Regular Council Meeting
January 18, 2016
7:00 p.m.

The regular meeting of the Elkton Town Council was held on January 18, 2016, at approximately 7:00 p.m., in the Council Chambers at the Elkton Area Community Center with Mayor Wayne E. Printz presiding. The following Council members and staff were present:

PRESENT	ABSENT
Wayne Printz, Mayor	None
Jay Dean, Vice Mayor	
Margaretta Isom, Council Member	
Harry Armbruster, Council Member	
Jeffrey Jones, Council Member	
Joshua Gooden, Council Member	
Gerry Comer, Council Member	

PRESENT	ABSENT
Nathan Miller, Town Attorney	Diane Johnson, Recreation Director
Kevin Whitfield, Town Manager	
Aaron Hammer, Chief of Police	
Troy Shifflett, Public Works Director	
Clairen Sipe, Town Treasurer	
Allison Morris, EACC Administrator	
Denise Monger, Clerk of Council	

REGULAR COUNCIL MEETING

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

The invocation was given by Vice Mayor Dean.

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

CITIZEN COMMENTS

Tony Plume, 116 Ashby Avenue, Elkton, spoke regarding being attacked on several occasions by a dog. He noted that the police department had responded quickly to the incident; however, he inquired if dog owners could be informed about leash laws and and/or containment.

Jan Hensley, 203 Ashby Avenue, Elkton, agreed with Mr. Plume regarding recurring dog issues in Town. She noted that regulations were in place, but there lacked means in order to make the regulations effective. She noted that the police can only write tickets. She noted some dog owners were allowing their dogs to run freely at a local school playground causing safety and sanitary issues. She noted that no action could be taken against the dog owner for a dog bite since the police department did not witness the actual bite. She asked Council to review the dog ordinance and enact harsher consequences for citizens that do not follow the law.

Chief Hammer stated that his department had responded to several complaints on Ashby Avenue regarding a loose dog. He had received calls from the elementary school regarding the safety of the children. He noted that the Town had charged the dog owner repeatedly costing him substantial fines. He noted that the Commonwealth Attorney's office and animal control had been contacted. He noted that no additional action could be taken by the department until the animal attacked someone and was declared a vicious animal.

Council requested that Town Attorney Miller review the ordinance and advise of any changes that the Town could make.

Audit Report for FY 2014/2015

Young, Nicholas, Branner & Phillips, LLP, Certified Public Accountants performed the Town's audit and prepared the Financial and Compliance Report dated June 30, 2015.

David Black, Managing Partner, discussed the Town's finances and provided an analysis of the Financial and Compliance Report. He highlighted the following issues:

- Town received a "clean opinion" which was the highest level of assurance that an audit firm could give an organization's financial statements.
- The assets of the Town exceeded its liabilities by $8,312,100 at the close of the most recent fiscal year. [pg. 5]
- Town's net position increased as a result of the year's operations. Net position of the business-type activities increased by $90,310, and net position of the governmental activities increased by $134,738. [pg. 6]
- In the Town's business-type activities, operating revenues increased by $90,578 from the previous year and operating expenses increased by $147,475. [pgs. 7 & 8]
- In the Town's governmental activities, operating revenues increased by $67,402 from the previous year and operating expenses increased by $212,839. [pgs. 6 & 7]
- Actual revenues were $163,075 more than budgeted for the General Fund. General Fund expenditures were $325,725 more than budgeted. [pg. 57]
- Operating revenues were $131,910 more than budgeted for the Electric Fund. Electric Fund operating expenses, excluding depreciation, were $253,248 more than budgeted. [pg. 66]
- Operating revenues were $13,523 more than budgeted for the Water Fund. Water Fund operating expenses, excluding depreciation, were $33,838 less than budgeted. [pg. 67]
- Operating revenues were $11,726 more than budgeted for the Sewer Fund. Sewer Fund operating expenses, excluding depreciation, were $84,041 less than budgeted. [pg. 68]
- The Town spent $634,358 for capital additions during the current fiscal year. [pg. 69]
- Town's long-term debt decreased by $646,209 during the current fiscal year. [pg. 11]

Mr. Black stated that new reporting requirements were put into the Town's financial report. He noted that the Virginia Retirement Services Department had to provide additional information for the report. He noted that pension liabilities and retirement benefits were listed. He noted that the Town had always been responsible for the money; however, this was the first year that the information was required in the audit report. [pg. 13]

Mr. Black noted that the Town's cash at the end of 2015 was reduced by $529,406 due the Town investing $634,000 in new equipment and assets. He noted that the Town also paid down over $416,000 in debt.

Mr. Black reported from pg. 21 of the financial report regarding the Town's proprietary funds which included the water, sewer and electric funds. He noted all three funds returned $211,266 which was $44,000 less than last year.

