Regular
Council Meeting
February 23, 2009

The regular meeting of the Elkton Town Council was held on February 23, 2009 in the Council Chambers at the Elkton Area Community Center with Mayor Larry A. Bompiani presiding. The following Council members were present:

PRESENT
M. Dearing
M. Isom
M. O'Neill
D. Kite (arrived at 6:07 p.m.)
P. Workman
R. Snow

Town Attorney Lauri A. N. Sigler, Chief of Police James A. Morris, Treasurer Clairen Sipe, EACC Administrator Allison Morris, Recreation Director Diane Johnson and Clerk of Council Denise R. Monger were also present.

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

Council member Isom gave the invocation.

All present were asked to join in the Pledge of Allegiance.

.**CITIZEN COMMENTS**

Mayor Bompiani stated that responses to citizen comments would be prepared by the appropriate chairperson and presented at the next meeting.

Nick Campbell spoke regarding the Town having no emergency contact person available on weekends regarding public works or electrical problems. He noted concerns regarding the generator being non-operational. He noted noise issues regarding residents that lived in close proximity to the generator and inquired as to what actions were being taken to resolve the matter.

Mayor Bompiani stated that Council would listen to all comments and address responses as necessary. He noted he would personally respond to the issues presented by Mr. Campbell.

Carol Campbell spoke regarding issues with the generator. Namely, the financing and lack of input allowed from the citizens on the project. He briefly spoke regarding the inclusion of sound barrier walls in the project initially, but noted that the contract was re-negotiated without that option. Lastly, he spoke regarding the deregulation of electrical companies and questioned why he was unable to choose electrical services with another provider.

Ronnie Merica spoke regarding safety issues at the Cemetery. He questioned why Council would hire someone new to mow and dig graves. He briefly discussed digging with a backhoe at the Cemetery and payment for services. Mayor Bompiani encouraged Mr. Merica to stop by his office to discuss financial figures on the matter.

Hazel Crider, Elkwood, spoke regarding a sign being placed on the Kite property to advertise the land was for sale. She thanked Council member Workman for his hard work and efforts regarding all of the Centennial events.

Lucille Shifflett, 112 West Spotswood Avenue, stated her concerns regarding the Town being responsible for the care and maintenance of the Cemetery. She noted in her possession were photographs to show how unkempt the Cemetery was during the prior time the Town had provided services for the Cemetery. She noted that the Cemetery was

well taken care of under the direction of Mr. Merica. She questioned the generator matter and noted that she had not seen a decrease on her bill.

Dennis Harlow thanked Council member Workman and Vice Mayor Dearing for the Veteran's Day service. He questioned why the generator was installed in a residential area without a sound barrier. He noted the area chosen was not suitable and the noise was disturbing to residents. Lastly, he questioned high utility bills and asked Council to review the matter. Mayor Bompiani responded that he and Council member Isom would evaluate the matter.

Anderson & Associates, Inc.

Chris Fewster, P.E., spoke regarding the revolving loan fund project cost estimates. He presented project cost estimates for the wastewater treatment plant in Phase I. He noted those estimates included: improving the sludge system, disinfection improvements, clarifier repairs, aeration system improvements, digester improvements, laboratory and general building improvements, miscellaneous repairs, temporary repairs to influent screen, replace influent screen and electrical system improvements. He noted that the estimated cost would be $1,275,300.00.

Mr. Fewster spoke regarding the wastewater collection system improvements. He briefly spoke regarding the sewer line replacement on Blue & Gold Drive. He noted the estimates for the collection system improvements included: repair/replace Old Spotswood Trail Sewer, Route 33 pump station abandonment and new sewer main, replace sewer main under and along Blue & Gold Drive and North Avenue pump station control system. He noted that the estimated cost would be $634,300.00.

Mr. Fewster briefly spoke regarding the terms of the revolving loan fund and interim financing. He noted the total amount borrowed would be approximately $3.5 million.

Vice Mayor Dearing noted that the Town had rebuilt much of the equipment in the plant. Mr. Fewster noted that the Town was in the process of rebuilding the clarifiers which was a large and expensive endeavor. He noted the importance of I & I work that the Town was performing.

