REGULAR
COUNCIL MEETING
January 14, 1974

The regular meeting of the Elkton Town Council was held January 14, 1974 at 8:00 P.M. in the Council Chambers with the Mayor, Edward F. Garber presiding. The following council members were present: Mr. R. R. Dean, Mr. R. E. Davis, Mr. H. A. Leet, Mr. A. R. Thompson and Mr. H. A. Workman. Mr. W. H. McGahey was absent. Mr. Homer Ageon and Mr. William Herring, Acting Superintendents, and Mr. E. Ray Nesselrodt, Patrolman were also present.

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

Mr. R. R. Dean moved, seconded by Mr. A. R. Thompson and carried to approve the minutes of the regular meeting December 10, 1973.

Mr. H. A. Leet moved, seconded by Mr. A. R. Thompson and carried to approve the minutes of the special meeting December 19, 1973.

Mr. H. A. Workman moved, seconded by Mr. H. A. Leet and carried to approve the minutes of the special meeting December 29, 1973.

There was no Finance Report due to the illness of the Treasurer.

Mr. Harold Berkey of Harrisonburg was present to see if utilities could be given to a planned development on the Grimsley property north of Town. Mr. Davis stated water and sewer would be given if possible but Mr. Workman stated that the electric was the VEPCO area.

Mr. R. B. Hutton was present to represent the Elkton Volunteer Fire Company. There was a question in regards to the right of the fire company to maintain order at fires and direct fire and traffic. There is also a question in regards to the right of the Fire Chief to destroy property to prevent the spread of fire. They ask for a recorded vote to affirm state regulations or record of deviation from state regulations. The specific question was asked, "can the Fire Company cut electric wires if necessary?" Mayor Garber will write the Virginia Municipal League attorney to clear up this question and will advise the Fire Company as to the answer received.

Mr. A. R. Thompson reported that the Finance Committee will review Business License fees.

INSERT (See pg. 16)

Mr. Leet reported that in regards to Mr. Joe Early's request for special refuse charges for businesses in his classification where there is no stock merchandise, the Public Health Committee recommends that there be no changes in this regard. The committee recognizes some unfairness but there can be no way to eliminate all cases of this nature.

Mr. H. A. Leet moved, seconded by Mr. R. E. Davis to approve the First Reading to amend Sec. 26-16 by adding the following to enforce the garbage collection fee:

> Failure by any person firm, or corporation to pay the assessed fee within 10 days following date due shall constitute a violation of this ordinance. Such person, firm or corporation shall be guilty of a misdemeanor, and upon conviction shall be fined not less than $15.00 nor more than $50.00 for a first conviction, and not less than $25.00 nor more than $500.00 for each subsequent conviction.
>
> Each day any person, firm, or corporation continues to violate the provisions of this ordinance shall constitute a separate offense.

The vote was recorded as follows:

Davis - yea	Thompson - yea
Dean - yea	Workman - yea
Leet - yea	

Mr. H. A. Workman moved, seconded by Mr. A. R. Thompson and carried unanimously to approve the Second Reading to appropriate $700.00 for triplex cable.

Mr. Workman reported that work is progressing on possible rate changes.

Mr. Homer Ageon, in reply to Mr. Hutton's reference, sited the Town Charter which states only a town designated official has authority to cut electric wires.

Mr. George Grimsley requested an answer as to the town's position on selling him water. It was reported that Bear Lithia Springs should be cleared by mid-week.

Mr. R. E. Davis moved, seconded by Mr. H. A. Leet and carried unanimously to extend the right of water haulers to buy town water until the next regular council meeting.

Mr. R. R. Dean reported that he has had complaints on the flooding on North Avenue and asked for permission to get prices on correcting this problem.

Mr. R. R. Dean moved, seconded by Mr. H. A. Workman and carried unanimously to have the Street Committee get prices on correcting the flooding on North Avenue.

Mr. W. T. Herring reported that the State has made their bi-annual inspection of the streets under the street maintenance program and except for some recommendations to replace stop and yield signs, everything was approved. Mr. Herring has submitted a request to add several more streets to this program.

Mr. Herring also reported that the State will salt Spotswood Avenue from Route 33 Business to Route 340 in bad weather.

Mr. Herring also reported the following: Mr. Forrester will begin his testing soon, the State Water Control Board has been at our station for the past two days and that we are still having trouble with the sewerage flooding on the lower end of town.

Mr. R. E. Davis stated that he will contact a Richmond firm about the flooding of our North Avenue pumping facilities.

Mr. Garber reported that there had been one gentlemen express an interest in the Town Manager's position on a four hour a day basis at a salary of $7,000.00 a year.

Mayor Garber reported that he had received a letter from fourteen citizens living near the Billhimer residence registering a complaint about the drums and loud speakers used by a musical group practicing there. No person complaining is willing to file a formal complaint. The police have answered calls received on this complaint but have not found at the time of their investigation any excessive noise. The council discussed the possibility of making the Community Hall available at certain times for this group to practice.

Mayor Garber read a letter regarding the Central Shenandoah Planning District and copies of a land development plan were distributed. The following planning committee was appointed: R. R. Dean, H. A. Leet and W. H. McGahey. Meeting dates for the Central Shenandoah Planning District will be February 5th. and 6th. Mayor Garber requested that these meetings be attended if possible.

Mayor Garber reported on a letter from Delegate Nathan H. Miller stating that he had received our copy of the resolution related to the amendment of the Elkton Town Charter and is in the process of having the bill drafted. He added that he would need confirmation from the Daily News-Record that the proper public notice has been given on this matter. Mayor Garber has already received this confirmation and forwarded it to Delegate Miller.

Mayor Garber reported on a letter from VEPCO asking the town to take steps to reduce power consumption and requesting our customers to aid us in this endeavor. The town was requested to report the steps they plan to take to achieve a 10% reduction.

A report was given regarding a training program from January through May for two day workshops planned by the Virginia Municipal League at various locations throughout the State.

Mr. R. R. Dean reported that the attorney he has contacted can meet with the council January 24, 1973 at 7:30 P.M. A special meeting will be called for this date.

As there was no further business, the meeting adjourned.

MAYOR: Edward F. Garber, Mayor

RECORDER: R. E. Davis, Acting Clerk

Mr. A. R. Thompson moved, seconded by Mr. W. H. McGahey and carried to approve the First Reading to pay the $1,042.52 still outstanding on the floor at the Police Department damaged by flood.