REGULAR
COUNCIL MEETING
July 14, 1975

The regular meeting of the Elkton Town Council was held Monday, July 14, 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, and Mr. W. P. Suiter. Mr. W. H McGahey was absent. Mr. F. M Cloonan, Jr., Town Patrolman, Mr. Gerald K. Monger, Town Superintendent, Mr. R. Bruce Wiles, Town Attorney and Mrs. Norma R. Leap, Town Clerk were also present.

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

Mayor Flory presented a proposal to change the entrance to North Avenue from Route 340. Mr. Lurty Taylor, a representative from British Woods Corp., was present in regards to the purposed change. He felt this would be a definite improvement. The State Highway Department would like a resolution from the town indicating their approval of the change. One of the questions concerning the council was would there be any cost to the town. Mr. Taylor stated there would be none.

Mr. H. A. Leet moved, seconded by Mr. W. P. Suiter to approve a resolution approving the purposed plans for the North Avenue entrance change, provided there is no cost to the town and the 35mph speed limit sign is moved North to include the intersection. All the councilmen present voted in favor of the motion with the exception of Mr. R. R. Dean who abstained.

Mr. W P. Suiter moved, seconded by Mr. H. A. Leet and carried to approve the minutes as written of the regular meeting June 9, 1975.

Mr. W. P. Suiter moved, seconded by Mr. C. E. Dean and carried to approve the minutes as written of the special meeting June 23, 1975.

Mr. Gerald Monger reported to the town that the Jr. O.U.A.M. would like for the town to put a float in the Field Day Parade August 9, 1975.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter to put a float in the Field Day Parade at a cost of $125.00. The vote was recorded as follows:

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

Mr. Monger reported that he had received a reply to his letter from the Norfolk & Western Railway Co. regarding our request that the N & W donate the old railroad station to the town. They stated that due to a prior committment they would be unable to do so. On the question regarding the parking lot, they reported that the request had been forwarded to the proper department for consideration.

Mr. Monger reported that he had talked with Mr. LeFon of Pipelines, Inc. and there is a lot of roots in the main line which should be removed. There is also quite a few leaks in the center of town and these lines should be televised also.

Mr. R. J. Lough moved, seconded by Mr. H. A. Leet to have the roots removed and pay Mr. LeFon of Pipelines, Inc. an additional $124.00 from the Revenue Sharing Infiltration Budget. The vote was recorded as follows:

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

Mr. Gerald Monger reported that he had turned over to the State Highway Department some purposed sewer lines to see if we can use our highway grant money for storm sewer.

Mr. Suiter reported that fossil fuel charge for the month of July will be $8.48 a thousand.

Mr. Suiter presented bills in the amount of $3,084.44 for demand meters and installation.

Mr. W. P. Suiter moved, seconded by Mr. R. J. Lough to approve the First Reading to pay the bills in the amount of $3,084.44 for demand meters and installation from the Elkton Electric System Fund. The vote was recorded as follows:

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

Mr. Monger presented a purposal by Arthur Beard Engineers regarding an alarm system for the North Avenue Pumping Station to indicate power failures. Mr. Nickerson feels the town can get by with this rather than having to see about a second source of power as is being required at the disposal plant by the Water Control Board.

Mr. W. P. Suiter moved, seconded by Mr. R. R. Dean to give Mr. Monger the authority to submit the plan to the State Water Control Board to have an alarm system installed at the North Avenue Pumping Station.

Mr. Leet questioned the fact of the laws requiring the town to do this and felt if these things are required the State Water Control Board should cite the laws requiring this. He felt that if the town rolls over dead every time they tell us to do something, we are going to be long gone.

The vote on the motion was taken and carried unanimously.

Mr. Monger reported that the T.V. Franchise for the town sets a charge of $3.50 per pole for any of our poles which the T.V. Company attaches to. The Telephone Company has set a fee of $4.00 rental per pole. As the town and telephone company have some joint poles the question to be decided is what will be the rental on these joint poles.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter and carried unanimously that all joint owned poles are to be charged to the cable T.V. Company at $4.00 per pole. $2.00 of which will go to the town and $2.00 to the telephone company.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter to approve the Second Reading to appropriate the money for the items enumerated in the 1975-76 Budget. The vote was recorded as follows:

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

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter to approve the Second Reading to appropriate the money derived from the Revenue Sharing as enumerated in the 1975-76 Budget. The vote was recorded as follows:

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

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter to approve the Second Reading to consolidate and refinance the town's indebtness of $88,000.00 with the Virginia National Bank at 5¼% simple interest to be repaid over a ten year period with monthly payments of $944.17. The vote was recorded as follows:

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

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean and carried unanimously to transfer the $12,600.00 grant on the North Avenue Project from the Town of Elkton Water and Sewer Account and place in the General Fund Account.