Brief discussion took place regarding estimates provided and the condition of the economy.

Council member O'Neill questioned the issue of capacity at the plant. Mr. Fewster responded that the plant's average flow in November was 370,000 gallons per day. In December with the wet weather, the average flow was 420,000. He noted that in January a major water leak was repaired which lowered the flow to 370,000. He noted that currently the average flow was 280,000. He noted a significant decrease in flows. He noted additional testing and review needed to be performed.

Council member O'Neill questioned if the Town had the capacity to support the high school. Mr. Fewster responded that additional figures would need to be obtained during wet weather in order to reach a better conclusion on the matter.

Vice Mayor Dearing noted that all improvements made to the plant would be compatible with a plant expansion. Mr. Fewster confirmed that statement and added that all upgrades were based on potential growth in the area.

Mayor Bompiani asked what the additional increase was in the figures presented. Mr. Fewster noted that legal costs, related work preparing sewer use ordinances, I & I ordinances and costs for building an electrical system at the treatment plant for some equipment.

Mr. Fewster briefly spoke regarding the Newtown Road and Mt. Pleasant Road sanitary sewer extension. He compared two alignments on a Town of Elkton Utility Improvement map. He noted that the Phase I alignment would maximize the best use of gravity and minimize a pump station. He briefly compared the financial figures between the proposed Town alignment ($129,675) and Phase I ($134,050). He noted that no residential pump stations would be necessary if the Town chose to proceed under Phase I. However, he noted a disadvantage would be obtaining easements from homeowners. He noted that an additional Phase II and Phase III had been added to show Council how to extend sewer into properties in the future without building pump stations.

Discussion continued regarding a time frame for the Newtown and Mt. Pleasant project, survey work, letters of intent for easements, water service, additional costs for water service, fire suppression, legal fees for easements, and residential pump stations.

Council member Snow inquired if the Town could attach to the line behind the Kite House connected to a spring. Mr. Fewster stated that additional testing would be required to determine if the spring was safe and could be used in the long-term. He noted that the Department of Health would need to advise the Town on the matter.

MINUTES

Motion to Approve December 15, 2008 Regular Council Meeting Minutes

Council member Kite moved, seconded by Council member Snow, and carried to approve the minutes for the Regular Council Meeting held on December 15, 2008 as presented.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve December 15, 2008 Joint Public Hearing Minutes

Vice Mayor Dearing moved, seconded by Council member Snow, and carried to approve the minutes for the Joint Public Hearing held on December 15, 2008.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve January 7, 2009 Special Council Meeting Minutes

Vice Mayor Dearing moved, seconded by Council member Snow, and carried to approve the minutes for the Special Council Meeting held on January 7, 2009.

Council member O'Neill requested that the minutes be amended to reflect he was the Chair of the Finance Committee in the list presented in the minutes.

No vote was taken after the above motion was presented.

Council member O'Neill moved, seconded by Council member Snow, and carried to amend the minutes as stated above.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Vice Mayor Dearing moved, seconded by Council member Snow, and carried to approve the minutes and amendments for the Special Council Meeting held on January 7, 2009.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve January 13, 2009 Regular Council Meeting Minutes

Council member Isom moved, seconded by Council member Snow, and carried to approve the minutes for the Regular Council Meeting held on January 13, 2009.

Council member O'Neill requested the minutes be amended to reflect he was absent at the January 13, 2009 meeting.

No vote was taken after the above motion was presented.

Council member O'Neill moved, seconded by Council member Snow, and carried to amend the minutes as stated above.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Council member Isom moved, seconded by Council member Snow, and carried to approve the minutes and amendments for the Regular Council Meeting held on January 13, 2009.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

TREASURER'S REPORT

Treasurer Sipe reported an ending ledger balance of $874,649.37 for General Government for the month of December 2008. Total designated money was $552,180.78, leaving total available cash of $322,468.59.

Council member O'Neill moved, seconded by Council member Kite, and carried to accept the Treasurer's report as presented.

