REGULAR
COUNCIL MEETING
July 10, 1972

The regular meeting of the Elkton Town Council was held July 10, 1972 in the Council Chambers with the Mayor, Edward F. Garber presiding. The following council members were present: Mr. R. E. Davis, Mr. E. O. Karow, Mr. H. A. Leet, Mr. W. H. McGahey, Mr. A. R. Thompson and Mr. H. A. Workman. Mr. Marvin Hillsman, Town Attorney, Mr. Charles Hammer, Chief of Police, Mrs. Norma R. Leap, Clerk and Mr. David Liskey, Town Superintendent were also present.

Mr. A. R. Thompson opened the meeting with prayer.

Mr. E. O. Karow moved, seconded by Mr. H. A. Workman and carried to approve the minutes of the regular meeting June 12, 1972.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet and carried to approve the minutes of the special meeting July 5, 1972.

Mayor Garber explained the guidelines to be followed during the public hearing on the proposed Utility Tax.

Those speaking in opposition to the Utility Tax were Mrs. Anita Lambert, Mrs. Berkley Brooks, Mrs. Margaret LaConia, Mrs. Leroy Hitt and Mrs. Putnam.

Mrs. Lambert stated she felt the council had misled the people in saying that the town was putting the tax on to keep the county from doing so and that she had investigated and found that the county cannot tax the town's electric customers. She also felt the town could find a better means of taxing.

Mr. Workman stated that he did not feel that the council had been misleading. The town needs additional revenue due to VEPCO rate increases and he felt this was the best means to obtain the needed revenue.

Mrs. Ruth Brooks stated that this Utility Tax cannot be deducted from Income Tax but that Real Estate Tax can.

Mr. Karow explained that the town had not sold the electric system years ago when they had an offer but had kept the system to make money to finance the operations of the town.

Mrs. Margaret LaConia ask if the council was considering putting on a garbage collection fee also. The council explained that they had talked about this but had made no decision.

Mr. Leet and Mr. Davis both stated they were under the impression that if the town did not put the utility tax on the electric bills the county could.

Mrs. Putnam stated that she did not know where widows were going to get the money to pay these taxes.

Mr. Fred Davis asked what increase could be expected if they raised the electric rates rather than put on a utility tax. Mr. Workman stated that he would anticipate about a 13% increase.

Mr. H. A. Workman moved, seconded by Mr. E. O. Karow to approve the Second Reading of the Ordinance Levying a Tax on Purchase of Utility Services Fixing the Amount of Tax, Providing for its Collection and prescribing Penalties for the Violation of this Ordinance, a copy of which is in the minutes of the Special Meeting July 5, 1972.

The vote was recorded as follows:

Davis	- nay	McGahey	- yea
Karow	- yea	Thompson	- yea
Leet	- yea	Workman	- yea

Mr. Davis stated that he voted against the motion, not because he was opposed to the tax, but because he felt that there has been some misunderstanding in the fact that if the town did not put on the tax the county could.

Mr. H. A. Workman moved, seconded by Mr. A. R. Thompson and carried to table the proposed T.V.Franchise.

Mr. Leet read the following recommendations proposed by the committee which was appointed at the last Rockingham County League of Municipalities meeting to study the matter of collection of trash and garbage:

1. That the responsibility for collection, if any, of trash and garbage within the corporate limits of a Town will be the responsibility of the town.

2. That the responsibility for disposal of trash and garbage from the corporate limits of the Towns will be that of the County.

3. That County assessments, if any, should be the same for individuals living within the Towns as for those living outside corporate limits.

4. It was further recommended that any taxation levied by the County be made on a per capita basis as necessary to finance the operation of the Land Fill operation.

Mr. H. A. Leet moved, seconded by Mr. R. E. Davis and carried that the council go on record as backing these proposals to be sent back to the League of Municipalities.

Mr. H. A. Leet presented the following amendment to be added to Section 15-121 of the Town Code:

> If for any reason prior to October 14 the licensee is no longer required to license said motor vehicle, a refund of one half the license tax can be obtained by the licensee by proper application to the town treasurer.

