Regular
Council Meeting
March 16, 2009

The regular meeting of the Elkton Town Council was held on March 16, 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
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 Kite gave the invocation.

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

Mayor Bompiani recognized Mike Breeden of the Rockingham County Board of Supervisors. Mr. Breeden stated that an opening existed on the Central Shenandoah Planning District. He encouraged a representative from the East Rockingham area to apply.

Chief Morris introduced Greg Orebaugh as one of the Town's new auxiliary officers.

.CITIZEN COMMENTS

No citizens spoke at the meeting.

MINUTES

Motion to Approve February 9, 2009 Committee Meeting Minutes

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to approve the minutes for the Committee Meetings held on February 9, 2009 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 February 23, 2009 Regular Council Meeting Minutes

Mayor Bompiani entertained a motion to approve the minutes as submitted for February 23, 2009 with the correction on page thirteen adding the word "no" into line three so that the line reads, "I move 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;" Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried to approve the minutes for the Regular Council Meeting held on February 23, 2009.

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 Snow moved, seconded by Council member Workman that the last paragraph on page eleven be separated into two paragraphs.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

TREASURER'S REPORT

Treasurer Sipe reported an ending ledger balance of $710,385.84 for General Government for the month of February 2009. Total designated money was $443,850.02, leaving total available cash of $266,535.82.

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

A brief discussion took place regarding the negative figure under Community Center.

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

Flagpoles were briefly discussed.

CHIEF OF POLICE REPORT

Chief Morris discussed the new process for background checks for potential Town employees. He briefly discussed resources and costs to perform three different levels of checks that could take place. He noted that a memorandum would be provided to the Department Head indicating any issues during the investigation. The task of contacting professional or personal references would not be the responsibility of the Public Safety Department. Lastly, he noted a classification list of employees regarding the level of background investigation that would take place depending on the position the potential employee would have.

Chief Morris confirmed that background checks had been performed for all Town employees that work with or around children. He noted that included umpires, referees, etc…

A brief discussion took place regarding previous background checks and the process used.

UNFINISHED BUSINESS

Economic Stimulus Resolution

RESOLUTION OF THE COUNCIL FOR THE TOWN OF ELKTON, VIRGINIA SUPPORTING THE TOWN'S INFASTRUTURE IMPROVEMENT PROJECTS FOR FUNDING THRU THE AMERICAN RECOVERY AND REINVESTMENT ACT

WHEREAS, Congress has passed The American Recovery and Reinvestment Act (ARRA), or federal stimulus plan, and the Administration is preparing to take action to fund worthy projects; and

WHEREAS, this plan will help America's hometowns and families by stimulating the economy, creating jobs, and providing meaningful, long-lasting benefits to our communities; and

WHEREAS, the Town of Elkton has submitted four projects for infrastructure improvements to the Commonwealth for submission through the governor's Stimulus Working group as follows:

1. Elkwood Well – To provide a loop for existing water system to stabilize pressure and provide adequate additional water to 2300 water customers.

2. Newtown East – To provide a sewer and water line to service 23 inadequate septic systems.

3. Newtown West – To provide a water and sewer line to Town residents.

4. Stuart Water Main – To move the main line from the roadway of Route 340 to existing Town property; and

WHEREAS, the Town Council believes these projects are worthy of consideration and funding under the ARRA.

NOW, THEREFORE, BE IT RESOLVED that the Town Council for the Town of Elkton, Virginia, hereby supports the submitted projects for infrastructure improvements; and

BE IT FURTHER RESOLVED that the Town Council for the Town of Elkton, Virginia, requests our Congressional delegation to support funding for the above projects as appropriate.

Council member O'Neill moved, seconded by Council member Workman, and carried to accept the Resolution as presented.

Vice Mayor Dearing stated that Council had given direction as to the "shovel ready" projects that were submitted to the stimulus plan. He noted that the submission process had been uncomplicated.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

NEW BUSINESS

Committee Appointments

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to accept the slate 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

Appoint Eddie Cave to Recreation Commission

Council member Kite moved, seconded by Council member Workman, and carried to re-appoint Eddie Cave to the Recreation Commission for a term of 3/01/2009 through 2/28/2011.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Donation to Rescue Squad

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the Town of Elkton donate $2,500.00 from allocated funds to the Elkton Rescue Squad.

A brief discussion took place regarding the donation amount.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Assistance to EAUS

Mayor Bompiani stated that each trip to the dump from EAUS would cost $80.00. It was determined that a flat rate could be added to EAUS's utility bill for the trips.

Vice Mayor Dearing noted his support for EAUS. However, he was concerned that the Town would end up providing a hauling/dumping service for large items that were in no condition for donation.

Mayor Bompiani stated that surveillance cameras could be an option to deter unwanted donation items.

Council member Workman suggested that a listing of acceptable donation items be advertised to inform the public.

A brief discussion took place regarding the frequency of trips to be made by the Town to assist with EAUS, burden to Town employees, preservation of the Town, police monitoring, and sign posting.

Council member O'Neill moved, seconded by Council member Isom, and carried that Council authorize picking up and transporting this material for EAUS at a rate of $80.00 per load, maximum of up to two loads per week, and subject to review as expenses change.

It was noted the matter should be reviewed in ninety-days and expenses tracked.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Town Manager Position

This matter to be discussed in closed session.

TOWN ATTORNEY/REPORT/ACTION NEEDED

No additional business presented.

Closed session procedures discussed.

COMMITTEES

Electric

Council member Isom stated that the Electric Committee met on March 5, 2009. She noted that some high electrical bills had been reviewed. She noted that some of the bills were actually lower this year than last year after a comparison of usage. She noted that meters had been calibrated and were found to have no issues. She briefly spoke regarding the deregulation of electrical services and how municipalities were exempt from that process. She noted that a telephone pole discussed at the prior committee meeting could not be moved as requested. She noted that the generator was operational. She was in the process of reviewing some documentation forwarded to her from Downes and Associates. She briefly spoke of sound barriers for the generator and a study that had been done pertaining to the noise issue.

