REGULAR
COUNCIL MEETING
September 20, 1971

The regular meeting of the Elkton Town Council was held September 20, 1971 at 8:00 P.M. in the Council Chambers with the Mayor, Edward F. Garber presiding. The following council members were present: Mr. E. O. Karow, Mr. H. A. Leet, Mr. W. H. McGahey, Mr. A. R. Thompson and Mr. H. A. Workman. Mr. R. E. Davis was absent. Mr. Marvin Hillsman, Town Attorney, Mr. C. B. Knott, Chief of Police, Mr. D. C. Liskey, Town Superintendent and Mrs. Norma R. Leap, Clerk were also present.

Mayor Garber opened the meeting with prayer.

Mr. E. O. Karow moved, seconded by Mr. A. R. Thompson and carried to approve the minutes of the regular meeting August 9, 1971.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet and carried to approve the minutes of the special meeting August 26, 1971.

Mayor Garber recognized the Boy Scout Troop which was in attendance at the meeting.

Mr. I. F. Sandridge came before the council in regards to Business Licenses. He stated that he felt it was unfair to the Retail Merchant's who pay licenses on their gross income when Wholesale Merchants are selling their products retail also and only paying a Wholesale Business License. He asked that the council correct this situation. This matter was turned over to the Finance Committee.

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

Mayor Garber gave his annual report on the past years accomplishments and the plans for the future. Some of the problems the town will face this year will be the Secondary System for the Sewer, Water Filtration System, Federal Flood Control Act, Plans for the Dump, Annexation and new Zoning Ordinances.

It was reported to the council that Mr. Bernard Coffman, Chairman of the Rockingham County Planning Board had informed the town that they (the county) is going ahead with Zoning of the County and that it is imperative that the town get their rezoning completed.

Mr. A. R. Thompson, reporting for Mr. R. E. Davis who was absent, presented the name "Elks Street" as the recommendation of the Committee set up to suggest a name for the street leading from the intersection of Old 33 and Route 340 to the High School.

Mr. H. A. Workman presented the name Kite's Blvd. which he had been asked to present by one of the Town Employees.

As Mr. Workman's suggestion had not been presented to the Committee, this matter was tabled until the next meeting.

Mr. H. A. Workman moved, seconded by Mr. E. O. Karow and carried to authorize Mr. Liskey to purchase a load of poles the cost of which is not to exceed $1000.00.

Mr. W. H. McGahey moved, seconded by Mr. E. O. Karow and carried to lay an 8" sewer line to the Corporate Limits which will service the Crider property which is being built on Liberty Heights.

Mr. H. A. Workman reported that the retro-active rate on the VEPCO increase is now in effect. He also reported that the Municipal Electric Association of Virginia of which we are a member is again active in the Yankee Dixie Program.

Rev. James Martin, spokesman for the Ministerial Association, spoke against the sale of high test beer on Sunday. He stated that he felt the intent of the ordinance in the Town Code had been to prohibit the sale of any alcoholic beverage on Sunday. He also pointed out that they were concerned with the image of the Town, accidents and injuries which can result from driving while drinking and the safety of our town citizens. He invited the support of the council by amending the ordinance in question to prohibit the sale of any alcoholic beverage on Sunday.

Mr. Robert Hammer also voiced his objection to the sale of beer on Sunday and that he felt the ordinance should be clarified.

Mr. J. H. Early Jr. felt that the wording of the ordinance had been changed when the new books were printed but the council did not feel that this had happened.

Mr. Louis Workman stated that he approved the sale of beer on Sunday and did not feel the council had the right to deprive him of the privilege to purchase beer on Sunday if he so desired.

Mr. Wilson Gaynor said he felt the council had to take a stand and decide this issue.

Mr. H. A. Leet moved, seconded by Mr. A. R. Thompson, to draw up an ordinance with the intent to replace the existing ordinance and that this ordinance be considered and voted on at a later meeting. This ordinance would be in authority with the Town, under State Law, to prohibit sale of beer and wines in the Town of Elkton from 11:00 P.M. Saturday until 7:00 A.M. Monday.

Mr. W. H. McGahey also was opposed to the sale of beer on Sunday and so stated to those present.

Mr. S. H. Levinson stated that he felt this issue should be left to the citizens to decide as the present council had been elected on their stand on the beer issue.

Mr. Dick Lambert objected to his rights to purchase beer on Sunday to be denied. He stated that he felt the council had more important things to consider.

There was a discussion in regards to a referendum.

