REGULAR
COUNCIL MEETING
August 14, 1972

The regular meeting of the Elkton Town Council was held August 14, 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, Mr. David C. Liskey, Town Superintendent and Mrs. Betty Engle, Assistant Clerk were also present.

Mayor Garber opened the meeting with prayer.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet and carried to approve the minutes of the regular meeting July 10, 1972.

Mr. A. R. Thompson moved, seconded by Mr. W. H. McGahey and carried to approve the treasurer's report.

Mr. Workman reported on the Rockingham League of Municipalities Meeting held in Bridgewater on August 9, 1972 which he and Mayor Garber attended. The main topic discussed was the garbage problem. There were 22 in attendance from the seven towns represented. It was passed and went on record as requesting a meeting with the Board of Supervisors. The next meeting will be held in Elkton, Wednesday, November 8, 1972.

Mr. Workman also stated that he will meet with the Electric Committee, and they will submit proposed increases to each councilmen.

Mr. and Mrs. Leroy Hitt were present in regards to the water problem at their home. They were told by Mr. Roy Davis that he had a letter that would be of some concern to them that he would read later in the meeting.

Mr. W. H. McGahey moved, seconded by Mr. E. O. Karow and carried to approve the Second Reading to appropriate $600.00 to extend the Sewer Line on Prospect Avenue.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to approve to repeal Section 17-69 of the Town Code to take effect immediately.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and approved to put in an emergency clause to take effect immediately Section 18.1-57.

> 18.1-57. Presumptions from alcoholic content of blood. In any prosecution for a violation of 18.1-54, or any similar ordinance of any county, city or town, the amount of alcohol in the blood of the accused at the time of the alleged offense as indicated by a chemical analysis of the accused's blood in accordance with the provisions of 18.1-55.1, shall give rise to the following presumptions.
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> (1) If there was at that time 0.05 percent or less by weight by volume of alcohol in the accused's blood, it shall be presumed that the accused was not under the influence of alcoholic intoxicants;
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> (2) If there was at that time in excess of 0.05 percent but less than 0.10 percent by weight by volume of alcohol in the accused's blood, such facts shall not give rise to any presumption that the accused was or was not under the influence of alcoholic intoxicants, but such facts may be considered with other competent evidence in determining the guilt or innocence of the accused;
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> (3) If there was at that time 0.10 percent or more by weight by volume of alcohol in the accused's blood, it shall be presumed that the accused was under the influence of alcoholic intoxicants. (Code 1950 (Suppl.), 18-75.3; 1956,c.557; 1960,c. 358; 1964, c. 240; 1966, c. 636; 1972, c. 757.)

Mr. E. O. Karow moved, seconded by Mr. H. A. Leet and carried to hire Cornelius Hart at a yearly salary of $5,200.00 with raises at 3 month intervals upon recommendation of the Police Chief.

Chief Hammer told the council that he had been asked by Mr. Rodney Harman of the 7-11 Store to remain open 24 hours a day. Chief Hammer was told that it was the opinion of the council not to allow this at this time, but Mr. Harman was welcome to come before the council.

The council requested that the trailer used by Mr. Ray Morris be moved immediately, or action be taken.

Mr. Marvin Hillsman stated that the ordinance book should be brought up to date. Since this will require time other than regular office hours, the council agreed to pay Mrs. Leap extra for this time.

Mr. Roy E. Davis read a letter from A. Kenneth Robinson concerning the water problem in town, in which he stated that he is contacting three places on assistance from water damage, and hopes to have a reply by the next meeting.

Mr. Davis stated that they had asked for bids from three different contractors on the road work from the Old High School to the bottom of the hill. They received only one bid and that was from A. B. Torrence Co. for $4,975.00.

Mr. Davis moved, seconded by Mr. Karow and carried to approve the First Reading for A. B. Torrence Co. to do the road work at a cost of $4,975.00.

Mr. Garber stated that he had been advised that at least two bids were needed on the radar in order to receive a matching grant from the government. Mr. Karow advised that at least two or three bids were received.

Mr. H. A. Leet stated that the Parks and Recreation Committee is planning to have a meeting.

Mr. Thompson moved, seconded by Mr. McGahey and carried to approve the Second Reading to amend Section 15-121.

Mr. Thompson moved, seconded by Mr. Workman and carried to approve the First Reading of the Budget with the exception of $1,619.00 for retirement be taken off Public Safety and put over on General Government.

Mr. Karow moved, seconded by Mr. McGahey and carried to adopt the T. V. Franchise on First Reading.

Mr. Garber announced the convention will be held in Richmond on October 1st. thru 3rd., and would like to know how many are planning to attend.

Mr. Garber also stated that he had asked Mr. Leet to be a representative to the Rockingham League of Municipalities in which they asked the Mayor and representative to attend. Mr. Workman was asked to be an alternate. All other council members were also invited to attend when possible.

As there was no further business, the meeting adjourned.

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

RECORDER: Betty H. Engle
Betty H. Engle, Asst. Clerk