

Town Council Regular &  
Annual Organizational Meeting  
July 11, 2017

The regular meeting of the Town of Mount Jackson Town Council was held July 11, 2017 at 7:30 p.m. in council chambers at 5901 Main Street. Roll call was taken with the following in attendance; J. Bucky Miller, Mayor; Dennis Andrick, Ken Hackenbracht, Whitney Miller, Donnie Pifer, Roger Rudy and Rod Shepherd, Councilmembers. Also in attendance; Kevin Fauber, Town Manager; Neil Showalter, Finance Director; Matt Akers, Town Attorney; Jeff Sterner, Chief of Police and Heather Taylor, Town Clerk. Visitors: David Brinegar, Kelly Clark, Tim Day, Jamie Dodson, Kenna Fansler, Todd Holtzman, Gary Kalwaytis, Justin McIlwee, Charlie Moore, Jason Simpson, Eleanor Whitehurst & Robert Whitehurst.

Agenda Additions/Deletions/Changes: None

Visitor Comments: Kenna Fansler, from the Mount Jackson Museum, spoke with appreciation for what the town did to help with the historical marker that was recently placed along Main St. in the Mayor's Park. Mr. Fansler commented that the state of Virginia is the originator of the historical marker program and to date there are 2600 markers in VA. It is an accomplishment to be approved. The dedication 7/8/17 was well attended.

Mayor Miller's Report: The Mayor commented that he was very proud of the Park Committee and the accomplishments made with the asphaltting at the park as well as the equipment. A big thank you. The committees are staying the same this year because it's working.

Presentations: None

Town Attorney Report: None

Chief of Police: Chief Sterner reminded the group of National Night Out scheduled for Tuesday, 8/1/17 at the police department/town hall. There will be live music, free food, demonstrations, games and toys for the kids. The Chief is hoping for a good turnout.

The Mount Jackson Police Department has hired its first female police officer, Devin Caplinger. Officer Caplinger is a certified officer and instructor.

Town Manager Report: Kevin Fauber asked Council members to please let Heather know in the next day or so their plans for October VML Conference. Hotel accommodations are limited.

Committee Reports: Public Safety Committee Chairman, Roger Rudy reported that Rescue & Fire had a total of 72 responses in June, 55 EMS responses and 17 Fire. Eighty-three percent of the total responses were done so by volunteer crews. The department is currently working on restoring the first ambulance that MJRF had which will require fund raising. The vehicle was donated. A new sign on Main Street is also in the planning stages. There are 2 more certified firefighters. David

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Brinegar shared the fire department's appreciation to Mayor Miller and Councilmember Shepherd for attending a recent meeting and also thanked the town for their financial support. The Mount Jackson Police Department had 139 calls in June, up from May. Four of the calls have been cleared and 2 are under investigation. Ten open doors/windows were reported in June. Councilmember Rudy and Chief Sterner met and discussed this ongoing problem. A statement will be included in the monthly water bill in the Announcement Page to ask business owners and the community to double check their doors and windows to keep things safe.

Public Property Committee Chairperson, Whitney Miller reported that the projects at the park are finished and she is taking suggestions for next year's list.

Councilmember Pifer MOVED, seconded by Councilmember Rudy to APPROVE the Consent Agenda consisting of the Approval-Minutes of June 13, 2017 Regular Meeting.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

Old Business: 1. Bowman Andros Products, LLC 10119 Old Valley Pike, Plant Expansion, Rezoning Application for Parcels #81A-01-3 thru #81A-01-14 from R-1 to I-1 and Special Use Permit for food processing expansion. This project is for water to upgrade the fire system, update parking and expand the warehouse. This does not include production. Planning Commission met 7/10/17 and have recommended approval and the following motion was made by and read aloud by Councilmember Shepherd. Upon the advice of Dick Sedgley, Attorney for the Town working on the wastewater issues, he offers the following language granting approval of the Special Use Permit and Rezoning applications:

