REGULAR
COUNCIL MEETING
April 13, 1981

The regular meeting of the Elkton Town Council was held April 13, 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., S. P. H. Flick, L. C. Life, C. A. Schumacher, R. L. Snow and L. W. Winegard. Norma Leap, Clerk, Jim McIntyre, Chief of Police, Gerald Monger, Superintendent, and Bruce Wiles, Attorney were also present.

Mayor Lough opened the meeting with prayer.

Mr. R. B. Hutton, representative for the Elkton Volunteer Fire Company and Emergency Squad, Inc. stated that they were present because they were told that council had invited the Fire Chief from the City of Harrisonburg to the meeting. As representatives of the Elkton Fire Company and Rescue Squad have met with the Public Safety Committee behind closed doors, they felt it was unfair and discriminatory to them if council allows the Fire Chief from the City of Harrisonburg to come in and speak on a matter which concerns the Elkton Company without giving them a chance for rebuttal and without them having a chance to present their views before the press.

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Mayor Lough stated that if anything of a controversial nature is mentioned, he assured them they would have a chance for rebuttal.

Mr. Bill Holt, representing the Rockingham-Harrisonburg Chamber of Commerce, came before council to present the 1981 Five-Point Highway Program. Each member of council had previously received a copy of the proposed program. The section for councils consideration would be Point IV which calls for Dual-lane US 340 from Elkton to Shenandoah. The Chamber of Commerce would like council to pass a resolution in support of this section which would directly effect the Town of Elkton.

Mayor Lough stated that a few days ago, at the request of the Public Safety Committee, a meeting was held with the officers of the Fire Company and Emergency Squad to discuss their reasons for not joining the new proposed joint fire and rescue system. The Mayor was requested by several council members to go over and talk with Chief Austin or anyone in authority to learn what he could concerning the new system. Council has no authority over the Fire Company and it is not their intent to tell them what to do. Chief Austin was invited to come over and talk with council, not because they doubted anything the members of the Fire Company had told them, but they felt that as a governing body they needed all the information they could get before making any decision.

Mr. Austin, Chief of the Harrisonburg Fire Company, spoke to council on information regarding the newly formed Fire and Rescue Communications Center for the City of Harrisonburg and Rockingham County. They have the capabilities to handle any number of calls. The original intent, and still is the intent, is that the service is there for any fire company or rescue squad who wishes to avail themselves of this service. They are not trying to force anyone to join. The center can handle up to 8,000 calls a year. They are handling 4,000 at present. There is an agreement for additional personnel as needed on a 50-50 basis between the county and the city. The system is being offered free of charge and the county has agreed to pay educational fees to help introduce the communities to the new system. They have also agreed to pay for telephone stickers for county residents. There is very little, if any, cost involved to the individual fire or rescue squads wishing to join. They have had no problems so far. Broadway, Timberville, and Bridgewater Fire and Rescue units are in the process of going into the system. Grottoes Fire Company has indicated a desire to join but the Rescue Squad has not made a decision as yet. The service is available for those who want it.

Council was given the opportunity to question Mr. Austin regarding the system.

Mr. R. B. Hutton stated that Mr. Austin had not told council anything different than they had told the Public Safety Committee and Mr. Austin did not tell council anything about the costs to the individual companies. He stated that it would cost the Elkton Volunteer Company and Rescue Squad $10,220.00 to change the toners for the Rescue Squad, plus other costs that would be involved. He could not see changing a good system.

Councilwoman Life stated she was not aware, and feels it should have gone through Public Safety as police, fire and rescue matters go through this committee, that Chief Austin was coming until Friday. She knows Councilman Cook did not know this and wanted to make it clear that she did not know about this. As this matter was being handled in committee, she takes it very personally that she was not informed.

Mayor Lough stated he contacted Mr. Austin on Friday and Mrs. Life was notified the same day, after he talked with him.

