

## Town Council Regular Meeting

October 9, 2018

The regular meeting of the Town of Mount Jackson Town Council was held October 9, 2018 at 7:30 p.m. in council chambers at 5901 Main Street. Roll call was taken with the following in attendance; Mayor Miller, Judy Fultz, Dennis Andrick, Donnie Pifer, Rod Shepherd, Roger Rudy and Bonnie Good Councilmembers. Also, in attendance, Kevin Fauber, Town Manager; Neil Showalter, Finance Director; Susan Maziarz, Interim Town Clerk. Visitors: David Brinegar, Candy Lopresti, Russell Pritchett, Jack Frady, Max Thornberry from the Northern Virginia Daily and others from the community were in attendance.

Agenda Additions/Deletions/Changes: None

Hear from Visitors Russell Pritchett, 1739 Turkey Knob Road, was not aware of the proposed solar farm. I'm familiar with solar farms, I have worked with a large excavator on several projects that build solar farms in Louisa and Powhatan Counties. Some of the things that come into mind, if you are not aware of, I wanted to bring it to your attention is the number of holes they will have to dig and how deep for the supports. Typically, if you put a sound wall along the highway if you come one foot above the ground, you have to go two feet below the ground. There is going to be thousands and thousands of panels installed on this land and look at the number of holes they are digging. What is it going to do the water tables? We have caverns that run all underneath in that area. There is a lot of rock. I'm not in favor of a solar farm. It's not a farm it is an industrial site. You are changing the landscape. My wife and I moved here eight years ago. We moved here because of the area, the people, the landscape. You are going to change the landscape drastically with the solar farm. My understanding, when the solar panels rotate with the sun, as they rotate at their highest peak they will be twelve feet above grade. That is a big difference from what we have in our landscape now. That changes everything. You are going to ride down the road and see thousands of solar panels sitting vertically twelve feet in the air. It's going to be twenty-four-seven, three hundred sixty-five days a year. I am going to request as a resident of this area that you postpone your vote for the solar farm, and do some research and bring back to the people.

Remarks & Recommendations from Mayor I have been gone for a while, I thank Council and Staff, especially thank the Vice Mayor for handling the past couple of meetings. I want to thank the Town and Council for allowing me to attend the Mayor's Institute and represent the Town. I was asked this year to be the facilitator for the Mayor's Institute. It was a very nice conference for the fifty Mayor's and Vice Mayor's. I have finished my term on the Legislative Committee for the state as well as the General Laws and Policy Chairman. We will see if Mount Jackson gets a seat at the table for this upcoming year. Coming up on our calendar is the Apple Harvest Festival on the last Saturday of the month on October 27<sup>th</sup>. We have added a few things, we are going to have a dedicated kid's zone. The Police Chief will be there with pitch and radar, Mt. Jackson Rescue and Fire will bring apparatus and there will be pony rides this year. We have four bands this year at the gazebo in the Mayor's Park. We will have food vendors and crafters. If you make a good apple pie I want to see it and taste it. Flyers will be going out this week.

Town Council Meeting

Regular Meeting

October 9, 2018

-2-

Remarks from Councilmembers: Councilmember Good, I wanted to elaborate on something that came up a couple of months ago. The King Street properties, I question changing everything into apartments, was that going to then trigger the apartment codes coming into play. I worked with the Attorney's Office representing the Town, Matthew and I talked a couple times. It turns out, that the code is ambiguous, so it can be interpreted either way. If you add to what is already an apartment, then it's not triggering being an apartment building. But it's in how you read it, it could go either way. So, we have to go with the flow with that, until it is changed to be more specific. I wanted to clarify that and get that out to everybody.

Presentations: None

Town Attorney Report: None

Chief of Police Report: None

Town Manager Report: Kevin Fauber, the Town Attorney sends his regret, his daughter is getting confirmed this evening in Arlington. To expand on what Councilmember Good was talking about, we are in the process of updating the Zoning Ordinances, and had a discussion with The Berkley Group that is working with us and shared that concern about apartment buildings in the downtown area in the business district and will be working with Ordinance Committee to take a look at the Zoning Code and other sections of Zoning Code.

Committee Reports: Personnel Committee Chairperson, Roger Rudy, the committee met on September 12<sup>th</sup> in this room in the afternoon. The primary purpose of that meeting was to review the draft of the position descriptions developed for the Clerk of Council and Administrator Management position that was put in the FY 2019 budget. The preliminary look at those two position descriptions there was some overlap and duplication. The Town Manager brought to the table, look into the descriptions and expanded the Clerk of Council position to absorb some of the responsibilities that were in the Administrative Management position. The new position is called Clerk of Council/Administrative Assistant. That position has since been announced and put into the papers. The meeting that afternoon also included making some recommendations in giving our support staff members opportunities for professional development also.

