REGULAR MEETING
December 12, 1969

The regular meeting of the Elkton Town Council was held December 12, 1969 at 8:00 P.M. in the council chambers with the Mayor, Welty H. Hensley presiding. The following councils members were present: Mr. I. L. Flory III, Mr. E. F. Garber, Mr. Rodney G. Harman, Mr. E. O. Karow, Mr. Alan R. Thompson and Mr. Harold A. Workman. Mr. David C. Liskey, Town Superintendent was present. Mr. Marvin C. Hillsman, Jr., Town Attorney and Mr. Lyle E. Williams, Chief of Police were absent. The following visitors were present: Mr. and Mrs. Berkley Brooks, Mr. and Mrs. Douglas Cochran, Mr. Fred Davis, Mr. Lonnie Hale , Mr. Mike Hammel, Mr. Randall Holland, Mrs. Eldridge Jenkins, Mr. Robert Saums, Mr. Norris Shifflett, Mr. Lewis Workman and Mr. Phillip Workman.

Mr. E. O. Karow moved, seconded by Mr. I. L. Flory III and carried to approve the minutes of the regular meeting November 14, 1969.

Mr. E. F. Garber moved, seconded by Mr. H. A. Workman and carried to approve the Finance Report.

Mr. Liskey reported that the Jr. O.U.A.M. is putting electric heat in their new lodge hall and it will be necessary for the town to extend their primary from Route 340 down Shenandoah Avenue approximately 500 feet.

Mr. Workman reported that he would be attending the State Corporation Commission meeting December 15 and the Virginia Municipal Electric Power Association meeting December 16 in Richmond.

Mayor Hensley reported that Tuesday a man would be in our area for us to take a look at a used bucket truck. Mr. Liskey reported that our ladder truck is in bad shape.

Mr. Workman reported that he is working on drawing up the agreement between the Town and the Jr. O.U.A.M. on electricity on their field.

Mr. Flory reported that the pumping station is ready to put into operation but will not do so until the State gives their ok.

Mr. R. G. Harman moved, seconded by Mr. H. A. Workman and carried to approve the First Reading to adopt the By-Laws for the newly formed Elkton Community Parks and Recreation Commission.

BY-LAWS
ELKTON COMMUNITY
PARKS AND RECREATION COMMISSION

ARTICLE 1 - OBJECTIVES

A. This commission has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of the Code of Virginia to include towns.

B. The official title of this commission shall be the "Elkton Community Parks and Recreation Commission".

ARTICLE 2 - MEMBERS

A. The commission shall consist of 7 members, 5 appointed members, 1 representative of the Rockingham County Recreation Commission and 1 representative of the Elkton Town Council. Said members shall serve without pay. Two members appointed by the town to serve for a period of two years and the R.C.R.C. shall appoint 3 members to serve for a period of 1 year.

B. Their successors shall be appointed for terms of two (2) years. Any vacancy in membership shall be filled by appointment by the Town Council and R.C.R.C. It shall be for an unexpired term only. Any appointed member may be removed by the commission for inefficiency, neglect of duty or malfeasance in office.

ARTICLE 3 - OFFICERS AND THEIR SELECTION

A. The officers of the recreation commission shall consist of a chairman, a vice chairman and a secretary-treasurer.

B. Nomination of officers shall be made from the floor at the regular September meeting in even years only. Election of officers shall follow immediately.

C. A candidate receiving a majority vote of the entire membership of the commission shall be declared elected. He shall take office immediately and serve for two (2) years or until his successor shall take office.

D. Vacancies in office shall be filled immediately by regular election procedures.

ARTICLE 4 - DUTIES OF OFFICERS

A. The Chairman shall:

1. Preside at all meetings.

2. Appoint committees, special and/or standing.

3. Rule on all procedural questions (subject to a reversal by a three-fifths (3/5) majority vote of the members present).

4. Be informed immediately of any official communication and report same at the next regular meeting.

5. Carry out other duties as assigned by the commission.

B. The Vice Chairman shall:

1. Act in the absence or inability of the chairman to act.

2. Have the powers to function in the same capacity as the chairman in cases of the chairman's inability to act.

C. The Secretary-Treasurer shall:

1. Keep a written record of all business transacted by the commission.

2. Notify all members of all meetings.

3. Keep a file of all official records and reports of the commission.

4. Certify all maps, records and reports of the commission

5. Give notice of all hearings and public meetings.

6. Attend to the correspondence of the commission.

7. Keep a set of minutes and furnish a copy to each member of the commission and one copy to the Town Council and R.C.R.C.

