REGULAR
COUNCIL MEETING
June 12, 1972

The regular meeting of the Elkton Town Council was held June 12, 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, Mr. Charles Knott, Chief of Police, Mrs. Norma R. Leap, Clerk and Mr. David Liskey, Town Superintendent were also present.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to approve the minutes of the regular meeting May 8, 1972.

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

Mr. Irvin Shifflett speaking for a group of citizens in his area came before the council asking that they reconsider the request by the council for Mr. Liskey's resignation. Mr. Shifflett said that they felt Mr. Liskey has done a good job in his thirteen years with the town and should be given a chance to correct the existing problems. Others present speaking on Mr. Liskey's behalf were Mr. Bill Hitt, Mr. Donnie Davis, Mr. Ray Morris, Mr. Ben Snyder, Mr. Lloyd Meadows, Mr. Ernest Shifflett, Mr. Zean Shifflett and Mr. Henry Thomas. The council told Mr. Shifflett that they could not discuss personel problems in open session but would take their request under consideration if they went into closed session.

Mr. Ben Snyder came before the council in regards to the problems he is having getting out from his place of business with the alley behind his property being one way. This was tabled until later in the meeting.

Mr. Ray Morris came before the council requesting them to extend his permit to have a trailer in town for another six months. He stated that he is in the process of negotiating with Dean Lumber Company and hopes to begin rebuilding in the near future. This was tabled until further in the meeting.

The Judy Brothers of Luray Trans-Video, Inc. were present to discuss Cable T.V. They told the council that due to the new F.C.C. ruling they would only be able to give the town five channels. They also indicated that they would probably be interested if the town advertises for bids again on the T.V. Franchise.

Mr. H. A. Workman moved, seconded by Mr. A. R. Thompson and carried to continue the discussion on a new T.V. Franchise until the next meeting and to have Mr. Hillsman revise the present Franchise Ordinance to correspond with the new F.C.C. rules.

Mr. Kenneth Golliday came before the council asking for a water connection outside town.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Leet to give Mr. Kenneth Golliday a water connection. The motion carried with all the councilmen voting in favor of the motion with the exception of Mr. E. O. Karow. Mr. Karow explained to Mr. Golliday that this was nothing personal but felt he should uphold his stand against outside water connections.

Mayor Garber read a letter from Martin, Clifford & Associates in regards to the sole bid received on the filtration system for the well from Riddleberger Brothers, Inc. Contractors in the amount of $49,990. They stated that although the bid submittal was in proper order and that they have no reservations about the qualifications or reliability of the contractor, the bid was far in excess of the originally estimated cost of the project and they recommended that the Town explore the possibility of solving its water problems by alternate means. Specifically, they suggested that the Town consider the drilling of a new well, possibly located east of the Town in the vicinity of the high school. It was pointed out that the Town has until June 17, 1972 to decide whether or not to accept the bid.

Mr. E. O. Karow moved, seconded by Mr. H. A. Leet and carried to accept the resignation of Theodore R. Shifflett as a patrolman for the Town of Elkton.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to accept the resignation of Wallace M. Bradley as a patrolman for the Town of Elkton.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to hire Alan Junior Kibler as a patrolman for the Town of Elkton on a temporary basis until July 1, 1972 at a rate of $2.00 per hour and on a full time basis beginning July 1, 1972 at $5,100.00 per year. Mr. Kibler will be on probation for three months at which time upon recommendation by the Chief of Police his salary will be increased to $5,400.00 per year with a review by the Chief of Police every three months thereafter, with an increase of $300.00 per year upon recommendation by the Chief of Police until he reaches the maximum salary.

Mr. Karow reported that Patrolman Frank Rodgers is critically ill.

Mr. Karow reported that Chief Knott has received applications for two taxi license, Malcolm Ray Morris and Ray Earl Ware. Chief Knott will issue certificates for these.

Mayor Garber read a letter from Chief Charles B. Knott stating as of July 1, 1972, Mr. Knott would no longer be in the employment of the Town of Elkton as he could not work a job where everybody is boss.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to accept the resignation of Chief Charles B. Knott with regrets.

The problem of Mr. Ben Snyder's getting out from behind his place of business was discussed and turned over to the Police Committee to make a further study.

The following bids were received on the R.C.A. radio:

J. V. Flick, Jr.	$262.50
Wayne Davis	$205.00

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to accept the high bid of $262.50 by Mr. J. V. Flick, Jr. for the R.C.A. radio.

The following bids were received on the 1970 Plymouth Fury:

Johnny P. King	$705.00
Nelson E. Hensley	$750.00

Mr. R. E. Davis moved, seconded by Mr. H. A. Workman and carried to reject the two bids on the 1970 Plymouth Fury as they were too low.

Mr. Liskey reported that Mr. Welty Hensley had contacted him in regards to a new sidewalk in front of the new bank being built on Rockingham Street and that the bank will go 50/50 on a new sidewalk. This matter was turned over to the Street Committee.

There was a discussion on the contract received from the N. & W. Railroad asking for a fee of $120.00 a year. This matter was turned over to Mr. Hillsman to check.

Mr. A. R. Thompson moved, seconded by Mr. E. O. Karow and carried to approve the Second Reading to have Dean Lumber Company repair the roof at the jail at a total cost of $1906.40.

Mr. Thompson reported that the Finance Committee had met and decided to buy the adding machine and calculator which we had been leasing and have put a maintenance contract on them.

