REGULAR
COUNCIL MEETING
April 10, 1972

The regular meeting of the Elkton Town Council was held April 10, 1972 at 8:00 P.M. 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 and Mrs. Norma R. Leap, Clerk were also present.

Mayor Garber opened the meeting with prayer.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to approve the minutes of the regular meeting March 13, 1972.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Workman and carried to approve the Finance Report.

Mr. Dan B. Todd, President and Mr. O. D. Thompson, Vice President of the Farmers and Merchants Bank of Timberville, Inc. were present to discuss and answer questions on the branch bank they plan to build on Rockingham Street, and ask the councils cooperation in their new venture.

The council welcomed Mr. Todd and Mr. Thompson and stated they would cooperate wherever possible.

Mr. Berkley Brooks told the council that he had attended the Board of Supervisors meeting on taxes and had put in a pitch for the town in regards to revenue sharing with the county.

Mr. Leroy Hitt asked what progress had been made on the water problem at his home. Mr. R. E. Davis reported that he had received an estimate of approximately $4000.00 to carry the water away from that area and that he did not have the money in the budget. He told Mr. Hitt that he would get with Mr. Liskey and make a further study to see if they could find a cheaper way to solve the problem and inform him before the next meeting.

Mr. Workman reported on the Municipal Electric Associations annual meeting at Natural Bridge which he and Mr. Liskey attended. He also reported that he had attended the tax rate hearing in Harrisonburg.

Mr. W. H. McGahey reported that he and Mr. Herring had called the State Health Department in regards to the new plans for the hydrofiltering system which Martin, Clifford and Associates had presented and that the Health Department had informed them that the plans have been approved and a letter was in route to the town. Mr. McGahey said that the committee will proceed as soon as possible after receiving the letter of approval.

Mr. E. O. Karow reported that the new 1972 Police Car has been delivered and that the old 1970 car will be advertised for bids at the June meeting.

Mr. Karow reported that the new Motorola radio has been received and installed. He also stated that Officer Rodgers will report back for duty on April 15th. pending doctor's approval at his April 12th. checkup.

Mr. R. E. Davis moved, seconded by Mr. H. A. Workman and carried to approve the Second Reading to repair the bridge on Fifth Street at a maximum cost of $1600.00.

Mr. Thompson reported that there had been a request to purchase the old mimeograph machine. This matter was turned over to Mrs. Leap.

Mr. Thompson stated that he still had not received a price on the roof at the jail.

Mr. R. E. Davis reported that he had received a reply from the State Highway Department in regards to the request the town had made for a traffic study at the intersection of Route 340 and Old Route 33 and at the intersection of Spotswood Trail and Spotswood Avenue. The Highway Department stated that they had conducted the traffic study and the volume of traffic at no time justified signal lights at these intersections. They agreed to leave the traffic lights that are already installed.

Mr. H. A. Leet moved, seconded by Mr. A. R. Thompson and carried to approve the First Reading to amend Section 15-45 to read as follows:

Section 15-45 Agents and solicitors generally.

Each person who, for compensation, solicits or offers for sale or acts as agent or solicitor, in making such sales, or acts as such agent or solicitor in any business not otherwise herein classified and licensed, shall pay a license tax of $15.00 for the privilege of conducting such business or acting as such agent or solicitor in the town. If such person is not a resident of the town the license tax shall be $50.00.

If no compensation is to be received by such person no license shall be required. However, such person shall contact the Police Department for varification of proper credentials or authorization for such solicitation. (G.O. 1961, 12-6.)

Mr. W. H. McGahey moved, seconded by Mr. R. E. Davis and carried to approve the First Reading to amend Section 15-58 to read as follows:

Section 15-58 Boardinghouses and rooming houses.

The license tax for keeping a boardinghouse or rooming house shall be as follows: For from three to five boarders or roomers, $25.00; for any over five boarders or roomers, $5.00 each. The license tax shall be computed upon the average number of boarders entertained daily throughout the year.

To obtain and hold a license in the town, boarding houses and rooming houses must adhere to all state requirements in regard to fire prevention, safety and health laws.

For the purpose of this section, "Boardinghouses and rooming houses" shall include convalesent homes, rest homes and homes for the aged. (G.O. 1961, 12-6.)

Mr. R. E. Davis moved, seconded by Mr. W. H. McGahey to approve the First Reading to amend Section 32-9 to read as follows:

Section 32-9 Town electric and sewer service prerequisite to water connection outside town.

Water connections may be made to premises located outside the town if requested and if approved by council. Sewer or electric service from the town are not a prerequisite for water connection. The town shall run the water service lines to the applicant's property line at the applicant's expense and the applicant shall pay all maintenance costs on this section of line.

The vote was recorded as follows:

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

Mr. H. A. Leet moved, seconded by Mr. W. H. McGahey to approve the First Reading to amend Section 32-23 to read as follows:

Section 32-23 Sewer service outside the town.

The town may furnish sewer service outside the town limits if requested and approved by council.

The vote was recorded as follows:

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

Mr. H. A. Leet moved, seconded by Mr. H. A. Workman and carried to approve the First Reading to amend Section 10-1 to read as follows to comply with State Law:

Section 10-1 General penalty; continuing offenses. 2

Whenever in this Code or in any other ordinance of the town any act is prohibited or is made or declared to be unlawful or an offense or a misdemeaner, or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of such Code or any other ordinance of the town shall be punished by a fine not exceeding one thousand dollars or imprisonment for a term not exceeding twelve month's, or by both such fine and imprisonment.

Except where otherwise provided, every day any violation of such Code or any other ordinance of the town shall continue shall constitute a separate offense.

Mr. Leet reported on the proposed park for Elkton. Mr. Leet explained that it will be necessary to file by July 1st. in order to receive the Federal and State Funds and it will require some responsible club or organization to supply a letter of intent and assurance in order to secure the loan. He feels that the project is mainly going to have to be sponsored by the Elkton Community as he feels the county will not come across with much financial aid. He stated that we should be listening to try to get the reaction of the citizens on this matter.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet and carried to renew the leases on parking areas with The Elkton Improvement Company, Mrs. Eula Leap, Katherine and Eloise Miller and Mrs. Helen Hedrick for a period of five years.

Mayor Garber reported that he had written the Luray Trans-Video, Donald M. Perry Associates and Television Comm. Corporation to see if they are still interested in a T.V. Franchise and there does appear to be some interest.

Mr. Hillsman suggested naming a committee to meet and work with those interested in the franchise.

Mayor Garber turned the matter over to Mr. Workman and the Electric Committee to see what can be done.

It was brought to the councils attention that the six month period given Mr. Ray Morris to use a trailer for an office on Terrace Avenue will end in May and that Mr. Morris does not appear to be making any effort to rebuild his building. This matter is to be checked into.

A request for a Town Corporation License by Mr. Robert Hamm for a rest home was tabled until the ordinance covering this becomes effective.

Mayor Garber reported that the 26th. Annual Meeting of the Virginia Water Pollution Control Association will be held May 1st. and 2nd. 1972 at the Hotel Roanoke, Roanoke, Virginia.

As there was no further business, Mr. W. H. McGahey moved, seconded by Mr. E. O. Karow and carried to adjourn.

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

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