Council Work Session/
Special Council Meeting
September 8, 2009

PRESENT
L. Bompiani, Mayor
M. Dearing, Vice Mayor (7:23)
D. Kite, Council Member
P. Workman, II, Council Member
R. Snow, Council Member

ABSENT
H. Armbruster, Council Member
M. Isom, Council Member

PRESENT
Reid A. Wodicka, Town Manager
Lauri A. N. Sigler, Town Attorney
James A. Morris, Chief of Police
Allison Morris, EACC Administrator
Denise R. Monger, Clerk of Council

ABSENT
Timmy Turner, Public Works Director
Clairen Sipe, Town Treasurer
Diane Johnson, Recreation Director

The following items and issues were discussed:

Vice Mayor Dearing was not present for the beginning of the Council Work Session due to his attendance at a Cemetery Commission meeting.

Personnel

No report.

Recreation (Chair: D. Kite)

- Misleading information had been reported regarding a recreation matter
- Lights at ballpark / $100 charge to use field and additional $100 charge to use lights for a tournament
- Complaints received when sign was posted regarding the charge to use the lights
- Recreation Committee recommended to charge $25 for every two hours of use for the lights / must contact Recreation Department and pay before authorization would be granted
- Other Towns and organizations do not allow free light usage at parks
- Issue of people cutting lock(s) off of electrical box at the park / new remedy needed
- Issues regarding batting cages: people blocking track and not following rules / congregating in the rear area of the Community Center / entering through side, back doors and not signing in / safety concerns / some children left unsupervised
- Proposal to allow coaches to supervise use of batting cages / parents could wait outside the building or in the lobby unless they were using the track or fitness equipment / otherwise not allowed in that area
- Review the batting cage area for the possibility of utilizing the space for another activity when baseball was out of season
- Council member Kite requested that the above-referenced matter be brought before the Elkton Little League and discussed after the 3rd week of October at which time he would no longer be president of the Elkton Little League
- Lights not being properly cut off at the park after events or activities
- Vice Mayor Dearing arrived at the meeting at approximately 7:23 p.m.
- Timer could be installed at the park for the lights
- Suggestion that an hourly fee should be charged to use the lights at the park / electrical boxes should be locked/ waiver should be signed and money collected for rentals

Economic & Community Development (P. Workman, II)

- Miller Coors to work at the pocket park on September 11, 2009
- Merck donated $7,500 toward the pocket park
- JMU to begin in the next few weeks to assist with economic development plan
- 9/11 Ceremony to be held on Friday, September 11, 2009 at 7:00 p.m.

Finance (Chair: R. Snow)

- Finance committee meeting held September 3, 2009
- Water rebate to citizens discussed
- Treasurer's Office checking with Printing Express to see if they could print and mail utility bills / savings of $100 per month possible
- Bidding process for sewer plant forthcoming / budget to be amended for loan
- Budget amendments could take place in October or November
- Council member Workman thanked the staff and Town Manager for their hard work resolving the water issue
- Water pressure at Elkwood better

Water & Sewer (Chair: L. Dearing)

- Additional press release needed to update citizens regarding water issue
- $249,000 spent last year for engineering services / Town could hire full-time staff engineer for same money / review requested
- Bidding process and other tasks to be handled "in-house" / bills should decrease
- Larger bills expected in the next 1-2 months for the work that the engineers provided to resolve the Town's water issues
- Every purchase order and bill to be reviewed and signed by Town Manager and Finance Chairperson
- Cost estimate to be prepared regarding the Elkwood well to determine if the terms being negotiated were reasonable or if an alternative well site would be more favorable to the Town / condemn property and pay fair market value was not a favorable option

Cemetery

- Council did approve to purchase 10.044 acres of real estate from Dr. Garner Downey for cemetery use
- Cemetery Commission Bylaws limits action regarding the Perpetual Care Fund
- Cemetery Commission had met and amended the Bylaws to state the following:

> ***SECTION 13. PRESERVATION OF SPECIAL FUNDS***
>
> *The Commission may, by a majority vote of all commission members, reallocate funds, including principals, interest and/or dividends from the Perpetual Care Fund to the Real Estate Funds and for means necessary to acquire additional real estate.*

- Petrus Environmental was hired to operate the Town's wastewater treatment plant / invoices were not paid due to unresolved issues over one of their employees / Elkton Police Department investigating the matter
- Discussion to authorize Treasurer to provide options regarding reimbursements to citizens for water usage

Public Safety, Health & Ordinance (Chair: H. Armbruster)

- Reduction of speed limit on Mt. Pleasant Road from 35 mph to 25 mph / resolution reviewed by Town Attorney / need to adopt in the form of an ordinance with two readings

- Suggestion by the Town Manager for Council to authorize the Chief Administrative Officer of the Town to make such decisions as referenced above / could amend Code
- Old Charter allowed the Chief of Police to oversee all traffic signs
- Advisory Board commended for recommendation regarding Mt. Pleasant Road
- Town Manager to advise Treasurer to provide reimbursement options to Council at their next Regular Council Meeting.
- Traffic arrows on Route 340 need to be reviewed / confusing for motorists
- Officer Junior Kite to be presented with MADD award for outstanding number of DUI arrests for the 9th district / Officer Kite to attend Council meeting
- Discussion of a plaque and financial appreciation gift for intern Andrew Piske
- Town Manager suggested $100-$150 for Mr. Piske and an additional gift of approximately the same amount for Heather Phillips for her work on the Town's new website
- Council member Workman was excused from the meeting at 7:00 p.m.
- Administrator Morris thanked everyone for their participation and assistance for the "Elkton in Battle" event / Council member Kite thanked the Community Center staff for their hard work
- Work Session / Retreat tentatively scheduled for September 29, 2009 from 8:00 a.m. – 12:00 p.m.

