REGULAR
COUNCIL MEETING
July 10, 1970

The regular meeting of the Elkton Town Council was held July 10, 1970 at 8:00 P.M. in the Council Chambers with the Mayor, Welty H. Hensley presiding. The following council members were present: Mr. I. L. Flory III, Mr. R. G. Harman, Mr. E. O. Karow, Mr. W. H. McGahey, Mr. A. R. Thompson and Mr. H. A. Workman. Mr. David C. Liskey, Town Superintendent and Mr. Lyle E. Williams, Chief of Police were present.

Mr. A. R. Thompson opened the meeting with prayer.

The following visitors were present: Mr. & Mrs. Douglas Cochran, Mr. Roy Gene Davis, Mr. Randall Dean, Mr. E. F. Garber, Mr. Bobby Gooden, Mr. Michael Hammel, Mr. Willie Hensley, Mr. Winston Hensley, Mr. Leroy Leap, The Rev. James Martin, Mr. Gerald Monger, Mr. Carl Schumacher and Mr. Matt Simmerman.

Mr. Matt Simmerman came before the council to thank them for the improvements made at the dump.

Mr. Willie Hensley came before the council in regards to the water problem he now has and ask that the town take steps to eliminate this problem.

Mr. E. O. Karow moved, seconded by Mr. I. L. Flory III and carried to approve the minutes of the regular meeting June 10, 1970.

Mr. A. R. Thompson moved, seconded by Mr. I. L. Flory III and carried to approve the Finance Report for June 1970.

Mr. I. L. Flory III moved, seconded by Mr. R. G. Harman and carried to approve the Second Reading to hire Martin, Clifford & Associates at a fee of $1500.00 to make a Preliminary Report on our sewage treatment plant as outlined in their letter dated April 22, 1970 to Mayor Hensley, page 1, 2 & top of page 3.

Mr. Flory reported on the cleaning of the well. The company cleaning the well ran into limestone and had to be stopped before completing the cleaning operation due to the $1000.00 limit on funds. The well was clean as far as 35 feet from the bottom but there is still sand in the water. Mr. Flory reported he had talked with Mr. Simmerman and Mr. Snyder of Sydnor Hydrodynamics in regards to a settling tank. Mr. Snyder quoted a price of $11,181.50 to install the settling tank.

Mr. Simmerman stated that he felt the settling tank proposed by Mr. Snyder was unnecessarily complicated and for the money involved the town should obtain other bids.

Mr. Workman stated that he felt that if we were to consider Mr. Snyder's proposal, we should have a detailed contract and Mr. Snyder or one of Sydnor's engineers should come before the council to present their proposal.

Mr. Karow made a motion to have Sydnor Hydrodynamics Inc. come before the council and present their proposal.

After some discussion Mr. I. L. Flory III moved, seconded by Mr. H. A. Workman to change the motion to give Mr. Flory permission to negotiate with firms who are interested in constructing a filtering system for our well and set up meetings with representatives of these firms. The motion carried.

Mayor Hensley commended William Herring for his services over the July 4th. holidays when he was suppose to be off duty and yet gave up his holidays when the electric and water problems arose.

Mr. Karow reported that Rodger Hicks did not serve out his probationary period as a police officer but left of his own accord.

Mr. E. O. Karow moved, seconded by Mr. H. A. Workman and carried to employ Wallace M. Bradley as a patrolman for a six month probationary period at $4800.00.

Mr. E. O. Karow moved, seconded by Mr. I. L. Flory III and carried to appoint Beverly E. Bowers as Judge at an annual salary of $1800.00.

Mr. E. O. Karow moved, seconded by Mr. H. A. Workman and carried to appoint James R. Sipe as Substitute Judge.

Mr. Thompson reported that he had received several complaints on water running down Spotswood Avenue into people's yards. This problem was turned over to the Street Committee to see what can be done.

There was some discussion on the stop signs at the end of Rockingham Street and Stuart Avenue going east at Cook's Store being changed to yield signs. Chief Williams was asked to look into this. The general feeling was that it would be best to leave the signs as they are.

The following were brought to the councils attention: that brush be cleaned from the South East corner on Rockingham and Stuart, that there are no stop signs at several points on Hill Avenue and that Lee Avenue has yield signs all the way through and people use it rather than the highway. The council stated they would look into these situations.

Bobby Gooden asked Mr. Flory what had been done on the out house problems. Mr. Flory stated he had not checked into it but would try to do something the following week but did not think it was much he could do.

Mr. Workman reported that on Saturday July 4th., the breaker was knocked out at the corner of Rockingham and Stuart during a storm. As the town electrician was out ot town Mayor Hensley called Lindon White of the Harrisonburg Electric Commission who sent two men down to take care of the problem on Saturday and Mr. Workman called Mr. White on Monday to check out some motors at the Farm Bureau. It checked out that the town was furnishing the proper current so the problem was on the Farm Bureau.

Mr. R. G. Harman moved, seconded by Mr. I. L. Flory III and carried to adopt the following agreement as presented by Mr. Workman between the Town of Elkton and Jr. O.U.A.M. in regards to the billing of Electric Current at Blue Ridge Park and give the Jr. O.U.A.M. credit for $90.00 carried over last year and was used by recreation groups:

General Agreement for Billing Electric Current:

This Agreement made this 4th. day of June, 1970 between the Town of Elkton, Inc. and the Jr. Order United American Mechanics Blue Ridge Council No. 149 for the billing of Electric Current supplied to the Blue Ridge Park.

