Regular Council Meeting
June 20, 2016
7:00 p.m.

The regular meeting of the Elkton Town Council was held on June 20, 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
Wayne Printz, Mayor
Jay Dean, Vice Mayor
Margaretta Isom, Council Member
Harry Armbruster, Council Member
Jeffrey Jones, Council Member
Joshua Gooden, Council Member

ABSENT
Gerry Comer, Council Member

PRESENT
Nathan Miller, Town Attorney
Aaron Hammer, Chief of Police
Troy Shifflett, Public Works Director
Donna Gooden, Deputy Town Treasurer
Mark Pederson, EACC Director
Diane Johnson, Recreation Director
Denise Monger, Clerk of Council

ABSENT

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.

CITIZEN COMMENTS

Mildred Shifflett, 112 West Spotswood Avenue, Elkton, spoke in opposition to increasing the Town's water and sewer user rates. She noted that many people were struggling financially and the increase would be an extra burden.

Haze Crider, Elkwood, Elkton, spoke in opposition to increasing the proposed water and sewer user rates. She noted the action by Council was asinine. She noted that it was poor timing to increase rates since people use more water this time of year due to outdoor activities. She noted that were many families in need and asked Council to table the matter.

MINUTES

Motion to Approve Consent Agenda

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

- 4/4/16 SPECIAL COUNCIL MEETING (BUDGET WORK SESSION)
- 4/6/16 SPECIAL COUNCIL MEETING (CLOSED SESSION – INTERVIEWS)
- 4/11/16 COUNCIL WORK SESSION
- 4/18/16 REGULAR COUNCIL MEETING
- 4/21/16 SPECIAL COUNCIL MEETING (BUDGET WORK SESSION)
- 5/9/16 COUNCIL WORK SESSION
- 5/16/16 PUBLIC HEARING (BOND RESOLUTION)
- 5/16/16 REGULAR COUNCIL MEETING

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

NAYS: None

VOTE: (5 – 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 May 2016 as presented.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

COMMUNITY CENTER DIRECTOR'S REPORT

Director Pedersen reported that a second Family Fun Night date and movie had been chosen. He contacted the Virginia Department of Game and Inland Fisheries and scheduled a date for a boating safety course in late July. He noted that he was reviewing firearms and/or hunting classes being made available. He noted that two companies had been contacted regarding custodian services for the center.

CHIEF OF POLICE'S REPORT

Chief Hammer read his report as presented in the packet. He noted that the department had received several speeding complaints. He noted that at the Elkton Family Fun Night and Myers Ford Car Show, the police department provided fingerprinting identification for children. He noted that the Elkton Field Day parade would be lining up at 10:00 a.m. on July 9 which would include some road closings.

TOWN ATTORNEY'S REPORT

Town Attorney Miller reported that the state required the Town have a procedure when water lines were put in that backflow valves be installed to prevent water from running back into the system from some other source. He noted that the plant operator was an employee with the Town of Dayton and had been working with Troy on the matter. He noted that the procedure would need to be adopted by Council which would amend the code.

Town Attorney Miller stated that his office was working on a plan for connections to the new water and sewer lines in the annexed areas for people not in a financial position to pay the connection fees. He noted that in his review, there are two code sections referencing sewer. He noted that his office would be consolidating the sections into one section.

Town Attorney Miller reviewed the loan process which allowed the Town to borrow up to $3.9 million for improvements at the wastewater treatment plant.

NEW BUSINESS

Amend Chapter 53 (Animals) of the Code of the Town of Elkton Section 53-13 Increase Civil Penalty to $150 – First Reading

Council member Armbruster moved on a First Reading as follows:

AN ORDINANCE TO AMEND CHAPTER 53 (ANIMALS) OF THE CODE OF THE TOWN OF ELKTON TO INCREASE PENALTIES FOR VIOLATION OF CHAPTER

WHEREAS, the Town of Elkton previously enacted Chapter 53 Animals; and

WHEREAS, the Town desires to modify its Code to increase the penalties for violation of this Chapter.

BE IT ORDAINED, by the Town Council of Elkton, Virginia, that Chapter 53 (Animals), Section 53-13 (Penalties) of the Code of the Town of Elkton is hereby amended as follows:

"**Section 53-13. Penalties.**

A. A person shall be assessed a civil penalty of $150 for violating any provisions of Sections 53-11 and 53-12 of this Chapter. Each separate occurrence of a violation of this Chapter shall be considered a separate offense and subject to a separate civil penalty.

