REGULAR
COUNCIL MEETING
May 16, 1979

The regular meeting of the Elkton Town Council was held May 16, 1979 at 8:00 P.M. in the council chambers with the Mayor, Charles E. Dean, presiding. The following council members were present: S. P. H. Flick, H. D. Flory, B. B. Holt, L. C. Life and C. A. Schumacher. Councilman Dean was absent. Charles Lawhorne, Chief of Police, Norma Leap, Clerk, Gerald Monger, Superintendent and R. Bruce Wiles, Attorney were also present.

Mayor Dean opened the meeting with prayer.

The minutes of the regular meeting April 9, 1979 and the special meeting May 9, 1979 were approved as presented.

Mr. Monger reported that he is advertising for an electrician in the Daily News-Record and Valley Banner.

Councilman Holt reported that the town received another PSE slot for a short period of time for another police officer. Danny Wayne Cox was hired effective Wednesday, May 16th., to fill this position.

Councilman Holt reported that the Garden Club has made plans to replant around the east side of the Municipal Building. The project will cost around $500.00 to $600.00. They do not want to go ahead with the project if council has any objections. This will be at no cost to the town. That is not to say that later on when they are getting their money together, they might come back to the town for a small donation as they will from everybody, but there is no obligation at all on the town's part. They hope eventually to be able to place shrubs on the back side of the building also. Council felt this to be a very good project and had no objections.

Councilman Holt reported that the Planning Commission met April 24th. They were not able to complete the Comprehensive Plan as the county people had not been able to smooth up all the forms. They have another meeting May 21st.

Councilman Flory reported he has been in contact with Gary Nickerson. Mr. Nickerson will be back in touch within several weeks to bring the town up to date on how the project stands at this point. The projected dates for bids appears to be sometime this summer.

Councilman Schumacher reported that he had some good news and some bad. The good news was a letter from ElectriCities informing the town that the Federal Energy Regulatory Commission has signed its approval of the "price squeeze" agreement ElectriCities reached with Virginia Electric and Power Company in January. The effect of the approval is two-fold. Current wholesale rates will be reduced by 38 cents per kilowatt, effective (they assume) with the next bills rendered. Secondly, we should, within 30 days, receive restitution of the excess amount we have paid Vepco since last September 30th. plus nine percent interest. This will come in the form of a billing credit. Councilman Schumacher stated that the bad news for the consumer is that the nucular reactors are off line and depending on the length of time they are down, the electric rates could go up as much as 30% because of the cost of fossil fuel.

Councilman Flick reported that the contract on "C" Street is essentially complete. A soft spot due to a water leak was found and repaired by town employees. Hopefully the contractor will return and do whatever is necessary to repair the soft spot but Mr. Monger reports it is repairing itself. Street repair, chuckholes, etc. have been 50% completed and the balance will be done as soon as time permits. As for the sign project that Councilman Flick was asked to be responsible for, he reported that he had contacted Mr. Longley today, May 16th., and was told by him that the next move was up to the council through Mr. Monger. Mr. Longley stated that design changes have not been brought to the attention of his committee and land for a sign is not available on the west side of town. Also, lack of money might cause Mr. Longley's committee to erect only two signs and they would probably be at the east and west entrances to town on Route 33.

Councilman Flory suggested that invitations be sent to all members of the Bicentennial Committee to meet with the council to solve the sign problem. Mayor Dean stated he and Mr. Flick will talk with Mr. Longley and get the names of the committee members so invitations could be sent out.

Councilman Flick made the following statement and asked that it be recorded in the minutes:

> "On Monday evening April 30th., I received a telephone call from Mr. Donald Black, a member of the firm of Black Brothers Painting, contractors of Harrisonburg. Mr. Black said that it had been brought to his attention that I had made a remark in council regarding his bid on painting the Town's office building. This remark was published in the Valley Banner, issue of April 12th. and Mr. Black said that it had hurt his business. I offered my apology and I would like it to be made a part of these minutes that I publicly apologised. I would also like permission to mail Mr. Black a copy of that part of the minutes pertaining to this apology over Mrs. Leap's signature in order that he may know that I did carry out my promise to him. I would also like to say that no name was mentioned in the remark in question. The bids that caused the remark to be made are as follows:
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> | Billy Hilbert | $1475.00 |
> | Sheets Painting & Guttering | 1250.00 |
> | William H. Rodeffer Jr. | 935.00 |
> | Black Brothers Painting | 3765.00 |
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> Publication of the remark was unfortunate but totally beyond my control."