8. Prepare and be responsible for the publishing of advertisements relating to public hearings.

9. Prepare and present a formal report of the action of the commission at the first of each quarter to the Town Council and R.C.R.C.

10. Receive and care for and disburse all funds entrusted to the commission.

11. Be bonded in accordance with standard procedure.

12. Keep an accurate record of all receipts and disbursements and be audited annually.

ARTICLE 5 - MEETINGS

A. Regular meetings of the commission shall be held on the third Wednesday of each month at 7:30 P.M. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the commission. Regular meetings can be changed with 3/5 of the members voting affirmative.

B. Special meetings shall be called at the request of the chairman or at the request of a quorum of the membership. Written notice of meetings shall be given to each member at least five (5) days prior to such meetings. It shall state the time and place of the meeting.

C. All regular meetings, hearings, records and accounts shall be open to the public.

D. A majority of the membership of the commission shall constitute a quorum. The number of votes necessary to transact business shall be a majority of those persons constituting a quorum. Voting may be by roll call, in which case a record will be kept as part of the minutes.

ARTICLE 6 - ORDER OF BUSINESS

A. The order of business for a regular meeting shall be:

1. Call to order by chairman.

2. Roll Call.

3. Determination of a quorum.

4. Reading of minutes.

5. Report of the secretary-treasurer.

6. Report of standing committees.

7. Report of special committees.

8. Unfinished business.

9. New Business.

10. Adjournment.

B. Motions shall be restated by the chairman before a vote is taken. The names of persons making and seconding motions shall be recorded.

C. Parliamentary procedure in commission meetings shall be governed by the adopted rules of order, namely, Robert's Rules of Order.

D. The commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

E. The secretary shall prepare a set of minutes for all regular, and special meetings.

F. The secretary shall sign all minutes, and at the end of the year shall certify that the minutes of the preceding year are a true and correct copy.

ARTICLE 7 - HEARINGS

A. In addition to those required by law, the commission, at its discreation, may hold public hearings when it decides that a hearing will be in the public interest.

B. Notice of a hearing shall be published in a newspaper of general circulation in the area at least ten (10) days before the time of public hearing.

C. The case before the commission shall be summarized by the chairman or other member delegated by the chairman. Interested parties shall have the privilege of the floor. Records or statements shall be recorded or sworn to, as evidence for any court of law, only after notice is given to the interested parties.

D. A record shall be kept of those speaking before the hearing.

ARTICLE 8 - CORRESPONDENCE

A. It shall be the duty of the secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the commission.

B. It shall be the duty of the secretary to communicate by telephone or telegraph when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

C. All official papers and plans involving the authority of the commission shall bear the signature of the chairman or vice chairman together with the certification signed by the secretary and chairman.

ARTICLE 9 - AMENDMENTS

These rules may be changed by a recorded three-fifths (3/5) vote of the entire Commission after thirty (30) days prior notice.

Mr. E. F. Garber moved, seconded by Mr. E. O. Karow and carried to approve the Second Reading to approve borrowing two extra $6000.00 notes for a total of $12,000.00 if needed on the North Avenue Sewer Project.

Mr. E. F. Garber moved, seconded by Mr. I. L. Flory III and carried to present Christmas Bonuses this year as usual. Employees with over six years of service $15.00 and under six years $10.00.

Mr. E. F. Garber moved, seconded by Mr. R. G. Harman and carried to give turkeys to Mr. Hugh T. Frey, Mr. Avis Burke and Mr. George Collier.

Mr. E. F. Garber moved, seconded by Mr. A. R. Thompson and carried to accept the resignation of Mrs. Tappy S. Gooden effective December 24, 1969.

Mr. E. F. Garber moved, seconded by Mr. I. L. Flory and carried to employ Mrs. Betty H. Engle as Assistant Treasurer and Clerk.

Mayor Hensley brought to the councils attention the fact that Governor Godwin had declared the Friday after Christmas as a legal holiday and asked if the town wanted to do the same.

Mr. I. L. Flory III moved, seconded by Mr. H. A. Workman and carried to declare the Friday after Christmas as a legal holiday.

Mr. Liskey announced that trash will be picked up at businesses and residences on Wednesday, December 24th.

Mr. Liskey announced that the State has inspected the streets in town and that the stop signs will have to be changed to meet state specifications that they be reflectorized. This matter was turned over to Mr. Thompson and Mr. Liskey.

