**Regular Council Meeting**
**February 19, 2001**
**7:00 P.M.**

The regular meeting of the Elkton Town Council was held February 19, 2001 at 7:00 p.m. in the council chambers with the Mayor L. Dearing presiding. The roll call was as follows:

**Present**

Councilman Sigafoose
Councilman O'Neil
Councilwoman Horne
Councilwoman Murphy
Councilman Pence

**Absent**

Wayne Printz

Kenny Flick, Interim Town Manager, Burns Earl, Attorney, Richard Pullen, Chief of Police, and Faye Vickers, Treasurer/Clerk were
also present.

Councilwoman Bobbi Horne offered the Invocation.

The Pledge of Allegiance was recited.

Ruby Davis spoke for Scott Plum, he was at work, problem on Rockingham Street about the dogs. They have gone to the Whitmers several times and spoke with them the first time said they couldn't keep the dogs in because it would keep them from sleeping. The last time they went, they said the town had no ordinance, their dog could bark anytime. We came to you (Mayor Dearing) for five month. The first time we came to you, you made a statement that you would warn them the first time if they didn't do nothing you would go back and warn them again, the second, the third time you would fine them, the next time you would get a warrant. We came to you five times, nothing done, last time you said go to the Chief don't come to me. We went to the Chief, he had a different story, I came back to you, you said that is not correct, I went back to him and I said can I get you and Lee together, and he said yes. I came down to the town hall I was there an hour and forty minutes, I could not get you together at all, after that, you did send the ordinance you promised them you would, you sent the town ordinance, the dog was barking twenty four hours a day outside, they didn't put him in at all, after you sent the ordinance in now they put him in and take him out a certain time, and the problem in not solved. I have talked to all the councilmen, everyone, Cathy you said you could handle it, it would take a while, that's been six months, I talked with Sigafoose, he said he would handle it, Sigafoose said he would work on it, I talked with Bobbi, she said if nothing could be done we are living in a poor country, I talked with Mike he said he would see what he could do, I talked to Theodore he said he thought the problem was taken care of. I have talk to the police, but I do give to Mr. Pullen he is trying to help us out. Can you give me an answer about the ordinance?
Mayor Dearing- Yes, the ordinance states if a dog in the Town of Elkton is barking where it disturbs more that one person, then we can site that individual. We have ask Mr. Plum, Scott, that if he wants to get the warrant for the person, we have not personally heard the dog, I cannot issue a warrant the police have to hear the dog barking.
Ruby Davis- Yes, but you didn't tell us that, you
Mayor- I said the ordinance is there, the ordinance is in writing, I do not enforce ordinances, I have spent more time and this council has spent more time on this barking dog than we did on the last drug bust. Nothing was done, because every person has the right to have an animal, and to control that animal, the Chief has gone to Scott, Scott is the person who has to be taken to court. The Chief has said we will issue the warrant a summons for that person to go to court
Ruby Davis- Yes he told us that.
Mayor- and then your son will be subpoenaed to testify and there is where it is now
Ruby Davis- and you to?
Mayor- I will not be subpoenaed, I do not get into dog issues that is the Chief of police responsibility, I am not the dog warden, I am not going to lower this council to go out and run dog interference, we have a police department that does that, and when they find that the dog is in violation, the people up there that we have talked to, and I have I have talked to them on many occasions are trying to work, they even got rid of one dog
Ruby Davis- But they have two, I have them on tape barking, and one of the polices made a statement, two and half minutes isn't long enough, if I come to your house and blow my horn four times in a night for two and half minutes that isn't enough?
Mayor- Well, I think it is still a police issue, not a town council issue, the ordinance is on the books, I have asked the Chief to look into it. The Chief has worked on it, he has sent officers up there, I think every councilperson has been up there; they have looked at your situation. It is still a police issue and until the Chief decides what he wants to do, and I think he has a route, until then we will not get involved in that issue.
Ruby Davis- OK, when we spoke with you, the dog was out barking all the time
Mayor-When you spoke with me, we did not have a Chief of police, and we were in between a chief of police and in between a police department
Ruby Davis- But you have and acting Chief and I came down here and talked to Donald Dean, he had no idea where the place was, who the people was, or anything
Mayor-Well, I will tell you I have discussed this with the police department, we have probably discussed it twenty different time this month and we are still discussing it, until my police department finds out that it is a problem where it disturbs more than one neighbor, then we will get involved, at this moment we have not gotten that complaint
Ruby Davis- Yes, but the ordinance don't say, it says persons, and its more persons in the house than one.
Last night the kids went to bed, it woke them up at 10:35, they got up at 4 o'clock same thing again this morning.
Chief- I explained to her right before the meeting what it says

