REGULAR
COUNCIL MEETING
October 13, 1975

The regular meeting of the Elkton Town Council was held Monday, October 13, 1975 at 8:00 P.M. in the Council Chambers with the Mayor, H. Ditman Flory presiding. The following council members were present: Mr. C. E. Dean, Mr. R. R. Dean, Mr. H. A. Leet, Mr. R. J. Lough, Mr. W. H. McGahey and Mr. W. P. Suiter. Mr. Charles Hammer, Chief of Police, Mrs. Norma Leap, Clerk, Mr. Gerald Monger, Supt., and Mr. R. Bruce Wiles, Town Attorney were also present.

Mr. C. E. Dean opened the meeting with prayer.

Mr. W. P. Suiter moved, seconded by Mr. R. J. Lough and carried to approve the minutes as presented of the regular meeting September 8, 1975.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet and carried to approve the minutes as presented of the special meeting September 17, 1975.

Mr. Lurty Taylor was present to find out what progress is being made for power, water and sewer service to the Elkwood Subdivision.

Mr. Monger stated that he is working on this but there is one item to be cleared before he is ready to bring the project before council to ask for appropriations. The sewer is ready and enough water can be supplied at this point for Elkwood to check their lines.

Mayor Flory stated that he has not discussed with council what their intentions are but they are working on it.

Joe Stoddard was present to fulfill one of the requirements needed to get his communications merit badge. He is working to become an Eagle Scout. Paul Talbot, who accompanied Joe, is already an Eagle Scout.

Mr. W. P. Suiter reported that the Fossil Fuel will be $10.90 per thousand kwh for October.

Mr. Suiter reported that Vepco received only $97,000,000.00 of the approximately $137,000,000.00 increase they had requested. The Town will be receiving a refund on their electric but he was not sure at this point just how much. It will probably be at least four months before we will know any definite amount.

Mr. C. E. Dean distributed a copy to each Councilman and Mayor of a letter from Mrs. Neil Hillsman, Secretary of the Elkton Community Parks and Recreation Commission giving a summary of the Commission's activities for the past year.

Mr. C. E. Dean reported that Mr. Bill Davis and Mr. Charles Harris have resigned from the Recreation Commission. He suggested Mr. Bill Crump and Mrs. Betty Flory as replacements.

Mr. C. E. Dean moved, seconded by Mr. R. J. Lough and carried to approve the appointments of Bill Crump and Betty Flory on the Elkton Community Parks and Recreation Commission.

Mr. C. E. Dean reported that Michie City Publications Company had submitted the following proposal to bring up to date our town code:

> Michie will do all the required editorial work on ordinances adopted since the cut-off date of the Code proper and will then publish 50 sets of the supplemental pages so as to accomodate all copies of the Code. They will do all this work on a page rate basis of $15.50 per page. They pointed out that it would be highly advisable to bring the Code up to date so that it may parallel the corresponding State laws, particularly the new criminal laws which went into effect October 1, 1975.

Mr. Dean, nor Mrs. Leap, had any idea how many pages would be involved due to the new criminal laws. After some discussions, it was decided to contact Michie to see if they could give us an estimate on the numbers of changes involving the criminal laws and how much they would charge for just doing the editing work.

Mr. Monger reported that Mr. LeFon of Pipelines, Inc. would like the Town to pay the remaining $3,000.00 due on the first project before beginning the second. Mr. Lough felt the Town should know what they are getting for their money before paying the balance. It was pointed out that most of the time you retain a portion until the work is completed to your satisfaction. Mayor Flory and Mr. Monger will talk with Mr. LeFon to see what can be worked out as possibly there is a communications gap.

Mr. W. P. Suiter moved, seconded by Mr. W. H. McGahey to appropriate $375.17 from the Elkton Electric System Fund for demand meters and their installation. The vote was recorded as follows:

C. Dean	- yea	R. Lough	- yea
R. Dean	- yea	W. McGahey	- yea
H. Leet	- yea	W. Suiter	- yea

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter to approve the Second Reading to purchase a backhoe in the amount of $4930.00. The cost of this capital outlay item will be divided between the Electric, Water, Sewer and Street Departments. Payment will be made from the Elkton Electric System Fund with two-thirds of the cost being repaid to this account from the General Fund and charged to the Water, Sewer and Street Departments. The vote was recorded as follows:

C. Dean	- yea	R. Lough	- yea
R. Dean	- yea	W. McGahey	- yea
H. Leet	- yea	W. Suiter	- yea

Mr. Lough reported that it had been brought to his attention and he felt he should bring it to the council's attention that Section 52 of the Town Charter provides that the Town may assess the abutting land owner for all or part of the cost in the construction or improvement or paving of any alley or sidewalk. Mr. Wiles had brought to Mr. Lough's attention also that Section 15.1-239 and Section 15.1-241 as amended of the State Statutes provides that the governing body of any town may impose taxes or assessments upon abutting property owners for the construction, replacement or enlargement of sidewalks, sanitary sewers or storm water sewers not to exceed three-fourths of the total cost of such improvement. Mr. Lough felt the town should give strong consideration to having property owners share in these costs. He felt the town could be setting a precedent, now that they are aware of these sections in the charters. He stated that the Jackson Avenue area is only one of the water problem areas in town and that Mr. Monger has already received calls regarding two other areas. Several of the councilmen felt we were a little late to do anything about the Jackson Avenue Project and some felt the town probably had created the problem years ago and should bear the cost.

Mr. R. J. Lough moved, seconded by Mr. H. A. Leet to table the Second Reading on the $6,000.00 draining project in the Jackson Avenue area until the next regular or special council meeting. The vote was recorded as follows:

C. Dean	- nay	R. Lough	- yea
R. Dean	- nay	W. McGahey	- nay
H. Leet	- yea	W. Suiter	- nay

Mr. W. P. Suiter moved, seconded by Mr. W. H. McGahey to approve the Second Reading to appropriate approximately $6,000.00 for relief of flooding conditions on Jackson Avenue which would include installation of 24 inch pipe and grading from D Street to North Avenue, work to start immediately and at the town's expense. The vote was recorded as follows:

C. Dean	- yea	R. Lough	- nay
R. Dean	- yea	W. McGahey	- yea
H. Leet	- yea	W. Suiter	- yea

Mr. Lough stated he was voting against setting a precedent, not that he was opposed to the project.

Mr. McGahey was excused from the meeting as he had to return to work.

Mr. H. A. Leet moved, seconded by Mr. R. J. Lough and carried to approve the Finance Report.

Mrs. Leap was instructed to put $5,000.00 into a Certificate of Deposit for ninety days from the Elkton Electric System Fund.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter and carried to adopt the audit report as presented by Bosserman, Alt, James and Stickley for the fiscal year ending June 30, 1975.

Mr. R. J. Lough moved, seconded by Mr. R. R. Dean and carried to write off the 1970 and 1971 taxes and to take appropriate action for recording them at the court house.

Mr. Suiter stated he was under the impression that Highway Fund monies would be used for the $6,000.00 alley project on Jackson Avenue. Mr. Monger stated he had been told verbally that this was permissable. Mr. Lough pointed out that all this money goes through the General Fund and not a separate account.

Mayor Flory reported that he had taken Step I of our grant request to Richmond and that we have received approval from the Central Shenandoah Planning District Commission but not from the State Clearing House. After their approval is received the request goes on to Philadelphia, so it now appears that it will be at least the first of the year before we receive any money.

As there was no further business, Mr. W. P. Suiter moved, seconded by Mr. H. A. Leet and carried to adjourn.

MAYOR: H. Ditman Flory Mayor
H. Ditman Flory, Mayor

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