REGULAR
COUNCIL MEETING
February 11, 1980

The regular meeting of the Elkton Town Council was held February 11, 1980 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 R. R. Dean opened the meeting with prayer.

The minutes of the regular meeting January 14, 1980 and the special meetings January 25th. and 28th., 1980 were presented and approved as amended.

Councilman Holt asked the members of the Public Safety Committee to stay a few minutes after the meeting for the purpose of setting a time for a committee meeting next week.

AAD025

Councilman Holt read a letter from Wayne D. Beaman, Detective/Sergeant of the Rockingham County Sheriff's Department. The letter was written on behalf of Sheriff Weatherholtz, Detective Beaman and his fellow officers extending their thanks to the Elkton Police Department for services rendered on January 31, 1980. The officer rendering assistance that night was Officer Jess Sager and King. The fugitive was arrested, after approximately two hours of searching by numerous officers, as a result of King's services. Detective Beaman went on to state that this incident is but one of many where the County calls upon the Elkton Police Department to assist them in their day to day activities. He went on to state that he personally feels that Elkton has a very capable police department and Chief Charles Lawhorne should be commended in developing the professional staff presently employed.

Councilman Flory reported that a letter has been received from the State Water Control Board of the State of Virginia asking that the Town designate the principal executive officer or an alternate authorized agent to be responsible for reviewing and signing the monthly Discharge Monitoring Report required by the referenced NPDES Permit for the discharge from the facility. He suggested that the Town pass a resolution designating Gerald Monger as the signatory authority for this community and our official representive in signing the monthly DMR reports.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt to pass a resolution designating Gerald Monger, Town Superintendent, as the signatory authority for the Town of Elkton's DMR monthly reports to the State Water Control Board.

Councilman Flory presented a request from Madeline Meadows, Route 3, Box 308, Elkton, for a water hookup. This is in the Newtown area. Councilman Flory reported that this is the same area we turned someone else down in because of the lack of water pressure and he recommended we do not do anything about this request at this time.

Councilman Flory reported that it seems we have met the deadlines and are on schedule with the wastewater treatment plant.

Councilman Schumacher reported that the Town Electric Department is going to go in the hole about $29,000.00 this year if we don't do something. Mrs. Leap got some figures together for the electric committee meeting and it appears that the problem is in fossil fuel. Mr. Monger came up with a line loss figure of approximately 7½% of the energy purchased from Vepco. In checking with Front Royal and Harrisonburg, they both felt that a 7½% line loss on our size system was not out of line. It would cost too much to switch our system. Councilman Flory was sick and not at the committee meeting but he later suggested to Councilman Schumacher, as a conservation measure, turning off half the street lights. Councilman Schumacher felt this was a pretty good idea but there would be a problem in turning off every other light. Councilman Schumacher reported that he had asked Chief Lawhorne to have his night patrolmen check and see what areas can stand to have the lights off without affecting safety and crime potential. Mr. Monger pointed

out that this has already been tried in some towns and they have found that they did not conserve enough energy to make up for the crime rate it produces. Councilman Holt stated that the Chief had brought this suggestion to his attention and he asked the Chief if he felt it would result in an increase in crime rate and also an increase in automobile accidents at intersections and he felt it would. Councilman Holt asked what kind of calculated risk the town would be taking, how much of an increase and the Chief could not say off the top of his head. Councilman Holt asked the Chief to go to other sources to see what results other towns have had who have tried this and this information will be available before the council makes any decision to turn off half the street lights. Councilman Flory stated that he drove around town the other night and that there are some areas where lights could be turned off and there would still be plenty of light. He felt this is worth checking into.

Councilman Schumacher reported that at the committee meeting a sur-charge was suggested as a means of recovering the $29,000.00 deficit. Mr. Monger had checked with Front Royal and they have instituted a sur-charge until they have their rates reviewed. No action was recommended by the committee. They do not have the January Vepco bill and they feel they should look at these figures before making any recommendation. They hope to have a recommendation by next month. The committee did approve a resolution to be presented to council.

