Special
Council Meeting
March 15, 2005

A Special Meeting of the Elkton Town Council was held on March 15, 2005 in Council Chambers with Mayor Wayne E. Printz presiding. Mayor Printz stated the purpose of the meeting was to consider the proposed rezoning of annexed areas and the Second Reading of FY 04-05 Budget Reallocation of Funds. The following Council members were present:

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

Town Attorney Nathan Miller, Town Manager Dennis R. Donachy, Director of Public Works Marty Shifflett, Chief of Police Richard Pullen, and Clerk of Council Richard Carey were also present.

Proposed Rezoning of Annexed Areas

Council member Workman moved, second by Council member Dean, to accept the Planning Commission's rezoning map as presented.

Vice Mayor Snow asked about the rezoning of the Ruritan property and Rockingham Redi-Mix that was discussed during the Public Hearing. Council member Workman withdrew his motion and Council member Dean withdrew his second.

Council member Dean moved, second by Council member Sigafoose, and carried to accept the Planning Commission's rezoning recommendation, changing the proposed R5 zoning of the Sease property to B2 and the proposed C1 zoning of Rockingham Redi-Mix to B2.

YEAS: J. Dean and S. Sigafoose
NAYS: C. McDaniel and T. Pence
ABSTAIN: R. Snow and P. Workman

Mayor Printz broke the tie with a YEA vote.

Motion carried (3 – 2 – 2 abstentions roll call)

FY 04-05 Budget Reallocation of Funds – Second Reading

Mr. Donachy presented reallocations to "make sure all our Capital Improvement Projects, all the ones we started and are working on now, are financially covered." In General Government, $8,000.00 was moved from Capital Projects to Capital Equipment. Sewer Capital Project had a deficit of $57,601.00. Twenty eight thousand three hundred dollars was reallocated from Public Safety Capital Equipment Purchase, and $22,084.63 was reallocated from Water Capital Projects, leaving a deficit of $7,216.37.

Water Capital Equipment was a negative $1,947.90. Combined with -$7,216.37, Capital Projects shortfall equaled -$9,164.27.

Amount needed to cover Capital Projects shortfall	(-) 9,164.27
Amount needed to correct Steve Kite's drainage	(-)23,980.00
Total required	(-)33,144.27

Transfer following budget amounts: (From General Government)

Maintenance/Repair Equipment	3,000.00
Maintenance/Repair Building	15,000.00
Supplies/Maintenace	3,000.00
Planning Commission	3,000.00
ISTEA	9,144.27
TOTAL	$33,144.27

Vice Mayor Snow asked, "What guarantees do we have that he's (Steve Kite) not gonna come back after we do this and have another problem?"

Council member Sigafoose stated the Army Corps of Engineers discussed a design with Mr. Kite that would accommodate the current water flow.

Vice Mayor Snow stated, "We need something in writing, legally binding, or else I won't vote for this."

Council member Sigafoose believed Mr. Kite would be willing to sign a release.

Vice Mayor Snow questioned some of the information that had been presented to Council. Although he was sure there was no written agreement, the previous owners of the Kite property "worked with the Town to let water run down through that property."

Council member Pence stated water had always run off the hill to the Kite property.

Council member Workman moved, second by Council member Pence, and carried to approve the reallocation of funds as presented by the Town Manager.

Council member McDaniel asked if Mr. Kite would provide a written release. Council member Sigafoose again stated he was "sure" Mr. Kite would do that.

It was made clear that the motion and the vote were not contingent upon a signed release from Mr. Kite. However, Council favored such a release be forthcoming.

YEAS: J. Dean, T. Pence, C. McDaniel, S. Sigafoose, and P. Workman

NAYS: R. Snow

Motion carried (5 – 1 roll call)

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

Mayor: _____
Wayne E. Printz, Mayor

Recorder: _____
Richard D. Carey, Clerk