B. If an animal control officer or law enforcement officer determines that a civil penalty violation of this Chapter has occurred, he shall issue and serve, or cause to be served, a notice of violation on any and all persons committing the violation. The notice shall provide that the person served may elect to make an appearance, either in person or in writing by mail, before the Treasurer of the Town, and admit liability for or plead no contest to the violation and pay the civil penalty established for the violation, all within the time period set forth in the notice. If a person so notified does not elect to admit liability or to plead no contest, the violation shall be tried in the Rockingham County General District Court upon a warrant in debt or motion for judgment, with the same right of appeal as provided in civil actions at law. A finding or admission of liability or a plea of no contest shall not be deemed a criminal conviction for any purpose."

Except as modified herein, Chapter 53 of the Code of the Town of Elkton remains in full force and effect. This modification to the ordinance shall be effective immediately upon its adoption.

ADOPTED by the Town Council of the Town of Elkton this ___ day of June, 2016.

Approve Recommendation by the Elkton Planning Commission for a Boundary Line Adjustment to Tax Map Nos. 130G-2-L 25, 26, and 27 in Downey Knowles Subdivision

Council member Isom moved, seconded by Vice Mayor Dean, and carried to approve the recommendation of the Elkton Planning Commission for a boundary line adjustment for Tax Map Nos. 130G-2-L 25, 26, and 27 in Downey Knolls Subdivision as presented at the Council Work Session.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Town Attorney Miller clarified that the above-mentioned boundary line adjustment was a lot boundary line adjustment and not a boundary line adjustment with the County.

Approve Candy Purchase for $400

Council member Isom moved, seconded by Vice Mayor Dean, and carried to approve the purchase of candy for up to $400.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

COMMITTEES

Finance & Planning Commission (M. Isom)

Council member Isom reported that the Planning Commission met on June 7, 2016. She noted that a pylon sign would be erected at the Shen-Elk Plaza. She noted that some additional information had been requested regarding the sign by the commission. She commended Mayor Printz for the hard work and effort in securing the best interest rate and loan for the wastewater treatment plant by traveling to Richmond and meeting with the VRA representatives.

Council member Armbruster stated that the policy to increase the water, sewer and trash fees were enacted by a previous Mayor and Council. He noted that the small cost of living increases were an effort to avoid high increases which had been required in the past.

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

Council member Armbruster reported no additional business.

Electric, Recreation & Community Center (J. Jones)

Council member Jones reported no additional business.

Water & Sewer (J. Dean)

Vice Mayor Dean reported that the clarifier construction would begin shortly. He thanked the Mayor, Town Attorney and all that attended the meeting in Richmond.

Economic & Community Development (J. Gooden)

Council member Gooden reported that the East Rockingham Business Council would be meeting tomorrow.

Streets and Sidewalks & Cemetery

Council member Comer was absent from the meeting.

Troy Shifflett reported that Mid-Eastern Builders would be on-site July 11, 2016. He noted that the area would be a "hard hat area" which would require a hard hat, safety vest, safety shoes and glasses to be worn at all times. He noted that three engineering firms were providing quotes on the water and sewer to be installed down to Countryside Market. He noted that the previous engineering firm would update their reports for Newtown Road. He noted that a bid request was published for paving and concrete work which would be awarded on July 5, 2016. He noted that the box/broom had been purchased.

UNFINISHED BUSINESS

Increase Water & Sewer User Rates – Second Reading & Vote

Vice Mayor Dean moved, seconded by Council member Armbruster, and carried to increase the water and sewer user rates as follows:

SECOND READING
TO INCREASE WATER AND SEWER USER RATES

June 20, 2016

WHEREAS, the Elkton Town Council has proposed a 1.4% increase to the Water and Sewer User Rates pursuant to Virginia Code Sections 15.2-2111 & 2119; and

WHEREAS, the Elkton Town Code, Chapter 170, WATER AND SEWERS, Article IV, Charges §170-41 states that monthly charges for water and sewer furnished and supplied by the Town of Elkton shall be determined by the Town Council; and

NOW THEREFORE the Elkton Town Council shall increase the Water and Sewer User Rates to become effective July 1, 2016 as follows:

SEWER RATES:

	Residential		Commercial		Industrial	
Date	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons
Current	22.19	6.67	22.19	6.94	22.19	7.50
After proposed 1.4% increase July 1, 2016	22.50	6.76	22.50	7.04	22.50	7.61

WATER RATES:

	Residential		Commercial		Industrial	
Date	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons
Current	10.27	3.34	10.27	3.34	10.27	3.34
After proposed 1.4% increase July 1, 2016	10.41	3.39	10.41	3.39	10.41	3.39

ADOPTED AND APPROVED this _____ day of _____, 2016 with the increases to become effective July 1, 2016.