Motion to approve: With the understanding between Mt. Jackson and Bowman Andros that the Special Use Permit application and Rezoning actions are taken knowing and in full recognition that (1) there is pending a December 2017 reissuance of the Bowman Pretreatment Permit which is anticipated to include new and/or additional wastewater requirements and restrictions; (2) Mt. Jackson will not consider in its decisions on the Pretreatment Permit or other wastewater matters any assumptions Bowman Andros may make about any future Pretreatment Permit; (3) separate and apart from the Pretreatment Permit there may arise conditions under which Mt. Jackson will

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need to further restrict wastewater discharges from Bowman Andros; (4) there are technical wastewater issues affecting the Pretreatment Permit and effects on the Town's wastewater treatment system on which Mt. Jackson and Bowman Andros disagree, and which will be decided by the Town; (5) such requirements and restrictions will be driven solely by the Mt. Jackson pretreatment program; and (6) Bowman Andros will take any construction or other action permitted by the current Mt. Jackson decisions at its own risk. Seconded by Councilmember Hackenbracht. Discussion included a question from Councilmember Andrick asking if I-1 is By Right and Town Manager Kevin Fauber responded that he believes it requires a Special Use permit.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
"    Hackenbracht		
"    Miller		
"    Pifer		
"    Rudy		
"    Shepherd		

6 AYES, motion passes

New Business: 1. Town of Mount Jackson Organizational Appointments and Approval of Annual Schedule of Council and Planning Commission Meetings.

Motion by Councilmember Hackenbracht, seconded by Councilmember Andrick to appoint Heather Taylor as Town Clerk effective July 1, 2017

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
"    Hackenbracht		
"    Miller		
"    Pifer		
"    Rudy		
"    Shepherd		

6 AYES, motion passes

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Motion made by Councilmember Shepherd, seconded by Councilmember Pifer to appoint Neil Showalter as Finance Director effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

Motion by Councilmember Shepherd, seconded Councilmember Hackenbracht to appoint Sharon Bauserman as Assistant Treasurer effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

Motion by Councilmember Rudy, seconded by Councilmember Andrick to appoint Jeff Sterner as Chief of Police effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

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Motion by Councilmember Pifer, seconded by Councilmember Andrick to appoint Matt Akers as the Town Attorney effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

Motion by Councilmember Hackenbracht, seconded by Councilmember Rudy to appoint Jeremy McCleary as the Town’s Prosecuting Attorney effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

Motion by Councilmember Andrick, seconded by Councilmember Pifer to reappoint Kevin Fauber as the Freedom of Information Officer for the Town of Mount Jackson effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

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Motion by Councilmember Hackenbracht, seconded by Councilmember Rudy to reappoint Anita Miller to the Planning Commission for a 4 year term effective July 1, 2017.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

Motion by Councilmember Shepherd, seconded by Councilmember Andrick to Approve the Annual Schedule of the Council Meetings and Planning Commission Meetings which is posted at all times in the town office.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Andrick	None	None
“ Hackenbracht		
“ Miller		
“ Pifer		
“ Rudy		
“ Shepherd		

6 AYES, motion passes

2. 6044 LLC, (Contract Purchaser), 6044 Main Street, (Old Triplett School Property), Rezoning Application for Parcel 91A1-A-259, 4.218 acres from B-1 to R-2 for a residential duplex project. Introduction and Set Public Hearing Date-August 7, 2017 at 7 p.m.

Town Manager, Kevin Fauber introduced Charlie Moore who presented the information on this rezoning application. Mr. Moore has been asked to pull together the zoning application and permits before settlement on this property. This is a mixed residential/commercial project which includes the old school building. This structure will serve as a nice feature to make the project viable for renovation as a historic structure. The applicant has partnered with a brew pub from Woodstock and the project is under design. There are design plans for the firetruck bays and the community center and there are negotiations for the gym but no tenant for the gym as of yet.

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Motion made by Councilmember Shepherd, seconded by Councilmember Hackenbracht to set a Joint Public Hearing for rezoning of 6044 LLC for August 7, 2017 at 7:00 p.m.

VOTE:

AYE

NAY

ABSTAIN

Commissioner Hackenbracht

None

Commissioner Andrick

“ Miller

“ Pifer

“ Rudy

“ Shepherd

4 AYES, 2 ABSTAINS, motion passes

Motion made by Councilmember Andrick to adjourn meeting at 7:58 p.m.

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CLERK

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MAYOR