Vice Mayor Dearing stated that $400,000.00 in funds designated for the generator had not been dispersed. Treasurer Sipe confirmed she had been directed not to release funds until the generator was operational.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Treasurer Sipe reported an ending ledger balance of $708,621.02 for General Government for the month of January 2009. Total designated money was $501,485.91, leaving total available cash of $207,135.11.

Council member O'Neill stated that designated funds for the Community Center showed a negative balance which inflated the available cash by that amount. He noted that available money was loaning funds back to the Community Center.

Vice Mayor Dearing queried if any funds had been received for the Community Center from Rockingham County. Treasurer Sipe stated that the Town received $70,000.00 from the County on July 6 for the last fiscal year. She noted that no funds had been received for the current fiscal year.

Mayor Bompiani stated that he had a meeting scheduled with Mike Breeden of the Rockingham County Board of Supervisors to discuss various matters.

Council member O'Neill moved, seconded by Council member Kite, and carried to accept the Treasurer's report as presented.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

COMMUNITY CENTER ADMINISTRATOR'S REPORT

EACC Administrator Allison Morris spoke briefly regarding the brick for the new sign at the center.

Administrator Morris stated that the copier at the center was in need of repair. She noted that the repair cost was almost equivalent to the purchase price of the machine. She had obtained leasing information from several reputable companies for a copier.

Council member Kite stated that the following quotes were obtained for a monthly lease: Cornerstone Business Solutions $139.93 for 5 years or $198.93 for 3 years, Virginia Business Systems (no monthly amount presented) and Lanier $142.33.

Council member Snow suggested that the copier in the Police Department and the Community Center be exchanged. Council member O'Neill noted his concerns regarding the purchase of an additional color copier. He agreed with Council member Snow that the copier in the Police Department could be moved to the Community Center. He noted that a moderately priced copier could be replaced in return.

Administrator Morris stated that a color copier would assist the center in their advertising. Council member O'Neill responded that he would like to review operating costs for the current black and white copier versus a new color copier.

CHIEF OF POLICE REPORT

Chief Morris stated that the report was in the packet. He had reviewed the arrest log and noted sixty-three arrests. He spoke briefly regarding radar and traffic enforcement, grand larceny arrests, K-9 unit activities, and a grant seminar he attended regarding the "Click or Ticket" program.

NEW BUSINESS

Economic Stimulus Resolution

The matter was tabled.

Town Attorney Sigler noted that the deadline to submit projects under the stimulus package was March 9, 2009.

Mr. Fewster stated that if projects were already funded under a program, the Town would be unable to receive funding for those projects under the stimulus package. He noted that the projects on the list would need to be "shovel ready" in approximately in 120 days.

Council member O'Neill moved, seconded by Council member Snow, and carried for Council to authorize Vice Mayor Dearing, as Acting Town Superintendent, to pursue these projects under the stimulus package.

The Council listed the stimulus package priorities as follows: Elkwood wells, Newtown project west, Newtown project east and the proposed loop from Elkwood to Mt. Paran Road.

Mr. Fewster noted that he could confirm if all testing had been done on the Elkwood wells. He would contact the Department of Health on the next business day.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

George Washington Forest Management Plan Resolution

Council member Kite moved, seconded by Vice Mayor Dearing, and carried that Council accept the George Washington Forest Management Plan resolution as presented by Rockingham County.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

(A copy of the Resolution is attached to these minutes and marked at Appendix B)

VDOT Resolution for Street Additions

The matter was tabled.

Utilities for Centennial Headquarters

Council member Isom stated that the Centennial Committee would disband shortly. She asked Council to consider using the headquarters as a visitor's center and continue to pay for all utilities. She noted that much interest had been presented by the citizens to keep the center open.

A brief discussion took place regarding the charges for utilities.

Council member O'Neill stated he would support authorizing $2,000 of the current year's budget for the center.

Council member Isom noted the center would be open three days a week to begin and possibly open seven days a week upon additional volunteer's availability. Council member Isom requested each Council member advise of their position on the matter.

Council member Snow stated that he would support authorizing $2,000.00 to the center provided it was open more than three days a week.

Council member Workman stated a final plan would need to be presented to the Council.