Councilman Snow pointed out several areas where he felt there were some inconsistancies between the presentation by the Fire Company and Chief Austin's statements. He further stated that he could not understand why Mr. Hutton and the Fire Company feels council is trying to sneak something in on them. Nobody is trying to sneak anything in on anybody. Council has every right to have anybody in to speak to them that they care to have. It is councils duty to see both sides of the story and that is exactly why Mr. Austin was here tonight, whether it went through Public Safety or the Mayor or a council member. He stated that he could not understand the thinking that something has to be cleared through individual council members before coming to council, as long as it's for the good of the community.

The minutes of the regular meeting March 9, 1981, the special meetings March 13th and 31st, 1981 and the public hearing April 6, 1981 were approved as presented.

Mr. Monger presented the First Reading to transfer and appropriate additional funds in the following departments:

Electric Department
Transfer $1000.00 from Wages to Miscellaneous

Sewer Department
Transfer $1000.00 from Wages to Miscellaneous

Garbage Department
Transfer $1000.00 from Private Hauler to Truck Upkeep

Street Department
Approve an additional appropriation in the amount of $5,027.26 for funds not appropriated previously but the town will be receiving under the Highway Upkeep Grant as follows:

Truck and Equipment Upkeep	$2000.00
Insurance	1400.00
Supplies	1627.26

Mr. Monger reported that the Rockingham Municipal League meeting will be at Dayton, Virginia, Wednesday night at 7:30 P.M. in the Town Hall.

Mrs. Leap presented the Finance Report for the month of March.

Chief McIntyre reported on an article in the Daily News-Record, which was released by the Rockingham County Sheriffs Department, regarding the arrest of an Elkton resident in connection with a burglary committed on Spring Avenue in the Town of Elkton. Chief McIntyre brought to the attention of the public that the arrest could have only been made by the month long efforts put into the investigation by several officers of the Elkton Police Department. The warrant was issued by the Elkton Police Department and when it was served, the boy was taken into custody and taken to the Rockingham County Sheriff's Department. The boy was questioned and admitted to the burglary. The deputy assisting the Elkton officer slipped out and filed the burglary warrant against the wishes of the Chief and the Elkton Police Department. Chief McIntyre stated he wanted to give credit where credit is due and it does belong to the Elkton Police Department. The Chief reviewed his monthly report with council.

Chief McIntyre asked council to consider the appointment of two individuals as Auxiliary Policemen. The Public Safety Committee and the Chief have reviewed a procedure for reactivation of the Auxiliary Police and it will be discussed at length at the May council meeting. Several guidelines were presented for councils review. The names presented were Jeddie H. Hensley, Jr. and Rydell S. Hisey.

Councilwoman Life stated that this has come before the Public Safety Committee. There will be several variations from the original guidelines which came before council when the Auxiliary Force first came into being but she wants to present these to the committee for consideration before they are presented to council. These two mens main function would be in dispatching and they would not carry firearms. They would be available to help with parades, other summer activities and help cut down on overtime.

Councilwoman L. C. Life moved, seconded by Councilman R. L. Snow to appoint Jeddie H. Hensley Jr. and Rydell S. Hisey as Auxiliary Police Officers.

Councilman Winegard asked if this has to be done tonight. He felt more time was needed for consideration. Councilman Flick felt the department was getting bigger all the time and questioned what happened to the idea of austerity. He stated he had nothing personal against the two people suggested for appointment, but it was just the principal of it. Councilwoman Life pointed out that the only cost would be in insurance and Councilman Snow felt this could help more in overtime than what insurance would cost.

The vote on the motion was recorded as follows:

Cook	- yea	Schumacher	- yea
Flick	- nay	Snow	- yea
Life	- yea	Winegard	- nay

Councilwoman Life reported that she has had two committee meetings, the Chief is now attending classes in Waynesboro, they have received no other bids on the old police car and the previous Auxiliary Force did return all their equipment. She also reported that bids were requested on another new police car to be taken from the coming years House Bill 599 (Law Enforcement) Grant monies. Only one bid was received and this was from Myers Ford Company in the amount of $7375.00.