Finance

Council member Snow stated that the Finance Committee met on March 5, 2009. He noted that overspent budget categories were discussed. He noted that Department Heads needed access to the Budget v. Actual report to track their budgets. He noted the committee would ensure those reports were received. He noted a discussion regarding legal expenses and limiting calls to the Town Attorney except through the Mayor or in an emergency.

Personnel

No report.

Public Health, Safety, Ordinances

Vice Mayor Dearing stated he would like to reopen the case for Rachel Good.

Streets and Sidewalks

Council member Workman stated that the committee meeting had been cancelled due to inclement weather. He briefly spoke of issues on Shenandoah Avenue which was a VDOT maintained street.

Chief Morris briefly spoke regarding a citizen's request to allow a dumpster to be placed in an alley for a short time to perform some work. Council member Workman would review the matter.

Water and Sewer

Council member O'Neill stated that an additional licensed operator was needed at the wastewater treatment plant. He noted significant expenses in that department were due to the Consent Order with DEQ which required some major improvements at the plant. He noted plans were being developed by the Town's engineers. He noted the costs would be between $2.8 and $3.4 million.

Economic & Community Development

Council member Workman thanked the Centennial Jubilee Committee and all of the volunteers. He noted that a plaque was at the Centennial headquarters that would be brought to the Community Center for display. He noted that the Chili Kickoff would be held on May 16, 2009 in the downtown Elkton area. He noted the next meeting would be held on March 26, 2009 at 6:00 p.m. He noted that the Centennial banners were for sale at $40.00 each. He noted that an updated website was forthcoming.

Recreation

Mayor Bompiani stated Peter Ott was in the process of creating walking trails. He noted that the project was quite extensive.

Planning Commission

Council member Isom stated the commission met on March 3, 2009. She noted the commission was in the process of revising the Town's zoning permit. She noted the commission would continue to review the process by which new projects by citizens would be inspected by the Town and/or the County.

Cemetery

Vice Mayor Dearing stated that four interments had been performed with no issues to report.

Council member Kite stated that the Town had received a complaint about an excessive number of Town employees at the Cemetery. He noted the large number was due to the training of employees. He noted that process was necessary to ensure proper procedures were followed.

Cremations were briefly discussed.

Community Center

Council member Snow stated the meeting for the committee would be the first Wednesday of the month at 6:30 p.m. He noted that additional volunteers were needed. He noted the committee spoke of setting goals, setting up committees, and a search for additional programs or events that could enhance the use of the center. He noted that setting up an advisory board for the center was also discussed. He encouraged anyone to attend the next meeting that would be interested in participating.

Advisory

The Advisory Committee recommended the following:

1. Shenandoah Avenue is in need of maintenance. We recommend a Town Official contact VDOT about maintaining their portion of this street.

2. We also recommend that an effort be made to enforce the speed limit on Shenandoah Avenue.

3. We have mentioned this several times previously. We still feel the need of assistance to facilitate School Buses turning onto Stuart Avenue from C Street when school dismisses each afternoon.

4. There is a large hole on Water Street as you turn from Spotswood going into Ray's Diner.

5. A pothole is developing on the east side of Stuart Avenue at the C Street intersection.

Vice Mayor Dearing encouraged all citizens to contact the Public Works Department at 540-298-1330 to report any public works issues so that a work order could be prepared by that department.

Mayor Bompiani thanked Madelyn Dixon, George Grunwald, Bob Hammer and Chair of the Advisory Committee, Hazel Crider for their efforts.

MAYOR'S BUSINESS

No additional business presented.

Closed Session

Council member O'Neill moved, seconded by Council member Snow, and carried to go into closed session under Virginia Code 2.2-3711-A.11 to discuss personnel issues.

Council member Snow stated that additional information was required in the motion. It was determined that the following matters would be discussed in closed session: Town Manager position, several issues regarding Town employees, and personnel issues in relation to the handling of the operations of the wastewater treatment plant, interference with certain Council members and lack of communication.

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

NAYS: D. Kite

VOTE: (5 – 1 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. Council member Kite 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

A Special Council Meeting would take place on March 23, 2009. Interviews for the Town Manager position would take place. A three day notice would need to be given to comply with FOIA.

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 voice vote) Motion carried

Mayor: Larry A. Bompiani
Larry A. Bompiani

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

APPENDIX A

AGENDA
ELKTON TOWN COUNCIL
March 16, 2009

- ❑ **ROLL CALL**
- ❑ **INVOCATION**
- ❑ **PLEDGE OF ALLEGIANCE**
- ❑ **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**
  - Committee Meetings – February 9, 2009
  - Regular Council Meeting – February 23, 2009
- ❑ **TREASURER'S 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. Committee Appointments
  2. Appoint Eddie Cave to Recreation Commission
  3. Donation to Rescue Squad
  4. Assistance to EAUS
  5. Town Manager Position
- ❑ **COMMITTEE REPORTS**
  - Electric
  - Finance
  - Personnel
  - Public Health, Public Safety, Ordinances
  - Streets and Sidewalks
  - Water and Sewer
  - Economic & Community Development
  - Recreation
  - Planning Commission
  - Cemetery
  - Community Center
  - Advisory
- ❑ **UNFINISHED BUSINESS**
  1. Economic Stimulus Resolution
- ❑ **TOWN ATTORNEYS/REPORT/ACTION NEEDED**
- ❑ **MAYOR'S BUSINESS**
- ❑ **CLOSED SESSION**
- ❑ **ADJOURNMENT**