Regular
Council Meeting
August 19, 2002

The regular meeting of the Elkton Town Council was held Monday, August 19, 2002 in the Council Chambers with Mayor Wayne E. Printz presiding. The following Council members were present:

PRESENT
Council member Dean
Vice Mayor Murphy
Council member Pence
Council member Sigafoose
Council member Snow
Council member Workman

Attorney Nathan Miller, Faye Vickers, Treasurer, Todd McCoy, Director of Public Works/Zoning Administrator, Richard Pullen, Chief of Police, and Richard Carey, Clerk of Council, were also present.

Mayor Printz offered the Invocation.

The Pledge of Allegiance was recited.

Former Mayor M. Lee Dearing presented the Mayors' Plaque, on which was inscribed all the Mayors to and including Mayor Printz, to the Town of Elkton.

MINUTES

Council member Snow moved, second by Council member Pence, and carried to approve the minutes of the Committee Meetings on July 9, the minutes of the Public Hearing of July 15, and the minutes of the Regular Council meeting of July 15, 2002.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

CITIZEN COMMENTS

Susan Forish, 109 Maple Leaf Lane, offered the Town advertising space on placemats which are printed every 3 months and supplied to area restaurants. Various sized spaces and prices were presented to Council.

Mildred Shifflett, 112 West Spotswood Avenue, expressed concern with the Town telephone system. Speeding on the road in front of her house is a problem. Bicycles and skateboards on sidewalks are also a problem.

Hazel Crider, 114 Hillside, expressed her appreciation to Town employees for their help during the national Night Out and the Elkton Field Day Parade. She also supported Neighborhood Watch's campaign to supply a K-9 unit for the Elkton Police Department. It is their goal to collect 8 to 10 thousand dollars for this purpose.

Frank Meleski, 604 North Stuart Avenue, represented Elkton Progressive Improvement Committee (EPIC) and read the following achievements of that organization:

Elkton Progressive Improvements Completed

1987 - First Annual Autumn Days & Golf Tournament
1988 - Elkton Brochure
1992 - Fort Stonewall Playground Structure Phase 1 & 2
1993 - Fort Stonewall Playground Structure Phase 3

1994 - 1/4 Mile Walking Track in Stonewall Park
1996 - EPIC Shelter in Stonewall Memorial Park
1997 - Designed the Elkton Coverlet
1998 - Refurbished the Elkton Elementary Bell Tower
1999 - Purchased Antique Dining Room Table for the Miller Kite House, New Welcome to Elkton & Town Hall Signs
2000 - Town Hall Benches & Table

Yearly Donation to Elkton Fire Dept & Rescue Squad

Mr. Meleski then sought Council's permission for EPIC to construct a stairway from the hill down to Memorial Park. Larry Baugher took the floor and stated EPIC had considered this project for a number of years and had put money in reserve for the project, the cost of which would be approximately $30,000.00.

Elaine Austin, 328 East Rockingham Street, invited Council member Workman to meet with her to discuss her sidewalk problems.

DEPARTMENT HEAD REPORTS

Chief of Police

No questions.

Director of Public Works/Zoning Administrator

No questions.

Treasurer

Mrs. Vickers reported an ending ledger balance for July, 2002 of $406,777.66, minus designated money of $87,565.68, for a total available cash of $319,211.98.

The Bond Account, as of July, 2002, had a balance of $48,511.06.

The Cemetery has been billed $106,479.50 to reimburse Town expenditures on its behalf.

Council member Murphy moved, second by Council member Pence, and carried to approve the Treasurer's Report.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote

COMMITTEE REPORTS

Electric

The Town is considering generating electricity during peak hours.

Finance

No report.

Personnel

Council member Murphy deferred to New Business.

Public Health, Public Safety, and Ordinances

No report.

Streets and Sidewalks

Prioritizing street work was explained. Council member Murphy asked for an accounting of all projects during FY 02 including wages, equipment, etc. Mrs. Vickers and Mr. McCoy agreed the information could be made available by next Committee meetings.

Mayor Printz presented the Obstruction of Streets and Sidewalks Ordinance.

First Reading August 19, 2002

Amendment to Chapter 3, Article III of the Code of the Town of Elkton, Virginia

ARTICLE III, Obstruction of Streets and Sidewalks

§ 143-22. Permit required.

Except as otherwise provided, it shall be unlawful for any person to obstruct any street, sidewalk or parkway with merchandise goods, ladders, scaffolds, ropes or any other manner without a permit, regardless of the purpose, character or extent of the obstruction.

§ 143-23. Fee for permit and term.

A. No permit under this article shall be issued for longer than seven consecutive days.
B. A flat fee of $25.00 shall be charged for a one day permit required under § 143-22.
C. A flat fee of $125.00 shall be charged for a seven day permit required under § 143-22.

§ 143-24. Permit procedure.

A. The procedure for obtaining a permit under this article shall be as provided in Article 1 of this chapter.
B. The Town Superintendent shall have the right to refuse to issue a permit pursuant to this article if he or she deems that the applicant is in violation of any Town regulations or ordinances.

§ 143-25. Conditions of Permits.

A. A minimum passage space forty-two inches (42") wide shall be maintained on all streets.
B. A minimum passage space forty-two inches (42") wide shall be maintained on all sidewalks running parallel with the curb line of that sidewalk.
C. A minimum clearance of twelve feet (12') shall be maintained from any overhead obstructions.
D. Merchandise and goods shall be removed from the streets or sidewalks daily so that the obstruction only occurs during regular business hours.

§ 143.26. Inspections by Superintendent.

All obstructed areas shall be under the supervision and control of the Town Superintendent or his or her designee, whose duty it shall be to inspect the obstructed areas from time to time to insure they are in compliance with the terms of this article and the issued permit.

§ 143-27. Violations and penalties.

A. It shall be an offense for any person to fail to abide by this article, and any person found guilty thereof shall be subject to a fine of $150.00. Each day any violation of this article shall continue shall constitute a separate offense.
B. It shall be an offense for any person to fail to remove an obstruction from a street or sidewalk. For any person found guilty thereof, the Town Superintendent or his

or her designee, may remove the obstruction after giving seventy two (72) hours notice to the property owner. The property owner shall be subject to a fine equal to the cost of removing said obstruction, in addition to the penalty described in § 143-27A above.

Council member Workman moved as a First Reading, second by Council member Murphy, to adopt Amendment to Chapter 3, Article III of the Code of the Town of Elkton, Virginia, Obstruction of Streets and Sidewalks, as presented. The term "Town Superintendent" as it appears in the Ordinance is to be stricken and replaced with the term "Zoning Administrator."

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote.

Water and Sewer

Council member Dean read the following:

The Town of Elkton provides water to in/out of town customers, which are relying on the spring and well. Since the drought in the area continues, the ground water tables are being lowered considerably. Therefore, I resolve that the Elkton Town Council, in representation of our water customers, requests our customers to voluntarily conserve water. The following methods of conservation should be implemented:

- 1. No watering of lawns
- 2. No filling of pools
- 3. Water flowers and trees only after dark
- 4. Reduce time spent in showers
- 5. Refrain from washing parking lots and driveways
- 6. Adjust water levels to load size when doing laundry
- 7. Wash vehicles only once weekly

If the drought conditions continue, these requests may become mandatory.

Council member Dean moved, second by Council member Pence, and carried to encourage voluntary water conservation.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

Recreation

Council member Workman moved, second by Council member Snow, and carried to adopt the following:

ELKTON ELKS RESOLUTION
GIRLS 14 AND UNDER BASKETBALL TEAM

WHEREAS, the Elkton Elks Girls 14 and under AAU Basketball Team was organized in the year of 1998 and

WHEREAS, the Elkton Elks Girls 14 and under AAU Basketball Team has brought great honor and esteem to its community and this county by winning the Virginia 14 and under AAU State Basketball Championship on April 13-14 in Richmond, Virginia

WHEREAS, the Elkton Elks Girls 14 and under AAU Basketball Team by virtue of these victories qualified for AAU National championship

WHEREAS, on July 19-27, 2002 in Rochester, Minnesota the Elkton Elks Girls 14 and under AAU Basketball Team under the tutelage of its coach Mr. Mike Jenkins with a 47-1 record, and going 7-3 at AAU National finals ranked 5th in the nation in the 14 and under Girls AAU Division. Over 4000 14 and under teams started this season. Seventy two qualified for Nationals.

WHEREAS, this team is to be admired as much for its off the field accomplishments as the aforementioned on field accolades, by the high standards that they set for all student athletes of our area, both in terms of academic achievement and community involvement.

NOW, THEREFORE, WITH THIS PROCLAMATION, the Elkton Town Council, on behalf of the citizens of Elkton, hereby recognizes the Elkton Elks Girls 14 and under AAU Basketball Team and their coach for the exemplary skill they have displayed in their accomplishments and calls upon the citizens of this community to join the Rockingham County Board of Supervisors in congratulating this outstanding group of young citizens.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote

Planning Commission

Vacancies exist on the Commission

Park Authority Meetings

Council member Snow announced the regularly scheduled meetings of the Park Authority are the first and third Tuesdays of each month.

