

Public Hearing
November 12, 2013

The Mt. Jackson Town Council held a public hearing on November 12, 2013 at 7:30 p.m. in Council Chambers at 5901 Main Street. The purpose of the hearing was Ordinance O-06-2013 – An Ordinance to Amend Sections 2-105 “Purchases and Acquisition of Supplies” and 2-139 “Bids and Contracts” of the Code of the Town of Mount Jackson. Amending these Code sections will allow an increase in the purchasing authority of the Town Manager and Mayor and to allow the use of additional purchase procedures authorized in the Virginia Public Procurement Act. Section 2-105 will increase a single purchase from \$3,000.00 to \$5,000.00 and \$6,500.00 to \$10,000.00 with the approval of the Mayor, without the approval of the Council. Section 2-139 adds subsection (g) Notwithstanding any requirements or provisions set forth in this Section, the Town may by resolution by voice vote at a regular or special meeting of the Council determine to use as alternative policies and procedures the provisions of the Virginia Public Procurement Act, as amended and in force and effect at the time of such Council resolution. Any policy or procedure adopted by the Council shall be based on competitive principles and generally applicable to the procurement of goods and services by a Governing body and its agencies.

There were no comments from the public. The hearing was adjourned.

Regular Meeting
November 12, 2013

The regular meeting of the Mount Jackson Town Council was held on November 12, 2013 immediately following the public hearing in Council Chambers at 5901 Main Street. Roll call was taken with the following in attendance: Michael Koontz, Mayor, Kenneth Hackenbracht, Todd Holtzman, Donnie Pifer, and Rodney Shepherd, Councilmen. Absent: Dennis Andrick and Kay P. Whetzel. Also in attendance: Doug Arthur, Town Attorney, Kevin Fauber, Town Manager, Charles Moore, Asst. Town Manager, Neil Showalter, Finance Director, Judy Fultz, Clerk, and Heather Jadot, Deputy Clerk. Visitors present: Gary Ambrose, Larry Ambrose, Clint Miller, Jim Weissenborn, Donna Wolfe, and Jim Wolfe.

Town Manager Kevin Fauber stated he had a conversation with Karl Schaeffer. He thanks Charlie and the staff for the transition and thanks the Mayor and Council for the opportunity to serve as Town Manager.

Councilman Shepherd, Chairman of the Finance Committee, reported the audit report will be presented at the December meeting. The three top revenue sources in the General Fund for the Town are: 1st - Meals Tax, 2nd - Personal Property Tax, and 3rd - Cigarette Tax.

Councilman Pifer, Chairman of the Personnel Committee, asked for a progress report on Asst. Town Manager Charles Moore phasing out his time of employment until his retirement. He replied there are several projects he is working on including: Sidewalks and the Water Tower. He will be reducing hours steadily until an on - call basis.

Motion by Councilman Shepherd and second by Councilman Pifer to approve the consent agenda with one correction in the October 8, 2013 Regular Meeting: change the word teleprompter to teleconference consisting of: 1- Approval – Minutes of October 8, 2013, Regular Meeting and October 10, 2013, Special Meeting, 2- Appointment of Sharon Fadely as Assistant Town Treasurer Effective November 12, 2013, 3- Appointment of Kevin Fauber as Zoning Administrator Effective October 15, 2013, 4- Resolution R-02-2013 Authorizing Town Manager to Reside Outside Town Limits, 5- Approval of Bank Forms for Town Credit Card, and 6- Appoint Charlie Dodge to Board of Zoning Appeals Effective March 1, 2014 Through June 30, 2019.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
“ Shepherd		

4 AYE, 2 ABSENT, motion carried.

Town Manager Kevin Fauber presented Ordinance O-05-2013 - An Ordinance to Provide for the Extension of the Corporate Limits of the Town of Mount Jackson, Virginia

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Pursuant to the Provisions of Chapter 31, Article 2, Section 15.2-3231 Et. Seq of the Code of Virginia of 1950 as Amended, by the Annexation of Certain Territory in the County of Shenandoah, Virginia. (Ambrose/Southard-Sundance) The zoning will be A-1 from R-3 and will be effective December 31, 2013. Motion by Councilman Hackenbracht and second by Councilman Holtzman to approve Ordinance O-05-2013.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
“ Shepherd		

4 AYE, 2 ABSENT, motion carried.

Town Manager Kevin Fauber presented Ordinance O-06-2013 – An Ordinance to Amend Sections 2-105 “Purchases and Acquisition of Supplies” and 2-139 “Bids and Contracts” of the Code of the Town of Mount Jackson. Motion by Councilman Shepherd and second by Councilman Pifer to approve Ordinance O-06-2013.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
“ Shepherd		

4 AYE, 2 ABSENT, motion carried.

Motion by Councilman Pifer and second by Councilman Shepherd to set a joint public hearing with the Planning Commission on December 2, 2013 at 7:00 p.m. on a Special Use Permit application for 5450 Main Street from Hammond Real Estate on behalf of Family Dollar Store to construct new retail store and related parking, landscaping, screening, etc.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
“ Shepherd		

4 AYE, 2 ABSENT, motion carried.

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Motion by Councilman Shepherd and second by Councilman Pifer to set a public hearing on December 10, 2013 at 7:30 p.m. on Ordinance O-07-2013 an Ordinance to Amend Chapter 62 (Utilities) to Add a New Article V “Drought/Low Water Supply Response” to the Code of the Town of Mount Jackson. Recently enacted provisions of the Code of Virginia requires localities to have provisions in their local laws to provide for proper response to emergency drought or low water supply situations and for those localities to participate in a local or regional Drought/Low Water Supply Plan.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
“ Shepherd		

4 AYE, 2 ABSENT, motion carried.

Motion by Councilman Pifer and second by Councilman Holtzman that the Council of the Town of Mount Jackson convene a closed session at 7:50 p.m. under the Virginia Freedom of Information Act under State Code 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 locating or expanding its facilities in the community.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
” Shepherd		

4 AYE, 2 ABSENT, motion carried.

Motion by Councilman Pifer and second by Councilman Shepherd to return to the regular meeting at 7:58 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Andrick
“ Holtzman		“ Whetzel
“ Pifer		
“ Shepherd		

4 AYE, 2 ABSENT, motion carried.

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Councilman Pifer stated the Council of the Town of Mount Jackson hereby certifies by roll call vote, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting to which the certification resolution applies, and (ii) only such public matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council of the Town of Mount Jackson.

Vote:

Hackenbracht	So Certify
Holtzman	“ “
Pifer	“ “
Shepherd	“ “
Koontz	“ “

Ayes – 5, Nays – 0, Absent – 2.

Motion by Councilman Pifer and second by Councilman Holtzman to adjourn the meeting. Motion carried.

CLERK

MAYOR