REGULAR
COUNCIL MEETING
August 14, 1978

The regular meeting of the Elkton Town Council was held August 14, 1978 at 8:00 P.M. in the Council Chambers with the Mayor, Charles E. Dean presiding. The following council members were present: R. R. Dean, S. P. H. Flick, H. D. Flory, B. B. Holt, L. C. Life and C. A. Schumacher. Charles Lawhorne, Chief of Police, Norma Leap, Clerk, Gerald Monger, Superintendent, and R. Bruce Wiles, Attorney were also present.

Councilman Randal Dean opened the meeting with prayer.

Mr. Lewis Jolly came before council on behalf of the owners of British Woods Corporation regarding the water and sewer tap fees. At present British Woods has an additional $800.00 built in to the selling price of each lot. When the lot is sold, $700.00 is paid by British Woods to the town and $100.00 is retained to reimburse British Woods for having installed the laterals on behalf of the town. British Woods is suggesting that they no longer collect the tap fees, but that the lot owner pay this directly to the town when they are ready for a hookup. British Woods is willing to forego the payment of $100.00 per lot for the laterals, which would amount to $4,600.00 on the remaining 46 lots to be sold. British Woods feels this will also help them in selling the lots if they take the $800.00 tap fees out of the purchase price of the land.

Councilman Flory said he would like to think on this suggestion before making a decision. Mayor Dean informed Mr. Jolly that council would get back with him by the September meeting.

Mr. Gene Hensley introduced Mr. Lewis Craig and Mr. Bill Wise who are doing a feasibility study for a group, headed by Mr. Mack Jones of Waynesboro, who are interested in building a shopping center on Mr. Hensley's land. They presented the plans for the project and some of the problems which they foresee and may require some assistance from the town. The main problems are an adequate water supply for fire protection requirements, site drainage runoff and meeting flood ordinance requirements. These problems have to be solved before they could advise Mr. Jones that the project would be feasible. It would be difficult for the developer to solve these problems without some help from the town and that is why they came before council. They were not sure at this point what they would need in the form of help but it would probably be in the area of these problems mentioned. There would be a substantial need for electricity. The main thing they were asking for tonight was some of Mr. Monger's time as they would be needing to confer with him regarding these problems. Councilman Holt suggested that before they come back to council, they meet with the Planning Commission to fill them in on this project as they may have some ideas or suggestions which might help with the solution of these problems.

Councilman C. A. Schumacher moved, seconded by Councilman S. P. H. Flick and carried to approve the minutes of the regular meeting August 14, 1978 as corrected.

Councilman Holt reported that with the Mayor's concurrence and the concurrence of the Public Safety Committee they are using a P.S.E. employee, Mr. Jesse Sager, as a part-time patrolman. This is a sharing program with other towns.

Councilman Flory reported that after having a committee meeting, it is the recommendation of the Water and Sewer Committee that the council deny the request by Mr. Paul Simmons for a water connection. The addition of another person on the system would greatly hurt the water pressure of the people already on the line.

Councilman Flory reported that we have been approved by E.P.A. to proceed with the sewerage treatment plant. Bids may be out by December or January. Mr. Hawes of FmHA has been written regarding the $300,000.00 loan which was obligated in August of 1977 and they indicated the loan is ready anytime we need it.

Councilman Flory reported we were turned down on our HUD application. This is the second time we have been turned down. Councilman Flory indicated that we would not reapply on these projects as it requires considerable man hours to prepare the applications and we have been turned down twice. He pointed out that they have not given up but need to consider different approaches.

Councilman Schumacher reported that the Electric Committee has met and have several items pending, but are not ready to report on them at this time.

Councilman Flick presented the following proposals from the Streets and Sidewalks Committee:

	Priority		
1.	(This year)	Terrace Ave. Between RR and Firestation - Grade/Stone	$8,666.00
2.	(This year)	"C" Street - Terrace & Ashby	5,361.00
3.	(This year)	Lee Ave. - "F" St. to dead end Grade & Surface	7,600.00
4.		Sidewalk at Mrs. Joe Black's home	1,697.00
5.	(This year)	Wirt Ave. to Spotswood	2,900.00
6.	(This year)	Marshall Ave. 4th to 5th Streets	2,350.00
7.		"F" St. - 1 block plus	2,200.00

Sidewalk at Elkton Dry Cleaners	1,840.00
End of 6th. St. Grade/Topsoil/Seed	967.00
Elementary School Alley	7,881.00

Other projects

Turning Circle at the home of Rondle Cave
Drain Area at Herbert Coffey home
Drainage problem at Elkton Milling Co. Plant

Figures given are estimates only but they are believed to be reasonably accurate.