Councilman C. A. Schumacher moved, seconded by Councilman S. P. H. Flick and carried to adopt the following resolution:

RESOLUTION

WHEREAS, INFLATION in the United States is running out of control;

WHEREAS, DEPARTMENTAL SPENDING in the Town of Elkton in a number of areas, including materials, labor and fuel are running over budget for the fiscal year 1979-80;

WHEREAS, INCOME from the electric system owned by the Town of Elkton is decreasing and is running under-budget for the fiscal year 1979-80 because of increased costs being charged by Virginia Electric and Power Company;

NOW, THEREFORE, BE IT RESOLVED

THAT the members of the Town Council of Elkton recognize that it is their responsibility to the citizens and taxpayers of the Town of Elkton to insure that the Town maintain its fiscal solvency;

THAT the members of the Town Council of Elkton do hereby vow and declare that in order to maintain solvency through the remainder of the fiscal year 1979-80 they must choose for the Town a route of financial austerity;

BE IT FURTHER RESOLVED,

THAT an immediate freeze will be placed on all spending for items that are not included in the budget for the fiscal year 1979-80, and that such expenditures not be allowed unless judged to be an emergency by the governing body of the Town;

THAT all supervisors for the Town of Elkton are hereby instructed to reduce to absolute minimum all activities that require avoidable overtime wages or other extra spending for salaries in order to keep the final totals as close as possible to the amounts that were placed in the budget for 1979-80.

Approved by the Town Council of Elkton, Virginia this, the 11th. day of February, 1980.

Councilman Schumacher reported on the request for street lights in Elkwood. It would require the installation of 29 poles and 13 lighting fixtures at a current cost of $7602.72. The estimated operating expenses would be $600.00 annually. Included in the installation would be a line from the town's 4460 volt line on North Avenue as the town has no electrical equipment

in the subdivision. To further complicate the matter, the town is prohibited from installing street lights in a Vepco franchised territory, which Elkwood is. Mr. Monger got some information today and sent it to Councilman Schumacher and it appears Vepco will install street lights in this area. It seems after a brief review of the information from Vepco, the town would have to pay for the installation of the lights and $1200.00 operating expenses. There is nothing in this year's budget for this type expenditure. Councilman Schumacher stated that the information would require further study and his committee will be checking into alternative action that would be agreeable with Vepco.

Councilman Flick stated he had no report on streets at this time.

Councilwoman Life reported that her committee met January 29th. She reported that we have received a check from the Division of Litter Control for $427.00.

Councilwoman Life presented the following First Reading to amend Section 26-16 which was changed to make sure businesses have the option to refuse pickup:

AN ORDINANCE TO AMEND SECTION 26-16 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA: "SCHEDULE FOR COLLECTION OF GARBAGE, ETC."

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, THAT SECTION 26-16 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA, BE, AND IT HEREBY IS, AMENDED TO READ AS FOLLOWS:

Sec. 26-16. Schedule for collection of garbage, etc. and monthly charges.

The schedule for collection of garbage, trash, refuse and other similar matter shall be established by the Town Council and maintained in the office of the Town Superintendent.

Monthly charges for the collection and hauling of garbage, trash, etc. shall be as set forth in a schedule of rates and charges promulgated and fixed by the Town Council, and subject to rules and regulations adopted therewith. A copy of the schedule of rates and charges and a copy of any such rules and regulations shall be maintained in the office of the Town Superintendent and in the Treasurer's Office of the Town of Elkton available for public inspection.

Any house, apartment, or business may be exempt from the refuse collection fee if the owners of such property notify the Town Treasurer in writing that it is unoccupied and creating no refuse. It shall then become their responsibility to notify the Town Treasurer again in writing when it is reoccupied.

Any business may be exempt from the refuse collection fee upon written application to the Town Superintendent and satisfactory proof that (1) such business generates no refuse, or (2) suitable alternative provisions for the removal of any and all trash, garbage, refuse, litter, and other like substances have been made.

Councilwoman Life reported that Mayor Dean had given her a letter at the last meeting from the Elkton Woman's Club expressing their concern over the town flag. Mrs. Leap went over the minutes of past meetings and found that there never was an official adoption of a design for a town flag. The minutes show that Mayor Dean had asked Councilwoman Life to work with him on this and Councilman Flory had suggested they work with Mrs. Leap and Mr. Monger as they were on the committee to select the design. Councilwoman Life has talked with these committee members and they are in agreement that they would present to the council to adopt the flag designed and used during the Bicentennial, which is setting in the council chambers, with the exception of the statement at the bottom which would be eliminated.

