REGULAR
COUNCIL MEETING
October 11, 1976

The regular meeting of the Elkton Town Council was held Monday, October 11, 1976 at 8:00 P.M. in the Council Chambers with the Mayor, Maurice W. Lough presiding. The following council members were present: Mr. C. E. Dean, Mr. R. R. Dean, Mr. H. D. Flory, Mr. B. B. Holt, Mr. H. W. Leap and Mr. R. J. Lough. Mr. Charles Hammer, Chief of Police, Mrs. Norma Leap, Clerk, Mr. Gerald Monger, Superintendent and Mr. Bruce Wiles, Attorney were also present.

The meeting was opened with prayer.

Mr. H. D. Flory moved, seconded by Mr. H. W. Leap and carried to approve the minutes of the regular meeting September 9, 1976 as presented.

Mr. Gary Nickerson of Arthur Beard Engineers introduced Mr. Lawrence Wales and Mr. Roger Scott of Municipal Advisors Inc. Mr. Wales explained the services their organization has to offer the towns. They act as consultants in the financial field as well as management field and provide services along these lines.

Mr. Earl Judy came before council requesting the franchise rights granted to Bauce Cable Associates be transferred to his company, Commonwealth Cablevision, under the same terms and conditions. They have purchased all the assets and franchise rights of Bauce Cable Associates as of October 1, 1976.

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean to grant the transfer of the franchise rights from Bauce Cable Associates to Commonwealth Cablevision subject to Section 10 of the franchise ordinance and including the extension of time resolution. The vote was recorded as follows:

C. Dean	-	yea	B. Holt	-	yea
R. Dean	-	yea	R. Lough	-	yea
D. Flory	-	yea	H. Leap	-	yea

Mr. Loring Cover of R. Loring Cover Insurance Agency Inc. came before council to explain the Professional Liability insurance which is available to cover the Mayor and Council. The prices have increased considerable and the availability of coverage has decreased but he had found one company that would write the policy and had two choices of coverage.

Mr. H. D. Flory moved, seconded by Mr. B. B. Holt to approve the First Reading to purchase the Professional Liability Insurance for the Mayor and Council at a cost of $1224.00 which carries one million per claim, one million aggregate. The vote was recorded as follows:

C. Dean	-	yea	B. Holt	-	yea
R. Dean	-	yea	H. Leap	-	yea
D. Flory	-	yea	R. Lough	-	yea

Mr. William Madren came before council requesting the council to consider appointing a committee to study and evaluate the town's zoning ordinances. He pointed out that certain areas in the town are not covered by the ordinances and he felt them to be outdated. Mr. Holt pointed out that after the Comprehensive Landuse Plan is completed the zoning ordinances are going to need a major overhaul. The council assured Mr. Madren that they would take this matter under advisement.

Mr. Holt reported that he had discussed the town's telephone system with several councilmen and they agreed it would be best to have a telephone company representative come down and evaluate the entire system. The Finance Committee and Public Safety Committee will work together on this project.

Mr. Holt reported that we are losing one of our policemen. Ads have been placed in several of the local papers and five applications have been received so far. The Public Safety Committee, Mayor Lough and Mr. Holleran will review the applications.

Mr. Holt gave Mr. Robert Lough copies of his suggestions for changing the purchasing procedures for the Finance Committee to review and bring suggestions back to the next meeting.

Mr. Henry Leap reported that recommendations for electric service connection fees have been turned over to the Ordinance Committee to review and bring back to the next meeting.

Mr. C. E. Dean moved, seconded by Mr. H. W. Leap and carried to approve the appointment of Mr. Harold Leet to the Elkton Community Parks and Recreation Commission to replace Mrs. Neil Hillsman who resigned.

Mr. C. E. Dean reported that the Recreation Commission suggests that posts be planted in the parking area in front of the tennis and basketball courts and cable stretched in front of the courts, down by the Seven-11 Store and along Spotswood Avenue to help with parking and traffic control.

Mr. C. E. Dean moved, seconded by Mr. H. W. Leap to appropriate $200.00 to stretch cable parallel to Spotswood Avenue and infront of the tennis court and to plant the post where needed on the parking lot at the tennis and basketball courts. The vote was recorded as follows:

C. Dean	-	yea	B. Holt	-	yea
R. Dean	-	yea	H. Leap	-	yea
D. Flory	-	yea	R. Lough	-	yea

Mr. H. D. Flory moved, seconded by Mr. C. E. Dean to approve the First Reading on the following ordinances:

AN ORDINANCE FOR THE REGULATION OF WATER MAIN CONSTRUCTION

WHEREAS, by act of the General Assembly of Virginia as provided in Title 15.1, Chapter 18, Article 4, Section 15.1-854 of the Code of Virginia, 1950, as amended, a municipal corporation is empowered to regulate and inspect public and private water supplies and the production, preparation, transmission and distribution of water, and the sanitation of establishments, systems, facilities and equipment in or by means of which water is produced, prepared, transmitted and distributed;

THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, AS FOLLOWS:

Sec. 32- . Water Main Construction.

No new water system, or extensions, shall be constructed except in accordance with construction standards adopted by the Town Council of the Town of Elkton. Detailed plans of such system or such extension must be submitted to and written approval obtained from the Town Superintendent before any work may be done in connection with any such new system or extension.

A copy of all such standards adopted by the Town Council for water main construction or extension shall be maintained in the office of the Town Superintendent and be open to public inspection.

AN ORDINANCE FOR THE REGULATION OF SEWER MAIN CONSTRUCTION

WHEREAS, by act of the General Assembly of Virginia as provided in Title 15.1, Chapter 18, Article 4, Section 15.1-855 of the Code of Virginia, 1950, as amended, a municipal corporation is empowered to regulate and inspect public and private sewers, culverts, drains, sewerage disposal and treatment systems, facilities and equipment;

THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, AS FOLLOWS:

Sec. 32- . Sewer Main Construction.

No new sewerage system, or extensions, shall be constructed except in accordance with construction standards adopted by the Town Council of the Town of Elkton. Detailed plans of such system or such extension must be submitted to and written approval obtained from the Town Superintendent before any work may be done in connection with any such new system or extension.

A copy of all such standards adopted by the Town Council for sewer main construction or extension shall be maintained in the office of the Town Superintendent and be open to public inspection.

The vote was recorded as follows:

C. Dean	- yea	B. Holt	- yea
R. Dean	- yea	H. Leap	- yea
D. Flory	- yea	R. Lough	- yea

Mr. Holt reported that the Planning Commission has gone over the Subdivision Ordinance and will be approving the final draft shortly.

Mr. Flory reported on a letter from the State Water Control Board and the progress on the Step II plans to EPA.

Mr. R. J. Lough moved, seconded by Mr. R. R. Dean and carried to approve the following resolution:

> BE IT HEREBY RESOLVED that Councilman H. Ditman Flory be authorized to execute on behalf of the Town of Elkton any agreements or other documents necessary in obtaining financial assistance through the Farmers Home Administration for the development of the sewerage treatment plant.

Mr. R. J. Lough moved, seconded by Mr. B. B. Holt and carried to appoint H. Ditman Flory as Liaison Officer to act as the contact between council and the annexation suit.

Mr. R. J. Lough moved, seconded by Mr. H. W. Leap to accept the Finance Report for September. The vote was recorded as follows:

C. Dean	- yea	B. Holt	- yea
R. Dean	- yea	H. Leap	- yea
D. Flory	- yea	R. Lough	- yea

Mr. R. J. Lough moved, seconded by Mr. H. D. Flory to accept the audit report as presented by Bosserman, Alt, James & Stickley for the period ended June 30, 1976. The vote was recorded as follows:

C. Dean	- yea	B. Holt	- yea
R. Dean	- yea	H. Leap	- yea
D. Flory	- yea	R. Lough	- yea

Mr. R. J. Lough moved, seconded by Mr. B. B. Holt to approve the payment of $2,185.00 to Bosserman, Alt, James & Stickley for the audit report. The vote was recorded as follows:

C. Dean	- yea	B. Holt	- yea
R. Dean	- yea	H. Leap	- yea
D. Flory	- yea	R. Lough	- yea

Mr. Holt reported that the annual convention for police chief's will be held October 24-27 at Alexandria, Virginia. Mr. Holt recommended that Chief Hammer attend the convention. The council agreed that Mr. Hammer should attend.

Mayor Lough reported that he had received a letter from the Mayor of Grottoes regarding the town's court cases which are now tried in the District Court. The town's receive no itemized reports, no portion of the court costs and pay a 5% charge for processing the cases. The Town of Elkton is asked to join with Grottoes in a move to help correct this situation. The letter was turned over to the Public Safety Committee for further study.

Mr. B. B. Holt moved, seconded by Mr. H. D. Flory to go into Executive Session to discuss pending litigation. The vote was recorded as follows:

C. Dean	- yea	B. Holt	- yea
R. Dean	- yea	H. Leap	- yea
D. Flory	- yea	R. Lough	- yea

Mr. B. B. Holt moved, seconded by Mr. R. J. Lough and carried to go from Executive Session back into Regular Session.

Mr. Wiles reported on the annexation pretrial conference October 5, 1976. The County of Rockingham moved for a continuance until the County Comprehensive Plans are completed and the Harrisonburg Annexation Suit terminated. Arguments on the motion will be November 11th. If the motion is overruled, they will then proceed with the pretrial conference.

There was some discussion regarding who will bear the cost of bringing the petition before the courts for annexation. Mr. Wiles pointed out that the court will decide who will pay these costs, but the town's position in this matter would possibly carry some weight.

Mr. H. D. Flory moved, seconded by Mr. R. J. Lough to approve the following resolution:

> BE IT RESOLVED that the Elkton Town Council go on record as being willing to assume all financial obligations of the petitioners in the annexation suit. This motion is in direct reference to the petitioners in Elkwood and the Liberty Heights area.

The vote was recorded as follows:

C. Dean	-	yea	B. Holt	-	yea
R. Dean	-	abstain	H. Leap	-	yea
D. Flory	-	yea	R. Lough	-	yea

As there was no further business, Mr. R. J. Lough moved to adjourn.

MAYOR: Maurice W. Lough
Maurice W. Lough, Mayor

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