Adopt above as schedule with work to be done as money is available.

Mr. Wiles brought to council's attention that some of these projects possibly would be subject to abutting property owners sharing in the cost of the project.

Councilman Flick moved, seconded by Councilman Holt and carried to adopt this proposal as a tentative work schedule for Mr. Monger on streets and sidewalks.

Councilman Flick presented a request to erect signs indicating "Children At Play" on Washington Avenue between Fifth and Seventh Streets. Mr. Monger reported he had been contacted about this also and the State Highway Department informed him they would not allow us to erect signs. They do not have signs that would be legal. The State Highway Department is sending a letter to the town to this effect.

Councilman Flick reported that the Postmaster has ask that council name the alley behind Mr. Joe Lucas. Mayor Dean reported he had received requests from several of the ladies in this area as they cannot receive mail at their door until the alley is named.

Councilman Holt suggested referring this to the Planning Commission. It was pointed out that within this one block three different people have different street addresses. After some discussion, Mayor Dean ask that Councilman Flick and his committee contact Mr. Shuler to see if all the people living on this street could be given the same street address and if necessary we will name the alley.

Councilwoman Life moved, seconded by Councilman B. B. Holt to adopt on Second Reading the following ordinance to repeal Section 32-43 of the Town Code:

AN ORDINANCE TO REPEAL SECTION 32-43 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA, "WHEN SEWER BILLS PAID . . . ETC."

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, THAT SECTION 32-43 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA, BE AND THE SAME HEREBY IS REPEALED.

The vote was recorded as follows:

R. Dean	- yea	B. Holt	- yea
S. Flick	- yea	L. Life	- yea
D. Flory	- yea	C. Schumacher	- yea

Councilwoman Life reported that her committee had met and were mainly concerned about a garbage problem they have but are not ready to present it at this time. Mrs. Life reported that we are losing money in this area. We are giving good service but the equipment is not adequate to give as clean a service to the big businesses as they would like. The committee is working toward this and hope to have a solution by the next meeting.

Councilwoman Life reported that they have had their first skateboarding day. They worked with the Recreation Commission and had this August 5th. About four young people participated in the program. Mr. Bill Buracker, Recreation Director, supervised this event. Plans had been made to have these event again but at present we do not have a Recreation Director as Mr. Buracker found a teaching position. Mr. Leap reports that the Recreation Commission is working to get a new director.

Councilwoman Life reported that we now have a new flag which was presented on Saturday by the Woodmen of the World. Mrs. Leap was ask to send a thank you note to this organization.

Mr. Monger was ask to check on the lighting at the triangle as it does not seem to be working.

Councilwoman Life ask Mayor Dean if he had checked with J. Kenneth Robinson about a State flag. Mayor Dean said he had checked with Representative Robinson and he indicated we could get one from Clinton Miller or Bonnie Paul.

Councilwoman Life questioned what has happened in regards to a town flag. It was explained that Mrs. Black's committee presented their suggestions and then a committee was appointed by Mr. Lough who was Mayor at the time to take Mrs. Black's suggestions along with their own and bring back a design for a flag to present to council. The committee consisted of Chief Lawhorne, Mrs. Leap and Mr. Monger. They met and presented their suggestion to council. No action was taken by council.

Mayor Dean ask Councilwoman Life to work with him on this. Councilman Flory suggested they work with Mrs. Leap and Mr. Monger as they were on the committee to select the design.

Councilwoman Life commented that she was glad to see the street signs down and being painted and that the weeds down on Route 340 look great also.

Mayor Dean ask Councilwoman Life's committee to look into the matter of other towns refusing to pay the landfill fee.

Councilman Dean reported there would be no Finance Report due to the auditors working on the books. The audit report should be ready by the September meeting.

Councilman Dean reported that we have a bill from R. Loring Cover in the amount of $1530.00 for Police Liability Insurance. Councilman Flory suggested that due to the increase in premium from approximately $950.00 last year, Mayor Dean and Councilman Dean check with the Virginia Municipal League to get names of some companies which handle this insurance and check coverage and premium to see if they are comparable to what we are being billed by Mr. Cover. The decision on the insurance would be left to them.

