REGULAR
COUNCIL MEETING
May 15, 1989

The regular meeting of the Elkton Town Council was held May 15, 1989 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, B. B. Holt, R. B. Hutton, H. W. Leap, L. C. Life and R. L. Snow. Dale Davenport, Attorney, Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Judith Martin of Shomo Realty was present representing G. Jorge and Lisa P. Araiza who are with the United States Armed Forces in Europe. The Araizas' are presenting a request for a special use permit to operate a Bed and Breakfast at 515 E. Rockingham Street. They plan to buy the house at that location, presently owned by I. L. Flory, Jr., if they are granted the permit.

Mayor Dean stated this would require a Public Hearing and that council would set a time later in the meeting.

Mr. Monger presented council with a written report for the month. He reported that he has received a subdivision request from L. E. Miller on the Frances Offenback property on North Street which he has purchased. This will be sent to the Planning Commission. Mr. Monger pointed out that if the town purchased one of these lots, they could extend "E" Street.

Mr. Monger reported on a letter from E. A. Bernhard of the State Department of Health stating she was happy to hear that Elkton turned on the fluoride equipment in February and congratulating him on his efforts to get the fluoridation system installed and on line. She stated they are processing the voucher for reimbursement for $16,787.06 and the town should be receiving the reimbursement in the next four weeks.

The Public Hearing on the request for a Special Use Permit to operate a Bed and Breakfast at 515 E. Rockingham Street was set for 7:30 p.m., June 19, 1989.

Mr. Monger reported that he will be meeting with Mary Elizabeth Kite and Mr. Lapsley at Mr. Lapsley's office tomorrow morning at 9:30 a.m. Anyone wishing to attend the meeting should contact Mr. Monger after the council meeting.

Chief Pence presented the monthly police report and answered questions as presented by council. He stated that they have been checking town tags and some tickets have been issued.

Councilman R. L. Snow moved, seconded by Councilman B. B. Holt to approve on Second Reading the 1989-1990 Budget as presented and printed in the April 17, 1989 minutes. The vote was recorded as follows:

Davis	- yea	Leap	- yea
Holt	- yea	Life	- yea
Hutton	- yea	Snow	- yea

Councilman R. L. Snow moved, seconded by Councilman B. B. Holt and carried to approve the First Reading on the following 1989-1990 Budget Appropriations:

1989-1990
BUDGET DISBURSEMENTS

General Government	
Wages	$ 14,626.
Ads	100.

Auto Tags	1,000.
Meetings	950.
Utilities & Fuel	1,400.
Insurance	2,397.
Legal	1,250.
Audit	1,000.
Miscellaneous	1,600.
Repairs-Equipment	1,000.
Repairs-Property	1,500.
Supplies & Equipment	2,500.
Telephone	200.
Office Equipment	450.
Payroll Taxes	1,824.
Retirement	595.
Sinking Fund	1,200.
Ordinances	1,000.
Zoning	500.
Planning	1,000.
Annexation Study	7,138.
Comprehensive Plan	7,500.
	$ 50,730.

Recreation Department	
Wages	$ 21,181.
Ads	50.
Meetings	950.
Utilities & Fuel	2,500.
Insurance	2,145.
Legal	1,250.
Audit	1,000.
Miscellaneous	2,000.
Repairs-Equipment	500.
Repairs-Property	2,500.
Supplies & Equipment	2,500.
Telephone	200.
Office Equipment	400.
Payroll Taxes	2,347.
Retirement	1,413.
Vehicle Maintenance	500.
Park Upkeep (Mowing)	1,200.
Programs	12,333.
	$ 54,969.

Garbage Department	
Wages	$ 43,726.
Ads	125.
Meetings	950.
Utilities & Fuel	1,200.
Insurance	12,244.
Legal	1,250.
Audit	1,000.
Miscellaneous	1,000.
Repairs-Equipment	1,800.
Repairs-Property	1,500.
Supplies & Equipment	3,000.
Telephone	175.
Office Equipment	425.
Payroll Taxes	3,502.
Retirement	2,450.
Vehicle Maintenance	2,500.
Private Hauler	7,500.
Sinking Fund	7,000.
	$ 91,347.

Street Department	
Wages	$ 33,345.
Ads	200.
Meetings	950.
Utilities & Fuel	12,850.
Insurance	7,645.
Legal	1,250.

