Regular
Council Meeting
September 21, 2009

The regular meeting of the Elkton Town Council was held on September 21, 2009, in the Council Chambers at the Elkton Area Community Center with Mayor Larry A. Bompiani presiding. The following Council members and staff were present:

PRESENT	ABSENT
L. Bompiani, Mayor	
M. Dearing, Vice Mayor	
M. Isom, Council Member	
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
M. Christopher Sigler, Town Attorney	
James A. Morris, Chief of Police	
Clairen Sipe, Town Treasurer	
Allison Morris, EACC Administrator	
Diane Johnson, Recreation Director	
Denise R. Monger, Clerk of Council	

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.

CITIZEN COMMENTS

Mayor Bompiani presented former Elkton Town Mayor Wayne Printz with a plaque commemorating his years of service and dedication to the Town.

Wayne Printz, Elkton, read the following statement: "*On Saturday, September 19, 2009, the Elkton Welcome Center had a very nice cruise-in downtown. I would like to thank the committee and all those involved in the event. I understand that Reid and some of the Town officials supported this and I greatly appreciate it. I think it was a wonderful thing. The event was a welcome change. It was a reminder of the good ole' days when Elkton had cars and people running around everywhere. We need more activities like this in our Town to reestablish the fellowship we used to be known for.*

Our great neighbor Shenandoah, Virginia, just had a four-week trial period of cruise-ins every week and they were very successful. In talking with many of our friends, attendance and participation here would be more, but many of the kids and cruisers feel they are no longer welcome in Elkton. This should not be. In talking with the welcoming committee, Mr. Powell and our friends, we're going to ask for the Town's support and involvement to expand and improve this type of event. I would also like to thank the participants and old friends for showing up with their beautiful cars and creating opportunities for our families to mingle and enjoy each other. It was wonderful and I thank you.

I would also like to thank the Town and the Elkton Historical Society for the Elkton Horse Show. I understand that they were thinking about not having it anymore. We need to figure out some way to encourage the event to continue. It's a beautiful event. I think it brings people into our Town and it's a very comfortable event. I would like to thank everyone for their courtesy and assistance. It made our Town a bit lively and fun.

I have a few other notes and comments on the new Elkton well. I appreciate the self-imposed urgency that was present because of the spring. I understand that we have a well in which we may not be able to purchase because the owner's have too many conditions. Just for your information, I had already talked to Mr. Clark last year and was already aware of the difficulties; that is why my administration did not pursue the Elkton well. Also, there is a hazard waiting to happen up there. There is a ten inch hose connected to the water supply. If that line breaks, someone could get hurt, not to mention thousands of gallons of water would flood that area.

I would like to suggest that Council fix the containment pond and the roof of the spring. You may remember what we did to fix the primary reservoir and were very successful. There is also a hole in the roof over the containment pond at the spring allowing contaminants to get in. They also have to chlorinate the pond as we do at Bear Lithia Spring. There is absolutely nothing wrong with the spring. This was another engineering situation that has to be attended to. We should still have another well to fall back on. You might want to consider the Life well which we already own. The engineers were supposed to have that well ready about one year ago.

The Town spent about $277,000.00 last year on engineering. Although I know Mr. Fewster and believe he is a very good person, we cannot continue to spend this kind of money. Also, the Town has fallen behind on their wastewater treatment plant commitments. Some options that I would like for the Mayor and Town Council to consider are: hire a full-time engineer for significantly less money or talk to Mr. Blackwell. The Mayor might know him personally. He is a very good man. Also, the engineering firm we are currently paying sometimes calls Blackwell Engineering to get the information they need.

The public cannot continue with these missteps. We are having a hard time paying our bills now. What will happen if we fail to fulfill our obligations now and have to borrow three million dollars more? We are going to have to take a closer look at this to protect our families. Thank you and God Bless."

Ora Mae Shifflett, 339 West Marshall Avenue, stated she was very upset over her high water bill. She noted that she had paid the bill but wanted a refund due to the unexplained high charges.

MINUTES

Motion to Approve Consent Agenda

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to approve the consent agenda.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

TOWN MANAGER'S REPORT

Mr. Wodicka spoke regarding the following:

- Budget schedule prepared.
- New intern, Ben Craig, to work with the Town until Spring 2010.
- Two water study grants were submitted by the Town to the Office of Drinking Water.

- New sewer line for school to be the first loan fund project.
- Fall Clean-Up begins October 5, 2009.

