REGULAR
COUNCIL MEETING
August 19, 1985

The regular meeting of the Elkton Town Council was held August 19, 1985 at 8:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: R. E. Davis, S. P. H. Flick, B. B. Holt, H. W. Leap, H. A. Leet and L. C. Life. Dale Davenport, Attorney, Norma Leap, Clerk and Warren Pence, Chief of Police were also present.

Mr. Richard L. Vandergrift of the Chesapeake and Western Railway and Mr. Atkinson the Train Master at Shenandoah were present to speak with council and answer any questions in regards to Norfolk Southern's bid to buy Conrail. Local towns have been solicited to try to get resolutions passed to support Norfolk Southern's bid. All but one or two town's in the area solicited have voted to support Norfolk Southern and they were wondering why Elkton has not given their support.

Councilman Holt explained that the request several months ago had been passed on to him by the Mayor and in talking with someone who has contact with our representatives in Washington, the feeling he got was neither pro nor con. The council was not opposed to it by any means but they did not feel there was anything to be gained so decided to stay clear of it. Councilman Holt questioned why the town should become involved and support Norfolk Southern.

Mr. Vandergrift stated that it could possibly stimulate some growth in the area and would help them provide better service, faster service and better rates. He felt Conrail needs to be put back into the private sector.

Councilman H. A. Leet moved, seconded by Councilwoman L. C. Life and carried to approve the minutes of the regular meeting July 8, 1985 and the special meeting August 6, 1985.

The Finance Report for the month of June was approved as presented.

Councilman S. P. H. Flick moved, seconded by Councilman R. E. Davis to raise the Real Estate tax rate from $0.10 to $0.11 on each $100.00 of assessed value and the Personal Property tax rate from $0.30 to $0.43 on each $100.00 of assessed value.

Councilman Flick explained that this will be an approximate increase of 8%. The Personal Property rate is higher but the assessed values will be lower this year so this should still work out to approximately 8%.

The vote on the motion was taken and recorded as follows:

Davis	- yea	Leap	- yea
Flick	- yea	Leet	- yea
Holt	- yea	Life	- yea

The Police Report for the month of July was presented and reviewed. Councilwoman Life requested that, if possible, the actual paid hours of overtime also be included in future reports.

Chief Pence reported that the insurance company has advised the town to go ahead with the repairs on the police cars. The 1984 is at Meadow's Body Shop being repaired (estimated cost $2,000.) and as soon as it is repaired the 1982 will be sent in for repairs (estimated cost $1,500.). He also reported that they are using the Town Superintendent's vehicle as an extra car rather than the County's.

Councilwoman Life reported on the following items:

1. They are working on storm sewers. The new one is in on Hill Avenue but the old one has not been removed. Reseeding has not been done on Hill Avenue as yet.
2. The Street Committee has met since the last council meeting.
3. Changes in funding from the State go into effect in 1986 and after that time the Highway Upkeep Grant monies can only be used for repairs, not new construction.
4. Mr. Monger will be looking into doing some blacktopping.

Councilman Holt commented that he did not see anything wrong with the proposed resolution supporting Secretary Dole's proposal to sell Conrail to Norfolk Southern. His feelings were that if Conrail is going to be sold, he would go with supporting Norfolk Southern rather than someone else. The decision has been made by law that Conrail is to be sold, however, he would not be in support of any resolution that talks about the philosophy of selling the railway. He suggested deleting two of the paragraphs in the proposed resolution.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life and carried to approve the following resolution:

RESOLUTION

Whereas, Conrail, the government-owned freight railroad in the northeast and midwest, is being transferred to the private sector as mandated by law, and

Whereas, Secretary of Transportation Elizabeth H. Dole has recommended that Conrail be sold to Norfolk Southern Corporation, and

Whereas, state and local governments in the Conrail area will begin receiving $32 million annually in tax revenues when such sale is consummated, and

Whereas, more than 60 newspapers in 22 states and the District of Columbia have published editorials in support of Secretary Dole's recommendation that Norfolk Southern purchase Conrail, and

Whereas, payment of $1.2 billion in cash for the Government's 85 percent share of Conrail will help reduce the federal deficit, and

Whereas, terms of the sale require Norfolk Southern to adhere to covenants in the public interest for five years to guarantee that current Conrail service will continue and that Conrail's plant will be maintained and improved.

Therefore, be it resolved, that this body does support Secretary Dole's proposal to sell Conrail to Norfolk Southern, and urges Congress to act without unnecessary delay to accomplish this end.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life that it be adopted as the policy of the Town of Elkton that pursuant to state law, persons seeking the alteration or vacation of streets and alleys shall be charged a fee of $100 for processing the application for the closing or vacating of a street or alley; that each of the viewers appointed by the Town Council for street or alley alterations or vacations shall be paid $50 each for their services, to be paid upon application by the person seeking to alter or vacate the street or alley; and that any streets, alleys, easements and other public ways vacated by the Town of Elkton shall be purchased by the abutting property owner or owners requesting such vacation as a condition to such vacation, in an amount determined by Town Council. The vote was recorded as follows:

Davis	- yea	Leap	- yea
Flick	- yea	Leet	- yea
Holt	- yea	Life	- yea

Councilman Holt reported that Mr. Davenport had written Councilman Leet regarding revisions to water and sewer charge ordinances. Mr. Monger had suggested that council make the Code Sections related to water and sewer charges similar to those dealing with garbage charges. This would allow water and sewer charges to be set by Council in a separate schedule rather than in the Code of Ordinances itself which would allow for greater flexibility. Mr. Davenport felt this was a good idea and had drafted the necessary revisions. Councilman Leet stated he was in agreement with this suggestion.

