REGULAR
COUNCIL MEETING
June 19, 1989

The regular meeting of the Elkton Town Council was held June 19, 1989 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, R. B. Hutton, H. W. Leap, L. C. Life and R. L. Snow. R. E. Davis was absent. Also present was Gerald Monger, Superintendent, Betty Engle, Assistant Clerk, Warren Pence, Chief of Police and Dale Davenport, Attorney.

Welty Hensley was present on behalf of the Historical Society to give an update on the progress being made on the restoration of the Miller-Kite House and to ask the Town to furnish some equipment and manpower to prepare the field for the annual horseshow. Mr. Hensley also presented the Town with a print of a painting by Becki Tate of Waynesboro, Virginia of the old Miller-Kite House.

Councilwoman Life moved, seconded by Councilman Hutton and carried to approve the May minutes as presented.

Councilman Holt moved, seconded by Councilwoman Life to grant a Special Use Permit for a Bed and Breakfast at 515 E. Rockingham Street in conformance with the present ordinance. The vote was recorded as follows:

Holt	-	yea	Life	-	yea
Hutton	-	yea	Snow	-	yea
Leap	-	abstain			

A Public Hearing was set for 7:30 p.m., July 17, 1989 to give consideration to the Town purchasing a part of the L. E. Miller property between North Street and "E" Street and also for a Subdivision Ordinance to subdivide a lot.

Councilman Holt reported on the building of Dr. Trabosh and of the encroachment on town property, about one foot on one side and 1.9 feet on the other end. The town attorney has suggested to clear up this problem, that the town pass a couple of ordinances. The attorney's approximate cost would be around $60.00 and assuming there would be some additional cost involved, they are leving a fee of $75.00. The following ordinances will take care of the encroachment and the fee.

AN ORDINANCE
OF THE TOWN OF ELKTON, VIRGINIA

BE IT RESOLVED, that the Code of Ordinances, Town of Elkton, Virginia, is hereby amended by adding a section, to be numbered Miscellaneous 89-100, which section shall read as follows:

A fee of $_____ is prescribed by this Council and the Town Superintendent for processing an application to permit an existing encroachment, pursuant to Section 15.1-377 of the Code of Virginia, 1950 as amended.

This ordinance shall be in effect from and after the _____ day of _____, 1989.

Adopted and approved this _____ day of _____, 1989.

AN ORDINANCE
OF THE TOWN OF ELKTON, VIRGINIA

BE IT RESOLVED, that the Code of Ordinances, Town of Elkton, Virginia, is hereby amended by adding a section,

to be numbered Miscellaneous 89-101, which section shall read as follows:

The current and future owners of a certain parcel or lot of land located within the Town on the south side of Spotswood Avenue at its corner with a twenty-foot wide alley, presently owned by Jon M. Trabosh and Joanne L. Trabosh, upon which a building is located which encroaches slightly upon the public right of way of Spotswood Avenue, all as shown on a plat labeled "Physical Survey of 3 Parcels", dated February 1, 1988, made by Bobby L. Owens, L.S., a copy of which is attached hereto and made a part hereof, are authorized to maintain such encroachment as it presently exists, until such building is destroyed or removed.

This ordinance shall be in effect from and after the _____ day of _____ 1989.

Adopted and approved this _____ day of _____ 1989.

Chief Pence presented the monthly police report, and also stated that he had received the 1988 Crime of Virginia report and that Elkton had the lowest crime rate in ten years.

Councilwoman Life ask about the alternating of wrecker service, since she had been asked about it. Chief Pence explained that when they make an arrest and are responsible for the vehicle that they call a wrecker that puts it in an impound lot, and if it is an accident where the people are there, then the person chooses their own wrecker service. When the police department is responsible for a vehicle a wrecker service will be used that locks the car up to prevent damage while in their possession, and also there are occasions when they are put in the county garage when there is a criminal investigation, and there is no policy in alternating wreckers, and he would hate to see this come in to effect for these reasons, and he would like to go with the best service.

Councilman Snow moved, seconded by Councilman Holt and carried to approve the Finance Report for May 1989.

Councilman Snow moved, seconded by Councilman Holt to approve on Second Reading the Budget Appropriations for 1989-1990. The vote was recorded as follows:

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

Councilman Snow moved, seconded by Councilwoman Life to approve on Second Reading the 1988-89 Budget Transfers. The vote was recorded as follows:

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

Councilman Snow moved, seconded by Councilwoman Life to approve on Second 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:

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

Councilman Snow reported that the Vepco refund was given to the electric customers on the May bill.

Councilman Snow reported that the Town has received $16,787.06 on the fluoride grant.

Councilman Snow reported that the Mayor had signed an agreement with McGladry & Pullen to do the Town audit.

Councilwoman Life moved, seconded by Councilman Holt and carried to give the Mayor permission to sign the following resolution to send on to the State Water Control Board:

RESOLUTION

WHEREAS, by a Special Order issued by the State Water Control Board to the Town on October 15, 1985, the Town was directed to take a series of actions necessary to meet the final effluent limitations contained in NPDES Permit No. VA0026433; and

WHEREAS, since the entry of the special order, the Town has made substantial progress in correcting infiltration and inflow problems consistent with the Special Order; and

WHEREAS, the Town wishes to formally establish its policy of continuing its efforts to correct its infiltration and inflow conditions and wishes to obtain a cancellation of the Special Order:

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Elkton, Virginia as follows:

1. The Town shall engage in a continued and concerted effort to reduce known infiltration and inflow to its sewer system, to be accomplished by the expenditure of substantial Town resources of money and labor as an ongoing policy, for so long as infiltration and inflow continues to be a problem in the sewer system of the Town.

2. The Town shall continue its efforts to locate additional and as yet unknown infiltration and inflow conditions and correct in the same manner such conditions as they become known.

3. The Mayor is directed to deliver a copy of this resolution to the State Water Control Board and to request cancellation of the Special Order.

Councilwoman Life moved, seconded by Councilman Holt and carried to approve the services of the Town for the annual Horse Show.

As there was no further business, the meeting adjourned.

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

RECORDER: Betty H. Engle
Betty H. Engle, Asst. Clerk