Audit	1,000.
Miscellaneous	12,000.
Repairs-Equipment	3,000.
Repairs-Property	1,500.
Supplies & Equipment	70,919.
Telephone	200.
Office Equipment	475.
Payroll Taxes	3,227.
Retirement	2,075.
Vehicle Maintenance	2,500.
New Vehicles	7,573.
	$160,709.

Public Safety Department	
Wages	$131,205.
Ads	200.
Meetings	950.
Utilities	7,200.
Insurance	25,702.
Legal	1,250.
Audit	1,000.
Miscellaneous	3,000.
Repairs-Equipment	4,800.
Repairs-Property	1,500.
Supplies & Equipment	4,000.
Telephone	1,700.
Office Equipment	500.
Payroll Taxes	10,570.
Retirement	8,402.
Jail Fees	200.
Vehicle Maintenance	6,500.
Uniforms	2,500.
New Vehicle	8,323.
Fire Company Gasoline	2,400.
	$221,902.

Electric Department	
Wages	$ 49,053.
Ads	100.
Meetings	950.
Insurance	10,396.
Legal	1,250.
Audit	1,000.
Miscellaneous	6,000.
Repairs-Equipment	2,000.
Repairs-Property	1,500.
Supplies & Equipment	45,000.
Telephone	200.
Office Equipment	415.
Payroll Taxes	4,753.
Retirement	3,364.
Vehicle Maintenance	3,000.
Power Purchased	780,000.
Technical Services	5,000.
Sinking Fund	6,000.
New Vehicles	4,078.
	$924,059.

Water Department	
Wages	$ 38,701.
Ads	100.
Meetings	950.
Utilities & Fuel	11,250.
Insurance	12,077.
Legal	1,250.
Audit	1,000.
Miscellaneous	3,000.
Repairs-Equipment	2,000.
Repairs-Property	1,500.
Supplies & Equipment	22,000.
Telephone	200.

Office Equipment	425.
Payroll Taxes	3,742.
Retirement	2,500.
Vehicle Maintenance	2,000.
Sinking Fund	6,000.
New Vehicles	4,078.
Royalties	2,000.
ShenElk Debt Service	1,000.
	$115,773.

Sewer Department	
Wages	$ 61,679.
Ads	100.
Meetings	950.
Utilities & Fuel	18,000.
Insurance	15,478.
Legal	1,250.
Audit	1,000.
Miscellaneous	4,500.
Repairs-Equipment	3,000.
Repairs-Property	1,500.
Supplies & Equipment	20,500.
Telephone	500.
Office Equipment	425.
Payroll Taxes	5,151.
Retirement	3,655.
Vehicle Maintenance	2,000.
Technical Services	500.
Sinking Fund	6,260.
New Vehicles	7,573.
FmHA, ShenElk Debt Service	18,676.
	$172,697.

Councilman R. L. Snow moved, seconded by Councilman B. B. Holt and carried to approve the First Reading on the following 1988-1989 Budget Transfers and Additional Appropriations:

1988-1989 BUDGET
TRANSFERS & ADDITIONAL APPROPRIATIONS

General Government

Transfer 250.00 from WAGES to PAYROLL TAXES
Transfer 400.00 from WAGES to RETIREMENT
Transfer 350.00 from OFFICE EQUIPMENT to LEGAL
Transfer 250.00 from SUPPLIES & EQUIPMENT to REPAIRS-OTHER

Electric

Transfer 16,000.00 from WAGES to the following:

200.00 to ADS
300.00 to LEGAL
6000.00 to SUPPLIES & EQUIPMENT
150.00 to TELEPHONE
1000.00 to VEHICLE MAINTENANCE
2799.00 to DEBT SERVICE
5551.00 to CURRENT

Transfer 5000.00 from TECHNICAL SERVICES to CURRENT
Transfer 1300.00 from PAYROLL TAXES to CURRENT
Transfer 1300.00 from RETIREMENT to CURRENT

ADDITIONAL APPROPRIATION OF 42,849.00 to CURRENT.

