REGULAR
COUNCIL MEETING
May 19, 1986

The regular meeting of the Elkton Town Council was held May 19, 1986 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, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Mr. Ray Morris was present requesting council give favorable consideration to his application which he has filed with the Chief of Police to operate a hired vehicle in town.

Mr. L. L. Davis, Mr. Shirley Eppard and Mr. Lawson were present to express their concern over the chicken houses which Mr. Charles Taylor is building near the town's spring and their property and requesting the town's help in trying to stop this project.

Councilman Holt reported that council had discussed and expressed their concern last year regarding the need to protect our water supply and the possibility of new county policy and ordinances leaving us vulnerable to infiltration of industrial or agricultural waste into our spring. The town had contacted the health department, State Water Control Board and the county planning people regarding our concerns. We suggested the county require special use permits of some sort to help protect the water supplies in the county. The response from the county was not favorable. Councilman Holt stated he still feels there should be public notices regarding this type of installation which could be a source of contamination and special use permits required but he does not see any hope of any help from the county. Councilmen Leet and Davis both expressed thir dissatisfaction with the way our concerns over our water supply was handled by the county. There was some discussion regarding possibly contacting the State Water Control Board again and putting some pressure on the county. It was suggested a letter be sent to the county regarding the fact that they have given us no consideration in this matter.

Councilwoman L. C. Life moved, seconded by Councilman H. W. Leap and carried to approve the minutes of the Public Hearing April 21, 1986 and the Regular Meeting April 21, 1986 as presented.

Mr. Monger reported that the Rockingham Municipal League would meet Wednesday, May 21, 1986 at 7:30 P.M. at the Bridgewater Town Hall.

Chief Pence reviewed the monthly police report. He stated that overtime was due to having two officers in school. All of the police personnel will be certified by June 20, 1986 as required by the state code.

Chief Pence reported on a letter he had sent to Massanutten Property Owners Association regarding the use of our teletype. We have received no payments since September 1985 for the use of our services. He informed them that if they wish to continue this service they must send the town a check in the amount of $150.00 by April 30th. This will cover the months of September, October, November and December at the rate of $15.00 and the months of January, February and March, 1986 at the rate of $30.00 per month.

Chief Pence reported that the application for a taxicab license for Mr. Ray Morris has been filed and processed. Council will need to take action on this.

Chief Pence reported that the town needs to amend Section 8-1-1 of our town code in order to start writing certain warrants on the town rather than the state so that the town will receive the fines from these charges.

Mayor Dean stated that the town code calls for a hearing on applications for taxicabs between the fifteenth day of October and the thirty-first day of December after which they will take action on the applications. He stated that council could probably give Mr. Morris a temporary permit for a taxicab and then take the proper action later this year.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life and carried to issue a temporary license to operate a taxicab to Ray Morris.

Councilman S. P. H. Flick moved, seconded by Councilman H. A. Leet and carried to approve the Finance Report for the month of April.

The following First Reading was presented on transfers and additional appropriations in the 1985-86 Budget:

General Government	
From WAGES to MISCELLANEOUS	$ 650.00
From WAGES to AUTO TAGS	700.00
From REPAIRS-PROPERTY to REPAIRS-EQUIPMENT	300.00
Electric	
From POWER PURCHASED to INSURANCE	2,375.00
From POWER PURCHASED to REPAIRS-EQUIPMENT	130.00
Water	
From MEETINGS to INSURANCE	350.00
From REPAIRS-PROPERTY to INSURANCE	900.00
From TELEPHONE to INSURANCE	100.00
From OFFICE EQUIPMENT to INSURANCE	150.00
From VEHICLE MAINTENANCE to INSURANCE	500.00
From UNIFORMS to INSURANCE	195.00
Additional Appropriations for INSURANCE	600.00
Additional Appropriations for FLUORIDE BLDG.	4,000.00
Additional Appropriation for FLUORIDE EQUIP.	14,177.97
Sewer	
From WAGES to INSURANCE	500.00
From MEETINGS to INSURANCE	300.00
From REPAIRS-PROPERTY to INSURANCE	900.00
From SUPPLIES AND EQUIP. to TELEPHONE	500.00
From MEETINGS to TELEPHONE	50.00
From OFFICE EQUIPMENT to REPAIRS-EQUIPMENT	175.00
From VEHICLE MAINTENANCE to REPAIRS-EQUIPMENT	1,000.00
From UNIFORMS to REPAIRS-EQUIPMENT	195.00
From TECH. SERVICES to REPAIRS-EQUIPMENT	900.00
Garbage	
From WAGES to REPAIRS-EQUIPMENT	125.00
From OFFICE EQUIPMENT to REPAIRS-EQUIPMENT	75.00
From MEETINGS to MISCELLANEOUS	300.00
From OFFICE EQUIPMENT to MISCELLANEOUS	100.00
From REPAIRS-PROPERTY to INSURANCE	800.00
From SUPPLIES AND EQUIPMENT to INSURANCE	550.00
From UNIFORMS to INSURANCE	150.00
From UNIFORMS to PRIVATE HAULER	50.00
From VEHICLE MAINTENANCE to PRIVATE HAULER	1,000.00

Streets

From WAGES to SUPPLIES AND EQUIPMENT	2,000.00
From MEETINGS to SUPPLIES AND EQUIPMENT	300.00
From REPAIRS-EQUIPMENT to SUPPLIES AND EQUIP.	1,500.00
From TELEPHONE to SUPPLIES AND EQUIPMENT	100.00
From OFFICE EQUIPMENT to SUPPLIES AND EQUIP.	200.00
From REPAIRS-PROPERTY to MISCELLANEOUS	1,000.00
From UNIFORMS to INSURANCE	200.00
Additional Appropriations for SUPPLIES & EQUIP.	17,627.24