Chief Lawhorne ask if we had received a rebate from Mr. Cover on the vehicle insurance. He stated, that in meeting with Mr. Cover, he had discovered the town is still carrying the two junked police cars and have been for the past couple of years. The white Ford is also being carried as a police package which is a considerable higher premium. At Chief Lawhorne's request the 1972 and 1974 Plymouths have been removed and the white Ford removed from police car coverage. Chief Lawhorne stated we should be getting something like $800.00 rebate on these vehicles. Mrs. Leap stated the insurance on the white Ford has been changed and the other two removed from coverage. We have received a credit of $225.00.

Councilman Dean reported we have received an Antirecession Fund check in the amount of $294.00. We have been using this money for materials to repair town property.

Councilman Dean reported that our revenue sharing for the period beginning October 1, 1978 through September 30, 1979 will be $18,361.00. We need to be thinking how we plan to budget this money.

Councilman Flory moved, seconded by Councilman Holt to appoint Randal Dean,

Finance Chairman to cosign the checks on the following accounts along with Norma Leap, Treasurer:

TOWN OF ELKTON INC. REVENUE SHARING EP-6
ELKTON ELECTRIC SYSTEM
ELKTON DEBT RETIREMENT SERVICE
ELKTON SANITARY SEWER PROJECT ACCOUNT

The vote was recorded as follows:

R. Dean	- abstain	B. Holt	- yea
S. Flick	- yea	L. Life	- yea
D. Flory	- yea	C. Schumacher	- yea

Mr. Wiles stated that as the subject had come up earlier in the meeting regarding assessments on abutting property owners, he would like to respond to it a little more fully. He called council's attention to a provision in the State Code with respect to assessments for local improvements. The State Code authorizes the governing body of any county, city or town to impose taxes or assessments upon the abutting property owner or owners for certain types of improvements. Mr. Wiles pointed out that the code provides that you cannot assess the abutting property owner more than he is benefiting from the improvement but you can assess him without petition or approval by him. We do have an ordinance providing for assessments for persons petitioning for improvements but the State Code authorizes the town to impose these assessments without a petition. There are certain procedures which have to be followed to do this. Mr. Wiles stated he was not suggesting whether council should or shouldn't utilize this authority, but felt they should be aware that they do have it.

Mayor Dean welcomed the new Daily News-Record reporter.

Councilman Flory reported the town did receive an extension of time on their sewer project in the Hisey Heights and North Avenue areas involving the P.S.E. employees. The extension was for three months and should allow plenty of time to complete the project.

Councilman Flory reported that we have received $2,250.00 from E.P.A. for the final payment on Step I of the new sewerage plant project.

Councilman Flory reported that it had been brought to his attention that traffic is still congested at the intersection of Rockingham Street and Stuart Avenue and it may help to post a no left turn during certain hours of the day at the stop light on Stuart Avenue heading north. Councilman Flory stated that the Public Safety Committee might want to consider this suggestion.

Mr. Monger reported that several meetings ago council passed a resolution on the sidewalks and drainage for the widening of Route 340. When Mrs. Leap started to send the resolution back she noticed that it stated from the intersection of Route 33 to the north corporate limits rather than Route 33 Business through the intersection to Spotswood Avenue as had been discussed. Mr. Monger said he had missed this and felt council was unaware of it also. He had called Mr. Evans of the Highway Department and he did not know it was worded it this way. He suggested we change the wording to read Route 33 Business to Spotswood Avenue intersection.

Mrs. Leap was instructed to change the resolution. It will read as follows:

WHEREAS, the Virginia Department of Highways and Transportation has proposed certain improvements on Route 340 in the Town of Elkton from the intersection of Route 33 to the intersection of Spotswood Avenue and Route 340, and

WHEREAS, this project will provide a definite benefit to the Town of Elkton; and

WHEREAS, the Town of Elkton desires that certain improvements, such as new sidewalk and drainage improvements, be included in this project; and

WHEREAS, State Highway Commission Policy requires a contribution from the Town of Elkton for these improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, at its regular meeting on this 13th. day of June 1978, that:

1. Elkton agrees to pay 50% of the cost of all new sidewalks installed.

2. Elkton agrees to pay its share of the cost of storm drains in accordance with State Highway Commission Policy adopted August 18, 1966.

3. Elkton agrees that parking will be prohibited at all times throughout the limits of the above described project.

As there was no further business, Councilman Flory moved, seconded by Councilman Dean to adjourn.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

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