REGULAR
COUNCIL MEETING
July 12, 1976

The regular meeting of the Elkton Town Council was held July 12, 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, 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.

Mayor Lough opened the meeting with prayer.

The minutes of the regular meeting June 14, 1976 and the special meetings June 23, 1976 and July 1, 1976 were approved as presented.

Mr. Sam Gentry came before the council to ask the following questions:

1. Does the Town of Elkton have a Subdivision Ordinance?

   It was explained to Mr. Gentry that the town does not at present have a subdivision ordinance. One has been drafted and the Planning Commission at present is studying it and will send it along with their recommendations to council. Mr. Wiles stated that some provisions are also covered in the Code.

2. Does the Town require Performance Bonds from Subdivision owners?

   The Town does require a bond. Elkwood is covered by the County and also by an agreement with the Town. Mr. Lurty Taylor pointed out that Elkwood is covered by a letter of credit.

Mayor Lough suggested the following terms of office for the Planning Commission·

Bobby W. Gooden	-	July 1, 1977
Henry W. Leap	-	July 1, 1978
James W. Hitt	-	July 1, 1979
Gerrie L. Brown	-	Four Years

Mayor Lough suggested Bill Holt be nominated as the member from the town council, Gerald Monger as an honorary member without vote and Elmer Lam to fill Mr. Beverly Wolfe's position as he is resigning.

Mr. H. D. Flory moved, seconded by Mr. B. B. Holt and carried to accept Mr. Beverly Wolfe's resignation as a member of the Elkton Planning Commission.

Mr. H. D. Flory moved, seconded by Mr. R. R. Dean and carried that Elmer Lam be accepted as a new member of the Elkton Planning Commission and his term will expire in 1980.

Mr. H. D. Flory moved, seconded by Mr. B. B. Holt and carried that Gerald Monger be appointed an honorary member of the Elkton Planning Commission from the Administrative Branch until such time as council terminates the appointment.

Mr. H. D. Flory moved, seconded by Mr. R. J. Lough and carried to appoint Bill B. Holt as the council's representative on the Elkton Planning Commission until such time as council terminates the appointment or he resigns.

Mr. H. D. Flory moved, seconded by Mr. C. E. Dean and carried to accept the Mayor's recommendations that B. W. Gooden's term of office expire July 1, 1977, H. W. Leap's term of office expire July 1, 1978 and James W. Hitt's term of office expire July 1, 1979 and Gerrie L. Brown's term of office expire July 1, 1980.

Mayor Lough suggested the following Personnel Committee:

R. J. Lough, Chairman
C. E. Dean, Vice Chairman
New Councilman when appointed

Mr. H. D. Flory moved, seconded by Mr. B. B. Holt and carried that the Personnel Committee be adopted as presented.

Mr. C. E. Dean moved, seconded by Mr. R. J. Lough to approve the Second Reading to amend Section 32-10 of the town code as follows·

AN ORDINANCE TO AMEND SECTION 32-10 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA: CONNECTION CHARGES INSIDE AND OUTSIDE TOWN

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, THAT SECTION 32-10 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA--CONNECTION CHARGES INSIDE AND OUTSIDE TOWN-- BE AMENDED TO READ AS FOLLOWS:

SEC. 32-10. CONNECTION CHARGES INSIDE AND OUTSIDE TOWN

Before a connection to the town water system shall be made, the applicant therefor shall pay to the town treasurer the following charges:

(a) With reference to water connections inside the town:

(1) For 3/4" water connection $200.00
(2) For 1" water connection $300.00

The town water department shall run all water service lines to the applicant's property line for a distance not to exceed one hundred feet. If the distance exceeds one hundred feet, the applicant shall pay all costs in excess of one hundred feet.

(b) With reference to water connections outside the town:

Such connection charges shall be $300.00 and the applicant shall install at his expense the connecting line to the Town of Elkton's existing available water lines. The installation must meet town requirements and becomes town property when connected to town lines.

The vote was recorded as follows:

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

Mr. R. R. Dean presented a request that the town put in a gravel sidewalk from the town to Elkton High School. This would be approximately 1050 feet, 4 feet wide and 4 feet deep. The material would cost about $500.00.

After some discussion, Mayor Lough ask the Street Committee to study the request and bring back their recommendations to council and Mr. Wiles to check into the legal aspects of placing a sidewalk out of town.

Mr. Holt reported that the letter had been sent to the Board of Supervisors regarding the Board's refusal to renew Mr. Rabby's contract. The Board of Supervisors will hear a delegation from Elkton Tuesday, June 15, 1976 at 7:30 P.M. The Citizen's Advisory Committee will be represented, Mr. Holt said he plans to be there and that the council should have an official representative at the meeting.

Mayor Lough asked Mr. Holt to represent the council.

Mr. R. J. Lough moved, seconded by Mr. H. D. Flory to approve the June Finance Report. The vote was recorded as follows:

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

Mr. R. J. Lough presented two bills, one from the Overhead Door Co. for $17.17 for repairs to a door at the Fire Hall and One from Electric Motor Sales & Service Inc. for $34.29 for an exhaust fan at the Fire Hall. Mr. Lough felt there should be some definition as to what bills we will pay and who gives the authority to authorize the work.

Mr. R. J. Lough moved, seconded by Mr. H. D. Flory and carried to pay the two bills in the amount of $51.46 for the work at the Fire Hall.

Mr. Holt's committee was asked to study this situation and bring suggestions back to council.

Mr. R. J. Lough moved, seconded by Mr. C. E. Dean and carried to retain the tax structure at $0.75 per $100.00 of assessed value.

Mr. R. J. Lough moved, seconded by Mr. H. D. Flory and carried to retain the same salaries of $50.00 for the Mayor and $20.00 for the Councilman.

Mr. R. J. Lough pointed out that there is a provision in the budget for councilmen expenses for up to $20.00 per councilmen per month.

Mr. R. J. Lough moved, seconded by Mr. B. B. Holt and carried to increase the cost for replacing town auto stickers from $0.25 to $0.50.

Mr. R. J. Lough moved, seconded by Mr. R. R. Dean that our Schedule of Electric Rates be amended to include a charge of $5.00 for electric disconnections and $5.00 for electric reconnections when requested by the customer and a fee of $5.00 to disconnect water and $5.00 to reconnect water when requested.

After some discussion, Mr. R. J. Lough withdrew his motion and Mr. R. R. Dean his second. Mr. Wiles was asked to check into this and prepare something for the next meeting.

Mr. R. J. Lough reported that the abandon car situation is getting out of hand. Mr. Wiles was asked to check into what can legally be done to correct this situation.

Mr. R. J. Lough moved, seconded by Mr. B. B. Holt and carried to accept Mr. Ward Suiter's resignation as councilman effective July 1, 1976.

Mr. Lough reported that he had checked into the water situation at Mr. George Hensley's and it is bad. Mr. Hensley is willing to share in the cost to correct the situation. Mr. Monger reported that the material to correct this problem would be approximately $1,944.45 and material and labor together would cost about $3,070.45.

The Water and Sewer Committee and Streets and Sidewalk Committee were asked to work together and bring back some suggestions to council regarding correcting this problem.

Mr. R. J. Lough reported that Mr. Monger is becoming concerned with the brush grinding getting out of hand. The Electric Committee and Streets and Sidewalk Committee were asked to look into this situation and come up with some suggestions for council.

Mr. H. D. Flory reported that Mr. Kenneth Kite is building a house on Shenandoah Avenue across from Gene Hensley's land and would like a water connection.

Mr. H. D. Flory moved, seconded by Mr. C. E. Dean and carried to grant Kenneth Kite a water connection provided he pays for all laying of water lines to town property under the town's water and sewer ordinances.

Mr. Flory ask each councilman to review the Water and Sewer Construction Standards and his committee will have recommendations ready for the next meeting.

Mr. Monger ask if council wanted to put a float in the Bicentennial Parade.