TREASURER'S REPORT

Treasurer Sipe reported an ending ledger balance of $127,099.07 for General Government for the month of August 2009. Total designated money was $11,550.97, leaving total available cash of $115,548.10.

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

YEAS: M. Dearing, M. Isom, H. Armbruster, 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 thanked everyone for their participation and efforts towards a successful "Elkton in Battle."

CHIEF OF POLICE REPORT

No questions or comments were made regarding Chief Morris' report.

NEW BUSINESS

Motion to Approve Contract for the Virginia Municipal Electric Association

Council member Isom moved on the following:

BE IT RESOLVED, by the Council for the Town of Elkton, Virginia, that the Amended and Restated Power Seals Contract between the Virginia Municipal Electric Association (VMEA) and the Town of Elkton, dated August 13, 2009, is hereby approved and the Town Manager is hereby given the authority to execute said contract on behalf of the Town.

Council member Kite duly seconded the motion.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Appoint VMEA Representative

Council member Isom moved, seconded by Vice Mayor Dearing, and carried to appoint Reid Wodicka as our representative to attend the VMEA meetings.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Appoint Planning Commission Member

Council member Isom stated that two people, Goldie Helsley and Maurice Johnson had submitted their names for consideration to become a member of the Planning Commission.

Vice Mayor Dearing moved, seconded by Council member Armbruster, and carried to appoint Goldie Helsley to be on the Planning Commission.

YEAS: M. Dearing, M. Isom, H. Armbruster, D. Kite, and P. Workman

NAYS: None

ABSTAIN: R. Snow

VOTE: (5 – 0 – 1 roll call w/1 abstention) Motion carried

Decrease Speed Limit on Mt. Pleasant Road – 1st Reading

Council member Armbruster moved on a First Reading as follows:

ORDINANCE TO DECREASE THE SPEED LIMIT ON MT. PLEASANT ROAD

LOCATED WITHIN THE BOUNDARIES OF TOWN OF ELKTON, VIRGINIA

First Reading

September 21, 2009

WHEREAS, the Town Council for the Town of Elkton has the authority to modify and regulate the speed limit on roads located within the Town's boundaries pursuant to Section 46.2-1300 of the Code of Virginia; and

WHEREAS, the Elkton Police Chief and his department have conducted a traffic investigation on Mt. Pleasant Road and have made a recommendation to the Elkton Town Council for a 10 mile per hour reduction in the speed limit on that portion of Mt. Pleasant Road that is located with the Town's boundaries; and

WHEREAS, the Town Council for the Town of Elkton has found that this reduction in speed limit is for the best interest and safety of the residents and travel in the Town of Elkton.

BE IT THEREFORE RESOLVED, that the Town Council for the Town of Elkton by ordinance hereby reduces the speed limit on the road named Mt. Pleasant Road from 35 miles per hour to 25 miles per hour from the 17003 block range to 17479 block range, all located within the boundaries of the Town of Elkton; and

BE IT FURTHER RESOLVED, that this reduction of the speed limit will become effective and enforceable after proper posting and signage has been completed.

Approve Subdivision and Lot Line Vacation for Henry Clyde Hisey

Council member Isom moved on the following motion:

Motion to Approve Subdivision and Lot Line Vacation for Real Estate Owned by Henry C. Hisey
September 21, 2009

BE IT RESOLVED, by the Council for the Town of Elkton, Virginia as follows:

1) The subdivision of the parcel known as tax map no. 115-9-L6 containing, 6.79 acres, more or less, is hereby approved as shown on that certain plat by Randell K. Newman, dated July 14, 2009, thereby creating a separate tract containing 0.419 acres, more or less; and

2) The lot line vacation to the parcel known as tax map no. 115-9-L3 containing 0.67 acres, more or less, as hereby approved as shown on the aforementioned plat, so that the 0.348 acre tract, more or less, and the 1.212 acre tract, more or less, are hereby added to the existing parcel; and

3) The dedication of a strip of land along the north eastern side of Virginia Avenue containing 0.549 acres, more or less, from the current owners is hereby accepted by the Council for the Town of Elkton for public use and the future expansion of Virginia Avenue, as shown on the aforementioned plat; and

4) Charlotte Shifflett, as the Subdivision Agent for the Town of Elkton is hereby given the authority to approve and sign the foregoing mentioned plat.