Council member Kite stated he supported the idea. However, he had concerns regarding a long term interest for the project and noted that a plan was needed.

Vice Mayor Dearing noted he supported the project.

Council member O'Neill suggested the Chamber of Commerce be enjoined in the matter.

Council member O'Neill moved, seconded by Council member Snow, and carried that Council authorize spending up to $2,000.00 covering expenses and utilities for the Elkton Visitor's Center.

Council member Workman clarified the funds would be used for utilities and not operating expenses.

Council member Snow requested that information regarding the visitor's center and Community Center be aired as part of a telecast on Massanutten's television listings.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Appoint Chairperson for Finance Committee

Council member O'Neill moved, seconded by Council member Kite, and carried that Council appoint Randell Snow as Chair of Finance.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Mayor Bompiani thanked Council member O'Neill for his dedication and hard work on the Finance Committee. He noted that the Town Manager applications had been reviewed and interviews would take place shortly.

Cemetery Maintenance/Caretaker Position

Vice Mayor Dearing stated that the Cemetery Commission had discussed the matter of a caretaker for the Cemetery. He noted that the Cemetery Commission had control over the Cemetery.

Vice Mayor Dearing moved, seconded by Council member Kite, and carried that Council hire a caretaker, who may be an internal person, to maintain the Cemetery.

Council member Kite stated that the position would be part-time with thirty-six hours available. He clarified an article that was written in the Valley Banner by stating a person had been contacted regarding the caretaker position. Further, he noted that an operator would open and close the graves for the Town. He noted that a test interment had proceeded with no issues.

Vice Mayor stated that the Town lost $24,000.00 in grave-digging charges because the work was contracted out. He stated that the Cemetery needed to be maintained in a professional manner. He noted his respect for Mr. Merica.

Council member Workman queried how equipment would be dispersed to each department with multiple jobs taking place. Vice Mayor Dearing responded that the Town owns multiple backhoes and could fulfill various obligations.

Council member Isom requested that all Town employees be respectful regarding all Cemetery matters. She noted what a wonderful job Charlotte Shifflett does with the Cemetery.

Vice Mayor Dearing stated that the position for caretaker would be advertised. He noted there was a temporary employee with the Town that had been recommended for the position. He would submit an application for the position.

Council member O'Neill requested that the current motion on the floor be clarified to state that the job position was a part-time position for thirty-six hours.

Full-time position as caretaker was briefly discussed.

Council member Snow stated he did not support the matter. He noted that a written cost and plan of action should be submitted.

Council member Isom stated she believed that the Town would perform the duties efficiently at the Cemetery.

Council member Snow stated that according to the audit last year, the Cemetery additions were $65,000.00 and deductions were $38,498.00. He stated that assets at the beginning of the year were $542,000 and at the end of the year $569,000.00. He noted an increase of $27,000.00 which was the same amount of debt that Council forgave for that department. He noted the Cemetery would have "broken even" without Council forgiving the debt.

Council member O'Neill stated that only 50% of revenues could be applied towards perpetual care since every dollar that comes in as Cemetery revenue is distributed between the fiduciary fund and perpetual care fund. Therefore, he noted that the increase could not be solely applied towards the perpetual care fund.

Mayor Bompiani requested that the motion be presented again for the record. Vice Mayor Dearing presented the following:

Vice Mayor Dearing moved, seconded by Council member Kite, and carried that Council place a part-time caretaker in charge of the Cemetery and that we direct our Cemetery Director that will start 1 March to open and close all graves. Specified number of hours is thirty-six.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, and P. Workman

NAYS: R. Snow

VOTE: (5 – 1 roll call) Motion carried

Mr. Albert "Bill" 0Davis, Chair of the Cemetery Commission, thanked the Mayor and Council for moving forward with the change regarding the Cemetery. He noted that the commission had worked hard to resolve the issue. He offered to meet with any citizens that had concerns or issues on the matter.

Mayor Bompiani stated that his home telephone number was posted if any citizen wished to speak with him on the matter.