Mayor Bompiani recessed the Council Work Session and called to order the Special Council Meeting.

Special
Council Meeting
September 8, 2009
7:00 p.m.

A special meeting of the Elkton Town Council was held in the Council Chambers of the Elkton Area Community Center on September 8, 2009, with Mayor Larry Bompiani presiding. The following Council members and staff were present:

PRESENT	ABSENT
L. Bompiani, Mayor	M. Isom, Council Member
M. Dearing, Vice Mayor	H. Armbruster, Council Member
D. Kite, Council Member	
P. Workman, Council Member	
R. Snow, Council Member	

PRESENT	ABSENT
Reid A. Wodicka, Town Manager	Timmy Turner, Public Works Director
Lauri A. N. Sigler, Town Attorney	Clairen Sipe, Town Treasurer
James A. Morris, Chief of Police	Diane Johnson, Recreation Director
Allison Morris, EACC Administrator	
Denise R. Monger, Clerk of Council	

(A copy of the agenda is appended to these minutes and marked as "Appendix A".)

Mayor Bompiani called the meeting to order and the clerk was asked to call the roll.

Cemetery Bylaws

Vice Mayor Dearing stated that the Cemetery Commission approved a Resolution and amended its Bylaws. He asked that Council also approve that amendment.

Vice Mayor Dearing moved, seconded by Council member Snow, and carried for Council to approve that the Commission may, by a majority vote of all commission members, reallocate funds, including principals, interest and/or dividends from the Perpetual Care Fund to the Real Estate Funds and for means necessary to acquire additional real estate.

Council member Snow stated that the change in the bylaws seemed to supersede the requirements in the deed or the resolution that were previously in place.

Town Attorney Sigler stated that the deed was very general but noted that a separate fund was to be maintained for perpetual care.

Council member Snow requested that the Cemetery Department funds be reviewed at the Council retreat.

A brief discussion took place regarding additional restrictions the Cemetery Commission had approved; such as interest-only spending from the Perpetual Care Fund.

Mayor Bompiani questioned how much money was in the Perpetual Care Fund. Vice Mayor Dearing responded that approximately $225,000.00 was available in Perpetual Care and $309,000.00 in the Real Estate Fund.

Council member Snow stated that when the accounts were set up, the funds available from the interest rates provided the revenue needed. He noted that process was no longer adequate and needed to be reviewed. He noted that in the past, the Cemetery Commission managed the Cemetery. However, the commission gave that authority to the Town Manager which meant the commission now served as an advisory board.

Council member Kite inquired as to who would have the authority to approve spending from the Perpetual Care Fund. Council member Snow responded that the Town Council would approve those transactions. Town Attorney Sigler noted that the bylaws were amended to allow a majority of the commission members to purchase contiguous real estate only.

Council member Armbruster supported using funds from the Cemetery Department instead of borrowing money from a financial institution.

A discussion took place regarding payment procedures and the amount of funds to be transferred from the Perpetual Care Fund. It was determined that the amount to be transferred was $22,000.

Council member Snow stated that he the thought the matter was illegal, but would vote in favor of the motion in hopes that Council review the entire process.

Council member Kite stated his concern regarding who would have authority over the funds.

Mayor Bompiani suggested that the matter be discussed in more detail at the Council retreat.

YEAS: M. Dearing, H. Armbruster, D. Kite and R. Snow

NAYS: None

VOTE: (4 – 0 roll call) Motion carried

As there was no additional business, **Council member Snow moved, seconded by Council member Armbruster and carried to adjourn the meeting.**

YEAS: M. Dearing, H. Armbruster, D. Kite and R. Snow

NAYS: None

VOTE: (4 – 0 voice vote) Motion carried

Mayor Bompiani reconvened the recessed Council Work Session and the meeting continued.

Town Attorney

Town Attorney Sigler stated that the plat received from Mr. Hisey had been approved by the Planning Commission. She noted that Mr. Hisey had requested a lot line vacation and subdivision of property. She briefly discussed the location of the lot lines that were to be vacated and noted that a 50 ft. strip would be dedicated to the Town for public road frontage.

A brief discussion took place regarding preparation of a ten year capital improvement plan and the need for additional web space to add the minutes of the Town Council to the Town's website.

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

Mayor: Larry A. Bompiani
Larry A. Bompiani

Recorder: Denise R. Monger
Denise R. Monger, Clerk

APPENDIX A

SPECIAL COUNCIL MEETING
Town of Elkton
September 8, 2009
7:00 p.m.

Mayor Larry A. Bompiani has called a Special Meeting of the Elkton Town Council on Tuesday, September 8, 2009, at 7:00 p.m., at the Elkton Area Community Center located at 20593 Blue and Gold Drive in Elkton, Virginia. The purpose of the meeting is as follows:

AGENDA

1. Cemetery Bylaws

2. Closed Session (if needed)