Mayor Dean reported that the painting of the exterior of the municipal building has been completed and looks real nice.

Councilwoman Life reported that she was unable to attend the special council meeting as her son was having surgery and she is on a new job. The same applied to her being unable to attend the services for Homer Ageon Sr.

Councilwoman Life reported that her committee had met April 17th. The Litter Poster Contest is complete. The winning posters are displayed at the Corner 5 & 10. There were 53 entries in the contest. The winners were announced and pictures will be in the Valley Banner this week. The litter signs are in place but the posts need to be painted. The signs were more expensive than planned, but Councilman Flory has agreed to pay the difference. The Ecology Class at the high school has received their $50.00 and have also received $50.00 toward slides which they have offered to take for the town, showing the local problems of litter. Mr. Monger also kept $25.00 for slides. $150.00 has been set aside for trash pickup. There is some problem getting a group to do this and they may not be able to coordinate it with Clean-Up Week but it will be carried through another Saturday.

Councilman Flory suggested that as Councilwoman Life has done such a good job with this litter program, it should be submitted to the Keep Virginia Beautiful Program and maybe we will receive some extra money.

Councilwoman Life reported the commercial garbage pickup is fair. Garbage pickup in the alleys will begin Friday, May 25th. She attended the Elkton United Services meeting and they are now incorporated. In the area of recreation, they now have a Recreation Director, Chuck Farthing. His position will run from May 11th. through September. There has been a change on the Recreation Commission. B. W. Gooden has been replaced by O. J. Harrison. This will require council approval.

Councilwoman L. C. Life moved, seconded by Councilman B. B. Holt and carried to accept O. J. Harrison as a member of the Elkton Recreation Commission.

Councilwoman Life reported there have been two or three meetings of the Recreation Commission since the council last met and there will be another meeting tomorrow night at the V.F.W. hall. They hope to appoint a steering committee on development of the park.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt and carried to approve the Finance Report for April.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt to approve on Second Reading the schedule of rates as presented, to be incorporated into the Town Personnel Manual. The vote was recorded as follows:

S. Flick	- yea	L. Life	- yea
D. Flory	- yea	C. Schumacher	- yea
B. Holt	- yea		

Mr. Wiles reported that he had received the following letter from Michie Bobbs-Merrill:

> "As you are no doubt aware, in March of 1977 we received an executed agreement covering the codification of the Town of Elkton, Virginia ordinances.
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> Through no fault of the Town, some twenty-eight months later we are not in a position to give you a firm conference date. I am very frankly both ashamed and embarrassed about our lack of performance. The plain fact of the matter is that we have so much work on hand that our ability to perform in a timely manner has been severely hampered.
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> As a remedy to further delays and frustrations, I would propose that by mutual consent our agreement be terminated. If this is satisfactory we would be willing to return your check in the amount of $1,400.00 plus an equitable amount of interest.
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> I await to hear from you concerning this matter."

Mr. Wiles pointed out that the town has three choices. They can agree to terminate the contract, consider it as a breach of contract, get the work done by someone else and hold Michie responsible for the difference in cost or pin them down to a completion date.

Councilman Holt expressed his irritation over this situation. Councilman Flory suggested we see if we can get someone else do it and take the refund with interest. Mr. Wiles was asked to get back in touch with Michie to see if anything can be worked out and if not take it from there.

Mr. Wiles reported that copies of the revised ShenElk agreement have been circulated. Councilman Flory stated he sees no problems with the revised agreement. Mr. Wiles stated that ShenElk's lawyer could see no problem with the revisions. Mr. Monger will make arrangements to have Mr. Jones come down and get the agreement signed.

Mayor Dean reported he will be getting in touch with Dr. Downey on the purchase of the lots. There have been some legal problems in regards to the payments, but they should have something in the near future.

The Finance Committee has met on the budget but needs to meet again to finalize the budget to present to council. Councilman Flory was ask to contact Councilman Dean and set up a meeting of the Finance Committee.

A special council meeting was set for May 29, 1979 at 7:00 P.M. to discuss the budget.

Councilwoman Life complimented Mayor Dean on his interview in the Richmond Times-Dispatch regarding the location of a Coor's plant here. She also mentioned the statement by Mr. McSweeney at the Public Hearing of the County Board of Zoning in which he mentioned feeling sorry for Elkton. She stated she does not feel sorry for Elkton, we are growing and she sees nothing but a great future for Elkton. Councilwoman Life also complimented Councilman Holt on his presentation at the Public Hearing.

As there was no further business, Councilman Holt moved to adjourn.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

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