Planning Commission Appointment

Council member Isom stated that the Planning Commission had four recommendations for the vacant commissioner position. She noted that two names were forwarded to the Council. Council member Snow requested that the matter be discussed in closed session and a vote taken thereafter.

Closed Session

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried to go into closed session under Virginia Code 2.2-3711-A.11 personnel and under Virginia Code 2.2-3711.A.3 to discuss real estate negotiations and under Virginia Code 2.2-3711.A.7 to consult with legal council.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Council member O'Neill 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 2.2 of the Code of Virginia were heard, discussed, or considered. Vice Mayor Dearing duly seconded the motion.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Amendment to Koogler Contract

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the Town Council approve the amendment to the Koogler contract as presented with the following change:

Purchaser shall agree to a utility easement subject to following the natural drainage line on the 6.1 acre parcel. Except as hereby expressly amended, the contract shall remain in full force and effect as originally executed and that the Mayor be authorized to sign the agreement.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Subdivision for Koogler Project

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the Town Council approve the lot line vacation and adjacent land transfer division survey for the creation of a 6.109 acre tract being a portion of Tax Map No. 131-(A)-22 and Tax Map. No. 131-(A)-179 situate on the Northeast side of Mt. Pleasant Road (Route 623) as shown on the survey entitled "Division Survey adjoining land transfer of the Town of Elkton Lands," dated February 19, 2009 by Hal T. Benner, Land Surveyor.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Rezoning for Koogler Project R-8 to R-6

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the Town Council approve the rezoning requested by the Town of Elkton and Mark-Dana Corporation for a 6.109 acre tract being a portion of Tax Map No. 131-(A)-22 and Tax Map No. 131-(A)-179 situate on the Northeast side of Mt. Pleasant Road (Route 623) and further described on the survey entitled "Division Survey adjoining land transfer of the Town of Elkton Lands," dated February 19, 2009 by Hal T. Benner, Land Surveyor, from R-8 to R-6 for construction of a 60 unit multi-family dwelling with the utilities easement location to be determined following the natural drainage line on the property.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Special Use Permit to Construct a Multi-Family Senior Dwelling Containing 60 Units in One Building

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the Town Council approve the special exception permit requested by Mark-Dana Corporation to allow for up to 60 units in one building for the purpose of constructing a multi-family senior dwelling as indicated on the amended Site Plan dated February 3, 2009, the Floor Plate dated November 24, 2008 and the Elevation drawing dated November 26, 2008; allowing such minor revisions as may be required by a professional engineer due to site or other unknown variations with up to 10% interior changes to meet market needs. Any revision to the plans shall be submitted to the zoning administrator who may approve such changes administratively or if in the opinion of the zoning administrator such revisions are material, then such plans shall be referred to the Town Council for its approval of such revisions after first having been submitted to the Planning Commission for its recommendation.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Special Exception Permit to Allow 30 of the 90 Required Off-Street Parking

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the Town Council approve the special exception permit requested by Mark-Dana Corporation to allow no more than 30 of the 90 required off-street parking spaces for the 60 unit multi-family senior dwelling to be finished in a gravel surface instead of the surfaces required by the Elkton Town Code as indicated on the amended Site Plan dated February 3, 2009, allowing such minor revisions as may be required by a professional engineer due to site or other unknown variations. Any revision to the plans shall be submitted to the zoning administrator who may approve such changes administratively or if in the opinion of the zoning administrator such revisions are material, then such plans shall be referred to the Town Council for its approval of such revisions after first having been submitted to the Planning Commission for its recommendation.

YEAS: M. Dearing, M. Isom, M. O'Neill, P. Workman and R. Snow

NAYS: D. Kite

VOTE: (5 – 1 roll call) Motion carried

Planning Commission Appointment

Council member Isom moved, seconded by Council member Snow, and carried that Council appoint Vic Corbo to the position on the Planning Commission.

