REGULAR
COUNCIL MEETING
October 9, 1978

The regular meeting of the Elkton Town Council was held October 9, 1978 at 8:00 P.M. 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 Bruce Wiles, Attorney, were also present.

Councilman Randal Dean opened the meeting with prayer.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt and carried to approve the minutes of the regular meeting September 11, 1978.

Councilman Holt reported that the Auxiliary Police Force is in need of something in the way of a heavy uniform or coats. The town has two old police cars setting down on the lot which could be sold and Councilman Holt felt the money could be used to buy these heavy coats for the Auxiliary Force, with the understanding the use of these will be for as long as a man is a member of the Auxiliary Force. If he leaves, all equipment and uniforms remain the property of the Auxiliary Police Force.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life that when and if the police cars are disposed of, the proceeds be donated to the Auxiliary Police Force for acquisition of equipment, such equipment to be retained by the force as long as it is part of the Elkton Police Department. The vote was recorded as follows:

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

Councilman Holt reported that the amendment to Section 9(9) of the Town Zoning Ordinance has been considered by both the Town Planning Commission and the Board of Zoning Appeals. While they cannot make any recommendations until such time as there can be a public hearing on the ordinance amendment, it was Councilman Holt's understanding that neither body has any objections to the amendment. The date of October 26, 1978 at 7:30 P.M. was set for a joint public hearing by the Town Council and the Planning Commission.

Councilwoman Life reported that she had taken it upon herself to request Mr. Monger and Chief Lawhorne to make a survey of the town to see the number of violations of Section 9(9) of the Zoning Ordinance. From their inspection they found approximately 70 buildings in violation and approximately 234 trees and shrubs. A list was presented to each council member of the 13 which were considered to be safety hazards and what action was recommended. They suggested an inspection be made each year. Councilman Holt reported no action could be taken on this until the ordinance amendment is passed.

Councilman Flory reported he had called, on behalf of our attorney, the attorney for the estate of Charles Miller to try to speed up his process for the purchase of land for the sewerage treatment plant because the loan from FmHA for Step III of the Sewerage Treatment Plant Project will be coming available within the next three months. In Step III it stipulates that you have to show a bonafide clear title to the land and as yet nothing has been done. Mr. Wiles reported to Councilman Flory that the attorney has made a rough draft so we can purchase the property but it could still be a while. Councilman Flory said he may be calling on the Mayor to talk with this attorney if he does not proceed as he should, as the program could be in danger if we do not get title to this land.

Councilman Flory reported that the Town still owes Arthur Beard Associates $12,000.00 which is the town's 25% on Step II of the Sewerage Treatment Plant. The 75% from EPA has been paid. The Finance Committee met and since there is some money available suggests we pay $10,000.00 of this debt.

Councilman H. D. Flory moved, seconded by Councilman R. R. Dean to approve the First Reading to pay Arthur Beard Associates $10,000.00 on the contract price of $12,000.00. The vote was recorded as follows:

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

Councilman Schumacher reported that the council needs to make provisions to recover the rate increase from VEPCO which will be effective September 30, 1978. The increase seems to be 15.1% on the retail level and 19.86% on the wholesale level. There will be a 2.291 mills per kwh surcharge also.

Councilman C. A. Schumacher moved, seconded by Councilman H. D. Flory to adopt a tentative electric rate increase of 15.1% plus a 2.291 mills per kwh surcharge retroactive to the last billing period.

Councilman C. A. Schumacher moved, seconded by Councilman B. B. Holt to amend the motion to add that each schedule of electric rates be amended to show this increase. The vote on the motion as amended was recorded as follows:

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

Councilman S. P. H. Flick reported on the request by Postmaster Charles Shuler to name the alley in the northern part of town which had been referred to the Planning Commission. The Planning Commission recommended the alley be named "Lucas Lane".

Councilman S. P. H. Flick moved, seconded by Councilman B. B. Holt and carried to accept the Planning Commission's recommendation and name the alley "Lucas Lane".

Councilman Flick reported that we have bids on the street work. The bid was by tonage but seems to be well under the estimate. The bid was from A. N. Johnson. Mr. Monger was authorized to accept the bid and go ahead with the work as scheduled.

Councilman Flick reported on a letter received from the law offices of Hall & Hall which included a copy of an order of the State Corporation Commission concerning an application for transfer of a portion of Certificate of Public Convenience and Necessity as a Common Carrier of Passengers No. P-2034, Route 10, that portion reading "Front Royal, Virginia thence over U. S. Highway 340 via Luray and Elkton to Waynesboro, Virginia". This involves a proposed transfer of authority from Virginia Stage Lines, Inc. (Continental Trailways) to Quick-Livick, Inc.

Councilwoman Life reported that she has noticed that the council is not getting the agenda in the paper. She felt this is a good thing and suggested that she and the councilmen get on the ball and get the agenda to the clerk so the paper can get it.

