

Mount Jackson
Town Council Regular Meeting

June 11, 2019

-1-

Regular Meeting

The regular meeting of the Mount Jackson Town Council was held Tuesday, June 11, 2019 at 7:30 PM in the council chambers at 5901 Main Street. Roll call was taken with the following in attendance; Mayor Bucky Miller; Councilmembers Judy Fultz, Dennis Andrick, Donnie Pifer, Rod Shepherd, Roger Rudy, and Bonnie Good. Also, in attendance, Kevin Fauber, Town Manager; Neil Showalter, Finance Director; Jeff Sterner, Police Chief; Keith Cowart, Police Sergeant; and Debbie Stover, Town Clerk. Visitors in attendance were Gary Kalwaytis, Ronnie Zerkel, Micki Zerkel, Ryan Zerkel, Jim Hines, Jamie Dodson with Bowman Andros, Eric Gottshall with Greenway Engineering, Billy French, Candi LoPresti, Kelly Stauff, and Max Thornberry with NVD.

Agenda Additions/Deletions/Changes: None

Hear from Visitors:

1. Candi LoPresti spoke on behalf of John Boor, the chairman of the Mount Jackson Hometown Partnership committee, to give an update on events happening in town. She said the Second Sundays music event this past weekend was canceled due to weather. She stated July, August and October music groups are already scheduled, and September's should be finalized soon. She said Lickety Split's ice cream truck will be at the remaining Second Sundays events, and hopefully other food vendors as well. Ms. LoPresti stated the Farmer's Market has had a slow start, but more vendors are coming in July. She mentioned the Apple Harvest Festival on October 26, and that the committee is beginning work on that. She said the next committee meeting is July 1 at 10:00 at the Curtain Call Café.
2. Ronnie Zerkel spoke on the on-going issues at his property on Daniel Gray Drive. He stated January 10, 2017 a permit was granted by Kevin Fauber with a hand-written note stating he was pulling the parking lot out of this permit in order to obtain more information and will review later under a separate permit. Mr. Zerkel stated a permit for the parking lot was never issued. He referenced town code sections 66-170 through 66-173, and what he feels the violations are. He stated a yard defined by our code is an open space that lies between a building and nearest lot line and is unoccupied and unobstructed from the ground up. Mr. Zerkel stated there is no pond on the original permit, only a french drain. Mayor Miller replied the pond was in compliance with the county, and that the Zerkel's attorney has sent our town attorney a letter, and council is waiting on results from that. Mr. Zerkel said Micki and himself sat with Matt Akers a few months ago, and were asked what codes they feel are being violated. Mr. Zerkel stated he's already given this information to the council and he shouldn't have to repeat it to the town attorney. Mr. Zerkel stated there are 3 addresses on that driveway, and town codes state there should only be two at most, and that if TG Land Holdings would have put their own driveway in, no violations would have occurred. Kevin Fauber added he has received some modified plans from Wayne Dinges/Tom Galati regarding the screening of some of the equipment, and that the dumpster has been moved. Mayor Miller apologized for the time it has taken so far, but that this will get resolved.
3. Micki Zerkel addressed Mayor Miller stating she contacted him in August with these issues. She stated there should have been a landscaping plan and a parking lot permit. She said the mayor told her that in July Kevin granted TG Land Holdings an extension to plant the trees in the fall due to wet summer weather conditions. She stated had a landscaping plan been done initially this delay would never have happened because trees can't be planted on a berm. Ms. Zerkel stated this was another set-back on getting these violations fixed on her property. Mayor Miller stated he tried to meet with Ms. Zerkel at the property a few

Mount Jackson
Town Council Regular Meeting

June 11, 2019

-2-

times, but she was unavailable. She presented pictures showing the view from her house and how tall the grass was. She said her right-of-way was blocked for 6 months and diesel trucks are in and out at all times. She feels she shouldn't have to spend time studying our town codes and exposing herself to the noise and smell of diesel fuel in an effort to protect her property.

4. Ryan Zerkel spoke he'd like to follow his parents and speak on some things he found in the Comprehensive Plan 2017. He stated some of the goals of the town are to preserve and enhance the natural beauty, to provide safe and secure environments, to promote environmental stability and an environment in which residents can live, work, and retire. He said while he understands these are goals, is the town planning on doing anything outside the scope of attorneys to fix the issues. He said secondly, the Comprehensive Plan claims to maintain an open, active government that welcomes citizen's participation in response to their needs. He stated updating the comprehensive plan includes a 4-stage process of drafting, adopting, implementing and reviewing, and asked what stage the town is at in fixing these issues. Mayor Miller responded the town is in the review stage, the town does welcome citizen's comments in an open forum like tonight, and that since attorneys have been retained, conversations and resolutions need to go through them first.