YEAS: M. Isom, D. Kite, P. Workman and R. Snow

NAYS: M. Dearing and M. O'Neill

VOTE: (4 – 2 roll call) Motion carried

Committee Configuration Suggestion

Council member Snow stated that Council had received copies of a Committee Configuration Suggestion. He noted that Council was in agreement with the suggestions. He noted that two meeting dates would be held for committees. He noted the following would meet on the First Thursday of each month beginning March 5, 2009:

Electric – Chaired by Council member Isom
Finance – Chaired by Council member Snow
Public Health, Safety & Ordinances – Chaired by Mayor Bompiani

A brief discussion took place regarding the Chairperson for the Public Health, Safety & Ordinances Committee.

Council member Snow stated the following would meet on the First Monday of each month beginning March 2, 2009:

Streets & Sidewalks – Chaired by Council member Workman
Water & Sewer – Co-Chaired by Council member O'Neill and Vice Mayor Dearing
Personnel – Chaired by Council member Kite

Council member Snow stated that the Planning Commission, Recreation Commission, Cemetery Commission and Economic & Community Development Committee would meet on the usual dates and times. He encouraged Council to approve the suggestion.

Council member Snow moved, seconded by Council member O'Neill, and carried that Council approve the suggestion. Meeting times were determined to be 6:00 p.m.

It was determined that a Council Work Session would be held on the second Tuesday every month at 6:00 p.m.

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

COMMITTEES

Electric

No report.

Finance

No report.

Personnel

No report.

Public Health, Safety, Ordinances

No report.

Streets and Sidewalks

No report.

Water and Sewer

No report.

Economic & Community Development

No report.

Recreation

No report.

Planning Commission

No report.

Cemetery

No report.

Community Center

No report.

Advisory

Report presented in the packet.

UNFINISHED BUSINESS

No additional business presented.

TOWN ATTORNEY/REPORT/ACTION NEEDED

No additional business presented.

MAYOR'S BUSINESS

No additional business presented.

As there was no additional business, **Council member Workman moved, seconded by Council member O'Neill and carried to adjourn the meeting.**

YEAS: M. Dearing, M. Isom, M. O'Neill, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Mayor: Larry A. Bompiani
Larry A. Bompiani

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

APPENDIX A

AGENDA
ELKTON TOWN COUNCIL
February 23, 2009

- ❑ **ROLL CALL**
- ❑ **INVOCATION**
- ❑ **PLEDGE OF ALLEGIANCE**
- ❑ **BRIEFING BY TOWN ENGINEER**
- ❑ **CITIZEN COMMENTS, QUESTIONS, REQUESTS, AND PRESENTATIONS WHICH DO NOT VIOLATE STATUTORY PUBLIC HEARING REQUIREMENTS.** (Council may establish or alter rules governing this or other public comment periods.)
- ❑ **MINUTES**
  - Regular Council Meeting – December 15, 2008
  - Joint Public Hearing – December 15, 2009
  - Special Council Meeting – January 7, 2009
  - Regular Council Meeting – January 13, 2009
- ❑ **TREASURER'S JANUARY & FEBRUARY 2009 REPORT**
  - Questions/Comments from Council
- ❑ **COMMUNITY CENTER ADMINISTRATOR'S REPORT**
  - Questions/Comments from Council
- ❑ **CHIEF OF POLICE'S REPORT**
  - Questions/Comments from Council
- ❑ **NEW BUSINESS**
  1. Economic Stimulus Resolution
  2. George Washington Forest Management Plan Resolution
  3. VDOT Resolution for Street Additions
  4. Utilities for Centennial Headquarters
  5. Amendment to Koogler Contract
  6. Subdivision for Koogler Project
  7. Special Use Permit to Construct a Multi-Family Senior Dwelling Containing 60 Units in One Building
  8. Rezoning for Koogler Project R-8 to R-6
  9. Special Exception Permit to Allow 30 of the 90 Required Off-Street Parking Spaces for a Multi-Family Senior Dwelling to be Finished with a Gravel Surface
  10. Appoint Chairperson for Finance Committee
  11. Cemetery Maintenance/Caretaker Position
  12. Planning Commission Appointment
- ❑ **COMMITTEE REPORTS**
  - Electric
  - Finance
  - Personnel
  - Public Health, Public Safety, Ordinances
  - Streets and Sidewalks
  - Water and Sewer
  - Economic & Community Development
  - Community Center
  - Recreation
  - Planning Commission
  - Cemetery
  - Advisory
- ❑ **UNFINISHED BUSINESS**
- ❑ **TOWN ATTORNEYS/REPORT/ACTION NEEDED**
- ❑ **MAYOR'S BUSINESS**
- ❑ **CLOSED SESSION**
- ❑ **ADJOURNMENT**