Mayor- Did the Chief explain it to you?
Ruby Davis-Yes he did, yes, but what I said it don't say household, and it says persons and its more persons in that household
Mayor- The person who will walk in front of that judge and has to present this case is the chief of police, or the police officer who issues that summons, they're the ones that will have to be confident that what they are taking to the judge, is worthy of taking to the judge and that some action will be taken. We are not going to go to the judge, and walk in over a barking dog and the judge says well there is nothing I can do. Every time we go, we go with the intent of winning the case, not to go up there just to take the judges time. And this council does not get involved, we will not ever be summoned to court over a barking dog, I will tell you that, that's why we have the police.
Ruby Davis- You told me that you were over the polices, the first time we came to you, you said I will handle it, you came right to the house, sat at the kitchen table, you said I will handle it, you do not have to handle it
Mayor- When I came to your house, I said there is an ordinance for barking dogs,
Ruby Davis- Yes,
Mayor- I said I would send a letter, your sister-in-law was sitting there, or daughter-in-law was sitting there, I said I would send the letter to the neighbors next door explaining what the ordinance is, the next morning, Mr. Plume came down, said do not send the letter, until I get a chance to read the letter
Ruby Davis-He wanted to try to solve it himself, but then we came back to you
Mayor- this has been going on for five months,
Ruby Davis- This has been going on, March is a year
Mayor- But when I am asked to write a letter and then you come down and ask me not to write a letter, because you don't want to disturb the neighbors, you want to handle yourself, I tried to honor what you all want, but it's a no win situation, when I don't know, we said we were going to take you to court, Scott says he don't want to go to court, how do we do that?
Ruby Davis- We got back to you several times, before you sent them the letter though
Mayor- Yes, because you all never said to sent the letter, you said to hold up on the letter, I have to honor the people who is in violation that is not you Mrs. Davis, that is Scott
Ruby Davis- I am the property owner, I pay county tax and I pay town tax
Mayor-OK, I still understand the person who lives there will be the person who is subpoenaed
Ruby Davis- I understand that
Mayor- OK, Scott told me to hold up on the letter, I held up on the letter, Scott has never talked to me but one time, in the five months, I have only talked to you, so now it's going to the Chief of police
Ruby Davis- You haven't talked to Scott but once?
Mayor- I'm sorry, I talked to his wife once and I talked to him once that's it, the rest of the time I told him to talk to the Chief of Police
Ruby Davis- Well, it was told to us too, get them on tape, that's fine, got them on tape, Conley came up there two and half minutes isn't long enough, he wouldn't do nothing. We got them on tape, I don't know how many times
Mayor- I have a dog and I hope that when somebody walks on my property that dog barks, that's what I want him for, I don't want him to eat bones, I just want him to bark, and what we are saying here is, we are trying to honor two people in a close community and we are trying to do what is best, when we talked with this lady she has been more than cordial to us trying to say she wants to solve the dog problem, she does have a barking problem, but the problem is the dog is not barking most of the time during the night it's barking during the day, I'm sorry Scott is sleeping during the day, the dog is out during the day, now you all say put the dog in during the day, because Scott is sleeping, it's a no win for us and we don't want to get into monitoring that much on dogs
Ruby Davis- Yes, all of them up on Rockingham St up there, walks their dogs with a lease, all of them has dogs, Scott has two dogs, but he don't put them out there to disturb people.
Mayor-Well, I don't believe she is doing it to disturb anyone, but again the Chief will handle the dog situation, is that right? Does anyone have any problem with that? With me handling that?
Ruby Davis-I hope they can keep the dog, but I would like for it to be controlled like the ordinance says
Mayor-OK
George Davis- I even told the Chief, that we was willing to buy a barking collar or a muzzle, in order to keep the dog quiet, we have done everything we can to try to solve this problem. Now what is the matter with that? I don't have a thing in the world against the dog as long as he doesn't bark. Last night at 10:30 he woke the kids up 10:35 or something like that, this morning at 4 o'clock, this morning after daylight. I think he came to the police station and somebody told them it would be all right to let the dog go out to the bathroom. Did you ever see a dog bark and poop at the same time? You don't have any answer?
Mayor- Mr. Davis I can't say I don't have an answer, I don't think anyone who has an animal that keeps it inside, is going to go outside with his dog
George Davis- How does the rest of the neighbors take their dogs out to the bathroom and they don't bark and carry on like that. I don't care is he has a dozen dogs over there as long as they don't bark.
Mayor- that's just one of those things that is unique to dogs, they bark
George Davis- Well now if you all going to have to hear the dog bark, I can fix it so you can hear the dog bark but then you'll get me for disturbing the peace.
Mayor- The issue is back with the Chief of Police to handle the dog, I will no longer get involved in the barking dog issue, the chief knows what the ordinance is, I think you read it. The Chief and his officers will handle it
Hazel Crider-I'm Hazel Crider of Elkwood. Since we are on the subject of ordinance I would like to ask also, any ordinance that is on the books of our town, should the town not enforce them? And sometime during the meeting I would like an answer on that.
Mayor- Are you asking should they be enforced
Hazel Crider- Yes should they not be enforced by the council?
Mayor- Yes, there is an ordinance, this book here is all the ordinances of the town, until a month ago was the first time my police department had those ordinances, but if we enforce every ordinance every time that there is a violation, we will be citing people twenty four hours a day, because the book covers everything from throwing trash on the ground to shooting birds, barking dogs, the trash, yes every ordinance should be enforced, but it also up to the discretion whoever is viewing that ordinance violation has to be aware that there is a violation
Hazel Crider- I would like to say a few word on our speaker system, we all know that it not correct and does not work properly, and I think something that should be done about that, because money has been invested in that, spend a little bit more money, to get a better system in here that everyone can hear, I don't think that any citizen should have to sit in the front row whatever just to be able to hear, we have an interest, I have an interest in our town and our community and I am not here for entertainment as quoted in the paper. During our executive sessions, we have mentioned that before, we respect your executive sessions, but we the public, also especially during the winter months, cold weather, would appreciate to be able to stay inside, this building certainly