Councilwoman L. C. Life moved, seconded by Councilman S. P. H. Flick to accept the bid of $7375.00 from Myers Ford Company for a new police car, to be delivered in about six weeks, to be paid from next years House Bill 599 funds and payment to be deferred until July 1, 1981. The vote was recorded as follows:

Cook	- yea	Schumacher	- yea
Flick	- yea	Snow	- yea
Life	- yea	Winegard	- yea

Councilwoman L. C. Life moved, seconded by Councilman R. L. Snow to approve on Second Reading to appropriate the remaining portion of House Bill 599 (Law Enforcement) Grant in the amount of $5418.00 as follows:

Auxiliary Pump	$5000.00
Install 2 Street Lights in Elkwood (one at the intersection of Hillside and Sweetgum and the other at the intersection of Sweetgum and Tamarack)	418.00

The vote was recorded as follows:

Cook	- yea	Schumacher	- yea
Flick	- yea	Snow	- yea
Life	- yea	Winegard	- yea

Councilman Flick reported that the budget will be ready for the special meeting Monday, April 20, 1981 at 7:30 P.M. and that we have started with the preparation necessary to go into the new bookkeeping system.

Councilman S. P. H. Flick moved, seconded by Councilman V. L. Cook Jr. to approve on Second Reading the following Revenue Sharing Budget for Entitlement Period 12 in the amount of $16,495.00 and to approve the First Reading to appropriate the money as listed:

Sewer Repair Lower End of Town	$ 1000.00
Door Closer or Ceiling (Fire Hall)	2285.00
Landfill operations	6000.00
Recreation	4000.00
Mower	1010.00
Fire Company - Gasoline	2200.00
	$16495.00

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The vote was recorded as follows:

Cook	- yea	Schumacher	- yea
Flick	- yea	Snow	- yea
Life	- yea	Winegard	- yea

Councilman Schumacher reported that Vepco has filed for another rate increase and the documents on this can be reviewed in the Treasurer's Office.

Councilman Winegard reminded council and the public that the week of May 11th through the 15th will be Clean-Up Week in Elkton.

Mayor Lough asked if they will be picking up trash in the alley at the time of clean-up week. Mr. Monger stated they will probably start trash pickup in the alleys again sometime around the end of this month.

Councilman L. W. Winegard moved, seconded by Councilman C. A. Schumacher to ratify the March 13, 1981 adoption of an "Ordinance Authorizing the Issuance, Sale and Award of a $300,000.00 Sewer Bond of the Town of Elkton, Virginia and Providing for the Form, Details and Payment Thereof". The vote was recorded as follows:

Cook	- yea	Schumacher	- yea
Flick	- yea	Snow	- yea
Life	- yea	Winegard	- yea

Mr. Wiles reported that he was asked to look into the procedure for changing the form of government to a Town Manager Form. He has sent letters to the three men appointed to the committee and made a report. The committee had no report to make at this time. Mr. Wiles pointed out that if a change was made, it would not go into effect until September of 1982 so it would not affect the 1981-82 budget.

Mrs. Leap requested the following taxes to be removed from the tax records and several tax bills paid to be refunded, as corrected by the County Commissioner of Revenue:

Corrected By Commissioner of Revenue

Personal Property - Not Paid	
Richard T. Brown	$ 9.68
Carol M. Corbin	2.40
Flora G. & Deborah A. Hensley	11,63
William H. Hensley	5.70
Gloria Jean Morris	2.85
Larry R. & Sharon K. Shifflett	7.05
Marshall W. Shifflett Jr.	15.22
George Calvin Turner Jr.	13.20
	$ 67.73

Personal Property - Paid (need to be refunded)	
Debra D. Morris	$ 2.03
Seven-Up Bottling	137.13
Charles E. Templon	1.27
	$140.43