Mr. H. A. Workman moved, seconded by Mr. A. R. Thompson and carried to amend Section 15-121 to read as follows:

> Section 15-121. Period for which license tax imposed.
>
> The motor vehicle license tax shall be imposed on each motor vehicle from April fifteenth of each calender year to and including the fourteenth day of April of each succeeding year.
>
> If for any reason prior to October 14 the licensee is no longer required to license said motor vehicle, a refund of one half the license tax can be obtained by the licensee by proper application to the town treasurer. (G. O. 1961, 12-61)

Mr. R. E. Davis reported that the material to repair the bridge on Fourth Street has been received and the work will begin soon. He also reported that his committee will try to have the recommendations for street work ready for the First Reading at the August meeting.

Mr. George Hensley came before the council in regards to the water problem affecting about seven homes in his area which has increased greatly since the new elementary school has been built.

Mr. R. E. Davis was asked to check with the School Board as some felt the School Board had promised to run the excess water over the hill into Memorial Park.

Mrs. Leroy Hitt asked what the council intended to do about the water on Washington Street as her family had been forced to move out for four days during the last hard rain.

Mr. Davis said that the Street Department did not have the $4000.00 which it was estimated it would cost to take care of this problem in the budget, but would try to do something if the money became available.

Mrs. Brooks stated that she felt something should be done about the way water is pumped from some peoples basements and then it runs into other peoples basements.

Mr. A. R. Thompson reported that the Finance Committee is working on the budget.

Mr. Thompson reported that Mr. I. F. Sandridge has applied for a Wholesale Business License rather than a Retail Merchants License. This matter was turned over to Mr. Hillsman to check in to.

Mr. W. H. McGahey moved, seconded by Mr. A. R. Thompson and carried to approve the First Reading to appropriate $600.00 to extend the Sewer Line on Prospect Avenue.

Mr. Liskey reported that he would be on vacation next week.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to hire Charles Hammer as Chief of Police at a salary of $7,200.00 on three month's probation, at which time the police committee shall recommend him for a permanent position at such salary as it specifies.

The request by Mr. Ben Snyder to be given some relief to the problem he is having getting out from behind his place of business was turned over to Chief Hammer to check and have recommendations for the next meeting.

The following bids were received on the 1970 Plymouth Fury:

Jerry L. Simmons	$1,010.10
Floyd Garrison	$1,005.00

Mr. W. H. McGahey moved, seconded by Mr. E. O. Karow and carried to accept the high bid of $1,010.10 by Mr. Jerry L. Simmons for the 1970 Plymouth Fury.

The council agreed to extend Mr. Ray Morris's permit to have a trailer in town for one month.

Mayor Garber reported that he had written letters to our representatives in the House and Senate in regards to their introducing a bill at the 1973 Session of the General Assembly to increase mileage pay by the Virginia Department of Highways for maintenance allowances from $1100 to $1500 in those towns of less than 3500 population and had received a letter from Senator George F. Barnes saying he would be happy to introduce the bill. Senator Aldhizer said he will co-sponsor the bill.

Mayor Garber read a letter from Mr. C. A. Gearhart, Industrial Representative of the Norfolk and Western Railway Company in reference to the ground lease covering the 0.16 acre parcel of Railway right of way on Terrace Avenue which is being used by the general public for parking and as a throughfare between Spotswood Trail and the lane south of Noel Frazier's Hotel. He wanted to know if the town plans to accept the lease agreement.

Mr. W. H. McGahey moved, seconded by Mr. R. E. Davis and carried to lease the 0.16 acre parcel of Railway right of way on Terrace Avenue from the Norfolk and Western Railway Company at a cost of $120.00 per year.

Mayor Garber reported that Mr. Osbourne had been down and they had looked over the water problem at the intersection of Route 33 and 340 and along the creek. Mr. Osbourne suggested that widening the creek at spots might correct the situation but that he will send his engineers to make a further study. He also took a look at the two blocks between Spotswood Avenue and the Intersection of 33 and 340 which the town had requested the state widen. He admitted there was a problem and should be studied.

Mayor Garber reported that the next meeting of the Rockingham League of Municipalities would be August 9th. at Bridgewater.

The council discussed some of the questions submitted by the Concerned Citizens Group with those present.

As there was no further business, the meeting adjourned.

MAYOR: Edward F. Garber
Edward F. Garber, Mayor

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