has a volume of rooms, doesn't matter where the area is that we could sit in. I'm rather disappointed that this has to be brought up to be asked for and not already provided for the people. On our water rates I can understand the things that need to be fixed but I think before a water rate increase it should be considered that why not have the Tannery and Elkmont apartments be in line with us homeowners. I think that might be a first step that you all might look at a starter in revenue if you need some dollars coming in to start fixing water problems. Here on North Ave we have a safety hazard, it's been mentioned here before, we would appreciate some consideration shown on it, as we come down out of Elkwood and turn a sharp left across Warren Ave that deep culvert there, there is and has been a yellow safety ribbon there for the past six months that has been stretched blowing in the wind, so to speak. The guard rail should be extended around there, and the light on up past that, because someone weather you turn off 340 going North, or weather you come down out of Elkwood, there is a sharp left, it is a bad safety hazard there, and we would greatly appreciated it if you all would take a look at that. That all I have thank you very much.
Mayor- Thank you Mrs. Crider
Mildred Shifflett- Spotswood Ave. When I read my paper Thursday morning, I was very disappointed and just a little bit hurt. Mr. Mayor when you ran for re-election you promised the public that the water and sewer rates would not be raised, that was a plus in your favor against Fred Bennett. Everybody new how bad our water system was when they let all the other people hook up, such as Food Lion and the Home Shopping Center, which you do not get any taxes or revenue, as for the remark about the people who sit on the back row, not being able to hear, well, we can't, also I don't come the these meetings to be entertained, I come to find out how our town is doing, and where our tax dollars are going, and what we can do to help improve our town. If I wanted entertainment I would stay at home and turn on the cartoon channel, because I would probably get a laugh from that, more than I do down here and if we are that hard up for money, why are we buying land that we don't need and can't afford?
Mayor- anyone else like to speak, if not we will go on with business that follows