Mr. R. J. Lough moved, seconded by Mr. H. D. Flory to appropriate $125.00 for a float for the Bicentennial Parade. The vote was recorded as follows:

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

Mr. Monger presented a request by the Elkton Milling Company to install an eight inch overhead pipe across the street to run grain from one building to another. Mr. Monger and Mr. Holt's committee were asked to check into this request to see if this can be done properly and safely.

Mr. Wiles reported that he had received notice that VEPCO is applying for another rate increase.

Mr. Wiles gave the following annual report:

CONTRACTS

Amendments to Engineering Service Contract

DEEDS

Deed of Lease on Triangle Lot owned by John Hostettler

ORDINANCES

Storm Water Assessment Ordinance
Water Charges Ordinance Amended
Subdivision Ordinance

APPOINTMENTS

Reappointment of I. L. Flory Jr. to Board of Zoning Appeals

RESOLUTIONS

Schedule of Rules & Regulations for Deposits
Additional Time to Bauce Cable Associates
Annexation Suit

ITEMS STILL PENDING

Subdivision Ordinance
Annexation Proceedings

Mayor Lough stated that there has been some feeling, and not wholly without cause, that he was opposed to annexation, but since council has acted to proceed with annexation, he wanted to assure council that he is going to fullfill his obligation and work 100% for the council's wishes.

Mr. Monger reported that there would be an Informational meeting September 21, 1976 at 7:30 P.M. regarding Cross Connections and Backflow. The town will be required to have a program enacted by January 1, 1977.

Mr. B. B. Holt moved, seconded by Mr. R. R. Dean to go into Executive Session to consider the appointment of a replacement councilman. The vote was recorded as follows:

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

Mr. H. D. Flory moved, seconded by Mr. B. B. Holt and carried to go from Executive Session back into Regular Session.

Mayor Lough reported that five names had been discussed during the Executive Session for a replacement councilman. One person had requested his name not be mentioned unless he was appointed. The other four were Whit Berry, Henry Leap, Linda Life and Barry Ream.

Mayor Lough asked for nominations.

Mr. R. J. Lough moved, seconded by Mr. H. D. Flory and carried to appoint Henry W. Leap to fill the unexpired term of Ward P. Suiter. The vote was recorded as follows:

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

Mayor Lough reported that the council is invited to ride in the Bicentennial Parade. He also reported that use of the council chambers has to be cleared through the Treasurer's Office.

As there was no further business, Mr. B. B. Holt moved, seconded by Mr. H. D. Flory and carried to adjourn.

(See Back)

SPECIAL
COUNCIL MEETING
July 27, 1976

A special meeting of the Elkton Town Council was held July 27, 1976 at 7:30 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. Mrs. Norma Leap, Clerk and Mr. R. Bruce Wiles, Attorney were also present.

Mayor Lough opened the meeting with prayer.

Mayor Lough stated the purpose of the meeting was to discuss litigation pretaining to annexation.

Mr. B. B. Holt moved, seconded by Mr. R. J. Lough to go into Executive Session for the purpose of discussing annexation 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. R. J. Lough moved, seconded by Mr. H. D. Flory and carried to go from Executive Session back into Regular Session.

With approval by the council, Mr. R. J. Lough was given permission to bring another matter before the council.

Mr. R. J. Lough brought to the council's attention the purchase of a fan for the council chambers. He pointed out that purchases for over $100.00 not itemized in the budget must be brought before council and questioned if the Mayor had the authority to authorize any purchases except as outlined in the Purchasing Procedures.

Mayor Lough questioned the recent purchase of air conditioners for the police department which were not authorized until after they were purchased. Mr. R. J. Lough stated that it was an emergency and handled as such under the purchasing procedures. The committee and Mayor both had given their approval.

Mr. Wiles questioned the actual legality of the Emergency Clause in the Purchasing Procedures.

It was the general opinion of council to continue operating under the present purchasing procedures.

Mr. R. J. Lough moved, seconded by Mr. B. B. Holt and carried to adjourn.

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

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