REGULAR
COUNCIL MEETING
September 18, 1995

The regular meeting of the Elkton Town Council was held September 18, 1995 at 7:30 p.m. in the council chambers with the Mayor Charles E. Dean presiding. The roll call is recorded as follows:

PRESENT
F. A. Bennett
D. H. Dail
M. B. Fuller
R. L. Snow
T. R. Whitfield III

ABSENT
W. E. Printz

Ted Costin, Manager, Dale Davenport, Attorney, Nancy Sours, (Substituting for Norma Leap, Clerk), Gerald Monger, Superintendent, Theodore Pence, Director of Parks & Recreation, Warren Pence, Chief of Police and Joseph Shifflett, Director of Public Works were also present.

VISITORS

Susan McDonald

Mrs. Susan McDonald, Country Inn Restaurant, stated her concern on proposed meals tax increase. She was very concern that the only means of the meals tax increase was brought to her attention by the Valley Banner. Her customers are constantly questioning the current tax on the meals. Mrs. McDonald questioned the fact of convenience stores being taxed. She feels other restaurants outside of town receive the same entities as restaurants in town. She feels the town's current percentage is appropriate.

Benny King

Mr. Benny King reported that he, Lou Ann Kirkendall, and Andy Dixon attended a seminar in Blacksburg, Virginia on planning commission. He feels all possible members of council and planning commission should attend this seminar. The seminar covered such areas of planning, personal management, personal characteristics and decision making. He feels it is very beneficial and would save a great deal of time and conflicts in the future. He expressed his appreciation for the opportunity to attend.

Councilwoman Fuller expressed appreciation to the group for taking the time to attend the seminar.

MINUTES

Councilman R. L. Snow moved, seconded by Councilwoman M. B. Fuller and carried to approve the minutes of the Regular Meeting August 21, 1995 and Public Hearing August 21, 1995 as presented.

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence asked if there were any questions on his written report and there were none. Councilman Bennett offered

congratulations to Chief Pence and Sergeant Marshall on certificates received from Operation Heatwave. Chief Pence explained Operation Heatwave is a program in connection with the State Police and commended Sergeant Marshall on his efforts.

Director of Parks and Recreation

Mr. Theodore Pence presented his monthly report and asked if there were any questions. He noted that the community picnic is scheduled for October 1, 1995 at 2 p.m. in Stonewall Memorial Park.

Director of Public Works

Mr. Joseph Shifflett introduced Greg Roach as the new Labor II in the maintenance department. Mr. Shifflett presented an Annual Electric Utility Report that included the last four years of pertinent data. Mr. Shifflett recommended reviewing these reports at the finance committee and electric committee.

Councilman Snow explained reason for requesting statistical data. The finance committee is exploring areas of increasing revenue. He questioned the reason for energy losses for a certain period of time. He also questioned the voltage.

Mr. Shifflett responded that there are many variables in this area.

Councilwoman Fuller questioned revenue received in 1991 opposed to 1994 was higher. She stated that revenue has decreased every year since 1991.

Superintendent

Mr. Monger stated he had nothing other than his written report. He reported the library was basically completed. The river bank project is still in progress but close to completion.

Mayor Dean asked if a cost had been calculated on the river bank project. Mr. Costin responded the last figure was approximately $17,000.00 as to date.

Councilman Snow inquired on the status of the Reservoir. Mr. Monger stated that he is still getting estimates on the reservoir project.

Councilwoman Fuller asked about the 5th Street bridge project. Mr. Monger responded that project is planned for the near future.

Treasurer

Councilman F. A. Bennett moved, seconded by Councilman R. L. Snow and carried to approve the Finance Report for the month of July.

TOWN MANAGER

Mr. Costin said the library event planned for October 8, 1995 should be rescheduled due to a conflict in schedules.

COMMITTEE REPORTS

Electric

Councilman Dail reported that he and Mr. Monger attended a Virginia Electric Association seminar in Richmond, Virginia. He requested an electric committee be scheduled to review information presented by Mr. Shifflett.

Finance

Councilman Snow reported the committee discussed meals and lodging taxes.

Personnel

Councilwoman Fuller would like to revise the current employee handbook and schedule a committee meeting.

Water & Sewer

Councilman Bennett reported the committee is still addressing matters of water haulers.

