Regular Council Meeting
March 21, 2016
7:00 p.m.

The regular meeting of the Elkton Town Council was held on March 21, 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 (7:06)	Diane Johnson, Recreation Director
Aaron Hammer, Chief of Police	
Troy Shifflett, Public Works Director	
Clairen Sipe, Town Treasurer	
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 Reverend James E. Carricker, II.

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

CITIZEN COMMENTS

Bart McDowell, from Bartlett Tree Experts, spoke regarding the process and care involved with the Town's burr oak tree. He had submitted a contract to the Council for approval.

Mike Breeden, Rockingham County Board of Supervisors, and Jim Lawson gave a slide-show presentation regarding the Blue Ridge Heritage Project. The project plans to build memorials in eight counties where families were displaced by the Shenandoah National Park's formation. Those counties include Rockingham, Augusta and Page. The location of the memorial had not been determined.

MINUTES

Motion to Approve Consent Agenda

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

- 1/11/16 PUBLIC INFORMATION MEETING
- 1/11/16 COUNCIL WORK SESSION
- 1/18/16 REGULAR COUNCIL MEETING
- 2/5/16 EMERGENCY COUNCIL MEETING
- 2/8/16 COUNCIL WORK SESSION

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 Comer moved, seconded by Council member Isom, and carried to approve the Treasurer's Report for the month of February 2016 as presented.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

CHIEF OF POLICE'S REPORT

Chief Hammer read his report as presented in the packet.

TOWN ATTORNEY'S REPORT

Town Attorney Miller reported that the bids for the project at the wastewater treatment plant returned substantially higher. He noted that the original resolution in the public notice allowed the Town to borrow up to $3.1 million; however, the lowest bid the Town received was $3.0 million which would not cover the "soft costs" such as capitalized interest, engineering fees, etc… at a cost of about $559,000. He noted the costs were estimated by the Town's engineers. He noted the total project was now estimated at $3,671,900. He noted that since the Town's resolution was below that amount, the Town would have to re-advertise and adopt another resolution. He noted that the new resolution would allow the Town to borrow up to $3.9 million to allow for any soft costs. He noted the Town would only borrow the actual amount needed for the sewer plant.

Mr. Miller stated that the Mayor had spoken with him regarding the Town's annexation obligations such as water, sewer, street lights and regular service to all of the annexed areas. He prepared a legal memorandum for Council that outlined that process. He noted that the Mayor had also inquired about mandated connection fees which he addressed in a memorandum as well. He noted that additional item inquiries such as emergency purchases, advertising for employment, employee benefits and handling employee issues were addressed in a separate memo to Council.

Mr. Miller stated that in regards to the incident at the Cemetery in which some stones were damaged, no action would be needed by the Town. He noted that the issue was between two private parties.

Mr. Miller stated that Council had been provided a copy of the drug use policy. He would comment on that matter later in the meeting. He noted that the proposed 110-302 ordinance would need to be tabled in order to allow the Planning Commission to make a recommendation on the revisions.

NEW BUSINESS

Approve Memorial Tree in Honor of Jerrick Campbell

Council member Armbruster moved, seconded by Council member Gooden, and carried to approve a memorial tree in honor of Jerrick Campbell.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Adopt Resolution that Flags Purchased by Public Bodies of the United States and the Commonwealth be made in the United States

Vice Mayor Dean moved, seconded by Council member Isom, and carried to adopt the following resolution as presented:

TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA
RESOLUTION

WHEREAS, Virginia Code § 2.2-4323.1 states whenever a state or local public body or school division purchases a flag of the United States or a flag of the Commonwealth for public use, such flag shall be made in the United States from articles, materials, or supplies that are grown, produced, and manufactured in the United States.

WHEREAS, the provisions of this act will become effective on July 1, 2017.

NOW THEREFORE, BE IT RESOLVED, that the Town Council does hereby adopt this resolution in support of Virginia Code § 2.2-4323.1.

GIVEN under my hand this 21st day of March, 2016.

_____
Wayne Printz,
Mayor, Town of Elkton

ATTEST:

_____
Clerk, Town Council

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Adopt Shenandoah River Resolution

Council member Armbruster moved, seconded by Vice Mayor Dean, and carried to adopt the resolution as presented:

TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA
RESOLUTION

WHEREAS, the Town of Elkton, Virginia ("the Town") is required by the Virginia Department of Environmental Quality ("DEQ") to correct an erosion and legacy landfill condition on the banks of the Shenandoah River, "the Project"

WHEREAS, The Virginia Department of Game and Inland Fisheries ("DGIF") has offered financial assistance to the Town for the Project in the form of a grant for $100,000 provided the Town pledges it will fund the remaining cost of the Project, which is currently estimated to be approximately $283,428.

