REGULAR
COUNCIL MEETING
November 13, 1978

The regular meeting of the Elkton Town Council was held November 13, 1978 at 8:00 P.M. with the Mayor, Charles E. Dean presiding. The following council members were present: S. P. H. Flick, H. D. Flory, B. B. Holt, L. C. Life and C. A. Schumacher. Councilman R. R. Dean was absent. Charles Lawhorne, Chief of Police, Norma Leap, Clerk, Gerald Monger, Superintendent and Bruce Wiles, Attorney, were also present.

Mayor Charles Dean opened the meeting with prayer.

Councilman C. A. Schumacher moved, seconded by Councilman B. B. Holt and carried to approve the minutes of the regular meeting October 9th., the public hearings October 16th. and 26th. and the special meeting October 27th. as presented.

Councilman Holt reported that they are contemplating a matter which possibly might involve litigation if council takes certain action and so council should be briefed on the alternatives by the town attorney. Councilman Holt stated he plans to move to go into Executive Session for this purpose later in the meeting.

Councilman Flory reported on a letter from Mr. Peter A. Bonavita requesting a hookup to the town water system. He lives just outside the town limits, off east Rockingham Street. He understands there is a $400.00 hookup fee. The town water line runs right by his property and Councilman Flory felt there would be no problem with reduction of water pressure in this area.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt to allow Mr. Peter A. Bonavita to hookup to the town water system providing there is no reduction in water pressure and at the prevailing hookup rates. The vote was recorded as follows:

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

Councilman Flory reported that he was unable to attend the meeting with Gary Nickerson today but that Councilmen Flick, Holt, and Schumacher were present, along with Mr. Monger and Mr. Harold Leet, who is going to help with the waste water treatment plant. Mr. Monger taped the meeting and Councilman Flory plans to review the tape before discussing the meeting.

Councilman H. D. Flory moved, seconded by Councilwoman L. C. Life to approve on Second Reading the payment of $10,000.00 to Arthur Beard Associates on the contract price of $12,000.00. The vote was recorded as follows:

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

Councilman Schumacher reported that he has been approached by the Fire Company who requested that council pay $63.61 for current used at the Firemen's Carnival in June. This has been the practice in the past. The Electric Committee recommends that council pay this amount, however in an effort to keep better track of the free electricity used, the committee would like, in the future, that these requests for free electricity be made individually prior to the event.

Councilman C. A. Schumacher moved, seconded by Councilman H. D. Flory that the town pay the $63.61 for electricity used by the Fire Company at their carnival. The vote was recorded as follows:

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

Councilman C. A. Schumacher moved, seconded by Councilman H. D. Flory that people wishing free electricity make their request prior to the using

of the electricity. The vote was recorded as follows:

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

Councilman Schumacher reported that in discussing the refund of money from Vepco, there were some people who felt this money should be used for recreation and others don't. The Electric Committee plans to place a ballot in the next electric bill so each consumer will have the opportunity to cast his vote and council will be guided by this straw vote as to whether the money is to be returned to the consumer or used for recreation. Complete information would go in with the ballot regarding the average refund in general for families of two, three, four, etc. and businesses of various sizes.

Councilman Holt suggested placing another option on the ballot, "other town purposes". This would give people another choice if they did not prefer recreation.

Councilman Flory felt it would be more palatable that when you send the letter you give ideas of what the money is to be used for or how the use would be determined. There would be a greater chance of the citizens voting to donate the money if they knew how it would be used.

Councilwoman Life and Councilman Flick felt that people not wanting to donate their money should not have to do so. Councilwoman Life suggested that perhaps the businesses would donate their portion, but other members of council felt this would not be fair.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt that Councilman C. A. Schumacher and his committee write up a proposal to offer to the citizens of Elkton an opportunity, on a ballot in their electric bill, to vote on the following two alternatives: (1) a full rebate or (2) have the Elkton Recreation Commission and a representative from each civic organization of the Town of Elkton get togehter, within a three month period, to formulate a plan as to how the money will be used. The Mayor will chair the committee. The citizens will then be given the opportunity to hear and approve the plan in a public hearing. The administrative cost of this program will come out of the rebate. The vote was recorded as follows:

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

Councilman Flick made the following report:

Since the last meeting on October 9th. the following projects, previously approved by council, have been completed:

Wirt Avenue to Spotswood	$2,900.00
Marshall Ave., 4th. to 5th. St.	2,350.00
"F" St., 1 block plus	2,200.00
	$7,450.00

The material for these jobs was purchased at $21.00 per ton installed and a total of 280.87 tons were used at a cost of $5,898.27, a savings over the estimated bid cost of $1,551.73.

It was thought proper to resurface "F" Street to save whatever surface remained.

It is hoped that a minor project can be completed on Chestnut Street in the very near future that will help alleviate the flooding conditions on that street.

No meeting of the Street Committee was held but all members have been made aware of the above report.