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean and carried unanimously that all sinking fund deposits be suspended for the 1975-76 fiscal year.

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean and carried unanimously to combine all the sinking funds, with the exception of the Elkton Electric System Fund, in the amount of $16,079.79 into one sinking fund entitled Elkton Debt Retirement Service.

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean and carried unanimously to accept the Finance Report.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter and carried unanimously to deposit $12,000.00 of the sinking fund moneys on a 90 day Certificate of Deposit to be drawing interest.

Mr. R. J Lough moved, seconded by Mr. R. R. Dean to approve the Second Reading to pay the Rockingham County Board of Supervisors $1,196.37 for the town's portion of the landfill operational costs. The vote was recorded as follows:

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

There was some discussion regarding lots not being mowed and what penalty can be assessed for not following the ordinance. Mr. Wiles stated that Sec. 26-26 takes care of this matter.

Mr. Lough suggested that the Ordinance Committee consider revising the ordinance book and to check prices for this work.

Mr. Leet reported that a water and sewer connection has been made to a house built by Mr. Raymond Gooden in the Liberty Heights Subdivision. These lines will not only serve this house but will make water and sewer available to three other lots.

Mr. H. A. Leet moved, seconded by Mr. R. J. Lough to approve the First Reading for $739.83 for pipe purchased from the William H. Clausen Co. The vote was recorded as follows:

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

Mr. H. A. Leet moved, seconded by Mr. C. E. Dean to approve an expenditure of $108.00 to Owlen W. Mowbray for sewer repairs on Stuart Avenue. The vote was recorded as follows:

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

Mr. H. A. Leet moved, seconded by Mr. R. R. Dean to approve an expenditure of $108.00 to Owlen W. Mowbray for water repairs. The vote was recorded as follows:

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

Mr. R. R. Dean moved, seconded by Mr. H. A. Leet to approve an expenditure of $317.25 to Owlen W. Mowbray for street drainage. The vote was recorded as follows:

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

Mr. H. A. Leet moved, seconded by Mr. R. R. Dean to approve an expenditure of $355.79 to Suffolk Chemical for water and sewer supplies. The vote was recorded as follows:

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

Mr. Wiles reported that he had been served with papers from the State Corporation Commission regarding the new telephone rates. There will be a Public Hearing in Richmond September 15, 1975. Notices of Protest must be in by August 15, 1975 and testimony and exhibits must be filed by September 5, 1975 for those desiring to protest.

Mr. Wiles reported that briefs were filed by both sides regarding the appeal in the lawsuit of Smith vs. the Town of Elkton.

Mr. Wiles gave the following annual report of his work for the year:

1. Deeds

   Electric Substation - 1.06 acres from Mrs. Vada Housden

2. Contracts

   NCR Maintenance Contract
   Arthur Beard Engineering
   N & W Railway Lease Agreement
   British Woods Contract
   Annexation Pheasibility Study

3. Court

   Appointment of Mr. William Madren to Board of Zoning Appeals
   Reappointment of Mr. John Hostetler to the Board of Zoning Appeals
   Suite - Floyd Smith vs. Town of Elkton

4. Ordinances Drafted

   Electric Rates
   Resolution on flood insurance
   Amend Garbage Collection Ordinance
   Grievance Procedures

Mr. Wiles reported that Chief Hammer had contacted him regarding his help in prosecuting town cases. Mr. Wiles stated he would do so at the regular rate but he felt the Commonwealth Attorney will perform this service if the town requested it at no charge except for cost on the unsuccessful cases.

Mr. Lough expressed his appreciation to Mr. Wiles for this information.

Mr. R. J. Lough moved, seconded by Mr. W. P Suiter and carried unanimously to request the Commonwealth Attorney to prosecute the town cases.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter and carried unanimously to go into Executive Session to discuss pending letigations.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter and carried unanimously to go from Executive Session to Regular Session.

Mr. W. P. Suiter moved, seconded by Mr. R. J. Lough to have the Valley Banner address the water, sewer and electric bills as quoted at an approximate cost of $450.00 for the original set up and first years addressing. The vote was recorded as follows:

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

Mr. Lough suggested raising the deposit charges and to check into having master meters at trailer courts.

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean and carried to sign an agreement for an Erosion and Sediment Control Program between Rockingham County and the Town of Elkton.

Mayor Flory presented a letter regarding a request for donations for the Bicentennial Project the Education for Employment Class at the High School is involved in.

Mr. H. A. Leet moved, seconded by Mr. R. J. Lough and carried to donate $50.00 from the Bicentennial money set up in the Revenue Sharing.

Mr. W. P. Suiter moved, seconded by Mr. C. E. Dean and carried to adjourn.

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

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