WHEREAS, the Town Council has found it in the best interest of the Town to commit completing the Project in order to accept the grant of $100,000 from the Virginia Department of Bam and Inland Fisheries which will substantially reduce the cost of the required Project to the Town.

NOW THEREFORE, BE IT RESOLVED, that the Town Council does hereby authorize the expenditure of sufficient funds to complete the DEQ required Project and

further directs the Mayor to accept the grant offered by DGIF and negotiate such other contracts as may be required to complete the Project at the least cost and most favorable terms possible to the Town

GIVEN under my hand this 21st day of March, 2016.

_____
Wayne Printz,
Mayor, Town of Elkton

ATTEST:

_____
Clerk, Town Council

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Approve Bartlett Tree Experts Contract

Council member Jones moved, seconded by Council member Gooden, and carried to approve the Bartlett Tree Experts contract as presented.

It was determined that the work to be performed at EACC would not be included in the contract.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Approve Purchase of Portable Theater

Council member Jones moved, seconded by Council member Comer, and carried to approve the purchase of the portable theater and permits.

It was determined that the funds would come from Capital Projects and the amount would be $4,500 including all permits and legal requirements.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Landscaping for the Town Hall

Council member Gooden moved, seconded by Vice Mayor Dean, and carried to approve landscaping for the Town Hall from the capital projects fund for $1,500.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

COMMITTEES

Finance & Planning Commission (M. Isom)

Council member Isom reported that the Planning Commission discussed the pending ordinance. She noted that a Budget Work Session would be held on April 4, 2016. She noted that the Town was trying to be prudent with its money and was in the process of trying to complete the annexation obligations.

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

Council member Armbruster reported that the Town had received a thank you letter from the Rescue Squad. He noted that the Town had provided some assistance for a training seminar they hosted.

Chief Hammer reported that one of the generators received from the military surplus would be donated to the Elkton Volunteer Fire Company. He noted that the other two could not be used due to electrical requirements.

Council member Armbruster briefly discussed a substation for the Sheriff's Department to be located in Town and asked to follow-up on the issue.

Electric & Recreation (J. Jones)

Mayor Printz stated that Council member Jones had accepted the appointment as the Community Center representative. It was noted that Council may need to vote on the appointment.

Council member Jones stated that the extended Saturday hours that the community center was open had been unproductive. He asked Council to change the hours to 7-3. He noted the Easter Egg Hunt would be held at the park on Friday.

Water & Sewer (J. Dean)

Vice Mayor Dean reported no additional business.

Economic & Community Development (J. Gooden)

Council member Gooden reported a contract for land would need to be discussed in closed session.

Streets and Sidewalks & Cemetery

Council member Comer reported on the condition of Lee Avenue. He noted that employment advertisements had been published for mowers. He noted that a person had been hired to work on the Town's flowers.

Troy Shifflett reported that the decking on the caboose needed replacing at a cost of $895.10. Bulk pick-ups were briefly discussed by Council. Mr. Shifflett noted that the concession stand roof needed to be repaired at a cost of $900+. He noted that the reservoir needed to be inspected and patched. He noted that a second chain on the clarifier had been replaced.

UNFINISHED BUSINESS

Ordinance to Amend Chapter 110-302 Terms Defined: Chapter 110-606 Residential District R-5 and Chapter 110-607 High Density Residential District R-6 – Second Reading & Vote

Council member Isom moved, seconded by Vice Mayor Dean, and carried to table the above referenced matter.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Amend Agenda

Council member Armbruster moved, seconded by Vice Mayor Dean, and carried to amend the agenda with the following items:

1. **Drug Policy**
2. **Planning/Design Grant**
3. **Caboose Decking**
4. **Bulk Pick-ups**
5. **Concession Stand Roof Repair**

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve Personnel Policy Addition 3.9 Drug Policy

Moved to the end of the meeting.