Public Safety

From UTILITIES & FUEL to WAGES	1,000.00
From TELEPHONE to WAGES	100.00
From VEHICLE MAINTENANCE to WAGES	2,400.00
From SUPPLIES AND EQUIPMENT to ADS	200.00
From OFFICE EQUIPMENT to UNIFORMS	125.00
From OFFICE EQUIPMENT to REPAIRS-EQUIPMENT	50.00
From REPAIRS-PROPERTY to REPAIRS-EQUIPMENT	500.00
From MISCELLANEOUS to REPAIRS-EQUIPMENT	200.00
Additional Appropriations for REPAIRS-EQUIP.	250.00
Additional Appropriations for INSURANCE	3,000.00

Councilman Flick reported that the Finance Committee will need to meet again before the First Reading on the 1986-87 Proposed Budget will be ready to present to council.

Councilman Leet stated he feels something needs to be done about the increasing costs of insurance.

Councilman Holt reported that he had attended Congressman Olin's economic conference. They are aware of this problem at the national level and are trying to come up with some sort of solution.

Councilwoman Life reported on the paving work that has been done. She stated that there is nothing new on the school concrete and drainage work.

Councilwoman Life reported that she is still receiving some calls regarding cable television indicating there are still some problems in this area.

Councilwoman Life reported that she had received a complaint from a citizen who just sold her property and in the checking of taxes found she still owed an old tax ticket which she wasn't aware of. This citizen felt it was unfair to let these taxes go so long without making the taxpayer aware of their oversight. Councilwoman Life stated she feels the Finance Committee needs to look into this situation.

Mrs. Leap stated that second notices are sent out on delinquent taxes but that once the tax is taken off the books no more notices are sent.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life that beginning with the 1986 taxes, six months after the taxes become delinquent a list of delinquent taxes be published in the paper, such publication to be preceded by a notice to the delinquent taxpayer. The vote was recorded as follows:

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

The Finance Committee was asked to study the tax situation and come up with a way to try to collect all taxes.

Councilman Leet reported that all the fluoride equipment has been received but that all of it has not been installed as yet. He also reported that the sewer line across the river

has been approved by the health department and is now in the hands of the State Water Control Board.

Councilman Leet reported that they will be making another smoke test in connection with the I & I program.

Councilman Leap asked if the reseeding has been done where the sewer line was run to the Tannery Apartments. Mr. Monger stated it has not been done yet but that he has talked with Mary Elizabeth Kite and she is aware that it will be done.

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

Resolution
Town of Elkton

WHEREAS the Town Council recognizes the existence of a litter problem within the boundaries of Elkton and

WHEREAS the Virginia Litter Control Act of 1976 provides, through the Department of Conservation and Historic Resources, Division of Litter Control, for the allocation of public funds in the form of Grants for the purpose of enhancing local litter control programs and

WHEREAS having reviewed and considered the Regulations and the Application covering administration and use of said funds

BE IT RESOLVED that the Town Council,

Hereby endorses and supports such a program for the Town of Elkton as is indicated in the attached Application Form LC-G-1 and

Hereby authorizes Gerald K. Monger to plan, budget, and apply for a Grant which if approved, will be used to fund said Program and

Hereby requests the Department of Conservation and Historic Resources, Division of Litter Control, to consider and approve said Application and Program, said Program being in accord with the regulations governing use and expenditure of said funds.

Councilman B. B. Holt presented the following First Reading to amend Section 8-1-1 of the Elkton Town Code:

Resolution of the Town Council of Elkton, Virginia
Amending Section 8-1-1 of the Elkton Town Code

BE IT RESOLVED that the following amendment is adopted to Section 8-1-1 of the Elkton Town Code:

The first sentence of Section 8-1-1 is amended to read as follows: "Pursuant to the authority of Section 46.1-188 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in title 46.1 and article 2 of chapter 7 of title 18.2 of the Code of Virginia, as in force and effect on July 1, 1985, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or within the town, are hereby adopted and incorporated in this chapter by reference and made applicable within the town."

Councilman Holt stated he feels council should pursue the matter of the chicken houses near our spring with the State Water Control Board to see if there is any recourse to help protect our water supply and to send a letter to the county expressing our disappointment in their stand on this matter.

Councilman Dean reported on a letter from the Blue Ridge Council No. 149 Jr. O.U.A.M. Parade Chairman, Preston Frazier. Mr. Frazier reported that the Jr. O.U.A.M. is planning their annual Field Day activities to be held August 6-9th., 1986. They are bringing back the Field Day Parade this year. They are inviting the council to be a part of the parade and asking them to join in the Field Day activities.

Mayor Dean stated that they are asking the town to put a float in the parade this year.

Mayor Dean asked council to let Mr. Monger or himself know if any member has any comment on the lease between the Rockingham County School Board and the Town on the old agricultural building at the Elementary School. If he does not hear anything from council, he will sign the lease and return it to the School Board.

Councilman S. P. H. Flick moved, seconded by Councilman H. A. Leet and carried to go into Executive Session to discuss the budget and personnel matters.

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

Mayor Dean reported that he has received a publication from the Deputy Director of the Office of the Secretary of the Treasury regarding revenue sharing funds. They advised that Public Law 99-177 (the Gramm-Rudman-Hollings Act) requires the withholding of 4.3 percent of the amount appropriated to the Trust Fund for fiscal year 1986. As no amounts were withheld from the January and April payments for this reason, the reductions will be 12.9 percent in the July payment and 4.3 percent in the payment for the fourth quarter of FY 1986. The Supreme Court is reviewing various constitutional issues relating to Public Law 99-177. Any adjustment made necessary by the Court's decision will be made in the fourth quarterly payment if the word is available in time to do so.

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