APPENDIX B

JOSEPH S. PAXTON
County Administrator

ROCKINGHAM COUNTY

BOARD OF SUPERVISORS
PABLO CUEVAS
Fenton District No. 1
FREDERICK E. EBERLY
Eastern District No. 2
DEE E. FLOYD
Eastern District No. 3
WILLIAM S. KYGER, JR.
Central District No. 4
MICHAEL A. breeden
Western District No. 5

GEORGE WASHINGTON FOREST MANAGEMENT PLAN
RESOLUTION FOR DRINKING WATER RESOURCE MANAGEMENT

WHEREAS, the U.S. Forest Service is in the process of revising its 1993 Land and Resource Management Plan for the George Washington National Forest; and

WHEREAS, one of the six goals indentified in the U.S. Forest Services' agency-wide strategic plan is to "Improve watershed condition"; and

WHEREAS, the availability of clean, safe drinking water is one of the primary benefits that the George Washington National Forest provides to the communities that surround it; and

WHEREAS, approximately 44 percent of the land in the George Washington National Forest lies within watersheds that make available public drinking water to more than 260,000 Virginia residents in 22 adjacent communities, by means of reservoirs and surface waters; and

WHEREAS, drinking water sources within the George Washington National Forest serve an estimated 53,000 residents in Rockingham County, the City of Harrisonburg and the towns of Bridgewater and Broadway; and

WHEREAS, the watersheds in the George Washington National Forest from the Switzer Lake Reservoir make available a source for drinking water for the residents of the City of Harrisonburg and some Rockingham County residents; and

WHEREAS, the watersheds of surface waters that flow from the George Washington National Forest, such as the North River and the North and South Forks of the Shenandoah River, also provide a source for drinking water to residents in the communities of Bridgewater, Broadway, Elkton and Harrisonburg and surrounding Rockingham County; and

WHEREAS, there can be threats to water quality within the George Washington National Forest from ground disturbing activities, such as timber harvesting and road construction, which result in erosion and sedimentation if not properly managed by the Forest Service staff or contractors thereof; and

WHEREAS, in the 1993 George Washington National Forest Management Plan most of the land in drinking water reservoir watersheds (72 percent) is managed without ground disturbing activities, and the U.S. Forest Service reports the water quality in the reservoir watersheds is substantially better than in surface watersheds in other parts of the George Washington National Forest; and

WHEREAS, the 1993 George Washington National Forest Management Plan provides for ground disturbing activities on most of the land (64 percent) in surface watersheds that provide drinking water through river intakes.

NOW, THEREFORE, be it resolved that the Rockingham County Board of Supervisors supports the following actions to implement an objective as a part of the George Washington National Forest Management Plan to promote the quality and quantity of drinking water sources within the forest boundaries:

APPENDIX B

- The U.S. Forest Service identify the watersheds serving the Switzer Lake reservoir and the surface water resources within the George Washington National Forest that feed the North River and South and North Forks of the Shenandoah River;

- The U.S. Forest Service establish management objectives that support the health of the drinking watershed and which encourage conditions within the watershed that maintain, protect and enhance drinking water quality;

- The U.S. Forest Service continue to permit ground disturbing activities in these areas; however, such activities shall be properly managed and controlled by the Forest Service to protect the health of the watershed;

- The U.S. Forest Service gather sufficient information to assess watershed conditions, develop a plan to systematically monitor water resource programs, and obtain data pertinent to water quality and watershed conditions, in cooperation with other agencies, organizations, local communities and volunteers;

- The U.S. Forest Service communicate in a timely manner with the localities that obtain drinking water from sources within the George Washington National Forest to ensure that the drinking watersheds are managed effectively, appropriately and for the public good;

- The U.S. Forest Service shall work with local communities, agencies and the larger public to establish policies and develop management plans for the drinking watersheds to properly maintain, protect and enhance drinking water quality.