Adopt Resolution for Planning/Design Grant with Virginia Department of Health

Council member Isom moved, seconded by Council member Armbruster, and adopt the following resolution as presented:

IN THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA
RESOLUTION

WHEREAS, the Town of Elkton wishes to make Application for Planning/Design Grants with the Virginia Department of Health;

WHEREAS, the Town Council of the Town of Elkton has found it in the best interest of the Town to submit the Application for Planning/Design to the Virginia Department of Health Office of Drinking Water, Division of Capacity Development;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Elkton, Virginia hereby approves and authorizes the Town to submit the Application for Planning/Design to the Virginia Department of Health Office of Drinking Water, Division of Capacity Development and authorize the Town staff to prepare and submit such documentation and information required for a successful application.

GIVEN under my hand this 21st day of March, 2016.

_____
Wayne E. Printz,
Mayor, Town of Elkton

ATTEST:

_____
Denise Monger, Clerk of Council

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Approve Costs for Caboose Decking

Council member Isom moved, seconded by Council member Gooden, and carried to approve $895.10 to provide materials for the decking on the caboose.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve Charges for Bulk Pick-ups

A discussion took place regarding charging for spring and/or fall bulk pick-ups and a DEQ mandate that does not allow the Town to pick-up brush, leaves, etc…

Council member Isom moved, seconded by Council member Armbruster, and carried to continue free bulk pick-ups in the spring.

Council member Isom rescinded her motion and Council member Armbruster rescinded his second. A new motion was presented as follows:

Council member Isom moved, seconded by Council member Armbruster, and carried that the Town Council approve a spring clean-up for free.

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

NAYS: None

ABSTAIN: J. Dean

VOTE: (5 – 0 – 1 w/ an absention) Motion carried

Motion to Approve Concession Stand Roof Repair

Council member Isom moved, seconded by Council member Jones, and carried to approve $980.55 for the materials for the concession stand.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

MAYOR'S BUSINESS

Mayor Printz thanked everyone for their hard work. He noted that Sherry Jones had catered the Council retreat and thanked her. He noted that the Town was moving forward. He noted that Allison Morris was doing good work as the Town's grant writer.

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 performance and under 2.2-3711.A.3 for acquisition and distribution of real property. Council member Isom 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

Open Session

Vice Mayor Dean 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. Duly seconded by Council member Armbruster.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve Personnel Policy Addition 3.9 Drug Policy

Council member Armbruster moved, seconded by Vie Mayor Dean, and carried to approve the drug policy as presented:

§ 3.9 **Drug Free Workplace/Substance Abuse.** The Town of Elkton is committed to providing its employees with a safe and substance free workplace. You are expected to be in suitable mental and physical condition while at work, allowing you to perform your job effectively and safely.

Whenever use or abuse of any substance (such as alcohol or other drugs) interferes with a safe workplace, appropriate action must be taken. The Town of Elkton has no desire to intrude into its employees personal lives. However, both on-the-job and off-the-job involvement with any drugs or alcohol can have an impact on our workplace and on the Town of Elkton's ability to achieve its objectives of safety and security. Therefore, you are expected to report to the workplace with no illegal drugs or alcohol in your body. The possession, sale or use of illegal drugs, or coming to work under the influence of illegal drugs or alcohol, shall be a violation of safe work practices and will be subject to disciplinary action, including dismissal.

Employees will be subject to random substance abuse testing, as well as reasonable suspicion testing, accident related testing, routine fitness-for-duty testing, and testing following an employee's completion of a substance abuse rehabilitation program. Refusal of an employee to submit to a drug or alcohol test constitutes grounds for termination.

The Director of Public Works will have the responsibility to determine if an employee (s) is subject to testing.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Purchase iPads

Council member Comer discussed the Town purchasing ten (10) iPads. He noted the cost would be $39 per month per iPad for unlimited data. He noted that Verizon would be the provider. He noted the cost would be $390 per month and $2,000 for the iPads paid by the Town. He was of the opinion that the iPads were more practical. He noted that they were wi-fi plus cellular. He noted that iPads could be provided to the public works director and town manager.

Discussion as to where funds would come from for the purchases.

Motion to Amend Agenda

Council member Armbruster moved, seconded by Vice Mayor Dean, and carried to amend the agenda to include purchasing the computers with the wi-fi and cellular base.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Council member Comer moved, seconded by Vice Mayor Dean, and carried to purchase ten (10) iPad minis 199 version with the unlimited plan for $39.00 per month through Verizon wireless.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

No additional business was discussed, the meeting was adjourned.

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk