REGULAR
COUNCIL MEETING
October 12, 1981

The regular meeting of the Elkton Town Council was held October 12, 1981 at 8:00 P.M. in the council chambers with the Mayor Maurice W. Lough presiding. The following council members were present: V. L. Cook Jr., R. E. Davis, S. P. H. Flick, T. G. Hulings, L. C. Life and R. L. Snow. Noah Helsley, Sergeant, Norma Leap, Clerk, Gerald Monger, Superintendent and Dale Davenport, Attorney, were also present.

Mayor Lough opened the meeting with prayer.

Mrs. Hazel Crider of Elkwood Subdivision came before council in regards to the recommendation by the Elkton Planning Commission that a fee be charged for yard sales. She felt this was unnecessary. She felt that yard sales especially benefit the needy families; families where there are only one family member working. She felt there were other things more important to be considered by the council. She mentioned several areas where your vision is blinded when trying to get onto the highway. These are safety hazards that need to be looked into. She also stated that she felt the people in Elkwood have been very patient concerning the street lights they were promised. She feels they have waited long enough. Mr. Monger stated that Vepco does have the contract but they have not given the town an installation date. He stated he would check with Vepco to see if they can give us an exact time schedule.

Mr. Bill Holt spoke in regards to a fee for yard sales. He is in favor of some type of ordinance to protect against the people who have established a business with yard sales. Some are having a sale once a month. They are going out and buying things and resaling them at yard sales. He has no objections to someone having a sale once or twice a year to get rid of old clothing and items they no longer use.

Mrs. Shirley O'Byrne stated she was the Planning Commission member who proposed the fee and she wanted to ditto what Mr. Holt said as there is a need to curtail yard sales by the same people week after week who are making a business of this.

Mr. Bobby Gooden stated it was the feeling of the Planning Commission that it is desirable for the town to know who is having these sales and that can be accomplished by having them come into the town office and register. These sales also cause some safety hazards.

Councilwoman L. C. Life moved, seconded by Councilman V. L. Cook Jr. and carried to approve the minutes of the regular meeting September 14, 1981.

Councilman R. E. Davis moved, seconded by Councilman V. L. Cook Jr. to go into Executive Session to discuss the appointment of two persons to the Elkton Planning Commission. One members term has expired and one member has resigned. The vote was recorded as follows:

Cook	-	yea	Hulings	-	nay
Davis	-	yea	Life	-	yea
Flick	-	yea	Snow	-	yea

Councilman R. E. Davis moved, seconded by Councilman S. P. H. Flick and carried to go from Executive Session back into Regular Session.

Mayor Lough stated he would entertain nominations for the unexpired term of Mrs. Rhea Tench who resigned from the Elkton Planning Commission. This term will run until July 1984.

Councilman T. G. Hulings nominated Christopher F. Davis of 531 E. Rockingham Street for this position.

Councilman R. L. Snow moved, seconded by Councilman R. E. Davis and carried that the nominations be closed.

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The vote to appoint Mr. Christopher F. Davis to fill the unexpired term of Mrs. Rhea Tench on the Elkton Planning Commission was recorded as follows:

Cook	- yea	Hulings	- yea
Davis	- yea	Life	- yea
Flick	- yea	Snow	- Yea

Mayor Lough asked for nominations to fill the four year term which expired July 1, 1981.

Councilman T. G. Hulings nominated Bobby W. Gooden to refill his position.

Councilman R. E. Davis nominated Ishmal Baugher.

Councilman R. L. Snow moved, seconded by Councilman R. E. Davis and carried that the nominations be closed.

The vote on the person to fill the four year term on the Elkton Planning Commission was recorded as follows:

V. Cook	- Baugher	T. Hulings	- Gooden
R. Davis	- Baugher	L. Life	- Gooden
S. Flick	- Baugher	R. Snow	- Baugher

Mayor Lough stated that Mr. Ishmal Baugher has been appointed to fill the four year term on the Elkton Planning Commission which runs until July 1, 1985.

Councilwoman Life stated she felt a letter should be sent to Mr. Gooden thanking him for his years of service on the Elkton Planning Commission.