Mr. A. R. Thompson moved, seconded by Mr. H. A. Workman and carried to draw up an ordinance to give a refund on Auto License if they are returned within the first six months or less.

Mr. A. R. Thompson moved, seconded by Mr. H. A. Leet and carried to have the R.N.B. Computer System do our real estate and personal property tax tickets again this year. The tax rate will remain the same, $0.75 on each $100.00 Assessed Value.

Mr. H. A. Leet presented 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.

It was requested that Mrs. Leap make copies of these recommendations for each councilman to study until the next meeting.

Mr. Leet reported that Mr. Bill Davis who is now a representative for the Town on the Elkton Parks and Recreation Commission is moving out of town and will become a representative from outside the corporate limits leaving a vacancy for a representative from the town.

Mr. H. A. Leet moved, seconded by Mr. E. O. Karow and carried to appoint Mrs. Neil Hillsman to serve on the Elkton Parks and Recreation Commission as a representative from the Town.

Mr. Leet reported that his committee has met in regards to the trash problem Mr. Lurty Taylor has regarding the I.G.A. but that they did not come up with an immediate solution and asked for suggestions from the council. After some discussion, Mr. Leet stated that his committee would meet again to try to work out some solution to the problem.

The council agreed to extend Malcolm Ray Morris' permit to keep a trailer in town for another thirty days.

Mayor Garber reported on a copy of a letter he had received which was written by Mr. C. J. Taylor, Mayor of Pearisburg, Virginia, to Delegate C. Jefferson Stafford regarding recent legislation (H.B.665) which established the basis upon which maintenance funds are allocated for secondary roads within the Highway Department System. Maintenance payments were increased to towns of 3500 or over, and to cities and counties, but not to towns under 3500 population. Mr. Taylor states in his letter according to a memorandum from Mr. H. G. Blundon, Director of Programming and Planning, Department of Highways, dated April 21, 1972, that Section 33.1-80 of the Code of Virginia should have been changed from $1100 to $1500 per mile for annual maintenance secondary roads for those towns under 3500 which perform their own maintenance. Further, according to a letter from Mr. Douglas B. Fugate, Highway Department Commission, dated May 3, 1972, the situation cannot be corrected without further legislation. Mr. Taylor was writing to Delegate Stafford requesting that he sponsor legislation in the January 1973 session of the Virginia General Assembly to increase the maintenance allowances to towns under 3500 to $1500 per mile and make the legislation effective as soon as possible in order to lessen the extra financial burden that the eight towns which are affected are carrying.

Mayor Garber was asked to write letters to our representatives making a similar request in regards to the increase in maintenance fund allotments.

Mayor Garber reported that there has been some question as to when the newly elected councilmen and mayors would take office. It seemed to be the opinion of Mr. Kemper, Clerk of the Court, Rockingham County, and the State and County Electoral Board that unless the charter has been changed to state that they take office on July 1, 1972 they will not take office until September 1, 1972. Mayor Garber stated that he had written for an opinion from the Virginia Municipal League and had received the following reply:

> "I have your letter of June 3, 1972 in which you requested information regarding the date councilmen-elect take office. I regret to inform you that councilmen elected in May will take office on September 1, 1972. The Clerk of the Court is correct since your charter states that councilmen elected will take office on the first day of September.

> If you would like to change the date that councilmen take office, as I assume you do, I would suggest that you instruct your town attorney to make arrangements with your Member of the House of Delegates or Senate to submit your proposed charter change before the cutoff date. Every legislative session the General Assembly establishes a cutoff date after which it will not consider any bills to amend local charters."

It was decided that the council will operate as is until September 1, 1972.

Mayor Garber reported on a copy which he had received and is on file in the Treasurer's Office on an act by the General Assembly of Virginia to create a commission to continue a study begun by the Virginia Advisory Legislative Council in 1968, concerning the disposal of solid wastes and to appropriate funds.

Mr. H. A. Workman reported that he had attended a State Highway meeting in Roanoke June 7, 1972 and had again brought it to the attention of Mr. Ambler and others about the need to widen Route 340 from the intersection of Old 33 to Spotswood Avenue. Mr. Workman said he was told that the Highway Department has a "handsoff approach" toward Elkton due to the fact that they felt the town had made an unreasonable request for the price of the dump property taken by the State. Mr. Workman stated that he had explained to them that the town had no knowledge of such an unreasonable request and that he had been assured that the Highway Department would take another look at this problem on Route 340, and that he had already begun to take pictures and prepare some facts to present to the State Highway Department.

Mr. H. A. Workman moved, seconded by Mr. E. O. Karow to approve the First Reading to place a 15% Utility Tax on the municipal owned electric bills and the corporate limit telephone bills.

The vote was as follows:

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

Mr. A. R. Thompson requested that budget requests be turned in as soon as possible.

Mr. David Liskey ask the council to give him the reasons behind their asking for his resignation.

Mr. E. O. Karow moved, seconded by Mr. W. H. McGahey and carried to go into a closed session.

The council discussed with Mr. Liskey the problems which had caused them to ask for his resignation.

Mr. H. A. Workman moved, seconded by Mr. E. O. Karow and carried to go back into regular session.

Mayor Garber reported that the council had talked over their problems with Mr. Liskey and had decided to reconsider and to give Mr. Liskey another chance, with a sixty day probation period.

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

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

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