OLD BUSINESS

Status of Irrigation Meters

This was sent back to Committee.

NEW BUSINESS

Additional $8,000.00 Donation to the Elkton Volunteer Fire Department - Second Reading

Council member Pence moved, second by Council member Dean, and carried to donate an additional $8,000.00 to the Elkton Volunteer Fire Department for the purchase of a thermal imaging camera.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

Approve FY 02-03 Budget Appropriations - Second Reading

Council member Snow moved, second by Council member Murphy, and carried to approve the FY 02-03 Budget as amended to include the additional $8,000.00 donation to the Elkton Volunteer Fire Department, the pending pay raises, and a $2,000.00 appropriation for the September 11 Event.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

Transfer Funds from Elkton Community Library to the Massanutten Regional Library

Tabled.

Fire Company Electric Donation

No action taken at this time.

K-9 Unit

Council decided they needed more information before endorsing a K-9 Unit. The issue was tabled pending a special meeting.

Salary Adjustment - Isaac Conley, Jr.

Council member Murphy moved, second by Council member Dean, and carried to approve a salary increase for Isaac Conley to $13.40 per hour effective August 12, 2002.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote.

Salary Adjustment - Bobby Eppard

Council member Murphy moved, second by Council member Dean, and carried to approve a salary increase for Bobby Eppard to $10.00 per hour effective August 12, 2002.

YEAS: T. Dean, C. Murphy, R. Snow, and P. Workman

NAYS: L. Sigafoose, T. Pence

Motion carried (4-2)

Accept Resignation of James Miller

Council member Murphy moved, second by Council member Dean, and carried to accept the resignation of police officer James Miller effective August 25, 2002.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote.

Camera(s)

Committees discussed the purchase of a camera(s) to help combat the vandalism problem.

Council member Pence moved on a First Reading, second by Council member Sigafoose, and carried to allocate $4,000.00 from the railroad money to purchase a surveillance camera(s).

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

Annexation Review

Mayor Printz stated just a few minor areas of disagreement still exist with the County but,

the Food Lion area is definitely included in Phase I.

The County is processing the boundary line adjustments for the Mary E. Kite property and Elk Run Cemetery. The DiDi Hensley property is stalled.

Council member Dean questioned the undeveloped Holtzman Oil property for which the Town paid $5,000.00 for the boundary line adjustment. Mayor Printz said he would contact Holtzman Oil.

Adopt Central Shenandoah Valley Regional Flood Mitigation Plan (RESOLUTION)

Council member workman moved by Resolution, second by Council member Snow, and carried to adopt the Central Shenandoah Valley Regional Flood Mitigation Plan.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote.

RESOLUTION OF SUPPORT

WHEREAS, The central Shenandoah Valley Region is subject to natural disasters, particularly flooding; and

WHEREAS, There have been 13 federally declared disasters in our Region in the past three decades, eight due to flooding; and

WHEREAS, Flooding and other natural disaster have caused major damage to homes, businesses, infrastructure and agriculture resulting in loss of life and millions of dollars in economic losses; and

WHEREAS, The Central Shenandoah Valley Region has developed a Regional Flood Mitigation Plan to address the natural disasters that put our Region at risk; and

WHEREAS, The Central Shenandoah Valley Regional Flood Mitigation Plan identifies and describes natural hazards that impact our Region and recommends mitigation options to eliminate or reduce the effects of these disasters; and

WHEREAS, Each of the localities of the Central Shenandoah Valley Region has worked cooperatively and participated in the development of the Plan and its recommendations; and

WHEREAS, This plan calls for the continuation of local and regional efforts and allows localities to apply for future state and federal disaster funds;

THEREFORE BE IT RESOLVED THAT, the Town of Elkton, Virginia does hereby adopt the Central Shenandoah Valley Regional Flood Mitigation Plan.

Adopted by the Elkton Town Council at its August 19, 2002 meeting.

EPIC

Council member Workman moved, second by Council member Pence, and carried to approve EPIC's request to construct a stairway from the hill down to Memorial Park.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0) by voice vote.

Council member Murphy moved, second by Council member Dean, and carried to go into closed session under Virginia State Code 2.1-344 to discuss personnel issues.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

Council member 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. Council member Snow duly seconded the motion.

YEAS: T. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman

Motion carried (6-0)

Mayor Printz set Committee meetings for Tuesday, September 10 at 6:00 P.M.

As there was no further business, the meeting was adjourned.

MAYOR: _____
Wayne E. Printz, Mayor

RECORDER: _____
Richard D. Carey, Clerk