AAD025

Councilwoman L. C. Life moved, seconded by Councilman B. B. Holt and carried to adopt the design of the flag presented to the Town by the Bicentennial Commission with the exception of eliminating the statement at the bottom. The colors will be Old Gold and Royal Blue.

Councilwoman Life reported that the Woman's Club is mainly interested in getting a flag for Elkton. The town had decided earlier that the cost of approximately $600.00 for a 3 x 5 flag to be made was too much to undertake at the time. Councilwoman Life thinks the Woman's Club has in mind to spearhead a drive so others will take an interest and make the money or possibly make the flag themselves.

Councilwoman Life reported that John Berry has installed a new State flag. We had an extra State flag on hand. Mrs. Leap has written to Congressman J. Kenneth Robinson to request a U. S. flag so we will have a standby. Councilwoman Life asked that we order two more State flags to have on hand. It was decided to have the General Government Department order one flag at this time to come from the Miscellaneous Account of the General Government fund.

Councilwoman Life reported on a letter Mayor Dean had given to her at the last meeting from State Senator A. Joe Canada, Jr. regarding a bill he has introduced in the Virginia Senate which attempts to prohibit the sale of drug paraphernalia. He asked that our legislative body consider this act and pass a resolution in support of this bill so that they can try to stop the sale of drug paraphernalia in our Commonwealth.

Councilwoman L. C. Life moved, seconded by Councilman H. D. Flory and carried to authorize the Mayor to write a letter in support of the intent of the bill introduced by Senator Canada to stop the sale of drug paraphernalia in our Commonwealth.

Councilwoman Life reported that we have received the first draft of our code from PRM.

Councilwoman Life reported that Councilman Holt has prepared the first draft of Committee Responsibilities. Councilman Holt asked Mrs. Leap to see that those council members that do not have copies of this receive them so they can review them and it will be discussed at the next meeting.

Councilman R. R. Dean moved, seconded by Councilman B. B. Holt and carried to approve the Finance Report for January as presented.

Councilman R. R. Dean moved, seconded by Councilman H. D. Flory to remove the 1975 taxes in the amount of $775.69 from the General Ledger and a list of unpaid Real Estate taxes be forwarded to the Clerk of the Circuit Court of Rockingham County to be entered in the delinquent tax record book. 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 and carried to withdraw the two Certificates of Deposits which the town deposited from the General Fund (one at the Farmer's & Merchant's Bank and one at the Virginia National Bank) and place the money on deposit in a savings account until such time as the money is needed for the town's upfront money on the wastewater treatment plant.

Mr. Wiles stated there is a lot that is going to have to be discussed on the recodification of the code and suggested council set up a work session for the entire council to sit down and go over this. A tenative date of March 13th. at 7:00 P.M. was set for this purpose.

Councilwoman Life reported that she has been working with John and Anna Mae Hostetler since June. They do a lot of transporting of some of the people in our community to the Welfare Office in Harrisonburg. Councilwoman Life and the Hostetlers feel we should be able to get a little help here in Elkton. At one time they did sale food stamps in Elkton at the Farmer's and Merchant's Bank (1974-75). Councilwoman Life has been in touch with a Mr. Arrington and Mr. Frankel today and they again will come to Elkton possibly three days a week. They would like to do this at a bank. They plan to talk with the banks and feel that if perhaps council would back

this it might help. Councilwoman Life also plans to get in touch with the Mental Health, Employment Commission, Health Department, Youth Employment Service and the Vocational Rehabilitation to see if perhaps in some of these areas we might get some representation and help here in Elkton so we do not have this transportation problem. She asked Mayor Dean if he would write a letter to each of the banks asking them that if there is any way they can participate in this food stamp program, council would appreciate it.

Council was reminded of the Rockingham Municipal League meeting Wednesday night at the Spotswood Cafeteria.

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

AAD025

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

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