Regular Council Meeting
December 20, 1999
7:30 p.m.

The regular meeting of the Elkton Town Council was held December 20, 1999 at 7:30 p.m. in the council chambers with the Mayor Millard L. Dearing presiding. The roll call was as follows:

PRESENT

F. A. Bennett
R. C. Davis
C. E. Dean
B. B. Horne
W. E. Printz
R. L. Snow

Gerald Monger, Town Manager, Dale Davenport, Attorney, Robert Marshall, Chief of Police, Kenneth Flick, Director of Public Works and Julia Smith, Treasurer/Clerk were also present.

Councilwoman Horne offered the Invocation.

The Pledge of Allegiance was recited.

Mayor Dearing - Mayor Dearing thanked everyone for attending the meeting and wished everyone a Merry Christmas and a Happy Millennium. Mayor Dearing stated that the Town was Y2K ready.

CITIZENS COMMENTS

CFW -Mr. Henry Clark, representative for CFW, stated that at the request of CFW & the Fire Department, that CFW would like to withdraw their application for the CFW tower. Mr. Clark stated that the Fire Department and CFW withdraw this application due to citizen concern. Mr. Gary Smith of the Elkton Fire Department stated that the fire department only wants to help the community and that was the intent of the tower being placed on the fire department land. Mayor Dearing stated that he felt a good decision had been made in withdrawing the application.

Marsha Garst - Thanked the Town for having her here. Ms. Garst stated that one of the main items that their office is focusing on will be Customer Service, where everyone will be treated with respect and fairness. Ms. Garst stated they have a new process, a Juvenile Justice System with a Special Juvenile Attorney. Ms. Garst stated the hope it will make a difference with children. Ms. Garst stated another area they're focusing on is a full time General District Court person. Stated a campaign has been started for that person to deal with your concerns. Another thing Ms. Garst thinks will make a big difference for our community is a Felony Review Process, where Felony dispositions are reviewed and controlled. Ms. Garst stated that her office has a commitment to bring fairness to the system and their door is open.

Wayne Printz- Councilman Printz thanked Ms. Garst for coming and stated she has his avid support and he appreciates what is already being done. Ms. Garst stated any input is welcome. Right now they have five attorneys and are getting some very experienced people. Councilman Printz stated he had heard some of the hierarchy wants to delineate funding. Ms. Garst stated there are always rumors, but she hopes they remember one thing the Commonwealth Attorneys office is for the people of this community.

Lucky Sigafoose- Pesticides (passed out information to the council).

Hazel Crider-Mrs. Crider stated this has been a good year under the leadership of Mayor Dearing, some of the accomplishments have been the purchase of the Kite property, the HEC contract, completion of the drain on Spotswood Trail. Mrs. Crider stated that good has come out over the bad, and she is hoping this will continue and we will continue to move forward. Thank You! Mrs. Crider stated that Councilman Snow said we need a community center. Mrs. Crider stated she had a concern from Neighborhood Watch. In November she was there at ten minutes till seven and was locked out of the building and could not find anyone to come and unlock the door. They finally got in at 18 minutes past seven. Mrs. Crider stated that as she recalls there was a debate over the keys and it was decided that all keys would be turned in. Mrs. Crider questioned why is it that Mrs. Humphrey has a private key? Mrs. Crider stated people have complimented them on the Neighborhood Watch. Mrs. Crider asked why they can't have one key to go in for their meetings, she does not think it is fair for the Police Department to have to let them in. Mrs. Crider stated they have a good Neighborhood Watch and they would like an answer tonight.

Tony Lawson- Mr. Lawson stated he would like to thank those that serve on the Council. Mr. Lawson stated that the Town Council said they would reimburse him his $250.00 deductible. As of yet he has not received anything from the Insurance company. Rick Carey has called two or three times and they keep saying it's in the mail. Mr. Lawson stated that if he were insured by a company that didn't pay any faster than that, he would be hunting for a new insurance carrier. Tomorrow will be five months since the tree fell on the house.

Mayor Dearing- Mayor Dearing stated the insurance company was contacted and it should have been paid. Mayor Dearing addressed to Mrs. Crider that he was under the impression that all keys had been turned in. Councilman Snow stated that people who use the center get the key during the day. Mr. Snow stated that Mrs. Humphrey has a key because of the intense use she has of the building and her maintenance of the building.

Mildred Shifflett- Mrs. Shifflett stated it was very nice to meet Marsha Garst. Mrs. Shifflett questioned why there was nothing in the paper about an officer being gone. Mrs. Shifflett stated it was ridiculous that Mr. Lawson has not received his check yet.

Mayor Dearing-Mayor Dearing stated that the officer was a personnel issue.

Hazel Crider-Mrs. Crider stated she would like to thank whoever decorated the building it was absolutely beautiful. Mrs. Crider stated it looked like a postcard and is a positive manner and would stand up against any place decorated here in the Valley.

Lucky Sigafoose- Mr. Sigafoose stated he would like to congratulate Elkton on having the smallest tree in history.

Minutes

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz and carried to approve the minutes of the Regular Council meeting held November 15, 1999.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B.B. Horne, W. E. Printz and R. L. Snow

The motion was carried (6-0)

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Marshall offered to answer questions on his monthly report. Chief Marshall stated he had not heard from the grant.

Director of Public Works

Mr. Flick offered to answer questions on his report. Mr. Flick stated we had purchased a salt spreader and generator which will be used as a backup for the well in the event of a power outage.

Treasurer

Councilwoman B. B. Horne moved, seconded by Councilman R. C. Davis and carried to approve November 1999 Finance Report as presented.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, and R. L. Snow

Motion carried (6-0)

Town Manager

Mr. Monger offered to answer questions on his monthly report.

COMMITTEE REPORTS

Electric

Councilman Davis stated that there was nothing at this time.

Finance

Councilwoman Horne stated they had a presentation on the proposed golf course and Mr. Russell Breeden has been asked to attend the next committee meeting.

Personnel

Councilman Dean stated that there was nothing at this time.

Public Health & Safety

Mayor Dearing stated that there was nothing at this time.

Streets and Sidewalks

Councilman Printz stated that the large ditch beside Edsel Shelton's house will be brought up at the next committee meeting. Councilman Printz asked about the sign ordinance and was told he needs to go to the Planning Commission about this.

Water and Sewer

Councilman Bennett stated that there was nothing at this time.

Cemetery

Mayor Dearing stated that there was nothing for the cemetery at this time. Mayor Dearing does have a concern about the money spent in the cemetery but was never put back in General Fund. Mayor Dearing has asked Lynn Meadows to get with Mr. Bob Whitfield to see if they could have an early Cemetery Commission meeting.

Recreation

Councilman Snow stated there was a conflict on the date for the next meeting and it will be on Tuesday, December 28.

Planning Commission

Councilwoman stated that there was nothing at this time, there was no meeting.

EDRC

Councilman Printz stated they had their meeting on December 7, 1999. He stated that most all of the officers had been reelected. Councilman Printz stated they had a budget of $54,000, $21,500 is the town grant, $12,000 County grant and $9800 are membership contributions. Councilman Printz stated that plans are underway for seminars, another cruise in, membership drive, and summer concerts. EDRC requested that council decide whether Councilman Printz should be a voting member of the EDRC board.

Councilman C. E. Dean moved, seconded by Councilwoman B. B. Horne and carried to recommend Councilman Printz be a voting member of the EDRC Board.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, and R. L. Snow
Motion carried (6-0)

Mayor Dearing asked that a study be done on the Christmas lights and that a business seminar be conducted. Mayor Dearing asked if the council wants to continue with the quarterly briefing on EDRC. Mayor Dearing stated that Ms. Deavers usually reads her report to the council and answers any questions. Council asked that the quarterly report be included with the packets and Ms. Deavers be present just to answer questions. Councilman Snow asked that the EDRC board keep the agreement in front of them and to let them know the council will be evaluating this agreement. Councilman Snow asked that EDRC give the council a list of their projects for the next year before we do our budget. Councilman Printz stated that the officers of EDRC are planning a meeting with the community to let them know what EDRC is doing for the town.

NEW BUSINESS

First Reading for appropriation for ISTEA

Councilwoman B. B. Horne moved, seconded by Councilman R. L. Snow to appropriate $375,000.00 from repo for the ISTEA project.

After discussion Councilman Snow withdrew his second; Councilwoman Horne withdrew her motion.

Councilwoman B. B. Horne moved, seconded by Councilman R. L. Snow and carried to appropriate $375,000.00 for the ISTEA project.

YEAS: **F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, and R. L. Snow**

Motion carried (6-0)

Water Connections - Rodney Morris & Tammy Moubray

Councilman F. A. Bennett moved, seconded by Councilman C. E. Dean and carried to approve water connections on E. Washington Street to Rodney Morris and Tammy Moubray.

YEAS: **F. A. Bennett, R. C. Davis, C. E. Dean, W. E. Printz, R. L. Snow**

NAYS: **B. B. Horne**

Motion carried (5-1)

First Reading - Appropriation Monger Hill

Councilman F. A. Bennett moved, second by C. E. Dean and carried to approve the appropriation of $3,000.00 for a line to be run across Monger Hill Road. (Specifics of the easement are attached to minutes)

YEAS: **F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, and R. L. Snow**

NAYS: **W. E. Printz**

Motion carried (5-1)

Closed Session

Councilwoman B. B. Horne moved, seconded by Councilman R. L. Snow and carried that council go into Closed Session for the purpose of discussion of the town dispatcher and previous police officer.

YEAS: **F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, R. L. Snow**

Motion carried (6-0)

Councilwoman B. B. Horne moved to go from Closed Session back into Regular Session and that each member, to the best of his knowledge, certifies that only public business matters lawfully exempted from an open meeting requirement under Chapter 21 of Title 2.1 of the Code of Virginia were heard, discussed or considered. The motion was duly seconded.

YEAS: **F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, R. L. Snow**

Motion carried (6-0)

Committee meeting were set: January 11, 2000 at 6:00 P.M. Personnel, finance and water/sewer. January 13, 2000 at 6:00 P.M. Electric/streets/sidewalks and Public Safety.

Mayor Dearing stated that we need to address unsightly property again. Mayor Dearing asked that Kenny Flick ask VML about an ordinance to handle this. Mr. Davenport stated that at one time the town was looking at setting up a civil system to fine people for the offenses on zoning violations.

Attorney Davenport stated that he is addressing the following issues for the town.

Section 125 (Cafeteria Plan)
Annexation
Employee Endorsement
Zoning on towers

As there was no further business the meeting was adjourned.

MAYOR: M Lee D
M. Lee Dearing, Mayor

RECORDER: Julia M Smith
Julia M. Smith, Clerk