Councilwoman Life reported we have received the United States flag and two State flags. The lights are back on at the triangle also.

Mr. Monger reported that someone ran into the wall on the triangle and busted a portion of it. This is the reason the lights are out again.

Councilwoman Life reported that at the last meeting her committee had suggested going to commercial hauling on small and large businesses.

Councilwoman Life moved, seconded by Councilman B. B. Holt to approve on Second Reading the choice of "Alternate C" and try commercial pickup for large and small businesses for a period of one year with the town still picking up residential and maintaining the old trash truck. The vote was recorded as follows:

R. Dean	- yea	B. Holt	- yea
S. Flick	- yea	L. Life	- yea
D. Flory	- yea (if rates remain the same)	C. Schumacher	- yea

Councilwoman Life and Mr. Monger will work with Mr. Wiles on a contract.

Councilwoman Life reported that the Recreation Commission members that she has worked with are working people and she wants them to know that. They have had two meetings to interview applicants for a Recreation Coordinator under the Ceta Program, one on September 20th. and one on September 27th. There were

nine applicants, six of which were interviewed. The commission did choose one above the others but the bad thing is that Mr. Leap, Chairman, had received word on September 26th., the day before the last interviews, that the Ceta funds have been frozen. Councilwoman Life stated that she felt they should all realize that the Recreation Commission has been functioning and giving their services to the town for a long time and felt sure they would continue to do so. They do have a goal in mind to do more with the park. Councilwoman Life requested that the Community Center on Terrace Avenue be included in the town janitorial services. Mr. Monger felt possibly this could be done once a month. The Recreation Commission will be requesting Revenue Sharing funds also.

Councilman Holt reported he did have some additional information on the P.S.E. and Ceta Programs. He had talked with Congressman Robinson's office Friday and again today and they reported Congress is still planning to adjourn Saturday but they are doing everything they can to get this bill passed. Maybe not before Thanksgiving but hopefully this year.

Councilman R. R. Dean moved, seconded by Councilman S. P. H. Flick and carried to approve the Finance Report for September.

Councilman Dean reviewed the audit report with council.

Councilman R. R. Dean moved, seconded by Councilman H. D. Flory and carried to approve the audit report for the year ending June 30, 1978.

Councilwoman Life questioned if the VEPCO refund could now be refunded to the customers. Councilman Schumacher stated that they had received word a few days ago that VEPCO will not appeal the courts decision. The Electric Committee plans to meet this coming month to discuss the means in which this refund will be distributed.

Councilman Flory stated he liked what the company doing the audit did last year in presenting a comparison of the past year with the present. He ask the Finance Committee to check to see if this could be done again next year when we have the audit.

Councilman Dean reported that the Finance Committee had met with Mr. Baker of the auditing firm and discussed the report and the auditor's recommendations. These recommendations are being taken care of.

Councilman R. R. Dean moved, seconded by Councilman H. D. Flory to charge off the 1972 taxes in the amount of $810.42, the 1973 taxes in the amount of $671.64 and the 1974 taxes in the amount of $519.07, and record the real estate taxes at the court house. The vote was recorded as follows:

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

Councilman Dean reported that the town has the following revenue sharing money that needs to be reappropriated.

EP-6	$ 121.00	left from truck
EP-8	459.30	left from landfill operations
	285.56	left from mowers
	58.95	left from saw
EP-9	135.00	left from tractor, accessories
	$1,059.81	

He suggested $29.00 of these funds be applied to the Space Heater which has increased in price, $245.00 be appropriated for a Leaf Blower and the remaining funds be applied to a Roto Rooter.

Councilman R. R. Dean moved, seconded by Councilman S. P. H. Flick to transfer the savings from the revenue sharing funds to be used for the Space Heater, Leaf Blower and Roto Rooter. The vote was recorded as follows:

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

Councilman R. R. Dean moved, seconded by Councilman H. D. Flory to go ahead and pay the remaining $1750.00 on the Land Use Study from the Revenue Sharing Account EP-6.

Councilman Holt stated he would rather hold off awhile if there is no chance we would lose the money. The Planning Commission is moving on the Land Use Plan but will still need some help from the County Planner and we should hold on to the money until the county completes their obligation to the town. After some further discussion, Councilman Flory withdrew his second and Councilman Dean his motion.

Mayor Dean stated he would like for it to be public knowledge that this council, including himself, never charged Linda Life with the responsibility of being responsible, you might say, for seeing that the job of Recreation Coordinator was filled. She was never given that responsibility by this council. The Mayor stated that he was on the Recreation Commission at one time and he never knew he was given that responsibility and she didn't either. The Recreation Commission had assumed that responsibility as a commission body as a whole, which she was a member of, but she was not given that sole responsibility by this council.

Mrs. Norma Leap presented a plate to council which was given to the town by Mr. Lynwood Koontz. It was suggested it be displayed in the Treasurer's Office.

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

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

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