Water

ADDITIONAL APPROPRIATION OF 6,105.00 TO THE FOLLOWING:

2855.00 to WAGES
2500.00 to INSURANCE

300.00 to LEGAL
170.00 to REPAIRS-EQUIPMENT
225.00 to PAYROLL TAXES
55.00 to DEBT SERVICE (ShenElk)

Sewer

Transfer 7,805.00 from SUPPLIES & EQUIPMENT to the following:

600.00 to WAGES
6000.00 to INSURANCE
300.00 to LEGAL
400.00 to REPAIRS-EQUIPMENT
350.00 to PAYROLL TAXES
100.00 to RETIREMENT
55.00 to DEBT SERVICE (ShenElk)

Garbage

Transfer 2,985.00 from WAGES to the following:

350.00 to INSURANCE
300.00 to LEGAL
125.00 to REPAIRS-EQUIPMENT
60.00 to TELEPHONE
2150.00 to DEBT SERVICE

Streets

ADDITIONAL APPROPRIATION OF 30,693.00 TO THE FOLLOWING:

300.00 to LEGAL
4153.00 to MISCELLANEOUS
200.00 to REPAIRS-EQUIPMENT
26000.00 to SUPPLIES & EQUIPMENT
40.00 to TELEPHONE

Public Safety

Transfer 5,446.00 from DEBT SERVICE to the following:

2300.00 to INSURANCE
1742.00 to VEHICLE MAINTENANCE
300.00 to LEGAL
130.00 to MISCELLANEOUS
300.00 to TELEPHONE
674.00 to PAYROLL TAXES

Transfer 115.00 from OFFICE EQUIPMENT to REPAIRS-EQUIPMENT

ADDITIONAL APPROPRIATION OF 9,152.00 to WAGES.

Councilman R. L. Snow moved, seconded by Councilman B. B. Holt and carried to approve the Finance Report for the month of April 1989.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life and carried to approve the required resolution to open an account in the amount of $1000.00 with the First Virginia Bank-Planters so they can accept utility bills for the town.

Councilwoman L. C. Life moved, seconded by Councilman H. W. Leap to write off the 1984 Taxes in the amount of $542.45. The vote was recorded as follows:

Davis	- yea	Leap	- yea
Holt	- yea	Life	- yea
Hutton	- yea	Snow	- yea

Councilman Davis reported that the Electric Committee met and discussed the Vepco refund which the town received September 30, 1988 in the amount of $7,572.41. The committee recommends the rebate be refunded to the consumers on the next possible electric billing.

Councilman R. E. Davis moved, seconded by Councilwoman L. C. Life that the Vepco rebate of $7,572.41 received September 30, 1988 be refunded to consumers on the next possible billing. The refund will go to all consumers on the billing for that month with kwh usage and would be refunded per kwh usage through the fuel adjustment rate. The vote was recorded as follows:

Davis	- yea	Leap	- yea
Holt	- yea	Life	- yea
Hutton	- yea	Snow	- yea

It was reported that the generating project seems to be on schedule and we have made our first payment toward the project.

Councilwoman L. C. Life moved, seconded by Councilman R. L. Snow and carried to approve the following Project Programming Resolution:

TOWN OF ELKTON
PROJECT PROGRAMMING RESOLUTION

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by council resolution be made in order that the department program an urban highway project in the Town of Elkton; now

THEREFORE BE IT RESOLVED, that the Town Council of Elkton, Virginia requests the Virginia Department of Transportation to establish a project for the construction of Fifth Street Bridge, located on Fifth Street at Elk Run Creek.

BE IT FURTHER RESOLVED, that if the Town Council of Elkton subsequently elect to cancel this project, the Town of Elkton hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the department through the date the department is notified of such cancellation.

Adopted this 15th. day of May, 1989.

Councilwoman Life read a letter to the Mayor and Council from H. Ditman Flory of the Seven-Up Bottling Co., Inc. The letter was an expression of appreciation to Superintendent Gerald Monger and his crew for the excellent job of grading and paving of the downtown area for the benefit of citizens and businesses. Mr. Flory stated that they feel this was a much needed improvement in this area and should be an aid to congestion of traffic on Terrace Avenue and the area surrounding the fire company and on behalf of their employees and company he wanted to thank council for their efforts.

Councilwoman Life reported that the caboose was moved April 19th. and Mayor Dean stated he has heard only positive remarks on the caboose. Councilwoman Life stated we have paid for the moving and the next step will be sandblasting and painting.

Councilwoman Life reported that there was a real problem with basement flooding and sewage in basements during these last rains and she feels council owes it to the people to do something about this problem now on E. Spotswood Avenue, E. Rockingham Street and the downtown area rather than waiting until after July 1st.

Mr. Monger stated he hopes to get started before July 1st. but pointed out that some of the problems were not the fault of the town but faulty equipment of the residents. He also pointed out that they had problems everywhere, not just Elkton, due to the quanity of rain which even the best of systems could not handle. Mr. Monger stated that we have probably corrected about 40% of the I & I problem over the past year or so. There was some discussion on what is needed to get started on correcting these water problems.