Councilman Davis stated that he has a letter from the Elkton Planning Commission on their recommendation regarding yard sales. Mr. Davis said he is in agreement that some people are misusing yard sales and that his committee will meet and come up with a recommendation to reflect all three view points presented tonight.

There was a discussion on Mr. Haden's request which was presented at the September 14th. meeting to exchange land to straighten the boundary lines between his property and the town's on Rockingham Street. The Planning Commission had voted 3-3 on this request. The stipulations recommended by Mr. Davis' committee to be added to the second reading on this are that there be no charge to the town for surveying or for implementing this change and that this be subject to our attorney's approval.

Councilman R. E. Davis moved, seconded by Councilwoman L. C. Life to approve on Second Reading the exchange of property as proposed by Mr. Tim Haden to clear up the boundary problem and straighten the line between the properties on Rockingham Street and Old Route 33 with the stipulations that there be no charge to the town for surveying or implementing this change and that this be subject to approval by the town attorney.

Councilman Hulings explained that if the town does not go along with Mr. Haden's request, it is the recommendation of the Planning Commission that the Town Superintendent be authorized to be on hand with Mr. Haden's surveyor to come to an agreement on the boundary lines.

Mr. B. W. Gooden spoke against this request. He pointed out several reasons for not granting the request and stated that he felt if the town was getting square footage for square footage it would be okay but they are not. They would be giving away a third more land than they would be getting.

After further discussion the vote was recorded as follows:

Cook	- yea	Hulings	- yea
Davis	- yea	Life	- nay
Flick	- yea	Snow	- yea

Mr. Southerly, owner of The Landmark Restaurant property, was present for a hearing regarding this property being declared a public nuisance. He stated he had bought the property as an investment and does not feel it is near the fire hazard now as when it was being operated as a restaurant. He agreed that it is

possibly an eye sore. Part of the building has already been torn down and they plan to tear more down starting tomorrow. They will then see if any of the building is worth saving. He is willing to work with the council on this.

Councilwoman Life felt the condition of the roof was one of the main problems at present and Dr. Downey stated he would like to see steps taken to see that the building is sealed and not exposed to undersirable persons or rodents. The antenna was another problem mentioned. A meeting of the Public Safety Committee was set for October 26th. to meet with Mr. Southerly and come to some agreement.

Councilwoman Life reported that Officer Hess returned to work October 9th. Our police force now totals four.

Councilman Flick reported that there has been a delay in the audit report but it will be ready by the next meeting.

Councilman Flick reported that our present billing machine no longer has the capability to handle our electric rates. There is a used machine we can purchase at a cost of $1,500.00 which will be adequate for our needs. It will cost approximately another $1,500.00 for programming and supplies.

Councilman S. P. H. Flick moved, seconded by Councilman T. G. Hulings to approve the First Reading to appropriate $3,000.00 to purchase the used billing machine, supplies and programing.

Councilman Hulings reported that the Electric Committee met October 1, 1981.

Councilman T. G. Hulings moved, seconded by Councilman S. P. H. Flick and carried to decrease the electric rate hike of $0.005175 which was put into effect February 1, 1980 to $0.0051 to make the billing process easier.

Councilman R. E. Davis was excused as he is working four to twelve and was given a few hours off to attend the meeting.

Councilman Hulings reported that our bucket truck is in very bad shape and it is imperative that we have one.

Councilman T. G. Hulings presented the First Reading to purchase a bucket truck. There were a number of bids but all were eliminated except the following two:

1. Delivery date on a Ford chassis with the apparatus delivered to Elkton is $52,812.00.

2. G.M.C. chassis which will take an additional 65 to 70 days for delivery is $51,404.71.

The money has not been budgeted and we are talking two or three months extra without a necessary piece of equipment if the lower bid is taken.

Councilman Snow presented the following building utilization policy:

> "The purpose of this statement is to explain and clarify the Council's position concerning utilization of the town's municipal building at 173 West Spotswood Avenue.
>
> It is the feeling and recommendation of the Building Committee that the municipal building should be available to all community groups and organizations. It is also felt that no group should have exclusive rights to any property or space in the building. Upon approval by the Building Committee, any group may leave equipment such as chairs, tables, etc., in a room, but this equipment may then be used by any other organization that might be scheduled to use the room.
>
> There are three meeting rooms available, including the council chambers, and these may be scheduled by contacting the receptionist or town clerk. The Elkton Town Council or any town commission will have scheduling priority over other organizations. The availability of the council chambers, along with the two rooms upstairs, should allow any group or organization space for a meeting at any reasonable time."