Caroline Brill- the paper stated 7:30, in the Daily New Record, someone needs to correct that. I just wanted to ask you, the write up in the paper as anything to do with the, I guess the break we get on the water in the summer, that does not go through the treatment plant? Are we still going to get an advantage there?
Mayor- One thing that I will speak on behalf, I am the one who brought up the water increase for the Town of Elkton, when I ran for the second term for Mayor I sat here for two years, listening to the old council giving excuses, as to why we had pipes in the ground for ninety years not being fixed and what they were going to do to fix them and how they were going to fix them. We came down here and a new council came in and we came out here and said we are going to make some hard decisions, look at the system to see what we will have to do to fix these things. Right now home owners in this town, subsidize all the apartments that set in this town, to the extent of $46,000 per year. The minimum charge that you pay per month for water and sewer is $14.00, the apartment houses do not pay. For all you people that opposed to the Tannery apartments, they get subsidized $13,000 per year because they get a break on the water of $13,000. We have said we are going to do something, whether or not this is my last term which it probably is, but I am going to stabilize and this council has made a commitment that we are going to fix the infrastructure of this town, buy, if it mean raising the water rates, if it means raising sewer rates, and if it means raising the electrical rates, to a standard, where there is money to put back into the system so some of the old pipes can be fixed then we are committed to do that. The problem we have here if that everybody goes out and promises everything, some of the promises made were we are going to do away with personal property taxes, we are going to do away with real estate tax, and we are going to take your rates down, well, how do you run a town on a 2.8 million dollars budget, and not have your costs going up some to off set the expenses. Our budget right now, just on our labor, is almost $600,000 a year. Somewhere along the line, somebody has to make hard decisions. People come in here and say they I won't pay the additional water rate increase, nobody ran down here and told me you pay for $3.00 a month cable hook up, which you are going to do. We have to look at what we are doing and we have to do it in a way that it makes sense to the customer and it makes sense to the town. Have we looked at the water rates, summer water rate, we have looked at it, we have looked at it to the extent that we have made a decision that we probably won't change that because we are still getting that revenue from the water sale and the sewer does not run but again, this council is not setting here just coming out and pulling things out, we are trying to take what numbers we have, make some good logical decision, and try to stabilize the economy of this town, and if we don't do it, somebody is going to tell you the hard cold facts in two or three years that this town is not going to be able to survive on what is here. So we are doing it, so what does that mean, that means that sometimes somebody has to give you some bad news, and I sorry it may be me to give you the bad news, but our water system has not raised it rates in seven years, our water system was not making money, our sewer system is not making money and our electric is getting ready to go under, what I am saying go under, if deregulation happens, as happened in California, this town will dry up and I am telling you now we have to do something and we will study all the systems we have to determine what is best for the Town of Elkton, as far as what rates will go up, it is up to this council, whatever the council thinks we can afford to take up and how it will effect you and what is the best route for us to take. It is not easy sitting here, it is not easy for my treasurer, to sit here and say there is no money to pay the bills, but yet everybody wants us to keep everything low, I'm not saying the rates will go up, the summer rates, I'm not saying we will not look at that, I'm just saying that right now we have some problems that we got to get fix.
Debra Fortier- Yes I was here about a month and half ago about my electric bill, and you made a comment at the time about you couldn't help what type of heating system we had over there, well I tried a different route this month, I left that evening and I went home and cut off all the electric heat, I started using heaters, and I still have a $209.00 electric bill. I'm not doing anything different than I did back in November or October, I don't understand why by bill is double what it was back then. I guess my question is, are you actually reading the meter, or are they assuming since it's colder months the bills are higher
Mayor- Every meter is read, every meter register, we charge you based on what that meter reads, I will tell you in a course of a month setting hear, there's a hundred people call and say you read my meter wrong, in the course of that month we will go out and read a hundred meters. Seldom do we make a mistake on that meter. It is usually because an element went out on a hot water heater, or a commode continues to run the water is running down the drain, its something, a lot of times.
Debra Fortier- we been checking all that stuff, we turned off the main breaker, to see is the meter is still running, we have done everything
Mayor- does the meter keep running?
Debra Fortier- No
Mayor- then it is not on us. If it goes through your meter, it turns our meter, you are charged with it, what happens what makes that meter turn is not our responsibility. You may ask Mr. Crawford to take a look at what is there. Are you on a demand meter? I don't know, you can call down here and ask the people to come back up and look at the system, but there's nothing there. OK?

