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

The regular meeting of the Elkton Town Council was held on April 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 (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 Mayor Printz.

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

BLUE RIDGE HERITAGE PROJECT

Jim Lawson spoke regarding the Blue Ridge Heritage Project. He noted that Elkton was a good location for the 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. He noted that Stonewall Memorial Park in the Town of Elkton was a good location for a memorial.

CITIZEN COMMENTS

Jan Hensley, Ashby Avenue, Elkton, Virginia, noted recurring issues with uncontrolled dogs. She inquired as to the progress made revising the Town's current dog ordinance.

A brief discussion took place regarding if the Town should substantially increase the fines for any violations of the dog ordinance. Town Attorney Miller stated that the Town could ask legislators to increase the fine amount which would assist localities in dealing with continuing dog issues.

Randell Snow, 212 Clover Lane, Elkton, stated that the Town needed to address the owners of the dogs. He questioned if the dogs could be declared a nuisance under the Town's ordinance allowing for an increased fine.

MINUTES

Motion to Approve Consent Agenda

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

- 2/29/16 JOINT PUBLIC HEARING
- 2/29/16 PUBLIC HEARING
- 2/29/16 REGULAR COUNCIL MEETING
- 3/14/16 COUNCIL WORK SESSION
- 3/21/16 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 March 2016 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

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 publication for the public hearing on the bond resolution would be published on May 2 and May 9. He noted that his office was awaiting a commitment letter regarding the loan. He noted that the Town would be required to create a reserve fund. He noted that the public hearing was scheduled for May 16, 2016.

NEW BUSINESS

Blue Ridge Heritage Project

Vice Mayor Dean moved, seconded by Council member Gooden, and carried that Council move forward with the Blue Ridge Heritage Project at Stonewall Park.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Approve Summer Sewer Rates

Vice Mayor Dean moved, seconded by Council member Armbruster, and carried to approve summer sewer rates for the months of May, June, July, August based on Aprils usage – residential only.

It was noted that the sign-up sheet was in the Treasurer's office.

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 Support Basketball Court Project as Presented in Memory of Ben Graessle

Council member Gooden moved, seconded by Vice Mayor Dean, and carried to approve support for the basketball court project as presented at the Council Work Session in memory of Ben Graessle contingent upon a letter for the donor's bank stating that funds were available to move forward.

It was noted that the Recreation Commission also supported the project.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Resolution to Revise Personnel Manual – Employment Advertising

Council member Armbruster moved, seconded by Council member Comer, and carried to approve the resolution to revise the personnel manual regarding employment advertising as presented:

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

WHEREAS, the Town Council of the Town of Elkton has found it in the best interest of the Town to modify the Town's Personnel Manual, Policy 2.0, Vacancies and Advertisements, Section A. Recruitment to simplify their hiring procedures and Policy 3.0 Position Interview and Selection to correct an inconsistency.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Elkton, Virginia, hereby modifies the Town's Personnel Manual, Policy 2.0, Vacancies and Advertisements, Section A. Recruitment and Policy 3.0 Position Interview and Selection to read as follows:

1. **"POLICY 2.0 VACANCIES AND ADVERTISEMENTS.**

   A. **RECRUITMENT.**

   All approved vacancies shall be advertised to promote fair and equal opportunity practices within the Town of Elkton. The Town Manager's office shall publicize vacancies, encourage qualified Town employees to apply for vacant positions and seek new applicants.

   Vacancies shall be advertised for a minimum of one week. In addition, each vacancy with job description shall be posted on the Town Office bulletin board for public viewing.

   If a position has been previously advertised, but no applicant was chosen due to the belief that no applicant was qualified or the responsibilities of the position have changed, the vacancy may be re-advertised.

   All qualified internal employees may apply for a position if the employee has successfully completed a probationary period of six months of employment with the Town.

   All advertisements shall be consistent in nature outlining the position, starting salary range, description of duties, qualifications/education

required, date for submission of application, and EOE/AA designation. The Town shall have the discretion to also consider applications received after the date designated in the advertisement. Sample advertisements are included with this policy to be used as general guidelines."

2. **POLICY 3.0 POSITION INTERVIEWS AND SELECTIONS**

   The seventh paragraph is hereby modified to read as follows: "Once the vacancy is filled, all applications pertaining to that position shall be retained for a period of 90 days by the Town Manager's office. After the 90-day period, the applications may be destroyed."

3. Except as modified herein, all other provisions of the Town of Elkton's Personnel Manual shall remain in full force and effect.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Purchase Skid Loader

Vice Mayor Dean moved, seconded by Council member Armbruster, and carried to confirm the purchase of the skid loader.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Appoint Jeffrey Jones as EACC Council Representative

Council member Armbruster moved, seconded by Council member Isom, and carried to appoint Jeffrey Jones as the EACC Council representative.

Council member Jones noted that Mark Pederson had been hired as the new EACC Director.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Adopt Resolution to Support Friends of the East Rockingham Community, Inc.

Council member Armbruster moved, seconded by Vice Mayor Dean, and carried to adopt the resolution to support the Friends of the East Rockingham Community, Inc. as presented:

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

WHEREAS, the Town of Elkton recognizes that the Friends of East Rockingham County Communities, Inc. ("FERCC"), is a 501(c)(3) organization dedicated to improving the quality of life for residents of East Rockingham County, including the Town of Elkton

and its citizens, through the pursuit of grants and tax deductible donations from public and private organizations; and

WHEREAS, FERCC was developed to raise funds to provide enhanced programs and services to members of the East Rockingham County community; and

WHEREAS, members of FERCC have taken a leadership role in coordinating efforts to solicit input from members of the community by way of a public survey, identifying areas that would serve to improve the quality of life for residents; and

WHEREAS, a vast number of residents expressed a strong desire to expand programs that support the health, safety, education, and well-being of its members; and

WHEREAS, FERCC, being a non-profit, 501(c)(3) organization, can work in partnership with the Town of Elkton on large-scale cooperative expansion projects, development of facilities owned by the Town of Elkton, including the Elkton Area Community Center, and development of real property owned by the Town of Elkton that serves to benefit the members of the community through enhanced recreational activities, support and protection of endangered or threatened native agriculture species and marine animals indigenous to the area.

