REGULAR
COUNCIL MEETING
March 12, 1984

The regular meeting of the Elkton Town Council was held March 12, 1984 at 8:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: B. B. Holt, H. A. Leet, B. J. Ream and R. L. Snow. Councilman R. E. Davis and S. P. H. Flick were absent. Norma Leap, Clerk, Gerald Monger, Superintendent and Dale Davenport, Attorney were also present.

Mr. H. Ditman Flory and I. Lynwood Flory III, representatives of Seven-Up Bottling Company of Elkton, Inc., were present to present a request to purchase the alley behind their property on Terrace Avenue at $1.75 per square foot. Due to the loss suffered by a fire, they hope to build another building twice the size of the one that burned which would allow them to have all their equipment inside or contained by a fence. Plans of their proposed building were explained to council. They requested council appoint a reviewing committee to consider their request.

Bob Necsary, representing Brown's Pharmacy, Inc. was present regarding the dispatching system. He requested council to seriously consider the benefits to the community and to vote to keep our own dispatching system.

B. W. Gooden spoke regarding the request by Seven-Up Bottling Company of Elkton, Inc. to purchase the alley behind their property. He pointed out he felt this would hurt the other businesses on the other end of the alley. A tractor trailer would not be able to get through if that end of the alley was closed and he could not get his truck and trailer through there. He also stated that in discussing this with his insurance company he was told that possibly his fire insurance would increase. He felt council should not even consider closing off that end of the alley, in which case a review board would not be necessary.

Ditman Flory pointed out that they were advocating rerouting the alley not closing it.

B. W. Gooden stated that if the alley was rerouted they would be asking the town to give up the area where they park their vehicles and equipment and that if vehicles were rerouted to come out on Warren Avenue parking would have to be eliminated on Warren which would be detrimental to the businesses there, more traffic would be directed around the elementary school and a large tractor trailer still could not get through there.

Shirley O'Byrne stated she would like to echo Mr. Necsary's remarks. She pointed out that we cannot expect another agency to do the same job as people in our own area and asked council to please keep our own dispatching system.

Councilman B. B. Holt moved, seconded by Councilman R. L. Snow and carried to approve the minutes of the February 13, 1984 regular council meeting as presented.

Mayor Dean asked if any council member had any question regarding the monthly police report which was distributed to them and there were none.

Councilman R. L. Snow moved, seconded by Councilman H. A. Leet and carried to approve the Finance Report for the month of February.

Councilman Snow presented the following First Reading on the proposed Revenue Sharing EP-15 Budget in the amount of $15,588.00:

Fire Company	$ 2,400.00
NCR Machine	4,000.00
Ammeter	2,200.00
Surveys	2,000.00
Leak Detector	1,500.00
Equipment & Supplies (Plus any possible surplus from above items)	3,488.00
	$15,588.00

Councilman Snow stated that council would need to set a date for a Public Hearing on the proposed Revenue Sharing Budget EP-15. The date of March 22, 1984 at 7:30 P.M. was set for the Public Hearing which would be followed by a Special Meeting.

The following First Reading was presented on budget transfers and additional appropriations:

Garbage Department
Transfer $800.00 from LANDFILL OPR. to MISC.
Transfer $225.00 from LANDFILL OPR. to UNIFORMS

Street Department
Additional Appropriation $3,700.00 WAGES
Additional Appropriation $1,265.00 MISC.
Additional Appropriation $ 600.00 REPAIRS-EQUIPMENT
Additional Appropriation $4,237.28 SUPPLIES
Additional Appropriation $ 25.00 TELEPHONE
Additional Appropriation $ 400.00 VEHICLE MAINT.
Additional Appropriation $ 255.00 UNIFORMS
Additional Appropriation $3,459.48 SUPPLIES (Rt. 340 Project)
Additional Appropriation $30,903.87 SUPPLIES (Wash. Ave. Project)

Electric Department
Additional Appropriation $ 4,775.00 WAGES
Additional Appropriation $ 4,000.00 MISC. (Power Study)
Additional Appropriation $ 6,300.00 SUPPLIES
Additional Appropriation $ 100.00 TELEPHONE
Additional Appropriation $ 1,500.00 VEHICLE MAINT.
Additional Appropriation $ 160.00 UNIFORMS
Additional Appropriation $26,000.00 CURRENT
Additional Appropriation $ 1,000.00 TECH. SER.

Water Department
Transfer $ 425.00 from WAGES to REPAIRS-EQUIPMENT
Transfer $2,100.00 from WAGES to VEHICLE MAINT.
Transfer $ 160.00 from WAGES to UNIFORMS
Transfer $ 700.00 from WAGES to DEBT SERVICE

Sewer Department
Additional Appropriation $ 7,000.00 WAGES
Additional Appropriation $ 50.00 MISC.
Additional Appropriation $ 2,850.00 REPAIRS-EQUIPMENT
Additional Appropriation $ 90.00 TELEPHONE
Additional Appropriation $ 2,800.00 VEHICLE MAINT.
Additional Appropriation $ 160.00 UNIFORMS
Additional Appropriation $ 120.00 DEBT SERVICE
Additional Appropriation $19,269.36 SUPPLIES (Sewer Project lower end of town)

Public Safety
Transfer $3,500.00 from INSURANCE to WAGES
Transfer $1,500.00 from INSURANCE to VEHICLE MAINT.
Transfer $ 100.00 from OFFICE EQUIPMENT to ADS
Transfer $ 300.00 from OFFICE EQUIPMENT to SUPPLIES
Additional Appropriation $2,200.00 SUPPLIES

General Government
Transfer $1,000.00 from WAGES to LEGAL
Transfer $ 300.00 from WAGES to MISC.
Transfer $ 25.00 from WAGES to REPAIRS-EQUIPMENT
Transfer $ 500.00 from WAGES to SUPPLIES

Mr. Monger reported that they are still working with the railroad on gates at the crossing on Marshall Avenue. The price now is approximately $100,000.00. Councilman Holt reported that they also are still working toward getting some type of legislative action for a special appropriation to help pay for this, as the town does not have the money required to fund this project.

Councilman Holt presented the following First Reading to amend Section 9-1-25 of the Town of Elkton Code of Ordinances:

BE IT ORDAINED by the Council of the Town of Elkton, Virginia, that Section 9-1-25 of the Code of Ordinances be and the same is hereby amended so as to read as follows:

(a) It shall be unlawful for the owner of any dog to allow such dog to run at large within the town. (Va. Code Sec. 29-213.17)

(b) The animal control officer or dog warden of Rockingham County is hereby appointed to enforce the dog laws (Va. Code Sec. 29-213.8) and the dog laws of the County (Article II, Chapter 4 of the Code of Laws of Rockingham County), including provisions providing penalties for violation of such laws, are hereby adopted and incorporated by reference as the dog laws of the Town.

(c) The animal control officer or dog warden of the County is designated as a special policeman for the purpose of being authorized to issue summonses for dog law violations within the Town.

Adopted by the Town Council of the Town of Elkton on _____, 1984, following a first reading of the same on March 12, 1984.

Councilman B. B. Holt moved, seconded by Councilman H. A. Leet and carried to approve on Second Reading the following resolution authorizing the Mayor to enter into a bond of $10,000.00:

KNOW ALL MEN BY THESE PRESENTS, that the Town of Elkton, a municipal corporation of the State of Virginia, is held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the full and just sum of TEN THOUSAND DOLLARS ($10,000.00) current money of the United States, to be paid to the said Commonwealth of Virginia, to the payment whereof it hereby binds itself by thses presents, sealed with its seal and dated this 12th day of March, A.D. 1984.

WHEREAS, it becomes necessary from time to time for the Town of Elkton to obtain permits from the Virginia Department of Highways to install, construct, reconstruct, maintain and operate certain public works along, across, over and upon the highway system of Virginia; and

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of the granting to said Town of Elkton by the Virginia Department of Highways of said permits for the work aforesaid; and

WHEREAS, one of the conditions of such permit or permits is that the Town of Elkton shall indemnify the Commonwealth of Virginia against all damages and injuries to the highways and bridges and to persons or property lawfully upon such highways caused by the willful or negligent acts or omissions of the Town of Elkton.

NOW, THEREFORE, the condition of this obligation is such that if the said Town of Elkton shall in all respects comply with all of the conditions of permit or permits that have been, or will be, granted said Town of Elkton, and shall indemnify and save harmless the Commonwealth of Virginia against and from all loss, cost, expense, damage or injury to highways and bridges and to persons and property lawfully on such highways caused by the willful or negligent acts or omissions of the Town of Elkton and growing out of the granting of such permit or permits to said Town of Elkton, then this obligation to be void, otherwise to be and remain in full force and virtue.

IN WITNESS WHEREOF, the said Town of Elkton has caused this bond to be executed and its official seal affixed the day and year first above written, pursuant to an ordinance adopted by its Council on the 12th day of March, 1984.

Councilman Holt stated that there has been discussions in the past regarding adding fluoride to the town water system. The State Health Department strongly supports fluoridation of the water systems for preventing dental decay in children. The town still has the same basic problem it had before in the fact of having two sources of water supply and not being able to control the proper level of fluoridation due to this. An engineer's study would be needed to determine if there is some method by which we could install fluoridation and have the necessary control. The State will pay for the study without any obligation on the part of the town. It would be necessary for the council to pass a resolution before we could be considered for State funds. The State would also pay for the installation of the system and the chemicals for the first year. They would not pay for a separate building if one was required to install the system.

Councilman B. B. Holt moved, seconded by Councilman B. J. Ream to approve the following resolution:

WHEREAS, it is not a current practice of the Town of Elkton to put fluoride in their public water supply, and

WHEREAS, the Town of Elkton is interested in studying the feasibilities of adding fluoride in the water supply because of evidence that it is the most effective public health measure for reducing dental decay, and

WHEREAS, financial assistance is now available for studying the feasibility of adding fluoride to the water,

THEREFORE, BE IT RESOLVED that the Town of Elkton, Virginia would like its name added to the list of communities that are seeking financial assistance for the study of adding fluoride to the public water supply.

The vote was recorded as follows:

Holt	- yea	Ream	- yea
Leet	- yea	Snow	- yea

Councilman Leet reported that the sewer department has had a lot of work within the past few weeks due to the weather and that everyone should be aware that when this happens it cost the town quite a bit of money. The expense was more than anticipated. Also work on several projects, such as the surface water infiltrating the sewer lines and the water line under Route 340, has been delayed due to this.

There was some discussion on the request by Seven-Up Bottling Company of Elkton, Inc. to purchase the alley behind their building.

Councilman B. B. Holt moved, seconded by Councilman H. A. Leet to appoint the Planning Commission as viewers to view such alley and report in writing whether in their opinion, any, and if any, what inconvenience would result from discontinuing the same.

Councilman B. B. Holt moved, seconded by Councilman B. J. Ream to amend the motion to specify the following members of the Planning Commission as the viewers: Shirley O'Byrne, Christopher Davis, G. W. Berry, Ishmael Baugher and Calvin Shaffer. The motion carried as amended.

Due to publication requirements on the vacating of alleys, the Public Hearing and Special Meeting set for March 22, 1984 was cancelled and the date of April 2, 1984 at 7:30 P.M. was set for the Public Hearing on the proposed Revenue Sharing Budget EP-15 and the request by Seven-Up Bottling Company of Elkton, Inc. to purchase and vacate the alley behind their place of business.

Councilman Holt reported that two or three people had asked him what his position is on the dispatching system. He stated that he is strongly opposed to doing away with our dispatching system. He felt that the public hearing had indicated loud and clear the wishes of the people to keep our own system. He felt the idea to eliminate the system is a dead issue and stated he did not want to hear anymore about it. He asked the candidates running for office to state their feelings regarding the issue.

Councilman Snow stated he felt Councilman Holt was wrong but that was all he had to say on the issue at this time. Mr. Welty Hensley asked Councilman Snow to clarify his position. Councilman Snow stated he felt Councilman Holt's interpretation of the issue is wrong but that was all he had to say at this time.

As there was no further business, the meeting adjourned.

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

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