There was a discussion in regards to many of the stop signs not being observed.

Mr. Brooks stated that there was some concrete on Lewis and Spotswood and asked that it be removed. Mr. Liskey said he felt it could be knocked off and he would check into this.

A letter was read from Mr. R. P. Mason, Jail Superintendent, Department of Welfare and Institutions in regards to the routine inspection of the town lockup. He noted that the security screens had been installed and that the cleanliness and sanitation were good.

Mayor Hensley reminded the council of the town Christmas Party December 18, 1969.

It was announced that the Planning Commission will have their Public Hearing on the new zoning ordinances December 19, 1969 at 7:30 P.M. and the council was asked to be in attendance. The council will have their Public Hearing on these ordinances on January 9, 1970 if all difficulties are ironed out by the Planning Commission and they have made their final acceptance of the ordinances.

Mayor Hensley reported that the holdup in regards to the franchise for cable T.V. was due to the legality of an exclusive franchise and that Mr. Hillsman is working on this matter.

Mayor Hensley reported on the Rockingham League of Municipalities meeting December 1, 1969 at which time the Harrisonburg Telephone Company had representatives present to discuss their proposed rate increase. The League voted to hire Mr. Donald D. Litten to represent them at the State Corporation Commission Hearing December 15th. and each town agreed to share the expenses. Mayor Hensley stated that the bill would be approximately $1000.00 and that the Board of Supervisors had agreed to pay $500.00 of the bill, the rest to be prorated to the towns.

Mr. H. A. Workman moved, seconded by Mr. R. G. Harman and carried to pay our prorated share of the legal fee for representation before the State Corporation Commission in regards to the proposed rate increase by the Harrisonburg Telephone Company.

Mayor Hensley read a letter from W. J. Osborne, Resident Engineer, Department of Highways in regards to the letter the town had written November 16, 1969 requesting the widening of Route 340 from Route 33 (Business) to Spotswood Avenue. Mr. Osborne stated that he had forwarded the request through proper channels in the Richmond Office for consideration and suggested Mayor Hensley contact him in the early spring and he would find out the date of the Highway Commission Public Hearings so the town could present their request to the Commission at that time as all primary projects have to be authorized by the Commission.

Mayor Hensley reported that he had talked with Frank Evans of the Highway Department in regards to the present Route 33 and that the State plans to keep this and it will be Route 33 Business.

A letter from Mr. Carl A. Schumacher was read which requested the Elkton Town Council adopt a resolution urging the Virginia General Assembly to take action which would repeal the "Sunday Blue Laws" now in effect in this town, county and state and that a copy of this resolution be sent to the proper authorities in the General Assembly. The council's decision was to take this request under advisement.

There was a discussion on the changing of the town code in regards to meeting nights.

Mr. A. R. Thompson moved, seconded by Mr. E. O. Karow and carried that the meeting night of the Elkton Town Council be designated at the regular September meeting of each year and the town council will meet on a regularly monthly scheduled night.

Mr. E. F. Garber moved, seconded by Mr. H. A. Workman and carried to approve the Second Reading to pay Bosserman, Alt, James and Stickley $1235.00 for the audit.

Mr. A. R. Thompson moved, seconded by Mr. I. L. Flory III and carried to approve the Second Reading to pay Painter and Mundy the extra $1000.00 for the street work.

Mr. I. L. Flory III moved, seconded by Mr. H. A. Workman and carried to approve the Second Reading to hire Higgs & Shumate to draw and submit the required plans and specifications for the Virginia Department of Water Resources not to exceed $1150.00.

The matter of the school merger involving Elkton and Montevideo was brought before the council. There was a lengthy discussion which also included the statement in the paper by one of the members of the Rockingham County School Board stating those opposed to the merger were grandfathers, riffraff and those without children. It was felt that the council should take a stand on the merger and also go on record asking for an apology by the School Board member. The council did not feel they should become involved as a council but after much discussion, Mayor Hensley appointed the following study committee as was requested to look into this merger: Mr. E. O. Karow, Chairman, Mr. Alan R. Thompson and Mr. I. L. Flory III.

Mayor Hensley stated he would check into the statement in the paper and see what could be done.

As there was no further business, Mr. E. F. Garber moved, seconded by Mr. E. O. Karow and carried to adjourn.

MAYOR: Welty H. Hensley
Welty H. Hensley, Mayor

RECORDER: Norma R. Leap
Norma R. Leap, Clerk