Mr. H. A. Leet, along with Mr. A. R. Thompson who seconded, withdrew the motion on the floor in regards to drawing up a new ordinance. This matter was turned over to the Ordinance Committee for further study and to come up with suggestions at the next meeting.

Mr. H. A. Leet reported that there are two vacancies on the Recreation Commission as Mr. Jack Painter did not wish to be reappointed.

Mr. H. A. Leet moved, seconded by Mr. E. O. Karow and carried to appoint Mr. Bill Davis and Mr. Leroy Leap to the Recreation Commission.

The matter of making a small skating pond in Memorial Park was tabled until the next meeting.

Mr. E. O. Karow moved, seconded by Mr. A. R. Thompson and carried to appoint Beverly Bowers as Trial Justice for the Town of Elkton.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to appoint Mr. John A. Paul as Assistant Trial Justice for the Town of Elkton.

INSERT - See bottom of page.

Mr. Karow reported that Chief Knott had taken care of changing the signs on Lee Avenue and that the change seems to be working. In regards to the "Yield" signs which were discussed on the approach to new Route 33, the Chief had looked into this also and felt this was not necessary.

Mr. Karow also reported that the Chief of Police and four Patrolmen were enrolled at Blue Ridge Community College this semester.

A request from Rev. Johnny Hensley to hold street services was presented to the council. This matter was turned over to the Police Committee.

Rev. Kendricks inquired as to the possibility of lights being placed at the intersection of Old 33 and Route 340. The council explained that the state is in charge of these roads.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to employ Marvin C. Hillsman Jr. as Town Attorney for the same fee as last year.

INSERT: Mr. E. O. Karow moved, seconded by Mr. H. A. Leet and carried to appoint Mr. R. K. Babington as Warrant Justice for the Town of Elkton.

Mr. A. R. Thompson reported that the Second Reading on the Retirement System would have to be tabled until a further meeting as Mr. Davis was absent.

The council decided to hold a special meeting to discuss employee wages.

Mr. Thompson reported that Mr. Silas Toliver had come to him in regards to the buffing machine being broken and parts could not be found to fix it. This matter was turned over to the Finance Committee to check prices on a new machine and get some bids.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey, to declare a breach of contract on the T.V. Franchise, to cancel the contract and repeal the ordinance. The vote was as follows:

Leet	-yea	Thompson	-yea
Karow	-yea	Workman	-abstain
McGahey	-yea		

A letter from Mr. W. R. Meyer, Executive Director, State Air Pollution Control Board was read which stated that the town's request for a variance to permit the town to dispose of limited amounts of solid waste by burning at the site of the Town Dump at the western edge of Elkton was granted by the State Air Pollution Board at its meeting on September 3, 1971. The following conditions were attached to the granting of this variance:

1. The variance will expire on September 1, 1972.
2. The burning must be limited to that which is essential to sanitary and safe operation.
3. This variance is subject to revocation if rubber tires or asphaltic material is burned.

A letter from Mr. Ronald R. Brown, County Supervisor, United States Department of Agriculture was read which stated that Mr. Brown has been instructed to assist the town in processing our application for assistance in the development of a water system for the Town of Elkton. Mr. Brown suggested a meeting in order that this might be accomplished in the most efficient manner and asked Mayor Garber to schedule a time when he could come to one of the regular town council meetings.

A letter from Mr. C. Victor Bert was read in which Mr. Bert resigned from the Planning Commission.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet and carried to accept Mr. C. Victor Bert's resignation from the Planning Commission.

An appointment to replace Mr. Bert on the Planning Commission was deferred until the next meeting.

Mayor Garber presented a letter from Robert W. Stroh, President, Channel 29 Incorporated which informed the council that in the near future they plan to construct a new television station in Charlottesville, Virginia which will provide service to our area and enclosed a questionnaire which would acquaint them with the needs and problems current in this community.

A letter from Mr. Leroy Kite was read requesting the council to grant him permission to construct and operate a Trailer Park upon the old Jarman Property which he owns, said land being situate and fronting on Shenandoah Avenue, lying between Shenandoah Avenue and the right-of-way of the Norfolk & Western Railway Co. and being wholly within the corporate limits of the Town of Elkton, Va.

Mr. E. O. Karow moved, seconded by Mr. H. A. Leet and carried to table this request.

Mr. Louis Workman stated that he felt the council should recognize the good job which is being done by Scout Master Phillip Garrett.

As there was no further business, Mr. W. H. McGahey moved, seconded by Mr. E. O. Karow and carried to adjourn.

MAYOR: Edward F. Garber
Edward F. Garber, Mayor

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