Whereas: The Town of Elkton, Inc., Owners and Operators of the Elkton Electric System who supply Electric Current for all operations necessary in the Blue Ridge Park thru 1-Master Meter, and Whereas: The Jr. O.U.A.M. Blue Ridge Park is used by the Elkton Fire Dept., the Elkton Recreation Association and other activities, by permission of the Jr. Order, along with Jr. Order's Annual Field Day or Homecoming, all of which use the Electric Current for Lighting and Power, therefore, the following Agreement is necessary for the proper Accounting and Billing of the Electric Current for the Park.

No. 1: The Jr. Order United American Mechanics shall be billed for all Current used thru the Master Meter by the Elkton Fire Dept., the Annual Field Day or Homecoming Week and any other Organization using the Park by permission of the Jr. Order, with the exceptions of the Elkton Recreation Association, use for ball games, practice or other activities scheduled by the Recreation Association, leagues, etc., which all other Current Bills shall be billed to the Elkton Recreation Association.

No. 2: It is further agreed that any use of the Ball Park Section for any games during the Annual Field Day of Homecoming Week, these games played during this week shall be charged for by pro-rate per light and time used as agreeded by both parties and paid for by the Recreation Association to the Jr. Order or by credit issued the Jr. Order and charged to the Recreation Association.

No. 3: This Agreement shall be in force for five (5) years from date with 30 days cancellation by either party and no changes or deviations shall be made in Items 1 and 2 of this Agreement.

Mr. I. L. Flory moved, seconded by Mr. H. A. Workman and carried to do the following work at the Blue Ridge Park; put in a rail fence out of telephone poles if poles are obtainable, do some patching where the ditch was dug along Shenandoah Avenue, fill in chuck holes and replace post on corner for a land marker.

Mr. Harman requested that Mrs. Leap send out letters requesting bids as the contract for servicing the town equipment expires September 1, 1970.

Mr. R. G. Harman moved, seconded by Mr. I. L. Flory III, and all voted to approve the Second Reading of the following ordinance with the exception of Mr. McGahey who could not vote as he was not a council member when the First Reading was held:

Section 5-4a Keeping of Poultry Prohibited

After December 31, 1970 it shall be unlawful for any person to keep or maintain upon his property or upon any property chickens, turkeys, ducks, geese, guineas or poultry of any description, whether or not such animals are penned or confined. Prior to December 31, 1970 it shall be lawful to keep or maintain said poultry provided that the same are confined in suitable pens or structures.

Each day such animals are kept or maintained in violation of this ordinance shall give rise to a distinct and separate offense.

Mr. R. G. Harman moved, seconded by Mr. I. L. Flory III and carried to approve the following ordinance:

Sec. 17-129 Motorcycle Safety Glasses, Goggles or Windshields, Foot Rests, Helmets and Seats

A person operating a Motorcycle, as defined in Section 17-1 excluding four-wheeled and three-wheeled vehicles, shall ride only upon the permanent and regular seat attached to the Motorcycle, and such operator shall not carry any other person, an no other person shall ride on a Motorcycle unless such Motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the seat for the operator, if such Motorcycle is designed to carry more than one person, it shall also be equipped with a foot rest, for the use of such passenger.

A person operating a Motorcycle shall wear safety glasses or goggles or have his Motorcycle equipped with safety glass or a windshield at all times while operating said vehicle. The Superintendent of State Police within one year from the enactment of this bill will establish standards for windshields and glasses or goggles set forth herein. Failure to wear glasses or goggles shall not constitute negligence per se in any civil proceedings. Operators and passengers, if any, shall wear protective helmets.

The council of the Town of Elkton, Virginia hereby declares an emergency to exist and this Ordinance shall be in full force and effect from this date July 10, 1970.

Mr. I. L. Flory III moved, seconded by Mr. H. A. Workman and carried to appoint Mr. W. H. McGahey, Finance Chairman and he be authorized to sign checks and bills.

Mr. H. A. Workman moved, seconded by Mr. R. G. Harman and carried to appoint Mr. I. L. Flory III as Vice Mayor.

Mayor Hensley reported that he had talked with Mr. Carl Yowell in regards to the new Elementary School and that they need to know at what rate the town will sell them electricity. The School Board also stated they would need three transformers and a transformer enclosure.

Mr. H. A. Workman moved, seconded by Mr. I. L. Flory and carried to sell current to the new Elementary School at the effective electric heat rate of $0.0125 with a differential of $0.00308 for all electric and if the present building on B Street does not go all electric the rate will remain at the prevailing rate.

Mr. I. L. Flory III moved, seconded by Mr. E. O. Karow and carried to grant the request by the Rockingham County School Board to close the alleyway connecting B and C Streets, erroneously referred to as Warren Street, and running through Section 3, Block 3 as shown on the map of the Elkton Improvement Company which map is recorded in the Clerks Office of the Circuit Court of Rockingham County, Virginia in Deed Book 75, at Page 602.

Mayor Hensley reported that VEPCO has notified the town that they are asking the F.P.C. for a rate increase from towns effective September 1, 1970.

Mayor Hensley reported that a check for $250.00 had been received from American Tele-Systems Corp. The Financial Statement is suppose to be ready by next Friday, the Bond by August 1, and the system in operation by January 1, 1971.

The council agreed to change the August meeting date to Friday, August 21, 1970. There will be a Public Hearing on the Planning Commissions new Zoning Ordinances and the 1970-71 Budget at this meeting.

Mayor Hensley announced there would be a Committee Meeting July 28, 1970.

As there was no further business, Mr. R. G. Harman moved, seconded by Mr. I. L. Flory III and carried to adjourn.

MAYOR: Welty H. Hensley
Welty H. Hensley, Mayor

RECORDER: Norma R. Leap
Norma R. Leap, Clerk