_____
Wayne E. Printz
Mayor, Town of Elkton

Atteste:

_____
Denise R. Monger
Clerk of the Council

YEAS: M. Isom, H. Armbruster, J. Jones, J. Dean and J. Gooden
NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Approve Ordinance Proposing 2016/2017 Fiscal Year Budget and Appropriation of Funds for Public Purposes – Second Reading & Vote

Council member Isom moved, seconded by Council member Armbruster, and carried to adopt the ordinance proposing the 2016/2017 fiscal year budget and appropriation of funds for public purposes as follows:

AN ORDINANCE PROPOSING A BUDGET FOR THE TOWN OF ELKTON, VIRGINIA FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017, APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SAID FISCAL YEAR; AND CONTINUING IN EFFECT ALL ORDINANCES OF THE TOWN OF ELKTON, VIRGINIA RELATING TO TAXES, LICENSES, FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND ALL ORDINANCES RELATING TO THE TIME OF PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN SPECIFICALLY MODIFIED

(Second Reading June 20, 2016)

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

SECTION 1. That the following budget for the Town of Elkton, Virginia for the fiscal year beginning July 1, 2016 and ending June 30, 2017 is hereby proposed and recommended for adoption:

SECTION 2. Public revenues of the Town of Elkton, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2016 and ending June 30, 2017 as set forth in the appropriate Section of said budget.

SECTION 3. There will be a 1.4% increase to the water and sewer user rates with the new rates as follows:

SEWER RATES:

Date	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons
Current	22.19	6.67	22.19	6.94	22.19	7.50
After proposed 1.4% increase July 1, 2016	22.50	6.76	22.50	7.04	22.50	7.61

WATER RATES:

Date	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons	First 2000 gallons	Additional 1000 gallons
Current	10.27	3.34	10.27	3.34	10.27	3.34
After proposed 1.4% increase July 1, 2016	10.41	3.39	10.41	3.39	10.41	3.39

These rates shall continue until modified by action of the Town Council of the Town of Elkton, Virginia.

SECTION 4. There will be no increase to the retail electric user rates. The rates shall continue until modified by action of the Town Council of the Town of Elkton, Virginia.

SECTION 5. There will be no increase to the tax rate for all real estate, including real estate owned by public service corporations, subject to tax for the fiscal year beginning July 1, 2016. Such rate is fixed at $0.085 per $100.00 of assessed value of such property per year. These rates shall continue until modified by action of the Town Council of the Town of Elkton, Virginia.

SECTION 6. There will be no increase to the tax rate for all personal property subject to tax for the fiscal year beginning July 1, 2016. Such rate is fixed at $0.46 per $100.00 of assessed value per year. These rates shall continue until modified by action of the Town Council of the Town of Elkton, Virginia.

SECTION 7. There will be no increase to the trash collection fee which will remain at $12.89/month for the fiscal year beginning July 1, 2016. This rate shall continue until modified by action of the Town Council of the Town of Elkton, Virginia.

SECTION 8. The Fund Budgets in Section 1 as included in the general budget are hereby adopted and made the official budget document of the Town of Elkton. It is expressly provided that the restrictions with respect to the expenditure of the moneys appropriated shall apply only to the lump sum amounts for the classes of expenditures, of Funds, which have been included in this ordinance.

SECTION 9. Any ordinance in conflict with this ordinance is hereby repealed to the extent that such conflict exists. However, all ordinances not in conflict with this ordinance shall continue in effect, specifically; all ordinances of the Town of Elkton, Virginia relating to taxes, licenses, fees, service charges, costs and other collection thereof shall continue in effect except as herein specifically modified.

SECTION 10. If any part of this ordinance is found to be invalid by competent authority, the remaining portions of the ordinance shall continue in effect.

ADOPTED AND APPROVED this _____ day of _____, 2016

_____
Wayne E. Printz, Mayor

ATTEST:

_____
Denise R. Monger, Clerk of Council

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Vice Mayor Dean moved, seconded by Council member Armbruster, and carried to amend his previous motion to include the start date of July 1, 2016 for the water and sewer user fee rate increases.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

MAYOR'S BUSINESS

Mayor Printz reported that the Town would eventually hire a Town Manage or Town Superintendent. He noted they were trying to correct some issues in the Town Code before accepting applications from candidates. He thanked everyone for their hard work and efforts in moving the Town forward.

No additional business was discussed, the meeting was adjourned.

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk