Committee Meetings
December 14, 2004

PRESENT
J. Dean
C. McDaniel
T. Pence
W. Printz
R. Snow
P. Workman

STAFF
Dennis R. Donachy
Clairen Sipe
Richard Pullen
Richard Carey

When Attorney Miller arrived at 6:24 P.M., the annexation map was reviewed and it was decided Bill Davis was in the area to be annexed in Phase II. Mr. Davis stated he was not going to "make a big deal" about it but he did expect "service" such as snow removal.

Mayor Printz informed Mr. Miller that Council had acted to amend the Annexation Agreement, to which Mr. Miller responded, "We will have to amend the County/Town Agreement. We will take those provisions we had in the letter and the County Attorney will add those to the Contract."

Community Center Committee

Appointments placed on Council meeting agenda.

Adelphia Contract Extension

The poor service, channel availability, and overall cost were discussed. Mayor Printz shared his discussion with Timberville Electronics. Approval for a three (3) month extension will appear on the Council meeting agenda.

Cemetery Fund

"The Town does not have to have a special fund. The Town is exempt from the regular and usual cemetery legislation because it is a public body. If you want to create a separate perpetual care fund, you can. If you don't, you can leave it under the Town budget," stated Attorney Miller. He added when the Town took title, the deed required the Town to have a Cemetery Commission, which the Council could empower however it chose. The Commission would serve as an advisory body, just as the other committees and commissions. Even if the Cemetery had no money, the Town would still be required by state law to maintain the cemetery. Mr. Miller believed Council should define the Commission's role and how to budget the Cemetery expenses.

Vice Mayor Snow asked if the deed specified special accounts. Attorney Miller did not think so , but "state law would override it anyway." The heart of the problem is that the interest from the Perpetual Care Account is not sufficient to reimburse the Town for Cemetery expenses.

Vice Mayor Snow restated his previous Cemetery proposals:

1. Maintain the Cemetery Commission as an advisory body.
2. Continue the Real Estate Account for future expansion of the Cemetery.
3. Eliminate the Perpetual Care Account "because the Town is the perpetual care for the Cemetery." Establish a Maintenance and Capital Improvement Fund to provide the necessary money to upkeep the Cemetery.
4. As lots are sold, specify an amount of the sales to go into the Real Estate and Maintenance Fund.
5. Non-budgeted needs would be reappropriated, just as other Town accounts.

A $400.00 increase per lot was discussed, increasing from $400.00 (currently) to $800.00. Perhaps advertising that the $800.00 cost would become effective on July 1, 2005 would give

citizens time to purchase lots at the current price.

Vice Mayor Snow reminded Council that they "voted six months ago to recoup $140,000.00 owed to the Town. We need to do that also."

Charter Revisions

A call to Mr. Miller from Delegate Steve Landis' office informed him that under the rules of the General Assembly, "they want all Charter bills submitted on the 13th of December." In order to reserve a "slot," Mr. Miller submitted the initial Charter presented as a First Reading. Mr. Miller emphasized that action simply reserved a slot. The Town can still decide not to go forward, or can amend if necessary.

Some election date discrepancies were corrected.

Council Raises

A Second Reading will be on the Council meeting agenda.

Legally, Attorney Miller will research if the retroactive Council compensation can be given to Lucky Sigafoose's widow, as was suggested by Council member Dean.

Attorney Miller was excused at 7:15 P.M., to attend his firm's Christmas dinner.

FOIA Costs

Mr. Donachy will present a reduced cost to print copies for FOIA requests.

Well Proposal

Mr. Donachy learned from a meeting with the Health Department, Foster Well Drilling, and an engineer that to make the Life well "useful to the Town," the five inch casing would have to be removed, the well drilled bigger, and the casing would have to be replaced. The bottom line was, to do this would cost as much as to drill a new well - if not more. Various locations to drill a new well were discussed.

Council member Dean asked the size of the pump in the Life well that produces 300 gallons a minute. He was sure it was not a 60 HP pump. Mr. Foster should be consulted to find out how much water the well would produce with a larger pump. He found it difficult to accept by drilling a well on the other side of the river would produce increased water production. Disturbing the aquifer again was another concern for Council member Dean.

Mr. Donachy will attempt to get answers to Council's questions.

Community Center Committee

George McDaniel presented the following names for Council's consideration:

Chair, George McDaniel
Secretary, Bobby Lawson
Bobbie Rae Monger
Randell Snow
Larry Bompiani
Dennis Donachy
John Sease, attending architect as needed.

These individuals will serve on the Community Center Committee. The suggested name

for the Community Center was Elkton Area Community Center for Stonewall District.

Mr. McDaniel commented on the proposed McGaheysville Community Center by saying, "We really need to get ahead of them on this process because then you can evaluate their need based on where we are with our Community Center. If they get ahead of us, we will be the ones asking that question."

Mr. McDaniel then requested the Committee "to take over the Council Chambers Renovation Project." The vital first step is the development of a construction plan for Phase I, the existing building. Waste would be eliminated with a designed plan by which to renovate. Council will ultimately be responsible for funding and design.

Sewer Proposal

Mr. Donachy informed Council that the McGaheysville sewer plant will need to be upgraded. A cost analysis will be performed to extend service to Merck, Coors, and Massanutten. Mr. Donachy expressed concern that our treatment plant was capable of accommodating all our planned and proposed projects. Considering the timing, would it be more cost effective for Elkton to go to the McGaheysville facility, or for Elkton to expand to service the needs. This is a decision that can be made later, possibly six months in the future.

Kite House Rental Agreement

Liability and a Banquet License to serve liquor were discussed. Employee and Council use needs to be clarified. Will non-profit organizations be given free usage? There was no debate for free usage by Town appointed Committees and Commissions conducting Town business. Mr. Donachy wanted Council's suggestions in order to have the Agreement ready for the Council agenda.

Personnel Policy

Mr. Donachy amended the original document following a meeting with Council member Workman:

1. Sick leave capped.
2. Stronger penalties for misuse of Town equipment, depending on the severity of misuse.

Also discussed were emergency personnel and call-outs; liberal leave and proper notification; flex work schedules; the authority of the Town Manager to hire and fire employees; and Town paid spousal registration for conferences and meetings attended by Council and Town employees where Town-related or job-related subjects are the business of the meetings.

A revised Personnel Policy will be placed on the Council agenda.

Monger Hill

Council member Dean received calls from non-annexed residents of Monger Hill who requested the Town to run a water line to their area. Sewer service would also be desired but "that would take awhile." An advertisement announcing the Town was considering a water line extension to Monger Hill would give those residents time to contact the Town office to voice their desires for the service. Council member Pence spoke and said these were the same people, who, in a survey, rejected annexation. Vice Mayor Snow stated Phase II Annexation could be amended to include Monger Hill. He added if Council decided to finance Pentecostal Hill "we just as well do this little bit too."

Council member Dean rejected a survey of Pentecostal Hill to determine who had wells

and cisterns. "You have mandatory water and sewer hook-ups in the Town of Elkton," stated Council member Dean. As there are current residents who do not subscribe to these services, Vice Mayor Snow stated, "We need to have everybody on water and sewer." The discussion reminded Council that they had not passed mandatory hook-ups on Pentecostal Hill. Council member Dean said, "Bring it to the Council meeting on Monday night and I will make a motion."

Public Works Director

Mr. Donachy is having a difficult time maintaining his management duties by spending "50 to 60%" of his time on public works. Hiring a Public Works Director will appear on the Council agenda.

Delegate Landis

Delegate Steve Landis will meet with Mayor Printz and Mr. Donachy at noon on December 30.

Special Use Permit

With the closing of the Country Inn Restaurant, Susan McDonald will be required to apply for a Special Use Permit to continue the catering business from her home.

Council member Workman

1. Have a Town Seal, like the one donated by EPIC, fabricated to be attached to a wall in the new Council Chambers. It will be paid for from Economic Development.
2. Make certain we have a boundary line adjustment for the Hiram Kite property.

Closed Session

Council member Dean moved, second by Council member Pence, and carried to go into closed session under Virginia Code 2.2-3711 to discuss personnel issues.

YEAS: J. Dean, C. McDaniel, T. Pence, R. Snow, and P. Workman

Motion carried (5 - 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 Pence duly seconded the motion.

YEAS: J. Dean, C. McDaniel, T. Pence, R. Snow, and P. Workman

Motion carried (5 - 0 roll call).

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

Mayor: _____
Wayne E. Printz, Mayor

Recorder: _____
Richard D. Carey, Clerk