Tax Tickets Returned - People indicated they should not have been taxed

Real Estate	
Allen and Dixie Beasley	$ 39.82

Personal Property	
Stephen C. Davis	$ 15.45
Norman R. Downey Jr.	1.65
Debra W. Hensley	9.68
Mary Hitt Jones	12.30
Hilda M. Kibler	35.10
Thomas M. LaTouche	26.40
Leo Brent Lam	8.10
Linda C. Life	.53
Herschel Emanuel Meadows	1.50
Robert Lee Powell	3.30
H. T. Sampson	11.63
Frederick M. Smith	13.73
Avery Revel Whitfield	27.30
	$166.67

Tax Tickets Returned by Post Office	
Barbara A. Meadows	$ .53
William F. Rose	.45
Key Darnell Somoskey	.23
	$ 1.21

Councilwoman L. C. Life moved, seconded by Councilman V. L. Cook Jr. and carried to remove the taxes as requested and make the necessary refunds.

Mrs. Leap reported that there will be a Financial Management Workshop July 20, 1981 in Harrisonburg, Va. If anyone is interested in attending, please contact Mrs. Leap.

Mrs. Leap reported that she has received a check for $641.45 from Erie Insurance Company for the release of and payment in full of all claims against Wayne Printz on the accident involving the police car. Mrs. Leap asked if council wishes her to accept the check and release the claims. Mrs. Leap was asked to hold the check until Chief McIntyre can check on some further damages he has discovered.

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Mayor Lough presented a letter from Mr. B. W. Gooden, Chairman of the Elkton Planning Commission, stating that on April 9, 1981 the commission met to amend Section 6, Subparagraph 9 of the Zoning Ordinance to allow the placement of certain free-standing signs in B 1 Business Districts. They presented a recommendation for a proposed amendment. The Mayor had presented the proposed amendment to Mr. Wiles but he did not know if Mr. Wiles had been able to review it in such a short time.

Mr. B. W. Gooden stated that the Planning Commission is in the process of updating the Zoning Ordinances in connection with the Comprehensive Plan and that due to the Public Hearing and the request regarding the free-standing signs, they spent some time on bringing this section up to what they hope council will incorporate, along with the new zoning when it is completed. The commission is not ready to make a recommendation on the request on changing the zoning from A 1 Residence to A 2 Residence on Rockingham Street. They feel they need to take more time to consider this and they do have up to ninety days to make a recommendation.

After some discussion, Mr. Wiles was asked to look over the proposed amendment on the free-standing signs, to come up with his suggested ordinance and bring this back to the special meeting April 20, 1981. Copies of the Planning Commission's proposals will be sent to each member of council.

Mr. Gooden stated that he feels he should come to the defense of a lot of people that has done the work on our Comprehensive Plan. He is speaking of about thirty or forty people who spent hours and hours of planning for this town. He did not like the statement that was printed in the paper that the town isn't being planned, and there is no capital improvements laid out for the town when it is all in the Comprehensive Plan. He admits the plan is outdated and probably was when accepted, but he feels the thirty or forty people who spent several years, and this input from local people, can do a lot better job than any town manager could. He does not feel it's fair to critize the planning of the town and he feels we have a good Comprehensive Plan.

Mayor Lough reported on a letter he received from the York County Board of Supervisors asking council to adopt a resolution of support for the efforts of the County of York in designating October 19th as an annual state holiday. This request was placed on the agenda for the special meeting April 20th and Mrs. Leap was asked to send a copy of the letter to each council member.

Mayor Lough presented a letter from Richard D. Reardon, Councilman for the Town of Grottoes, enclosing a resolution passed unanimously by the Grottoes Town Council on April 7, 1981 for a proposed Regional Landfill Committee and asking for support from the Mayor and the Elkton Town Council. This matter was also placed on the agenda for the special meeting April 20th and Mrs. Leap was asked to send a copy of this letter and resolution to each council member.

Mayor Lough presented a letter from the Division of Motor Vehicles regarding the possibility of discontinuing the license examining station at Elkton. At present they are in Elkton the first and third Thursday of each month. They do not feel this is very cost efficient due to the small number of people using this facility. In effect, they are asking council's support in discontinuing this service in Elkton. Councilwoman Life felt this service should be continued as

it is presently being done and some members of council felt they should provide this service at least once a month. Mayor Lough stated he would send a letter presenting council's views.