Councilman Holt presented the following First Reading to make the suggested revisions:

AN ORDINANCE TO REPEAL SECTIONS 5-4-4, 5-4-5, 5-4-6, 5-4-7, AND 5-4-8 OF THE ELKTON TOWN CODE, TO ENACT A NEW SECTION 5-4-4, AND TO RENUMBER SECTION 5-4-9

BE IT ORDAINED by the Council of the Town of Elkton, Virginia:

1. That the following Sections of the Elkton Town Code are hereby repealed effective immediately: Sections 5-4-4, 5-4-5, 5-4-6, 5-4-7, and 5-4-8.

2. That a new Section 5-4-4 is enacted to read as follows: "Water and sewer meters shall be read and billed monthly. Rates for water sold by the Town inside and outside the Town, rates for sewer service inside and outside the Town, charges for reconnection of water service, deposits required of prospective consumers of water, and rules and regulations for water and sewer service, shall be as set forth in a schedule of rates, charges, and regulations promulgated and fixed by the Town Council. A copy of the schedule of rates, charges, and regulations shall be maintained in the office of the Town Superintendent and in the Treasurer's office for public inspection."

3. That Section 5-4-9 is renumbered as Section 5-4-5.

Mr. Davenport reported that the weed cutting ordinance was changed some time ago and it requires the cutting of all weeds so council does not need to make any further changes to this ordinance.

Councilman Leet reported on the following:

1. The fluoridation buildings are pretty much completed.
2. The sewer line from the new development on Rockingham Street is about two-thirds complete.
3. There were some problems due to the heavy rain but as a result of several sewer line improvements primarily on North Avenue, data recorded at the treatment plant showed a marked reduction in the inflow from that usually experienced after a major rain like the recent 4 inch rain.

Councilman Leet stated that as result of the last meeting it was quite evident that some changes were needed in the last proposed sewer contract with the County. The two major changes were that there was a resolution which the County had proposed which council felt should be incorporated as part of the agreement and the other was to eliminate the portion of the proposal which apparently would allow the County to hook on to our waste treatment system at any point they wanted. Councilman Leet reviewed the proposed changes which were being suggested.

The first change mentioned was in Item 4. They proposed to change the word lines from plural to singular, indicating one line. They suggested adding to the end of Item 4:4 "With the exception of the pumping station mentioned in Item 1 above all sewage coming to the Town must flow by gravity unless otherwise agreed upon by the Town. If a request is submitted and the Town agrees, the County may connect lines into the Town sewage system at points other than the point designated in Item 1 above with the same agreement as that detailed herein."

Council was in agreement that Mr. Davenport should make the suggested changes; the contract should then be signed and sent on to the County.

Councilman H. A. Leet moved, seconded by Councilman H. W. Leap and carried that council approve this proposed contract with the County with alterations as shown tonight.

Councilman Leet asked Mr. Davenport what he had found out about the contract with the cablevision company. He stated the reception has not improved but seems to have gotten worse. Mr. Davenport stated he has not looked into this as yet.

Councilman Leap reported that he had attended a Blue Cross-Blue Shield presentation on life insurance for small groups. It seems that the group could get something like $10,000.00 life insurance per employee for approximately $1,000.00. He ask that information be sent to him for the Personnel Committee to review. The State also has a program they might take a look at.

Councilman Holt stated that the Public Health, Ordinances and Recreation Committee would like to meet with representatives of the Recreation Commission to discuss the possibility of advancing additional money and other ideas concerning recreation.

Councilman Leap indicated that the Recreation Commission needs some action now to provide them with enough operating cash until they can receive the money back on the grant. They would like an advance but it that is not possible they would like a loan.

Councilman Leap presented a First Reading to loan the Elkton Recreation Commission $2,000.00 to be paid back within 120 days.

Councilman Holt set up a meeting of the Public Health, Ordinances and Recreation Committee for Thursday, August 22nd. at 7:00 P.M. and asked that representatives from the Recreation Commission be present at this meeting.

Councilwoman Life asked Councilman Flick if they had found someone for President of the Elk Run Cemetery Commission and he stated he had not found anyone as yet.

Councilwoman Life reported that Mr. Edmund Nejaimey who directed our jubilee pageant has passed away.

Councilwoman Life reported that she had received another complaint on it taking three weeks to get cable service and in looking at an old franchise ordinance she feels there is probably something in our present franchise to protect against poor service. Mr. Davenport stated he will check into this.

Councilman Leap reported that the St. Jude's bike-a-thon is scheduled for the last weekend in this coming month and he will be in contact with Mr. Monger and Chief Pence regarding this matter.

Mrs. Leap reported that Mrs. Helen Harbaugh had requested that council be complimented on the new apartment buildings on Rockingham Street. She has been very impressed with Mr. Michael and feels that the apartments are going to be a big asset. She stated that Mr. Michael has had nothing but good things to say about the cooperation

he has received from the town, Mr. Monger and his men. Mrs. Harbaugh also wanted to compliment council on the fence which was installed on the cemetery property across from B & B Electric. This has been a big help in solving some of the problems in that area.

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