Regular Council Meeting
May 15, 2000
7:30 p.m.

The regular meeting of the Elkton Town Council was held May 15, 2000 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
R. L. Snow

ABSENT

W. E. Printz

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

Lucky Sigafoose - 112 Rockingham Street - Mr. Sigafoose stated that he received a phone call. Mr. Sigafoose stated that the caller made the comment that we now have the town drunk on the council. Mr. Sigafoose stated that he worked every day and took care of his family. Mr. Sigafoose stated that he has not had a drink in 20 years. Mr. Sigafoose stated that he is only here to try and help the citizens.

Mrs. Martin - 201 Morgan Avenue - Mrs. Martin stated concern over unlicenced cars in town and property owners that do not maintain their property.

Mayor Dearing stated that there are 72 cars unlicenced in town. Mayor Dearing stated that he hopes to correct both issues.

Harry Gooden - Maple Leaf Lane - Mr. Gooden stated that there should be a public apology made by the people that wrote the article in the paper. Mr. Gooden stated that he hopes the new council will be humble.

Shirley Broughton - Ms. Broughton thanked the police department for controlling the loitering at 110 Spotswood.

Mildred Shifflett - Ms. Shifflett stated that she has thought long and hard over the past few weeks and there seems to be members on the council that does not think the town can survive without their guidance. Ms. Shifflett told Councilman Snow that if he and his friends could come down off their pedestal that would see that people are tired of having their money wasted. Ms. Shifflett stated that the obituary that was placed in the Valley Banner was in poor taste. Ms. Shifflett told the new council that the people of Elkton expect better from them and will be watching.

Mayor Dearing introduced the new council members: Lucky Sigafoose, Cathy Murphy and Theo Pence.

Minutes

Councilman C. E. Dean moved, seconded by Councilwoman B. B. Horne and carried to approve the minutes of the Public Hearing held May 1, 2000.

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

The motion was carried (5-0)

Councilwoman B. B. Horne moved, seconded by Councilman C. E. Dean and carried to approve the minutes of the Regular Council meeting held April 17, 2000.

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

The motion was carried (5-0)

Councilman R. C. Davis moved, seconded by Councilman C. E. Dean and carried to approve the minutes of the Special Council meeting held May 1, 2000.

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

The motion was carried (5-0)

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Marshall offered to answer questions on his monthly report. The Mayor stated that it is his responsibility to remove unlicenced cars in the town limits. The Mayor explained that the cars would have to be marked and then observed for 30 days before any action could be taken.

Director of Public Works

Mr. Flick offered to answer questions on his report.

Treasurer

Councilman F. A. Bennett moved, seconded by Councilwoman B. B. Horne and carried to approve April 2000 Finance Report as presented.

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

Motion carried (5-0)

COMMITTEE REPORTS

Electric

Councilman Davis stated there is no business at this time.

Finance

Councilwoman Horne stated there is no business at this time.

Personnel

Councilman Dean stated there is no business at this time.

Public Health & Safety

Mayor Dearing stated there is no business at this time.

Streets and Sidewalks

Councilman Printz was not present.

Water and Sewer

Councilman Bennett stated that there was nothing at this time.

Councilman C. E. Dean moved, seconded by Councilman R. L. Snow and carried to approve that fees are raised according to the schedule presented and made a part of the minutes. Existing dwellings located within the existing town boundaries as of June 30, 2000 may connect to the town sanitary sewer system for the old rate of $500.00. After June 30, 2001, the new connection fees will be charged to all who wish to be connected. Properties that have paid a connection fee will be allowed to connect until June 30, 2001. After which the fee amount at the time of connection will be charged. This is an amendment to the motion made last month.

YEAS: R. C. Davis, C. E. Dean and R. L. Snow

NAYS: F. A. Bennett and B. B. Horne

Motion carried (3-2)

Cemetery

Mayor Dearing stated that there was nothing at this time.

Recreation

Councilman Snow stated that the Merck shelter at Riverside Park was donated.

Planning Commission

Councilwoman Horne stated that the Planning Commission is having a work session on Tuesday, May 23, to review the Comp. Plan.

EDRC

Councilman Printz was not present.

OLD BUSINESS

SECOND READING 2000-2001 BUDGET

Councilwoman B. B. Horne moved, second by R. L. Snow and carried to approve the second reading of the 2000-2001 budget.

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

Motion carried (5-0)

SECOND READING BPOL

Councilman R. C. Davis moved, seconded by Councilman R. L. Snow and carried to adopt the 2ND Reading to add a new section to BPOL that will charge ½ of 1% of gross receipts to anyone selling heat, lights and/or power in the Town of Elkton.

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

Motion carried (5-0)

NEW BUSINESS

SIGNATURE AUTHORITY

Councilwoman B. B. Horne moved, second by R. L. Snow and carried to approve Rhonda Myers to be added to the signature cards of all the banks.

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

Motion carried (5-0)

EAUS ENCROACHMENT

Councilwoman B. B. Horne moved, second Councilman C. E. Dean and carried to approve the encroachment at 218 Spotswood Trail as requested by EAUS and subject to the following stipulations that the flower boxes cannot be added to or replaced without prior approval of the town.

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

Motion carried (5-0)

FIRST READING OF APPROPRIATIONS AND TRANSFERS

Councilwoman B. B. Horne moved, second by R. L. Snow and carried to approve the first reading of appropriations and transfers for the 1999-2000.

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

Motion carried (5-0)

PLANNING COMMISSION VACANCIES

Councilwoman B. B. Horne moved, second by C. E. Dean and carried to fill the Planning Commission vacancies from three citizens recommended by the Planning Commission. Betty Fridley, Wake Gooden and Bill Holt.

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

Motion carried (5-0)

BENNINGTON PROPERTY

Councilwoman B. B. Horne moved, second by R. L. Snow and carried to give Kenny Flick authority to sign the deed to reconvey property to George and Janet Bennington at the Sports R Fun location.

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

Motion carried (5-0)

DONATION OF ELECTRICITY FOR THE FIREMENS CARNIVAL

Councilman R. C. Davis moved, second by Councilman C. E. Dean and carried to approve the donation of electricity to the Firemens Carnival in June 2000.

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

Motion carried (5-0)

NEW POLICE OFFICER

Councilman C. E. Dean moved, second by R. L. Snow and carried to hire Gregory Orebaugh for the position of police officer starting at $21,651.03 effective May 17, 2000.

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

Motion carried (5-0)

Mr. Dale Davenport, Town Attorney, submitted his resignation effective July 1, 2000.

Committees were set for the following dates:

June 13, 2000 at 6:00 p.m. - sewer/water, streets/sidewalks and electric

June 15, 2000 at 6:00 p.m. - finance, personnel and public safety

Closed Session

Councilman R. C. Davis moved, seconded by Councilman C. E. Dean and carried that council go into Closed Session for the purpose of discussion of Town Attorney and Planning Commission Vacancies.

Councilman R. L. Snow 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, R. L. Snow**

Motion carried (5-0)

Councilman R. C. Davis moved, second by C. E. Dean and carried to appoint Bill Holt and Betty Fridley to the Planning Commission. Mr. Wake Gooden was approved to fill the next vacancy.

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

ABSTAIN: **B. B. Horne**

Motion carried (4-0)

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