November 13, 1964

The regular meeting of the Elkton Town Conucil was held Friday, November 13, 1964 at 8:00 PM with the mayor, R. J. Lough, presiding and the following council members present: J. C. Black, E. F. Garber, M. W. Lough, W. H. McGahey, R. B. Hutton, and H. L. Coffey.

M. W. Lough asked to be excused by 11:00 PM if meeting was not over at that time.

W. W. Hartman was present in regard to a T. V. cable franchise in the town. The matter was tabled until next council meeting.

Council discussed and agreed to cousult the town attorney about the unloading and loading of logs in a certain section of town.

The minutes of the last regular council meeting and special meeting were approved.

The treausrer's finance report was approved.

R. J. Lough presented the following concerning the special meeting held October 28, 1964:

To: Clerk of council and members of Elkton Town Council.
From: Mayor Robert J. Lough.

I would like to use this means in stating my reasons for my vetoe of a resolution appointing R. K. Babibgton as a town warrant justice at a special called meeting October 28, 1964.

The mayor has power of vetoe granted to him under section 123, Article 8 of the Virginia Constitution.

1. It was never put to a vote of council that an additional warrant justice be appointed. The charter states that one or more can be appointed. by council pleasure. It has been customary for years to appoint two, one we call warrant justice, the other we call our substitute warrant justice, who is called upon when the regular one is not available. Certainly a town of our size has no need for three or more.

2. No vote was taken to remove our present warrant justice, Mr. I. F. Sandridge, from office. He was appointed by council pleasure for an undetermined term. By the same token he must be removed by a vote of council, and in all fairness to everyone involved a reason, or reasons, for this removal be given. Until such removal of Mr. Sandridge, it is my opinion that he is still our acting warrant justice.

3. Four applicants were considered for the warrant justice position. The character, and morals , of only one man, namely Mr. Snadridge, were discussed. He was not given a chance to defend himself against these very harsh, and unjust hear-say accusations, to either affirm or deny them. For a man who has given so much of his time to the town of Elkton, in various capacities, I feel this was a very unfair way to treat him.

4. Mr. Babington's appointment as warrant justice, in my opinion, would not meet the approval of the majority of the voting citizens of Elkton. He was the Town's chief executive officer, mayor, and warrant justice, during a period in which a police scandal occurred over the loss of ten to twelve thousand dollars from the police counts funds. He was in neglect of duty, in my opinion, in not seeing to it that the control system

over these funds be made adequate to prevent such a loss. Yet council wants to put this same man back in this capacity, with me as chief executive officer. I could not accept this appointment because I feel it would exert pressure on me as mayor for the town of Elkton

Sincerely,
R. J. Lough
Mayor, Town of Elkton

E. F. Garber reported to council that he was working on a new water and sewer rate.

E. F. Garber moved, seconded by M. W. Lough and passed that $10.50 shown in the 1964 audit report as due from the treasure be relieved of L. L. Lawson, treasurer.

E. F. Garber moved, seconded by M. W. Lough and passed to accept the 1964 audit report of the towns books by Bosserman and Ould Cert. Public Accountants.

M. W. Lough reported that an electric meter had been installed for the Elkton High School football field lights.

Mayor, R. J. Lough asked councilman, M. W. Lough, to check on the possibility of installing a fense about some electric poles supporting transformers at the high school.

R. B. Hutton gave a report on his appearance before the Rockingham County Board of Supervisors and opposing the Job Corp Camp.

Council discussed the out of town water customers taking other town utilities where available.

R. B. Hutton gave a report on the progress of Snyder Pump and Well Company in moving their equipment to drill a well for the town.

R. B. Hutton moved, seconded by H. L. Coffey that council go into executive session. E. F. Garber and M. W. Lough opposed the motion. H. L. Coffey, R. B. Hutton, J. C. Black and W. H. McGahey voted in favor of the motion. The motion was passed.

R. B. Hutton read a letter to council from W. W. Wharton stating his opinion on the veto power of the mayor.

R. B. Hutton moved, seconded by H. L. Coffey to over ride the veto made by Mayor, R. J. Lough, in a special meeting held October 28, 1964. E. F. Garber and M. W. Lough opposed the motion, H. L. Coffey, R. B. Hutton, J. C. Black, and W. H. McGahey voted in favor of the motion. The motion was passed.

R. B. Hutton moved that the following resolution be adopted: BE IT ORDAINED that it is the pleasure of the Town Council of the Town of Elkton, Virginia, in the District of Stonewall, of Rockingham County, in the Commonwealth of Virginia, under the powers of the Town Charter of the Town of Elkton, approved by the State Legislature of the Commonwealth of Virginia, granted by the Constitution of the aforesaid Commonwealth; that the office of warrant justice in the town of Elkton, Virginia be vacated at the expiration of this special session of the Town of Elkton Council, Elkton, Virginia called this 13th day of November in the year of our Lord one hundred and sixty-four; and that Mr. I. F. Sandridge and R. K. Babington the present warrant justices occupying this

position be dully notified by letter of the expiration of their services, signed by the clerk of this council, and that H. T. Frey now accupying the position of asst. warrant justice also be notified by letter of the expiration of his service.

H. L. Coffey seconded the motion. E. F. Garber and M. W. Lough opposed the motion, J. C. Black, H. L. Coffey, W. H. McGahey and R. B. Hutton voted in favor of the motion. The motion was passed.

M. W. Lough moved, seconded by E. F. Garber to appoint I. F. Sandridge warrant justice. M. W. Lough and E. F. Garber voted in favor. of motion. J. C. Black, W. H. McGahey, H. L. Coffy, and R. B. Hutton opposed the motion. The motion was defeated.

M. W. Lough moved that council go back into regular session. Motion died for a lack of a seconded.

R. B. Hutton moved, seconded by H. L. Coffey to appoint R. K. Babington warrant justice. E. F. Garber and M. W. Lough opposed the motion. J. C. Black, H. L. Coffey, R. B. Hutton, and W. H. McGahey voted in favor of the motion. The motion was passed.

J. C. Black moved, seconded by M. W. Lough that council go back into regular session. Motion was defeated by a 5 to 1 vote.

H. L. Coffey moved, seconded by R. B. Hutton to appoint H. T. Frey as assistant warrant justice. M. W. Lough opposed the motion. J. C. Black, E. F. Garber, R. B. Hutton, W. H. McGahey, and H. L. Coffey voted in favor of the motion. The motion was passed.

W. H. McGahey moved, seconded by E. F. Garber and passed that council go back into regular session.

With no further business, the meeting was adjourned.

APPROVED: R. J. Lough
Mayor

RECORDER: L. L. Lawson
Leon L. Lawson