Regular
Council Meeting
July 19, 2004

The regular meeting of the Elkton Town Council was held on Monday, July 19, 2004 in Council Chambers with Mayor Wayne E. Printz presiding. The following Council members were present:

PRESENT
J. T. Dean
T. Pence
L. Sigafoose
S. Sigafoose
R. L. Snow
P. Workman

Attorney Nathan Miller, Faye Vickers, Treasurer, Richard Pullen, Chief of Police, and Richard Carey, Clerk of Council, were also present.

Council member Dean offered the Invocation.

The Pledge of Allegiance was recited.

Special Presentations

Mayor Printz presented a recognition plaque to Thomas Weyrick for his many years of public service. Council member Workman presented a plaque to former Vice Mayor Cathy Murphy on behalf of the citizens and Council members for her invaluable contributions as a member of the Elkton Town Council.

CITIZEN COMMENTS

Doug Nemoytin, 58 South Montevideo Circle, spoke on behalf of Valley Washers, Inc. He spoke regarding the disruptive behavior of some of the cruisers on Wirt Avenue and, in particular, the litter created in the alley between the back of the coin laundry and Elkton Car Wash. He suggested Mayor Printz place trash cans and perhaps a portable toilet in the area the Mayor designated on car wash property utilized as a parking area for the cruisers. He stated it was becoming increasingly difficult to conduct business at that location.

Cathy Murphy, 110 North Stuart Avenue, cited problems with mail and newspaper deliveries due to the bathroom project at Riverside Park. She asked if there was a time frame for completion of that project. Ms. Murphy stated it was inappropriate for Town staff to mow private property without the proper compensation to the Town. She could not find any letters of violations being sent, nor any issuance of invoices for payment for the work. She noted a violation of non-mowing at First and Wirt Avenue.

Mildred Shifflett, 112 West Spotswood Avenue, once again thanked Council member Sigafoose for maintaining the flower garden at the flag pole at the Municipal Building. She welcomed Stephen Sigafoose to Council and wished him good luck. She spoke in opposition to the golf course and the citizens being charged for Council packets. Council member Dean was her choice for Vice Mayor.

Hazel Crider, Elkwood, was displeased with having to pay for a Council packet and trash pick up pick up day continues to be unacceptable to her. The Neighborhood Watch annual Night Out will be August 3, 2004 from 7:00 P.M., to 10:00 P.M.

Lee Dearing, 124 North Street, encouraged someone from Council to step forward to become the "watchdog" now that Cathy Murphy was no longer a Council member. He reminded Council members that they empower the Mayor. He was troubled that the Street Maintenance budget was $23,000.00 overspent since the resignation of Todd McCoy. He made reference to

the $50,000.00 purchase of a bucket truck without an allocation for such a purchase. He agreed the truck was needed but, Council was operating outside the budget. He called for the total abatement of asbestos from the Community Center. He added that Council was entrusted to protect the public safety and ensure that taxpayer money was spent wisely.

Elizabeth O'Neill, 425 East Rockingham Street, was opposed to paying for Council packets.

Consent Agenda

Council member Snow moved, second by Council member Workman, and carried to approve the Consent Agenda as presented.

Consent Agenda
July 19, 2004

MINUTES
• Committee Meetings, June 15, 2004
• Public Hearing, FY 04-05 Budget, June 17, 2004
• Emergency Council Meeting, June 19, 2004
• Regular Council Meeting, June 21, 2004
• Emergency Council Meeting, June 24, 2004
• Special Council Meeting, June 24, 2004
• Special Council Meeting, June 28, 2004

REPORTS
• Chief of Police Report
• Treasurer's Report
• Advisory Committee

SECOND READINGS
• Motion to Raise Water Hauler Rates from $1.35 to $2.00 per Thousand Gallons of Water, Effective August 1, 2004

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 roll call)

COMMITTEE REPORTS

Electric

Council member Sigafoose wants to place a light on each pole at the barbeque location to River Bridge. He also wants a light to shine on the kiosk placed by the Historical Society in front of the Municipal Building

Council member Snow stated policy has been to light intersections and one light in the middle of the block.