Betty Newell- Community Association for Rural Transportation. Thanked us for the opportunity to come speak on such short notice. Asked the Town of Elkton to endorse the application and join a coalition of Rockingham towns, one of which would serve as the grant's fiscal agent, to apply for the Virginia Department of Rail & Public Transportation grant to develop a countywide

public transportation network that would operate for a year in an attempt to demonstrate the county's need for public transit.

**Minutes**

Mayor- Thank you for coming. Moving along, you have in front of you the minutes from the January 19, 2001 regular town council meeting, are there any corrections or additions?

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried to approve the minutes of the Regular Council meeting held January 19, 2001.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**The motion carried (5-0)**

You have in front of you minutes from special council meeting from January 31, 2001 are there any corrections or additions?

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried to approve the minutes of the Regular Council meeting held January 31, 2001.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**The motion carried (5-0)**

You have in front of you minutes for committee meeting held on February 13, 2001 any corrections or additions?

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried to approve the minutes of the Regular Council meeting held February 13, 2001.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**The motion carried (5-0)**

You have in front of you minutes for committee meeting held on February 15, 2001 any corrections or additions?

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried to approve the minutes of the Regular Council meeting held February 15, 2001.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**The motion carried (5-0)**

**DEPARTMENT HEAD REPORTS**

**Chief of Police**

Councilwoman Horne questioned Chief Pullen about the alarm report. She asked if the alarm under business was a false alarm. Chief Pullen replied that it went off at McDonalds' and was not a false alarm.

**Director of Public Works**

Mr. Flick was questioned by Councilman Theodore Pence about Elkwood
Mayor- what is the problem?
Kenny- I met with VDot, we went down there and looked at that, I mentioned the suggestions of extending the guard rail to the resident engineer, he didn't agree with that, he said the guard rail in that particular situation would cause more damage to a vehicle than the ditch would, but he agreed that the ditch couldn't be left in the condition it was in, he recommended putting some type of rip rap material to extend from above to where the ribbons are to past the end where the guard rail is now. We have a sewer line that lays in ditch, which means it will be a delegate job to do without injuring the pipe or putting material that would cause it to freeze, we have been buying a little bit of time to do the project.
Mayor- I looked at the project too; even with the rock in there we will still have an open ditch
Kenny- Yes,
Mayor- so what are you saying
Kenny-He said the side of the wall of the ditch that is closes to the road, which is sheared off, he suggested that we beef it with the rock material in a foot or so and then re the ditch and then there on top so it's not something dangerous to walk on or abrasive to put top soil on it and reseed it or fine gravel, but he suggested making a wall out of rock.
Theodore- who are you talking to?
Kenny- Jeff Wineberry
Theodore- which is more important a car finder or a life?
Kenny- I would say a life. The only question I have is why didn't you bring it to committee meeting?
Theodore- I will, I will
Mayor- Kenny the question, I don't want to get on this but if it's a sewer line in the bottom of a drain ditch, can you move that sewer line and close that and make that a solid ditch, not a solid ditch but a closed in pipe,
Kenny- I wouldn't suggest that, but what I would suggest, to me that would be a more expensive proposition then put in a cover ditch of some kind on top of the ditch or invest in some type of box culvert that is open underneath but allows for us to cover the ditch to make it flat

collecting the correct amount.
Efforts are being made to check that everyone needing a business license will have one.

**Personnel**

Councilwoman Cathy Murphy:

Primary discussion was to selecting a Town manager, still in process of interviewing for the position.

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried to approve the hourly rate for Donna Gooden, Senior Clerk, to be adjusted from $8.50 an hour to $9.02 an hour retroactive back to January 29, 2001.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried to approve the Town of Elkton pay Donna Gooden's full retirement contribution to the Virginia Retirement System effect March 1, 2001.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

**Public Safety**
Mayor Lee Dearing:
A list of 48 places that lights need to be replaced.
Discussed ordinance 108-4 stating that anyone who has a car that is not properly licensed will be assessed a $100 tax on that vehicle if they want to keep it on their property. We will order a sticker to be placed on the vehicle. We are in the process of sending letters in support of court action if necessary, trying to determine if Kenny will send the letter or the Chief of Police.

**Street and Sidewalks**

Wayne Prince not present.
No discussion

**Water and Sewer**

Mike O'Neil

Currently analyzing the restructure of basic monthly rates. Use current equities in system, 287 apartments that do no pay the $14.00 minimum fee, which could produce additional $46,000 revenue.

Theodore Pence doesn't think his water rates should be raised because of water pressure. Has an 8" line instead of a 10" line. This problem as been discussed for 5 years. We need to fix water leaks and pipes.

**Recreation**

Theodore Pence
Gold Medallions paid the town $720 from July to December at the 20% rate.
Town not furnishing anything but are using our name.

**Councilman Theodore Pence moved, seconded by Councilwoman Bobbi Horne and carried to approve all organization that participate under the Elkton Recreation program, rates should stay at 20%.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

Mary Liz Humphrey should have a month-to-month written contract depending on building availability.
Should give her a contract to June 30, 2001.

Theodore presented banner of Junior League Champion, give to Lynn to put on display

The Town of Elkton has been sponsoring a little league team. Little league does not pay the 20% fee. Anyone using our equipment or fields should be charged based on registration fees.
How many days do the senior league use the park?

Recreation commission should implement a policy concerning fees to charge. We need to make a profit to support the programs.

Joe Early stated he owned property in Harrisonburg but couldn't use the swimming pool; people should pay their way to use our facilities.

Mayor- if you cover the ditch you still have to get to the sewer line
Kenny- Yes but if we put in some type of box apparatus or a large culvert we could always take that loose if we had to, also from the vantage point over at the lift station it would be more feasible to hire a company at some point to realign that pipe than it would to take it completely out of the ground
Mayor-Have you got a project date on that
Kenny- Like I said in the spring we had planned on doing the resident engineer had approved or suggested to the repairs to the ditch, if you wanted to go the other routes, I could get you a price on how expensive it would be by the committee meeting and then you could approve it
Mayor- is there money in the budget for fixing the ditch for the way you have it planned? Or would it be something new?
Kenny- it would be something new.
Mayor- we should hold off on it until you get us a price or did the engineer tell you that
Kenny- The main issue there as far as repair it was the sheer drop of f on the edge of the road, the guard rail would stick out in the road, no buffer zone, without moving it back without figuring some way to fill it in that it wouldn't dam up water and run off.
Mayor- thought about moving stop sign up the hill did the state disapprove of that?
Kenny- they did disapprove the moving of stop sign

**Treasurer**

Treasurer Report- No report
The computer was upgraded to Windows 98.

**Town Manager**

Any question for the Town Manger anything other than public works

**COMMITTEE REPORTS**

**Electric**

Councilman Lucky Sigafoose:
Three items
Riverside Park six lights that burn all night long. This park is shut off. We have volleyball, basketball courts that we don't use in the wintertime, the lights are on constantly, and this is costing the taxpayer a lot of money. I would like to see the light cut off from October to March.
Street lights across the street, and down through Spotswood Trail, two across tracks, five over here because of safety problems, I'm having a hard time getting it done.
It's very important that we get the streets lit up

Mayor- I will go back again on procedure, our procedure is that anything we want to bring to council will go to committee. The committee is made up of 3 or 4 people. Once voted on at committee it's brought to town council for a vote. That is the way the procedure has been and that is the way the procedure has always been.
I asked Lucky at the last committee meeting if he had a report. He said no he would bring it to council, but our procedure is to make sure it comes out of committee before it come to council. If you want to vote on it you can vote on it, but that is procedure.

Lucky- I been at committee meeting, followed up every way I know,

Cathy- what do you propose for Riverside Park?

Lucky- Lights not using should be turned off

Theodore- Agreed with Lucky on tennis lights, electrician should be able to put on a timer. Lights costs money, cut off and put more lights on streets,

Mayor- how are lights turned off now
Kenny- Timer at eleven

Bobbi- how dark would it be if we cut off lights at parking lot
Lucky- that's why I want light across the street

Mayor- we as a governing body are now getting into directing the employee as what to do, set a policy and let the employees decide what is needed.

The Chief of Police suggested the town should have a written policy concerning lights. Example, every sixth pole.

Discussed possible placement of additional lights. Lucky wants to be taken out.

**Finance**

Councilwoman Bobbi Horne:

Working on format of budget, upon completion will be given to department heads to input their budget request.
Anyone requesting a special use permit to operate a home business will be required to purchase a business license.
Tom Schroeder presented a request to committee for an increase of donation to the Elkton Rescue Squad. He did a great job with his presentation.
Council is looking at and will probably request that Schedule C be submitted with the business license, to insure that we are

**Planning Commission**

Mike O'Neill stated no old business at this time.

**NEW BUSINESS**

Mr. Holtzmam has asked the county to close portions of Fairfax. Kenny will send letter to deny closing of Fairfax Ave. Deny water and sewer until annexation occurs.

**Councilman Theodore Pence moved, seconded by Mike O'Neill and carried to approve appointment of Wayne Hall to Recreation committee effective Sept 19, 2000**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

**Councilwoman Cathy Murphy moved, seconded by Mike O'Neill and carried to approve appointment of Gerald Monger as a member to the Cemetery committee to a four-year term.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

**Councilman Mike O'Neill moved, seconded by Theodore Pence and carried to approve appointment of Ken Berry to Board of Zoning Appeals to a four-year term.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

Lucky asked to be informed of meeting with ISTEA engineers

Theodore Pence inquired about Adelphia raising rates.
Town needs to look at contract and possibly open it up for competition for better quality service. Adelphia has damaged poles. We need to re write contract to cover this. Kenny to get copy of contract to Mr. Earl
Trying to put a telephone on the outside of the building that would ring directly into the Sheriff department, if a policy officer is not in or on duty, they could get the county dispatcher.

**Councilwoman Cathy Murphy moved, seconded by Councilwoman Bobbi Horne and carried that the Elkton Town Council be in closed session for Virginia State Code 221-344 to discuss litigation and to discuss the town manager's position.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

**Councilwoman Cathy Murphy moved to go from Closed Session back into Regular Session and that each member, to the best of his or her 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. Councilwoman Bobbi Horne duly seconded the motion.**

**Yeas: Cathy Murphy, Bobbi Horne, Theodore Pence, Mike O'Neill, Lucky Sigafoose**

**Motion carried (5-0)**

As there was no further business the meeting was adjourned.

**MAYOR:** M Lee D

**M. Lee Dearing, Mayor**

**RECORDER:** Faye H. Vickers

**Faye H. Vickers, Clerk**