Councilwoman L. C. Life moved, seconded by Councilman H. D. Flory to approve on Second Reading an ordinance to amend Section 9(9) of the Zoning Ordinance of the Town of Elkton, Virginia: "Setback Building Lines" which reads as follows:

AN ORDINANCE TO AMEND SECTION 9(9) OF THE
ZONING ORDINANCE OF THE TOWN
OF ELKTON, VIRGINIA:

"SETBACK BUILDING LINES"

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, THAT SECTION 9(9) OF THE ZONING ORDINANCE, ELKTON, VIRGINIA, BE AMENDED TO READ AS FOLLOWS:

(9) On any corner lot there shall be no planting, structure, fences, shrubbery or obstruction to vision more than three (3) feet higher than the curb level within twenty-five (25) feet of the intersection of any two street lines in Residence Districts. The Town Superintendent, with the written concurrence of the Chief of Police, may authorize an exception to this provision when in his opinion a departure may be made without destroying the intent of this provision and public safety would not be significantly affected thereby.

The vote was recorded as follows:

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

Councilwoman Life reported that the contract with Blue Ridge Disposal Company of Shenandoah has been signed and services began on November 10th.

Councilwoman Life reported that the Litter Grant Application in the amount of $475.00 was posted on time and we should have an acceptance on or before January 1st.

The program was reviewed for council.

$155.00	for reflectorized signs with post
75.00	for slides of local litter problems in our community and these will be shown at the local schools and different organizations in town
45.00	poster contest in the elementary and intermediate schools
150.00	to have some group, such as the Boy Scouts, pick up trash
50.00	has been tenatively set for beginning an ecology club at Elkton High School if there is enough interest, if not the $50.00 will go in with the $150.00 for trash pickup.

Councilwoman Life reported that she attended a United Services meeting on October 12th. and was very impressed with the meeting. She reported that her committee met on October 18th. and the Recreation Commission met on October 26th. The Commission is hoping the Ceta Funds will open up by December and they plan to reapply to the Screening Committee for their needs. The persons on the Recreation Commission have been divided up into different activities to keep the various programs going. There has been a meeting on basketball; roller skating starts next Monday night; the Disco Inferno is being organized by Randall Snow at the high school with the help of four of the high school students and that starts this weekend.

Councilwoman Life stated she wanted to tell Mr. Monger how glad she was to see the triangle fixed. She said she likes to thank people and on her list she has the new state flag has been put up, new street signs, lines painted, Chief Lawhorne has held a road block for town stickers, so everyone has been busy.

Mayor Dean thanked Councilwoman Life and Mr. Monger for the work done on the application for the litter grant.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt and carried to approve the Finance Report for October.

Councilman Flory ask that if council has any creative ideas along the lines of projects, it appears that the new Ceta Program is going to be based on projects. They don't fund money along the lines of capital outlay but they do fund money for labor. The Water & Sewer Committee, with the help of Gerald Monger, will have some projects lined up to submit and he suggested if any other departments have something they discuss it with Mr. Monger.

Councilman Flory presented the following First Reading on the Proposed Budget for the Revenue Sharing Funds for Entitlement Period Ten, October 1, 1978 - September 30, 1979 in the amount of $18,361.00:

Recreation Department	$ 2,500.00
Elkton Fire Co. & Rescue Squad - Gasoline	1,200.00
Paint Municipal Building on Outside	1,650.00
Landfill Operations	2,500.00
Equipment Purchases for maintenance of town streets and sidewalks	2,000.00
Standby Well Pump and Motor (½ cost)	5,000.00
Communications Equipment in Police Dept.	3,511.00
	$18,361.00

A public hearing and special meeting on the proposed revenue sharing budget was set for December 4, 1978 at 7:00 P.M.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt to pay their premium of $1,384.04 to R. Loring Cover Insurance Agency, Inc. for Public Officials and Employees Liability Insurance.

Mr. Wiles stated the question had been asked at an earlier meeting if there was a time limit for spending revenue sharing monies. The regulations state that the money has to be used, obligated or appropriated within the two year period.

Mayor Dean reported that there will be a Regional Legislative Meeting sponsored by the Virginia Municipal League December 7, 1978 at the Sheraton Inn I-81 in Harrisonburg at 6:00 P.M. and urged all the council members to attend.

Councilman Holt reported that four of the six Planning Commission members met in two all day sessions within the last month to go over the comprehensive plan. They have come up with suggested modifications. They may meet again next Monday if they can get the planner to come over. The full Planning Commission will meet on November 27th. and go over the modifications and comprehensive plan. He hopes to bring this before council within the next month or so.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life to go into Executive Session to discuss matters possibly leading to litigation. The vote was recorded as follows:

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

Councilman B. B. Holt moved, seconded by Councilman H. D. Flory and carried unanimously to go from Executive Session back into Regular Session.

As there was no further business, Councilman B. B. Holt moved to adjourn.

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

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