Finance

No report.

Personnel

Council will interview five candidates for police officers, two for Treasurer, and two for

Maintenance Foreman.

Public Health, Public Safety, and Ordinances

No report.

Streets and Sidewalks

Council member Workman will meet with RanMar regarding some paving projects.

Water and Sewer

Council member Dean asked Mrs. Vickers if the end-of-year budget totals were available. She answered sheets were available upstairs and adjustments would be made where necessary.

Recreation

A visit was made to view the Timberville Community Center.

Planning Commission

The Planning Commission has a tentative map of rezoning for the annexed areas. A Public Hearing will be scheduled.

Cemetery

A meeting with Council will be scheduled.

Charter Revisions Committee

A committee will be formed when Council appoints the Standing Committees.

Park Authority

No report.

Economic and Community Development Committee

No report.

UNFINISHED BUSINESS

Appoint Permanent Police Sergeant

Will be discussed in closed session.

Motion to Increase Mayor/Council Salaries - Second Reading

Will be discussed in closed session.

NEW BUSINESS

Award Computer Contract

Will be discussed later in the meeting.

Approve VMEA Resolution - First Reading

Council member Snow moved on a First Reading to adopt the following Resolution:

A RESOLUTION AUTHORIZING EXECUTION OF SIXTH AMENDMENT TO THE POWER SALES CONTRACT BETWEEN THE TOWN OF ELKTON, VIRGINIA AND VIRGINIA MUNICIPAL ELECTRIC ASSOCIATION #1

WHEREAS, the Town of Elkton, Virginia is a member of Virginia Municipal Electric Association #1 ("VMEA"), through which it and other VMEA members jointly exercise their municipal powers pursuant to Virginia Code Section 15.1-21 to reliably and economically meet the needs of the members' municipal electric systems; and

WHEREAS, VMEA and the participating VMEA members have determined that, because of the benefits of extending the term of the Power Sales Contracts between VMEA and each VMEA member, the term of those Power Sales contract should be extended from December 31, 2007 through December 31, 2010; and

WHEREAS, on June 10, 2004, the Board of Directors of VMEA voted to approve a Sixth Amendment to the Power Sales Contracts between VMEA and the various members for execution by VMEA and for submission to the governing bodies of the VMEA members for approval and execution;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA to authorize execution by the Mayor of the Town of Elkton of the Fifth Amendment to the Power Sales Contracts between Virginia Municipal Electric #1 and the Town of Elkton, Virginia.

Accept Proposal for Improvements to New Council Chambers

Council member Workman moved, second by Council member S. Sigafoose, and carried to accept the McDaniel Brothers proposal of $25,816.00 for renovations of the Council Chambers in the Community Center building.

YEAS: T. Pence, L. Sigafoose, S. Sigafoose, R. Snow, and P. Workman

ABSTAIN: J. Dean

Motion carried (5 with one abstention - roll call)

Reimbursements for Sewer Back-Ups

Council member Dean moved, second by Council member S. Sigafoose, and carried to reimburse Kenny Berry $396.00 for a sewer back-up, which the maintenance department determined was created in the Town line.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 roll call)

A similar situation involving Lorraine Smith will be considered when the Town receives the invoice.

Appointment to Board of Zoning Appeals - Daniel Talbot

RESOLUTION OF THE ELKTON TOWN COUNCIL
Recommendation of Daniel Talbot for
Appointment as a Permanent Member to

the Board of Zoning Appeals

BE IT RESOLVED by the Council for the Town of Elkton, Virginia, as follows:

1. Thomas M. Weyrick has resigned his position as a member of the Board of Zoning Appeals. His term of office expires March 1, 2005.

2. At a meeting held on July 19, 2004, the Board of Zoning Appeals unanimously nominated and recommended DANIEL TALBOT to fill the vacancy for the remainder of the term.

3. The Elkton Town Council recommends and submits to the Circuit Court of Rockingham County, Virginia, the name of DANIEL TALBOT to fill the vacancy created.

NOW THEREFORE, the Town Council hereby recommends DANIEL TALBOT for appointment to the Board of Zoning Appeals to fill the remainder of the five (5) year term which began April 1, 2000 and ends March 31, 2005.

Council member Snow moved, second by Council member Workman, and carried to recommend the appointment of Daniel Talbot to the Board of Zoning Appeals.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 roll call)

Select Vice Mayor

Will be taken into closed session.

Appoint Members to the Standing Committees of the Elkton Town Council

Appointments will be made following the closed session.

Set Time and Place of Council Meetings

Council member Dean moved, second by Council member Pence, and carried to hold Council meetings on the third Monday of each month at 7:00 P.M., in Council Chambers.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 voice vote)

Peter Bonavita

Mr. Bonavita appeared before Council a second time to present his proposed sub-division development in the Food Lion Shopping Center area. The County requires a letter from the Town that the Town has the capacity for water and sewer for 18 patio homes, 51 single family homes, 86 townhouses, and 17 or 18 business lots. Mr. Bonavita will petition the County for a boundary line adjustment to bring all the acreage into the Town's boundary.

Council member Dean moved, second by Council member Snow, and carried to honor Mr. Bonavita's request and send the County a letter stating that the Town of Elkton has the water and sewer capacity to carry his development.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 voice vote)

Closed Session

Council member Dean moved, second by Council member Snow, and carried to go into closed session under Virginia Code 2.2-3711 to discuss litigation, real estate, and personnel.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 roll call)

Council member Dean moved to go from closed session back into regular session and that each member, to the best of his or her knowledge, certified 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 S. Sigafoose duly seconded the motion.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 roll call)

Vice Mayor

Council member Dean moved, second by Council member L. Sigafoose, and carried to name Randell L. Snow as Vice Mayor.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 voice vote)

Award Computer Maintenance Contract

Council member Snow moved, second by Council member Pence, and carried to award the computer maintenance contract to VTG.

YEAS: J. Dean, T. Pence, S. Sigafoose, and R. Snow

NAYS: P. Workman

ABSTAIN: L. Sigafoose

Motion carried (4 yeas, 1 nay, and 1 abstain - roll call)

Appoint Police Sergeant

Council member Dean moved, second by Council member Pence, and carried to promote Officer James Morris to the position of permanent Police Sergeant and to raise his pay two pay grades, effective August 4, 2004.

YEAS: J. Dean, T. Pence, L. Sigafoose, S. Sigafoose, R. Snow and P. Workman

Motion carried (6 - 0 roll call)

Appoint Standing Committees

Appointments to the Standing Committees follow:

ELECTRIC
Theodore Pence - Chair
Lucky Sigafoose
Randell Snow

FINANCE
Randell Snow - Chair
Phillip Workman
Jay Dean

PERSONNEL
Phillip Workman - Chair
Stephen Sigafoose
Jay Dean

STREETS AND SIDEWALKS
Stephen Sigafoose - Chair
Phillip Workman
Lucky Sigafoose

PUBLIC HEALTH, PUBLIC SAFETY, AND ORDINANCES
Lucky Sigafoose - Chair
Wayne Printz
Stephen Sigafoose

WATER AND SEWER
Jay Dean - Chair
Randell Snow
Lucky Sigafoose

Planning Commission Representative - Wayne Printz
Cemetery Commission Representative - Stephen Sigafoose
Recreation Commission Representative - Phillip Workman
Park Authority - Randell Snow and Phillip Workman
Special Projects - Theodore Pence

Meeting Dates

Committees - August 10, 2004 at 6:00 P.M.
Planning Commission - August 11, 2004 at 7:00 P. M.
Council meeting - August 16, 2004 at 7:00 P.M.

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

Mayor: _____
Wayne E. Printz, Mayor

Recorder: _____
Richard D. Carey, Clerk