Councilwoman L. C. Life moved, seconded by Councilman B. B. Holt to approve the First Reading to appropriate an additional $1,500.00 in the Street Department to get the engineers started again on the water problem on Spotswood Avenue. The vote was recorded as follows:

Davis	- yea	Leap	- yea
Holt	- yea	Life	- yea
Hutton	- yea	Snow	- nay

Councilman Holt reported on the status of the new zoning ordinances. They have held their last group meeting and are in the process of reviewing the results. After they have reviewed the work they will make whatever changes they feel necessary; it will then go back to Mr. Davenport for his final review and then on to the Central Shenandoah Planning Commission to be put in a smooth form. They hope to be able to have this ready to go to a Public Hearing in a month to six weeks.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life and carried to pass the following appropriate resolution to enter into a cooperative litter control program with the County of Rockingham and the Towns of Broadway, Mount Crawford and Timberville:

RESOLUTION

Whereas the Council of the Town of Elkton recognizes the existence of a litter problem within the boundaries of Rockingham County, and

Whereas the Virginia Waste Management Act provides, through the Department of Waste Management, Division of Litter Control and Recycling for the allocation of public funds in the form of Grants for the purpose of enhancing local litter control programs, and

Be it resolved that the Council:

Hereby endorses and supports such a program for the County of Rockingham, and

Hereby expresses the intent to combine with the County of Rockingham and the Towns of Broadway, Mount Crawford, and Timberville in a mutually agreed upon and Cooperative Program contingent on approval of the Application by the Department of Waste Management, Division of Litter Control and Recycling and contingent on receipt of funds, and

Hereby authorizes the County of Rockingham to apply on behalf of all of the above named Localities for a Grant, and to be responsible for the administration, implementation, and completion of the Program as it is described in the attached Application Form LCG-1, and

Further accepts responsibility jointly with the County of Rockingham and the Towns of Broadway, Mount

Crawford, and Timberville for all phases of the Program, and

Further accepts liability for its pro rata share of any funds not properly used or accounted for pursuant to the Regulations and the Application, and

That said funds, when received, will be transferred immediately to the County of Rockingham or if coordinated by the Planning District Commission by the Department. All funds will be used in the Cooperative Program to which we give our endorsement and support.

Hereby requests the Department of Waste Management, Division of Litter Control and Recycling to consider and approve the Application and Program, said Program being in accord with Regulations governing use and expenditure of said funds.

Adopted on May 15, 1989.

Councilman Holt reported that this is Clean Up Week for the Town. EPIC and the Lions Club both participated in the Clean Up Saturday May 13th. Both of these groups are also participating in the "Adopt a Highway" Clean Up Program.

There was some discussion on the Cruising Ordinance. Councilman Holt asked what response other council members had received regarding the ordinance. Most council members reported very little response. Businesses are not in favor of an ordinance and few citizens had expressed a desire to have the ordinance passed. Some citizens had suggested changing the pattern of the cruising and others suggested enforcing the laws we have regarding the traffic violations which are being committed. Councilman Holt stated the people on Wirt Avenue are still upset and he feels we do need to do something to help these people. The situation does seem to be somewhat better since council had the First Reading on the ordinance and Councilman Holt stated he feels we should not table, or drop, it at this time but just not take action at present. If the situation gets worse then council could have a Public Hearing and take action from there.

After considerable discussion, Councilman R. B. Hutton moved, seconded by Councilwoman L. C. Life to table the ordinance for the present.

There was a discussion as to possibly another First Reading being required if this was tabled at this time.

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

Davis	- nay	Leap	- yea
Holt	- nay	Life	- nay
Hutton	- yea	Snow	- nay

Councilman Leap asked how the bathrooms in the park are coming along. Mr. Monger stated they still need to put in fixtures, locks, electricity, sewer pump and lines going out.

Mr. Monger reported that the water is draining out of the park on its own.

Mayor Dean presented a request from Bill McDonald for a license to operate a Pawn Shop, Precious Metals and Firearms.

Mr. Davenport stated we will need to rewrite our Precious Metals Ordinance and permission will have to be obtained from the Circuit Court to regulate pawn brokers. Firearms are regulated by the Division of Alcohol, Tobacco and Firearms.

Councilman H. W. Leap moved, seconded by Councilman R. L. Snow and carried to ask the Circuit Court for authority to have a licensing ordinance for Pawn Brokers and to give Mr. Davenport authority to draw up an ordinance for Precious Metals and Pawn Brokers.

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