Public Safety Committee Chairperson, Judy Fultz reported the Police Department for September totaled 423 calls down by 12 calls from August. There were 6 Criminal Offenses, 4 have been cleared or closed, 1 referred to another agency, 1 still under investigation. Five open doors and windows at five different locations. Fire and Rescue Report for September, 73 total responses, total EMS responses 45, total Fire responses 28, 81% of total responses by volunteer crews. There will be a Community Breakfast on October 27<sup>th</sup>, 2018 and Steak Dinner Nov 10<sup>th</sup>, 2018. They are replacing the utility service vehicle with a 2019 Chevrolet Silverado.

Public Properties Chairperson, Donnie Pifer spoke, the playground equipment has been installed. The pool renovations are coming along.

Town Council Meeting  
Regular Meeting  
October 9, 2018  
-3-

Visitor Candi Lorpresti, in the last meeting you mentioned you were supposed to talk to VDOT about the sidewalks to Avondale Acres? Town Manager, Kevin Fauber spoke, we are still waiting to receive the actual agreements from VDOT. Once we receive those, we plan on meeting with the Public Properties Committee and the representatives from VDOT. It will be an open meeting and posted on the web-site.

Consent Agenda

1. Approval – Minutes of September 11, 2018 Regular Meeting & Minutes.

Councilmember Pifer MOVED, seconded by Councilmember Good to APPROVE the Consent Agenda consisting of the Approval-Minutes of Minutes of September 11, 2018 Regular Meeting.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion passes

Old Business:

1. Special Use Permit Request – Triplett School Cafeteria, LLC (Todd Holtzman). Mr. Holtzman is requesting a Special Use Permit to convert the existing cafeteria into 4 apartments units. Recommend Approval by the Planning Commission.

Councilmember Shepherd MOVED, seconded by Councilmember Rudy to APPROVE to Special Use Permit Request – Triplett School Cafeteria, LLC (Todd Holtzman). Mr. Holtzman is requesting a Special Use Permit to Convert the existing cafeteria into 4 apartments units.

Discussion: **Councilmember Good**, I have a concern for a while, the official ordinances tell us, we are to have some information that was never given to us or the Planning Commission, supposed to have a site plan, information about the traffic. Now some of that Todd said he had the traffic information, it has never been given to us. Because our Ordinances specify what we are supposed to have, this is not considered a complete application. I would like to amend our decision to give conditional approval, that we approve this evening as the will of this body to go forward with it. Also have a condition that the site plan to return to us for final approval, along with the traffic statement and analysis which was given to VDOT. We need that information. I would also like to recommend that we put a condition on it, that the work day begins at 7am instead of 6 am.

**Councilmember Good** MOVE for an Amendment to the main Motion for Conditional Approval once we receive the site plan and traffic inspection as well as a work start time table on noise.

Town Council Meeting  
Regular Meeting  
October 9, 2018

-4-

There is no second to amend the motion.

**Councilmember Good**, if we let this go by without even considering it, we are not abiding by our own Ordinances.

**Mayor Miller**, is there a problem would it be the will of the Council possibly if the conditions where there minus the noise? What seems to be the hold up? Town Manager, Kevin Fauber, on the first condition, I talked to Mr. Holtzman, he is in the process of having a site plan done. It goes back to the early discussion about an existing building, a lot of the improvements will be done on an existing building. There are building code regulations which the town does not govern, that is done by the Building Inspection Department. I have no problem receiving a site plan and reviewing it and working with Mr. Holtzman to see the Ordinances of the Town are followed.

**Mayor Miller**, in regards to the noise, I think the noise aspect, I have a hard time with that being attached to the Amended Motion.

**Councilmember Good**, we had citizens come to the Public Hearing from the surrounding area that are concerned about the noise.

**Mayor Miller**, Mr. Holtzman when are you planning on starting this project? Mr. Holtzman responded, I would expect to start demolition some in the early part of next year and will be on this project for about nine months.

**Councilmember Rudy**, I think this whole concern about noise is short sided, its not going to last forever. My residence is just above a project Mr. Holtzman's crew has been working on for some time. I hear drilling, hammering and sawing, what I see is men being put to work, doing a good job at what they do. I see improvements to the town and increasing my own property value. You cannot have progress without noise. If we say no noise, this town is going to come to a stop.

**Councilmember Good**, I would like to ask for a later work start time.

**Mayor Miller**, is there a second to the amended motion?

Amended Motion does not pass.

Back to main Motion.

VOTE:

AYE

Councilmember Fultz

“ Shepherd

“ Rudy

NAY

Councilmember Good

ABSTAIN

Councilmember Andrick

“ Pifer

3 AYES, motion passes

Town Council Meeting  
Regular Meeting  
October 9, 2018  
-5-

2. Special Use Permit Request – Mt. Jackson Solar II and III, LLC – Expansion of the solar farm on the Whitehurst property along 3100 Turkey Knob Road. Recommend Approval by the Planning Commission.

Councilmember Andrick MOVED, seconded by Councilmember Pifer to APPROVE Special Use Permit Request – Mt. Jackson Solar II and III, LLC – Expansion of the solar farm on the Whitehurst property along 3100 Turkey Knob Road.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion passes

New Business: None

Councilmember Shepherd Motion made to adjourn the meeting at 7:42 p.m.

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CLERK

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MAYOR