Remarks & Recommendations from the Mayor: The mayor spoke the FINS swim season has begun, which his daughter is a part of, and is going well. He stated Little League baseball is hosting a big tournament next week which will be bringing people into the town. He thanked the Hometown Partnership for their efforts in all town events and thanked the police department for checking on his house while he was on vacation.

Remarks from Councilmembers: None

Presentations: Kathleen O'Connell, Partnership Specialist, U.S. Census Bureau, Philadelphia Region

Ms. O'Connell provided a PowerPoint slide presentation on the upcoming 2020 census. She stated Virginia is in the Philadelphia Region, but she is based out of Charlottesville and is working w/12 counties and 2 cities (Harrisonburg and Charlottesville) to get the word out about the census to ensure everyone is counted. She stated the Bureau serves as the nation's leading provider of quality data about its people and economy. The decennial census is done every 10 years and everyone is counted, and in-between years, estimates are used, such as taking 2010's data as a baseline, adding in births, subtracting out deaths, and considering migration in and out of areas. The decennial census is mandated by the U.S. Constitution and is used to determine congress representation, for redistricting, for attracting new businesses, etc. It also guides the distribution of over \$675 billion federal dollars annually. The 2020 Census Partnership Program works with communities to increase participation and ensure a complete count. Year 2020 is the first time online response is an option along with the traditional phone and mail responses. Census Day is April 1, 2020 and each person is counted at their usual residence, where they live and sleep most of the time, on that specific day. By the end of the year 2020, the results need to be on the President's desk, and a year later the numbers are available for redistricting. The challenges for getting a complete count include a mobile population, declining responses, increasingly diverse populations, and informal and complex living arrangements. Their timeline is August 2019-October 2019 they are hiring local people at \$15/hour for in-field address canvassing, and people can apply at www.2020census.gov/jobs. From February 2020-July 2020 they'll count group quarters (prisons, nursing homes, dorms, etc.). Beginning March 2020 responses can be done online, and from April 2020-July 2020 they'll do non-response follow-ups (door-to-door visits). Historically hard-to-count groups are renters, non-English speakers, low income families, and families with children 0-5. Low response area information can be found on an interactive map at

Mount Jackson
Town Council Regular Meeting

June 11, 2019

-3-

www.census.gov/roam. Shenandoah County's low response rate is 20.2% and their actual response rates were 66% in 2000, 73% in 2010, and hopefully will go up in 2020 by adding the online response option. The U.S. Census Bureau would like the Town of Mount Jackson to pass a resolution supporting the formation of a Complete Count Committee (CCC) to encourage people to respond and to identify local hard-to-count populations. The CCC can display 2020 census information at libraries, post offices, community centers, and they can include information in newsletters, social media, and add the link <https://2020census.gov> to their website. There is a 2020 Census Solutions Workshop for Shenandoah Valley @ Hotel Madison Monday, June 24 at 5:30 PM and everyone is welcome. Ms. O'Connell can be reached at kathleen.oconnell@2020census.gov. Bonnie Good asked if a questionnaire needs to be filled out by each person, or by each household, to which Ms. O'Connell answered one questionnaire per household. Dennis Andrick asked how to avoid duplicate counts if parents of college students include their child in their count. Ms. O'Connell stated they are working behind the scenes with the colleges to assist with this.

Chief of Police Report: None

Town Manager Report: None

Committee Reports:

1. Finance Committee Chairperson, Rod Shepherd referred to O-01-19 which will be discussed under old business, and he thanked the chief for organizing an escort through town last week for the Stonewall Girls Soccer Team heading to Radford for a semi-state tournament game.
2. Ordinance Committee Chairperson, Dennis Andrick reported Officer Bert Young removed 5 inoperable vehicles.
3. Personnel Committee Chairperson, Roger Rudy, had nothing to report.
4. Public Safety Committee Chairperson, Judy Fultz, reported the May Police Department calls were 578, up 101 from April. There were 3 criminal offenses, all 3 closed by arrest. They conducted 332 extra patrols and property checks and 21 foot patrols and found 1 open door/window. Kelly Stauff presented the Fire and Rescue Department report that in May they had a total of 85 responses (61 EMS and 24 Fire) with 73% of the calls covered by volunteers. He stated 59 of the EMS calls had a unit capable of providing advanced life support, the number of members taking calls was 19, and 52% were in the town limits. Mr. Stauff stated the event center hosted 5 events in May, with 21 volunteers helping, totaling 185 volunteer hours. Donnie Pifer asked about the steak dinner Saturday night, and Mr. Stauff responded it is a ticket event, and the sale ended Sunday, and they already ordered the steaks on Monday. He said next time he'll give the council advance notice so they can purchase a ticket.
5. Public Services Committee Chairperson, Bonnie Good had nothing to report.
6. Public Properties & Facilities Committee Chairperson, Donnie Pifer, had nothing to report. Mayor Miller added he has been spending a lot of time at the park/pool, and everything is looking good and being well received.

Consent Agenda

1. Approval – Minutes of May 14, 2019 Public Hearing and Regular Meeting.

Mount Jackson
Town Council Regular Meeting
June 11, 2019
-4-

Councilmember Pifer MOVED, seconded by Councilmember Fultz to APPROVE the Consent Agenda consisting of the Approval-Minutes of May 14, 2019 Public Hearing and Regular Meeting.

ROLL CALL VOTE:

AYE	NAY	ABSENT
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion carried

Old Business:

1. French Brothers, LLC, Tax Map 080 04 002A, Tracts A & B totaling 18.214 acres, Conditional Rezoning Application from B-3 to B-2, keeping B-3 Parking Requirements per Section 66-233 and B-3 front yard setback requirements per Section 66-230(a). Planning Commission recommends approval and eligible for action.

Councilmember Andrick MOVED, seconded by Councilmember Rudy to APPROVE the French Brothers Conditional Rezoning Application.

ROLL CALL VOTE:

AYE	NAY	ABSENT
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion carried

2. Bowman Andros Products, LLC, 10119 Old Valley Pike, Special Use Permit Application, New Construction of a Food Processing Plant, Parcel 81-A-61, Current Zoning is I-1. Planning Commission recommends approval and eligible for action.

Councilmember Pifer MOVED, seconded by Councilmember Andrick to APPROVE Bowman Andros Special Use Permit Application.

ROLL CALL VOTE:

AYE	NAY	ABSENT
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion carried

Mount Jackson
Town Council Regular Meeting
June 11, 2019
-5-

3. Ordinance O -01-2019 Adopting Budgets for the General Fund, Utilities Funds, Capital Projects and Equipment Replacement Funds; Establishing Real and Personal Tax Rates, Establishing Compensation Amount/Rates, Setting Fees for Water, Sewer, Refuse Services, Auto License Tax and Other Fees, Charges, Penalties, and Taxes and Establishing Annual and Specific Appropriations for Fiscal Year 2020.

Councilmember Shepherd MOVED, seconded by Councilmember Good to APPROVE Ordinance O-01-2019.

ROLL CALL VOTE:

AYE	NAY	ABSENT
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion carried

New Business:

1. Resolution 01-2019 Adoption of Federal Grants Administration Policy and Conflict of Interest Policy, Effective July 1, 2018, Eligible for Action.

Kevin Fauber spoke included in the council packets are the two policies and the resolution. He stated there were federal regulations established in 2014 and localities that receive federal grant monies need to adopt these policies. He said a lot of the requirements and parameters that are set forth in these policies are already being done, with a few adjustments to conform to federal regulations. He stated this was brought to the town’s attention by our auditors at the last audit, and it’s critical we have these policies in place as soon as possible. Mr. Fauber stated we do receive federal grants (the sidewalk project for example), and do not want to be in non-compliance which could put our grant monies in jeopardy. He asked the council pass this resolution retroactive July 1, 2018.

Councilmember Shepherd MOVED, seconded by Councilmember Andrick to APPROVE the Federal Grants Administration Policy and Conflict of Interest Policy and Resolution R-01-2019, retroactive July 1, 2018.

ROLL CALL VOTE:

AYE	NAY	ABSENT
Councilmember Fultz		
“ Andrick		
“ Pifer		
“ Shepherd		
“ Rudy		
“ Good		

6 AYES, motion carried

Councilmember Shepherd made a motion to adjourn the meeting at 8:40 PM.