Vice Mayor Dearing duly seconded the motion.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Approve Carolyn Madden Perry as Bond Counsel for Revolving Loan Fund

Vice Mayor Dearing moved, seconded by Council member Armbruster, and carried to appoint Carolyn Madden Perry as our Bond Counsel with the Virginia Clean Water Revolving Loan Fund financing by the Town to pay capital costs for improvements to its wastewater treatment system. The project financing will be administered through Virginia Resources Authority in coordination with Virginia DEQ; that the Town Council allocate approximately $8,500.00 in the new budget to Bond Counsel and authorize the Mayor to sign the document.

YEAS: M. Dearing, M. Isom, H. Armbruster, 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

Council member Workman spoke briefly regarding some construction work.

Water & Sewer

No report.

A discussion took place regarding the current status and future condition of the Life well.

Economic & Community Development

Council member Workman stated the next meeting would take place on September 24, 2009 at 6:00 p.m. at the Elkton Area Community Center. He noted that another creek clean-up may be forthcoming.

Mr. Wodicka stated that the next newsletter would include a survey prepared by JMU to assist with the process of creating their Economic and Community Development Plan for the Town.

Community Center

No report.

Recreation

Council member Kite briefly discussed the lights at the park. He noted that any organized private group that would occupy any of the fields at the park would be charged a fee for using the lights. He noted that guidelines would be presented to Council on the matter.

Planning Commission

No report.

Cemetery

Vice Mayor Dearing stated that the real estate closing had taken place for the purchase of additional property for the Cemetery. He thanked Town Attorney Sigler for her assistance with the matter.

Advisory

Mayor Bompiani read the following recommendations, suggestions and comments for consideration by the Town Council:

1. The Advisory Committee would like to commend the Town Manager and the Town Employees for the timely manner and great job they did in correcting the Town water problems.

2. We feel some Town authority should speak to the Norfolk and Southern Railroad Company about the excessive speed of some of the trains that pass through our Town.

3. White lines at stop signs need repainting.

4. The shrubbery at the exit of Elkwood onto Route 340 North needs cutting back or removed to eliminate a blind spot.

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

UNFINISHED BUSINESS

No additional business.

TOWN ATTORNEY/REPORT/ACTION NEEDED

Town Attorney Sigler stated that she had spoken with a representative from BB&T regarding the ½ acre parcel the Town would receive as a gift from the company. She noted that process was ongoing and should be resolved shortly.

Town Attorney Sigler stated that she had received a survey on the Lohman Alley closure request. She noted the approximate area was 2,879 square feet. She noted that an ordinance and deed of vacation would need to be prepared for final approval from the Council.

A brief discussion took place regarding the bidding process under the revolving loan fund.

Town Attorney Sigler stated that she was in the process of receiving amendments for the contract between Michele Lucci and the Town regarding a real estate matter. She noted that Mr. Lucci was asking to acquire an easement to Town property which would allow him to post a business sign in that area and also to restrict the Town in planting anything that would obscure the view of his business. She would review the revisions and advise Council on those matters.

MAYOR'S BUSINESS

No additional business was presented by the Mayor.

Closed Session

Council member Kite moved, to go into closed session under Virginia Code 2.2-3711-A.3 for the discussion or consideration of the acquisition of real property. Vice Mayor Dearing duly seconded the motion.

YEAS: M. Dearing, M. Isom, H. Armbruster, D. Kite, P. Workman and R. Snow
NAYS: None

VOTE: (6 – 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 Snow duly seconded the motion.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

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

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Mayor:_____
Larry A. Bompiani

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

APPENDIX A

AGENDA
ELKTON TOWN COUNCIL
September 21, 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.)
- ❑ **CONSENT AGENDA** (All items under this agenda are adopted as part of one motion. Any items for discussion or dissenting votes will be moved to Old or New Business.)
- ❑ **TOWN MANAGER'S REPORT**
- ❑ **TREASURER'S REPORT**
- ❑ **COMMUNITY CENTER ADMINISTRATOR'S REPORT**
- ❑ **CHIEF OF POLICE'S REPORT**
- ❑ **NEW BUSINESS**
  1. Approve VEMA Contract
  2. Appoint VEMA Representative
  3. Appoint Planning Commission Member(s)
  4. Decrease Speed Limit on Mt. Pleasant Road – First Reading
  5. Approve Subdivision & Lot Line Vacation for Clyde Hisey
- ❑ **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**