Regular Council Meeting
October 25, 1999
7:30 p.m.

The regular meeting of the Elkton Town Council was held October 25, 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.

CITIZENS COMMENTS

Bill Fetterholf - 220 W. Summit- Mr. Fetterholf complained about the cutting down of the town Christmas tree and replacing it with an 8-foot tree. Mr.Fetterholf commented on the road blocks in town. Mr. Fetterholf stated that Chief Marshall said there had only been three road blocks in the last year. Mr. Fetterholf stated that he knows of 10 road blocks. Mr. Fetterholf stated that he felt we should be doing more things with the kids in the community than having road blocks.

Frank Melenski - 604 N. Stuart Avenue - Mr. Melenski stated that citizens are fearful of speaking their minds due to retaliation. Mr. Melenski stated that a citizen received a threatening phone call from the loading dock at Merck. Mr. Melenski stated that the caller was trying to intimidate this citizen from speaking out at council meetings. Mr. Melenski stated that another citizen that had spoken out at a meeting had his tire slashed on his car. Mr. Melenski stated that these two incidents were direct intimidation. Mr. Melenski stated that he hopes the council will stop reasons for this perception. Mr. Melenski proposed that council adopt a resolution condemning any retaliation from the council or employees. Mr. Melenski recommended that Councilman Dean should make the motion and Councilman Snow should second the motion since these two seemed to have the most power.

Jeff Dean - 115 Clark Avenue - Mr. Dean commented on the projects in town. Mr. Dean stated that the project in front of his house was never completed. Mr. Dean complained about mud in his yard when it rains due to the project not being complete. Mr. Dean stated that there is a four-inch stake still in his yard from the project. Mr. Dean asked how long does it take to get something done.

Lucky Sigafoose - 112 Rockingham Street - Mr. Sigafoose stated that he is concerned about EDRC. Mr. Sigafoose asked that someone show him why EDRC is worth so much money. Mr. Sigafoose

stated concern over the pipe that is going to be run under highway 340. Mr. Sigafoose stated that we are going to have to raise taxes. Mr. Sigafoose stated that the council gives everything away and does nothing for the senior citizens.

Hazel Crider - Elkwood - Mrs. Crider stated that she attended the last committee meetings and thought the committee took the complaints about road blocks too lightly. Mrs. Crider stated that the town should settle down and not harass citizens. Mrs. Crider commented on EDRC by reminding council that EDRC was to be weaned off and this has not happened. Mrs. Crider stated that EDRC should have fund-raises to collect the additional funds they need to meet their budget. Mrs. Crider stated that the EDRC program is not elite and that their attitude needs to be changed. Mrs. Crider stated that she would help any way she could if EDRC was willing to help themselves. Mrs. Crider stated that the town needs new Christmas decorations and that this would be a good project for the town and EDRC to work on together.

Mildred Shifflett - Mrs. Shifflett asked what is EDRC? Mrs. Shifflett stated that if the town has $3,500.00 why not get new Christmas decorations, sidewalks, a recreation center, etc. Mrs. Shifflett stated that the golf course being built in a flood zone was ridiculous. Mrs. Shifflett also commented that we should not be giving people out of town the right to hook onto our water and sewer. Mrs. Shifflett stated that if the town keeps giving money away she will refuse to pay her taxes.

Mayor Dearing stated that we are overloading the system. Mayor Dearing stated that priorities need to be set. Mayor Dearing named several projects that are now in the making. Mayor Dearing stated that we are looking at a golf course, a new well, annexation, ISTEA, and acquiring more land from Mrs. Kite.

Minutes

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz and carried to approve the minutes of the Regular Council meeting held September 20, 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.

Director of Public Works

Mr. Flick offered to answer questions on his report.
Councilwoman Horne asked if the system for water haulers is complete. Mr. Flick stated that the system is ready but not on. Mr. Flick stated no one has requested service. Mr. Flick stated that this will be treated on the honor system.

Treasurer

Councilwoman B. B. Horne moved, seconded by Councilman W. E. Printz and carried to approve the September 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 that at the committee meeting held Thursday night EDRC was discussed and would be brought up later in the meeting tonight. Councilwoman Horne also stated that the committee discussed setting up economic development in the budget. Councilwoman Horne stated that legal fees were discussed and the committee felt that this was due to mis communication in council meetings and that Mr. Davenport will be asked to reaffirm issues to the council at the end of the meeting.

Personnel

Councilman Dean stated that the committee met and accepted the Standard Operating Procedures for the Police Department.

Public Health & Safety

Mayor Dearing stated that the committee met and discussed the road blocks. Mayor Dearing stated that they discussed the manner in which those road blocks will be done. Mayor Dearing stated that the committee will be looking into this some more. Mayor Dearing stated that other ordinances are being looked at and will be discussed at a later meeting.

Streets and Sidewalks

Councilman Printz stated that he would like to compliment EPIC on the Autumn Days Festival. Councilman Printz explained the HEC agreement the town has. Councilman Printz stated that Tony Lawson was discussed at the last committee meeting. Mr. Monger reported that our insurance company stated that if we sent a letter stating that we understand that we are not liable but wishes to pay Mr. Lawson his deductible as a courtesy then they will send Mr. Lawson a check for his homeowners deductible. Councilman Printz asked permission from council to pursue getting DMV to put a mobile unit in Elkton. Councilman Printz also requested information on the use of golf carts in town. Councilman Printz stated that he also asked DMV about transportation for the elderly and they referred him to VDOT. Councilman Printz passed out recommendations on trees, shrubs, mowing, etc. to council members to review for the next committee meeting. (Attached)

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.

Recreation

Councilman Snow stated that there was nothing at this time.

Planning Commission

Councilwoman Horne stated that the comp. plan was discussed. Councilwoman Horne stated that there are two vacancies on the Planning Commission and they hope to have recommendations for the next council meeting.

OLD BUSINESS

Tony Lawson

Councilman W. E. Printz moved; second by F. A. Bennett to make the payment to Mr. Tony Lawson for his $250.00 deductible.

After discussion Councilman Bennett withdrew his second and Councilman Printz withdrew his motion.

Councilwoman B. B. Horne moved; second by W. E. Printz and carried to send a letter to VML stating that we agree that it is not our responsibility but that we are asking their consideration in paying the $250.00 deductible for Mr. Lawson.

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

Motion carried (6-0)

NEW BUSINESS

Economic Development

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to agree to add to future budgets a line item for economic development.

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

Motion carried (6-0)

First Reading - Appropriation of $3,500.00 for EDRC

Councilman R. L. Snow moved, seconded by Councilman R. C. Davis and carried to appropriate an additional $3,500.00 for the Main Street Program this year.

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

Motion carried (4-2)

Councilwoman Horne stated that the partnership agreement with EDRC should be agreed upon before any money is appropriated. Councilman Printz agreed with Horne but also knows that EDRC needs money now.

Councilman Davis thanked Clyde McDaniel and Nancy for the time they spent on this agreement. Councilman Davis stated that he is convinced that the commitment is there and everyone will do their part.

Halloween

Councilwoman B. B. Horne , second by F. A. Bennett and carried to set Halloween this year for Saturday, October 30, 1999 from 5:00 P.M. until 9:00 P.M..

YEAS: F. A. Bennett, C. E. Dean and B. B. Horne
NAYS: R. C. Davis, W. E. Printz and R. L. Snow
Mayor Dearing broke the tie with a yea vote.

Motion carried (4-3)

Water Line and Casing Hwy. 340 and Washington Avenue

Councilman F. A. Bennett moved; second by R. C. Davis and carried to approve that the town pay $7,200.00 for the water line and casing at Hwy. 340 and Washington Avenue when VDOT does the paving.

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)

Appointment of Council Member to EDRC Board of Directors

This was tabled until next month.

MAYORS BUSINESS

Committee meetings were set for all committees to meet on Tuesday, October 9, 1999 at 6:00 P.M..

Councilman Dean stated that we have a draft agreement on annexation to propose to the County. Councilman Dean stated that the annexation committee will need to meet in the next couple of weeks.

In response to Mr. Frank Melenski's proposed resolution the following motion was made:

Councilman C. E. Dean moved; second by R. L. Snow and carried that the Elkton Town Council condemns any attempt to intimidate or coerce any town citizen who wishes to participate in a lawful manner in town government or in the discussion of public affairs involving town government.

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

Motion carried (6-0)

Attorney Business

Mr. Davenport reviewed request made by council.

Policy on endorsement by town employees
Sexual Harassment review
Annexation
Tree Maintenance Policy
Modify Benefit Plan

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 probable litigation.

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)

As there was no further business the meeting was adjourned.

MAYOR: M Lee Dearing
M. Lee Dearing, Mayor

RECORDER: Julia M. Smith
Julia M. Smith, Clerk