REGULAR MEETING
May 8, 1970

The regular meeting of the Elkton Town Council was held May 8, 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. L. P. Hale, Mr. R. G. Harman, Mr. E. O. Karow, Mr. A. R. Thompson and Mr. H. A. Workman. Mr. Marvin C. Hillsman, Town Attorney, Mr. David C. Liskey, Town Superintendent and Mr. Lyle E. Williams, Chief of Police were present.

The following visitors were present: Carl Schumacher, John McCune, Don Fridinger, Doug Cochran, Millard Floyd, Neil Hillsman, Agnes Dearing, Freeman Meadows, Marquerite Dean, Randall Dean, Lois Gaynor, Edith Coffey, Martha Baugher, Flossie Balser, Mable House, Betty Horne, C. B. Ross, Mrs. Ross, Rev. Jim Martin, Robert Hammer, Hiram Monger, Bob House, Harold Leet, Ed Garber, Audrey Berry, Mrs. Putnam, Frances Dean, Irvin Dean, Matt Simmerman, Wilson Gaynor, Roy Gene Davis, Fred Davis, Bob Saums, Ray Morris, Berlin Eye, Bobby Gooden, Randall Holland, Mr. King, Ditman Flory, Jack Davis, Geneva Baugher, Benny Roach, Leon Knight, Ben Ralston, Irene Towers, Berkley Brooks, Mrs. Brooks and Shirley O'Bryne.

Mr. E. O. Karow moved, seconded by Mr. I. L. Flory III and carried to approve the second reading of the T.V. Franchise as presented at the last meeting.

Bids from Luray Trans=Video, Inc. and American Tele-Systems Corporation on the T.V. Franchise were read. Mayor Hensley stated that the bids would have to be studied and compared to determine the high bidder.

Mr. M. A. Simmerman came before the council in regards to the burning at the dump. Mr. Simmerman stated that approximately a year ago he had contacted the town about the burning at the dump and asked that it be eliminated as it created much ordor and air pollution for those living in the areas across the river. He stated that the dump is still burning regularly and he did not feel this was necessary.

Mr. Liskey and Mayor Hensley explained that the town had looked into this request and that several methods are being investigated but had not found as yet a permanent solution. Mr. Liskey felt it was necessary to burn some in order to take care of paper, etc. This problem was turned over to Mr. Harman's committee.

Mr. John McCune, acting as spokesman for the Ministerial Association, stated that he had presented petitions to the clerk of the council with over 316 names of voters of the Town of Elkton who are opposed to allowing the sale of beer on Sunday. Mr. McCune stated that they felt this would open the door to all beverages. He asked that the petition be given consideration before the council had their final vote and that the council ask for a referendum at the June election to allow the people to decide this most important issue.

Those present speaking in opposition to the Sunday beer sales were Mr. Robert Hammer, Mr. Harold Leet, Mr. Edward Garber, Mr. Roy Gene Davis, Mr. Fred Davis, Mr. Robert Saums, Mrs. Irvin Dean, Mr. Wilson Gaynor, Mr. Benny Roach, Rev. Millard Floyd, Mrs. Betty Horne, Mrs. Audrey Berry, Mr. Leon Knight and Mr. Ben Rolston.

Those speaking in favor of giving the Sunday beer sales a trial were Mr. Hillman Levinson, Mr. Ray Morris and Mr. Ditman Flory.

Mrs. Neil Hillsman spoke in defense of the Town Council when several present stated that they were opposed to the way the repeal of the ordinance was handled with action being taken so quickly without people knowing about it. Mrs. Hillsman stated she felt this was handled in the same manner as the chicken and other ordinances and if people were not concerned enough to attend the meetings then it was not the council's fault if they are not informed.

Mayor Hensley stated that it had not been the intention of the council to push anything over on the people. That the majority of the public had not been interested before and that the council had no idea they would object to this ordinance change.

After the discussion which lasted approximately 1½ hours, the matter of Sunday beer sales was tabled until later in the meeting.

Mr. E. O. Karow moved, seconded by Mr. A. R. Thompson and carried to approve the minutes as presented of the special meeting April 8, 1970.

Mr. I. L. Flory III moved, seconded by Mr. R. G. Harman and carried to approve the minutes of the regular meeting April 10, 1970 as presented with the corrections which were noted.

Mr. A. R. Thompson moved, seconded by Mr. H. A. Workman and carried to approve the Finance Report.

Mr. Liskey reported that he had investigated the heating of the Maintenance and Police Department. Mr. Liskey stated that after careful study and consideration he found that electric heat would not be economically feasible and he recommended we replace the present furnace. He presented the following bid from Snyder Plumbing and Heating:

New Furnace	$1625.40
1 Unit Heater - Police Department	218.00
Labor for Installation and Removal	270.00
	$2113.40

Mr. Hale and Mr. Liskey were asked to check the cost to convert the heating system from steam to hot water.

Mr. Liskey reported that the Town needed to purchase a new mower. Mr. I. L. Flory III moved, seconded by Mr. L. P. Hale and carried to purchase a Snapper Mower from the Blue & Grey Esso at a cost not to exceed $429.00.

Mr. I. L. Flory III moved, seconded by Mr. E. O. Karow and carried to appropriate $800.00 for a water line on Prospect Avenue to the property line of Carroll Campbell.