Council member Armbruster inquired about the Department of Labor's proposal to substantially increase the minimum salary level needed to classify an employee as exempt. Mr. Black responded that the DOL had delayed the decision. He noted that the proposed salary per exempt employee would be $50,000 - $51,000 possibly effective July 1.

MINUTES

Motion to Approve Consent Agenda

Vice Mayor Dean moved, seconded by Council member Isom, and carried to approve the consent agenda as presented.

12/14/15 COUNCIL WORK SESSION
12/21/15 REGULAR COUNCIL MEETING

YEAS: M. Isom, H. Armbruster, J. Jones, J. Dean, J. Gooden and G. Comer

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

TREASURER'S REPORT

Council member Armbruster moved, seconded by Council member Jones, and carried to approve the Treasurer's Report for the month of December 2015 as presented.

YEAS: M. Isom, H. Armbruster, J. Jones, J. Dean, J. Gooden and G. Comer

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

COMMUNITY CENTER ADMINISTRATOR'S REPORT

EACC Administrator Allison Morris reported on the upcoming Ruritan/EACC ribeye steak dinner – weather permitting. She noted that the mobile DMV unit had to reschedule due to technical issues with the equipment.

CHIEF OF POLICE'S REPORT

Chief Hammer read his report that was included in the packet. He had no additional business.

TOWN MANAGER'S REPORT

Mr. Whitfield reported the following:

1. January 8, 2016 met with a firm regarding the river restoration project / cost of project approximately $300,000 - $400,000. Town unsuccessful in acquiring grants for the project the past two years / only two firms in Virginia can assist with project.
2. Requested funding from Virginia Game and Inland Fisheries for the river restoration project / Town should receive $100,000 for the project – not guaranteed.
3. Materials for the project to cost approximate $100,000 - $150,000. He noted all materials would be donated.

4. January 13, 2016 met with the Office of Drinking Water – Department of Health. Town was awarded a $30,000 small project engineering services grant. Funds from the grant will be used to survey the Town's water system.
5. January 28, 2016 meeting scheduled with Virginia Tech regarding the greenway study.
6. Town ready to proceed with annexation commitments. Projects have been priced out and are awaiting approval.
7. Clean-up taking place at the sewer plant.

TOWN ATTORNEY'S REPORT

Town Attorney Miller reported that Council had been provided a copy of the revised Cemetery Bylaws from his office. He noted that two sections had been added to the document. He noted that one section was a preface as to what happened historically in the deed that originally conveyed the Cemetery to the Town and the authority of the Town to run the Cemetery; the other removed the regulations from the Bylaws and created a second document.

NEW BUSINESS

Motion to Prohibit All Out-of-Town Sewer Connections

This matter was tabled until next month.

Vice Mayor Dean stated that he had been in charge of water and sewer for over twelve years. He noted that he had been to the wastewater treatment plant hundreds of times. He noted that the Town currently had 2,500 promised sewer connections. He was of the opinion, that if the Town continued to approve out-of-town connections, it would become necessary for the Town to spend approximately $6 million for improvements at the plant.

Approve Spending $350 from Economic Development Fund to Advertise in Shenandoah Valley Magazine

Council member Gooden moved, seconded by Vice Mayor Dean, and carried to approve spending $350 from Economic Development Fund to advertise in Shenandoah Valley Magazine.

YEAS: M. Isom, H. Armbruster, J. Jones, J. Dean, J. Gooden and G. Comer

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

COMMITTEES

Finance & Planning Commission (M. Isom)

Council member Isom reported that the Planning Commission met on January 5, 2016. The matter regarding Wendy Hensley was tabled. She noted that Council had received a Budget v. Actual report.

Public Health, Safety, Ordinances, Personnel & Community Center (H. Armbruster)

Council member Armbruster reported no additional business.

Electric & Recreation (J. Jones)

Council member Jones stated that shelter rental reservations begin on February 1, 2016. He noted some vandalism to a concession stand at the park. Brief discussion took place regarding the installation of cameras.

Water & Sewer (J. Dean)

Vice Mayor Dean reported no additional business.

Economic & Community Development (J. Gooden)

Council member Gooden reported no additional business.

Streets and Sidewalks & Cemetery

Council member Comer reported that the Cemetery Bylaws were revised as discussed by the Town Attorney.

UNFINISHED BUSINESS

No unfinished business to report.

MAYOR'S BUSINESS

Mayor Printz stated he was proud of the community and how people were coming together regarding the tragic death of Jerrick Hammer.

Closed Session

Vice Mayor Dean moved to go into closed session under Virginia Code Section 2.2-3711.A.1 of the Code of Virginia, to discuss personnel matters pertaining to a performance of duties. Council member Jones duly seconded the motion.

YEAS: M. Isom, H. Armbruster, J. Jones, J. Dean, J. Gooden and G. Comer

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

There were no additional recordings for this meeting.

Mayor:_____
Wayne E. Printz

Recorder:_____
Denise R. Monger, Clerk