NOW THEREFORE, BE IT RESOLVED that the Town of Elkton supports FERCC's endeavors to raise funds to enhance programs and services that would benefit the health, safety, education and wellbeing of members of the community; recognizes the community's input through survey responses as a valuable tool towards supporting the overall mission of FERCC; gives priority to expanding the scope of the Town's current limitations of recreational use and programs that support the best interest of the members of the community; and grants continued support in a collaborative effort with FERCC's mission to raise funds to undertake these initiatives.

GIVEN under my hand this 18th day of April, 2016.

Donna Kinsey, Publicity Chair for the FERCC, read a correspondence from Richard J. Lorette, President of FERCC (attached as appendix A).

Mayor Printz did not call for the vote. The vote was called for after the Finance and Planning Commission reports were given.

COMMITTEES

Finance & Planning Commission (M. Isom)

Council member Isom reported that the budget was being reviewed. She noted that the Town would need to watch spending.

Mayor Printz called for the vote on the FERCC motion.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Vice Mayor Dean inquired if the lots at Quail Run which were rezoned to business should be rezoned back to residential. Town Attorney Miller suggested that the Town wait since the property was in foreclosure. He noted that the Town had a $20,000 lien on the property.

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

Council member Armbruster reported no additional business. He noted a closed session would be needed for personnel issues and real estate.

Electric & Recreation (J. Jones)

Council member Jones stated there was a gymnastics program on Sunday from 2:00 p.m. – 5:00 p.m. open to the public. He noted that Mark Pederson would be working with Allison Morris regarding issues at EACC.

Water & Sewer (J. Dean)

Vice Mayor Dean reported no additional business.

Economic & Community Development (J. Gooden)

Council member Gooden reported that the East Rockingham Business Council meeting was tomorrow. He noted that EDRC recognized their 50th business appreciation award. He thanked Council for their support on the basketball project for Ben Graeslle.

Streets and Sidewalks & Cemetery

Council member Comer reported that the bridge work was completed. He noted that the mowers were doing a good job at Elk Run Cemetery. He noted that Charlotte Shifflett does a tremendous job. He noted that the Town's website actually listed all interments at the Cemetery. He noted that the Cemetery Bylaws were being finalized.

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 Council member Comer, and carried adopt the 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.

Town Attorney Miller noted that the Town was fortunate to have Dan Talbot as the Chair of the Planning Commission. Mr. Talbot was in attendance. He noted that the public hearing for the above ordinance was held and some concerns were raised by certain citizens in attendance. He noted that housing issues were very heavily regulated at a state level. He noted that the Town had to stay in compliance with those regulations. He noted that the commission tried to be very fair and open with the ordinance.

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

NAYS: H. Armbruster

VOTE: (5 – 1 roll call) Motion carried

MAYOR'S BUSINESS

Mayor Printz stated the Town lost a wonderful citizen by the name of Ora Mae Shifflett. He was proud the way the community comes together.

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, discipline (inaudible) and

under 2.2-3711.A.3 under acquisition and distribution of real property for potential sale of real estate. Council member Armbruster duly seconded the motion.

Troy Shifflett was asked to attend the closed session.

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

NAYS: None

VOTE: (6 – 0 voice vote) 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

Sewer Back-up Reimbursement for Stephanie Signorino

A lengthy discussion took place regarding a sewer back-up at 118 Lucas Lane, Elkton. Invoice for repairs/clean-up costs were $450.00; work performed by Domenick J. Signorino. Mayor Printz noted that the claim was submitted to the Town's insurance but was denied. No back flow was preventer installed at the residence.

Discussion regarding the Town publicizing that it would no longer pay for any sewer backups due to the lack of a back flow preventer at the residence. Town had paid for two or three claims. Mayor Printz and Council member Armbruster to create a back flow prevention policy.

Council member Armbruster moved, seconded by Vice Mayor Dean, and carried to pay the claim.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

No additional business was discussed, the meeting was adjourned.

Mayor: _____
Wayne E. Printz

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

April 18, 2016
161 Magnolia Court
Massanutten, VA 22840

Mr. Wayne Printz
Mayor, Town of Elkton
Elkton, Va. 22827

Dear Mayor Printz,

While tonight marks the most significant event in our 3 ½ year history - since we were grant tax-exemption by the IRS in 2013 -- I regret I am unable to attend this meeting.

I have read the Town Council Resolution and can't think of a single addition that would provide more conclusive evidence of the town's desire to be a full partner in our joint desire to improve the quality of life of Elkton residents as well as members of East Rockingham County.

We shall be working closely with the Council as we seek funds initially to provide Showers and Locker Rooms as well as a Concessions Area in the Community Center. Our understanding is that recent changes in programs offered by EACC have made adequate space available for both projects. Should this space availability change, we'd appreciate being notified as soon as possible, because we have already completed one grant request promising the space is available. A second similar request will be completed tomorrow. Since the EACC is town property, we'll need your approval before submitting either request.

When events suggest advising the Council, or when you feel it is required, we'd like to have a minute or two to update the Council when it meets regularly.

Finally, your resolution provides a major component to our grant requests, because we now have written proof that the Town of Elkton, as a political entity in the county, is "watching our back."

Richard J. Lorette, President
Board of Directors, FERCC