jackson sewer plant.

Councilman Koontz thanked Rhoda Tibbetts and Mitzi Wolfe for the time they have spent attending meetings to decide the outcome of the Food Pantry.

Motion by Councilman Koontz and seconded by Councilman Hackenbracht to approve the consent agenda consisting of: 1- Approval of Minutes of September 9, 2003 meeting, 2- Acceptance of Treasurer's Report,

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3- Nelson Keller, 5791 Main Street – Special Use Permit, Mixed Use Residential/Commercial – Set Joint Public Hearing for November 3, 2003 at 7:30 p.m., 4- Ordinance O-07-2003 Amending FY 2004 Budget to Re-Appropriate Unexpended Funds from FY 2003 Budget for Sidewalks and Town Hall Projects and Appropriate Donated Funds Received for Auxiliary Police Services. – Introduction and Set Public Hearing for November 12, 2003.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore stated HSRL, Inc. has requested a Special Use Permit to operate a laboratory at 140 Orkney Drive employing 10 to 12 people. A joint public hearing was held and the Planning Commission recommends approval. Motion by Councilman Shepherd and seconded by Councilman Hackenbracht to approve the Special Use Permit application for HSRL, Inc.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilman Shepherd to go into closed session at 8:00 p.m. under State Code 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; and 2.2-3711 (A) (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilman Koontz to return to the regular meeting at 8:40 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Whiting
“ Holtzman		
“ Koontz		
“ 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

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	“ “
Shepherd	“ “
Whetzel	“ “

Ayes – 5, Nays – None, Absent – 2.

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

CLERK

MAYOR