OLD BUSINESS

Enterprise Zoning Application

Mr. Costin is communicating with others on the Enterprise Zoning Application. There are fifty vacancies available. The packet contains incentives and encouragement for businesses. It consists of various options to offer businesses. Mr. Costin states applications are due October 18, 1995 and Council must review before a submittal. Mr. Costin recommended that the town prepare and submit an application for council's review. He feels it has no guarantees but it does have potential. Mayor Dean questioned if Rockingham County would be participating in this program.

NEW BUSINESS

Waste Disposal Service Contract

Mr. Costin stated the only revision to the proposed contract would be the cap of the expenditure would not exceed 15% aggregate. and paragraph (e) was re-worded.

Mayor Dean stated the contract will be valid until September 30, 2000 and the cost would be $5.50 per unit and $2.65 per recycle unit. This contract applies only to residential.

Councilwoman Fuller asked if apartments located in town would receive refuse service. Her concern was that some apartments over businesses may be using the business dumpsters and what would be their means of trash disposal. Mr. Costin responded that apartment residences that were receiving refuse services as of July 1, 1995 would still be available for refuse services. Mr. Costin introduced Mr. Gustaf Nelson representing Waste Management.

Councilman Snow addressed a question to Mr. Nelson concerning the fluid leakage from trash trucks during the pick-up route. He asked they chose a particular area to compact the trash. Mr. Nelson responded that leakage is normal and will consider a different route.

Councilman T.R. Whitfield III moved, seconded by Councilman F.A. Bennett, to adopt the proposed contract with Waste Management.

The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, R. L. Snow and T. R. Whitfield III

Mayor Dean asked Mr. Costin recommendations on the proposed increase of residential refuse. Mr. Costin recommended $8.25, but definitely no less than $8.15, and to be effective October 1, 1995.

Councilman F. A. Bennett moved, seconded by Council R. L. Snow to present the First Reading to increase the residential refuse rate to $8.25 and that this rate be reviewed annually.

Councilman R. L. Snow moved, seconded by Councilwoman M. B. Fuller on First Reading to increase meals tax to 4% .

Councilman Snow stated that many visitors and residents contribute to the town's tax base, thus keeping town residence cost at a constant level. He feels this will recoup and maintain reserve fund.

Councilwoman Fuller states she has considered this seriously. She does not believe it will harm restaurants and will reconsider if it does become a problem for restaurant owners.

Mayor Dean feels this is the only way to receive revenue from out of town residences.

Councilman Bennett does not support a meal tax increase. He agrees it is a means of receiving revenue from out of town customers.

Councilman Dail is uncertain if he can support meals tax increase. He states he cannot see where it is necessary for an increase.

Councilman Whitfield does not support increased meals tax at this time. He realizes this is aimed towards tourist but town citizens will be penalized by this increase.

Councilman Snow stated unexpected expenditures has arisen, and that revenue must be attained in some way.

A First Reading was presented to amend Section 2-3-4 and enact new Sections 2-3-48 through 2-3-53 of the Code of Ordinances of the Town of Elkton, Virginia which would establish a lodging tax.

Councilman Whitfield will support a 2% rate instead of a 4% rate on lodging tax.

Councilman Bennett expressed his support for a lodging tax and recommended set rates at a later date.

Councilwoman M. B. Fuller moved, seconded by Councilman F. A. Bennett carried to the appointment of Councilman R. L. Snow as Elkton's Alternate Voting Delegate at the Virginia Municipal League Conference.

Mr. Costin recommended council consider another ISTEA application. He feels it could be beneficial.

Councilwoman M. B. Fuller moved, seconded by Councilman R. L. Snow and carried to go into Executive Session to discuss appointment to cemetery commission, recreation department, position of police officer, treasurers salary, land acquisition and probable potential ligation.

Councilwoman M. B. Fuller moved, seconded by Councilman R. L. Snow and carried to go from Executive Session back into Regular Session.

Councilwoman M. B. Fuller moved that each council member to the best of his knowledge, certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered. The following council members so certified:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, R. L. Snow and T. R. Whitfield III

Councilwoman M. B. Fuller moved, seconded by Councilman R. L. Snow to appoint Kevin Avery Whitfield to the position of police officer. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, and R. L. Snow

Councilman R. L. Snow moved, seconded by M. B. Fuller to reappoint the following members to recreation commission:

Joe Flick
Jessie Knighton
Lynn Meadows
Bobbie Rae Monger

The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, R. L. Snow and T. R. Whitfield III

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