Mayor Lough presented the following letter from Paul F. Cecchini, District Engineer for the Department of Highways & Transportation:

> "The Highway and Transportation Commission has approved the location and major design features for the proposed project on Route 340 from the intersection of Routes 33 and 1711 to the intersection of Spotswood Avenue in the Town of Elkton. A primary purpose for this project as presented at the public hearing held on January 13, 1981, is to upgrade the present bridge over Elk Run.
>
> Based on input provided at the hearing, additional sidewalk is proposed on the west side of the facility.
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> Current scheduling indicates the project will be advertised for construction sometime during the summer of 1982. However, with the scarcity of highway funds which can be anticipated for years to come, this project obviously could be delayed.
>
> We trust that this project is favorably received by the Town Council as we did not receive any comment from you following the hearing."

Mayor Lough presented a letter from the Office of the Governor of Virginia regarding two bills enacted by the 1981 General Assembly that will decrease the amount of revenue that will be distributed to the localities during the fiscal year 1982. These bills are Senate Bill 831 and 601.

Mayor Lough presented some remarks on the budget for the next fiscal year. He pointed out recent hikes and some proposed hikes which will be necessary to meet the proposed budget. He stated that there are two options, maintain the status quo, and the citizens pay the differences out of their pocket, or cut out the frills and unnecessary expenses. If the decision is to cut out the frills and unnecessary expenses, a great deal of judgement is going to have to be exercised in deciding what the frills are and what the necessary expenses are. The council will be forced to decide each cut and change on its own merit, and will have to close its ears and eyes to anything that is not for the good of the town as a whole. NECESSITY or NEED are the by-words; not what we'd LIKE to have or THINK we should have; but what we actually NEED. The Mayor stated that although he has named two options, he feels council really has only one path to follow, it must be a program of AUSTERITY. He urged the public to voice their approval or disapproval of the new budget when the Public Hearing is held. It was his sincere hope that the citizens will tell the council whether they want them to cut expenses or continue with the endlessly increasing taxes and fees.

Councilman Snow stated that what he has to say goes along with what the Mayor just said. Council has talked about four or five things that could possibly, and will probably, save the town money. They are a bulk gas storage tank for the town, the consolidation of the town offices, the possibility of moving the police department into this building and the question of continuing or discontinuing the dispatching system. All of these things have been discussed, but nothing done on them. His suggestion is council act, one way or another, on these things tonight or before the special meeting April 20th, as they will have an effect on the budget. He pointed out that if council decides to do anything with this building there is an agreement with the Woman's Club that council will give them ninety days notice if they have need of the rooms. In order for anything to be resolved he feels council needs to take some action.

Councilwoman Life suggested not acting on the budget until the May meeting and use the month of April to consider these proposals and to get the public's reaction to these proposals. Mayor Lough did not feel the budget could be postponed that long. Councilwoman Life stated she was not prepared to act on these proposals tonight. Council decided to go ahead with the First Reading on the budget and then the public will have the opportunity to express their views at the public hearing. Councilman Snow stated he would like these items to be placed on the agenda for further discussion at the special meeting April 20th.

Councilman Snow stated that as a preliminary step in case council decides to make any moves, he feels the Woman's Club should be given notice of intent to discontinue the agreement, at least for the club meeting rooms.

Councilman R. L. Snow moved, seconded by Councilman V. L. Cook Jr. that pursuant to the agreement of 1974, the council hereby gives the Elkton Woman's Club notice that council will need the rooms they are now using as meeting rooms in ninety days. The vote was recorded as follows:

Cook	-	yea	Schumacher	-	nay
Flick	-	yea	Snow	-	yea
Life	-	nay	Winegard	-	yea

It was the consensus of council to go on record as being in favor of the Rockingham-Harrisonburg 1981 Five-Point Highway Program as presented by Mr. Holt.

As there was no further business, Councilwoman Life moved to adjourn.

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MAYOR: Maurice W. Lough, Mayor

RECORDER: Norma R. Leap, Clerk