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Councilman R. L. Snow moved, seconded by Councilman V. L. Cook Jr. to accept the resolution.

Councilwoman Life reported that she has talked with Mrs. Black and her concern is that the Library Commission had been utilizing the room which the Women's Club had to entertain the children on Monday for a story hour and sort and prepare books for the library. The Library Committee would like to have one room designated that they can furnish with carpeting, drapes, small tables and chairs for children and possibly in future visual aid equipment. This room would be used as an extension of the library, not as a meeting room.

Councilwoman L. C. Life moved, seconded by Councilman V. L. Cook Jr. to amend the resolution that there be only two rooms available for meeting rooms, including the council chambers, and the other room be an extension of the library. The vote to amend the resolution was recorded as follows:

Cook	-	yea	Hulings	-	yea
Flick	-	yea	Life	-	yea
			Snow	-	nay

The vote to approve the resolution as amended was recorded as follows:

Cook	-	yea	Hulings	-	yea
Flick	-	yea	Life	-	yea
			Snow	-	nay

Councilman Cook reported that the Open House Sunday October 11th. at the Sewage Treatment Plant was a success. Approximately fifty people turned out.

Councilman Cook reported in regards to the sewer problem on the lower end of town. The highway department has been here in regards to our request to go under the culvert rather than tunnel the road. They have requested maps and elevations and we are in the process of getting this information to the highway department.

Councilman Cook reported that each council member has had a copy of the contract regarding the spring. Miss Kite's attorney is in agreement with this contract.

Councilman V. L. Cook moved, seconded by Councilwoman L. C. Life to sign the contract with Miss Mary Elizabeth Kite. The vote was recorded as follows:

Cook	-	yea	Hulings	-	yea
Flick	-	yea	Life	-	yea
			Snow	-	yea

Councilman Hulings asked what the town's policy is on Workmen's Compensation. It was explained to Councilman Hulings that the town's policy is the town pays for the first seven days and then pays the difference between what Workmen's Compensation pays and the employee's regular salary.

Councilman Hulings asked what the town's policy is on hiring temporary personnel. It was explained to Councilman Hulings that the town charter permits the hiring of temporary personnel.

Councilwoman Life stated she noticed an ad last week in The Valley Banner for two employees, one of which she had no questions about and that is the Community Service Director. The one that bothers her a bit is the one in the Public Safety area. A recommendation had been put forth to most of the council members that the employees we now have doing the town dispatching, of which there are four and one part time, would like to alternate this position in order that no person would lose their job or any of the four regular employees be put on part time work. Her understanding is this could not be done as it would require training. Councilwoman Life's question is that since the main job is still dispatching for the police department and the fire and rescue and we have four and one-half employees already trained in this area, and the only other duties that she sees will be needed is one, receiving payment for bills, which certainly anyone can write down the amount and names; answering inquiries, perhaps it seems like they would already be doing a lot of this; explaining regulations, procedures, policies and similiar items to the public, she would like to know why we have to hire a new person for the straight day light job when it could be alternated and four

persons be qualified so that when we have vacations or sick we don't run into an unqualified person filling in. She also questioned how this person is going to be trained. She stated she did not know this person was going to be hired.

Councilman Snow stated he disagreed that the most important thing that will be done by this person is dispatching and answering the police and fire calls. The committee talked about it and they felt the problem of getting someone qualified to do the typing and the clerical work, business skills that were needed, may not be had by all four people we have employed as dispatchers so we don't have time to train four people how to do different business skills. There may be one of those people qualified to do this job, if so they can make application and may be accepted for the job.

Councilwoman Life stated that before the next meeting she would like someone to show her in the minutes that council did officially say that we were going to hire a new person for this Dispatcher/Clerk position.

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

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MAYOR: Maurice W. Lough
Maurice W. Lough, Mayor

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