Mr. R. G. Harman moved, seconded by Mr. H. A. Workman and carried to approve a building permit for Carroll Campbell on Prospect Avenue.

Mr. Flory reported that he had met with Jesse Snyder of Sydnor Hydrodynamics Inc. in regards to cleaning the well and made a motion that $1000.00 be appropriated to contract Sydnor Hydrodynamics Inc. to clean the sand and fill in from the well. Mr. E. O. Karow seconded the motion and it carried.

Mr. H. A. Workman reported on the Municipal Electric Power Association of Virginia's annual meeting which was held in Salem, Virginia and he and Mr. Liskey attended.

Mr. L. P. Hale moved, seconded by Mr. I. L. Flory III and carried to approve the First Reading to contract Mr. H. R. Breeden to paint the walls and ceiling in Southeast room occupied by the Elkton Library, prepare and paint all metal roofing on Municipal Building and caulk all exterior openings at a cost of $530.00.

Mr. R. G. Harman reported on the progress of the Recreation Commission. Programs are now under way in several areas and that he felt the town Recreation Commission was in a position to obtain some funds from the county. Mr. Harman reported that the Board of Supervisors plan to cut the budget for Recreation in the county and he asked that the council present a formal resolution urging the Board of Supervisors to continue their full support for Recreation.

Mr. R. G. Harman moved, seconded by Mr. E. O. Karow and carried to write a letter containing the following resolution to the Board of Supervisors.

> We, the members of the Elkton Town Council, do hereby resolve to give our support to the Rockingham County Recreation Commission and ask that the Board of Supervisors give their undivided support in all programs sponsored by the Rockingham County Recreation Commission.

Mr. Harman reported that it would be necessary to rewrite the poultry ordinance as the wording was not correct in the first reading.

Mr. R. G. Harman moved, seconded by Mr. E. O. Karow to approve the Second Reading to repeal Sec. 4-2 of the Town Code and this section will read as follows:

Sec. 4-2 When sale of beverage of not more than three and two tenth per cent alcohol prohibited -- Generally

It shall be lawful for any person to sell beverages, as defined in Section 4-3, in town between the hours of 11:00 p.m. of each Saturday and 6:00 a.m. Monday.

This motion was not voted upon as Mr. L. P. Hale moved, seconded by Mr. A. R. Thompson and carried to table the motion. The vote to table the motion is recorded as follows:

I. L. Flory III	- yea
L. P. Hale	- yea
R. G. Harman	- yea
E. O. Karow	- nay
A. R. Thompson	- yea
H. A. Workman	- yea

Mr. H. A. Workman moved, seconded by Mr. L. P. Hale and carried to petition the judge of the Circuit Court to give the Town of Elkton permission to have a separate special ballot for a referendum in regards to repealing the ordinance prohibiting the sale of 3.2 beer on Sunday. The vote on this motion is recorded as follows:

I. L. Flory III	- yea
L. P. Hale	- yea
R. G. Harman	- nay
E. O. Karow	- nay
A. R. Thompson	- yea
H. A. Workman	- yea

Mr. Harman reminded the council of the Clean Up Week climax on Saturday. Anyone knowing of old cars needing to be hauled away, should contact Mayor Hensley.

The Highway Department was commended for their part in the Clean Up Week by sweeping Rt. 33 and 340. The Town Forces were also commended for their efforts toward cleaning the town.

Mr. I. L. Flory III moved, seconded by Mr. R. G. Harman and carried to approve the Second Reading to amend Section 32-9. "Town electric and sewer service prerequisite to water connection outside town." by deleting the last eight words of this section "Provided, of course, that the same are available." The ordinance shall read as follows:

Sec. 32-9 Town electric and sewer service prerequisite to water connection outside town.

No water connections shall be made to any premises located outside the town unless the premises in question are supplied with electric and sewer service by the town.

Mr. A. R. Thompson reported that the street work has been completed.

Mr. E. O. Karow read a letter from Mrs. Joyce Schumacher in which she stated that due to an increase in her work it would be necessary for her to resign as Warrant Justice.

Mr. E. O. Karow moved, seconded by Mr. R. G. Harman and carried to accept Mrs. Joyce Schumacher's resignation as Warrant Justice.

Mr. Karow reported that the police car had been sold for $1500.00.

Mr. Karow reported that there was $150.00 set aside in the budget for an air conditioner for the court room. He recommended that an extra $100.00 be appropriated to add with this and purchase the unit from Dean Lumber Company.

Mr. H. A. Workman moved, seconded by Mr. E. O. Karow and carried to appropriate an extra $100.00 to purchase an air conditioner for the court room from Dean Lumber Company at a cost of $250.00.

Mayor Hensley explained and discussed with those present the proposed plans for the new elementary building which were displayed on the bulletin board.

Mayor Hensley had received a letter from William C. Yowell Jr., Supervisor of Building and Grounds for the County Public Schools and the council discussed some of the proposals concerning the proposed elementary school in regards to town facilities.

Mayor Hensley reminded the council that they would attend the Presbyterian Church May 17, 1970.

Rev. Don Fridinger expressed his thanks and commended the council on their decision to ask for a referendum in regards to the beer issue.

As there was no further business, Mr. I. L. Flory III moved, seconded by Mr. E. O. Karow and carried to adjourn. The meeting adjourned at 11:20 P.M.

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

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