BE IT FURTHER RESOLVED, that the Rockingham County Board of Supervisors recommends that, the U.S. Forest Service retain all management techniques and options in the approved Forest Management Plan that are necessary to protect the drinking water quality, and

BE IT FURTHER RESOLVED, that the Rockingham County Board of Supervisors recognizes that trail-based recreational activities in the George Washington National Forest are valuable and wholly compatible with water quality management.

Given under our hand this 10th day of December
in the year two thousand eight, A.D.

Dee E. Floyd, Chairman
Supervisor, District 3

Pablo Cuevas
Supervisor, District 1

Frederick E. Eberly
Supervisor, District 2

William B. Kyger, Jr.
Supervisor, District 4

Michael A. Breeden
Supervisor, District 5

Attest:

Joseph S. Paxton, County Administrator

Special
Council Meeting
March 31, 2009
4:30 p.m.

A special meeting of the Elkton Town Council was held in Council Chambers of the Elkton Area Community Center on March 31, 2009, with Mayor Larry Bompiani presiding. The following Council members were present:

PRESENT
M. Dearing
M. Isom
D. Kite
R. Snow
P. Workman

Town Manager Reid Wodicka, Town Attorney Lauri A. N. Sigler, Chief of Police James A. Morris, Treasurer Clairen Sipe, EACC Administrator Allison Morris, Recreation Director Diane Johnson, Deputy Clerk of Council Richard Carey were also present.

(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.

Invocation was presented by Council member Kite.

All present were asked to join in the Pledge of Allegiance.

Resignation of Council member Michael O'Neill

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to accept Mike O'Neill's resignation effective today.

YEAS: M. Dearing, M. Isom, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Resolution Honoring Michael O'Neill

Mayor Bompiani presented the following:

RESOLUTION HONORING MICHAEL O'NEILL

WHEREAS, The Town of Elkton is greatly indebted to MICHAEL O'NEILL for his service on the Elkton Town Council from July 1, 2006 to March 23, 2009; and

WHEREAS, in acknowledgement of his volunteer of spirit, devotion and his deserving of our commendation from the Town of Elkton; and

WHEREAS, he has provided the Town and the Council with insight and perspective that it otherwise would not have had; and

WHEREAS, he has served the community the Town and the Council with his active participation on numerous committees and work groups; and

WHEREAS, he has provided assistance with our wastewater treatment plant issues and assisted with the Town's web site and Centennial web information.

WHEREAS, his keen observations about people and situations, and precise analysis of budgets and financial matters have assisted the Town and the Council greatly; and

NOW, THEREFORE BE IT RESOLVED, the Town of Elkton wishes to recognize and honor MICHAEL O'NEILL.

Meals Tax

A closed session would be needed to discuss the meals tax matter.

Mayor Bompiani encouraged all to attend the reception for the newly hired Town Manager Reid Wodicka. The event would take place at the conclusion of the Special Council Meeting.

Closed Session

Council member Kite moved, seconded by Council member Snow, and carried to go into closed session under Virginia Code 2.2-3711.A.1 to discuss personnel considering reappointments moving within the department and Virginia Code 2.2-3711.A.7 to discuss legal matters and advice pertaining to the meals tax issue.

YEAS: M. Dearing, M. Isom, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Council member Kite 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 2.2 of the Code of Virginia were heard, discussed, or considered. Council member Workman duly seconded the motion.

YEAS: M. Dearing, M. Isom, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

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

YEAS: M. Dearing, M. Isom, D. Kite, P. Workman and R. Snow

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Mayor: Larry A. Bompiani
Larry A. Bompiani

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

APPENDIX A

SPECIAL COUNCIL MEETING
Town of Elkton
March 31, 2009
4:30 p.m.

Mayor Bompiani has called a Special Meeting of the Elkton Town Council on Tuesday, March 31, 2009 at 4:30 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. Accept Resignation of Council Member
2. Meals Tax
3. Acquisition and Disposition of Real Property
4. Closed Session (on any of the above-matters if necessary)