REGULAR
COUNCIL MEETING
December 10, 1979

The regular meeting of the Elkton Town Council was held December 10, 1979 at 8:00 P.M. in the council chambers with the Mayor, Charles E. Dean presiding. The following council members were present: R. R. Dean, S. P. H. Flick, H. D. Flory, B. B. Holt, L. C. Life and C. A. Schumacher. Charles Lawhorne, Chief of Police, Betty Engle, Assistant Clerk, Gerald Monger, Superintendent and Bruce Wiles, Attorney were also present.

Councilman R. R. Dean opened the meeting with prayer.

Spencer Housh spoke on treatment he received by a Police Officer and the dog, and times he had been pulled over for registration check.

Councilman Holt stated that this matter would not be discussed at this time, but would all come out in court.

Minutes of the regular meeting November 12, 1979 were approved as corrected.

Minutes of the Public "Proposed Use Hearing", November 27, 1979 was accepted as presented.

Mr. Monger reported that about 60% of the electric and about 50% of the sewer work had been completed at Shen-Elk Plaza.

Councilman Holt commented on complaints against Public Safety. He reported that the Public Safety Committee has met with the Mayor, and went over some of the complaints. Mr. Holt said he felt it was only fair to tell the council and public what developed as the result of the last meeting. He named several of the complaints and findings, such as the police car at Swift Run, this was upon the request of the State Police for assistance; officer in uniform going toward Waynesboro in police car, this officer was on his way to police school; officer in uniform seen at an eating place in town with a girl, this was his regular meal time while on duty and he met his regular girlfriend there.

The most controversial case was a man complained of excessive force. This man went to court with an attorney and pled guilty and there was no question about excessive force raised when the man went to court. Mr. Holt felt it was logical to assume if the attorney had felt he had a case of excessive force he would have made that case. There were some other charges of excessive force, but unfortunately neither the Chief or Committee could get the names, time, dates or places to prove or disprove these charges. Mr. Holt stated he knew the Chief was stressing to his officers courtesy and not using force unless absolutely necessary. He also stated he felt we had an excellent Police Chief and Officers; he welcomed complaints to the Chief, and he will try to resolve them. He further stated that it is not to say that the policemen are not without fault, and they can get overzealous and make errors in judgement, but asked that the police not always be the ones judged at fault.

Councilman Flory had nothing to report, but asked Mr. Wiles if he had any information from FmHA as they can not do anything until they get something to substantiate this backing. There was nothing new to report.

Councilman Schumacher had nothing to report on Electric.

Councilman Flick reported on Street and Sidewalks. He stated that quanity-wise, not a great deal of street work has been done due to the pressure of other work; however the places that have generated the most complaints, namely Spotswood Avenue, have been patched and hopefully this fact will be noted by our citizens. It is rather unlikely that we will be able to pave Lee Avenue as we had hoped to do but we still plan to grade it and get it ready for paving at the earliest possible time. Mr. Flick also stated that the problem of sidewalk repair has been considered and they are hopeful that they will have a workable plan in the near future to present to council.

Councilwoman Life reported she had met with the Recreation Commission, and there are two vacancies at this time, and in going over the by-laws, four of the commissioners must be residents of the town and four members outside in the county. They have a full commission living in town, but are lacking two outside and will soon have another vacancy.

AAD025

Councilwoman Life made a motion, seconded by Councilman B. B. Holt that the name of Bob Necessary be approved by council. The vote was unanimous.

Councilwoman Life discussed the contract that is to be renewed with Blue Ridge Garbage Disposal. They have had this contract one year, however they have received a letter stating that instead of raising the 6% that was in the contract that they would have to raise it 12%. She stated their committee has met, and feels that this is not out of the way at all.

Councilwoman Life made a motion, seconded by Councilman Holt to accept this contract with a 12% increase. Mr. Flory questioned as to how this increase would affect businesses money wise. A proposed rate schedule was passed around. Mr. Flick asked the question as to whether this was cheaper than the town could do the pick up and was told probably so. Mrs. Life said one of the reasons was due to the loss of Ceta employees. Mr. Flory also asked about the contract for next year, and was told there would have to be a new contract, as there would be no verbal or written agreement as to next year. The vote was recorded as follows:

R. Dean	- yea	B. Holt	- yea
S. Flick	- yea	L. Life	- yea
H. Flory	- yea	C. Schumacher	- yea

Councilwoman Life explained that on the present business rate for garbage the town is already losing $1.50 per month per small business, therefore it will be necessary to raise this service. She presented to council the following guidelines for charges which her committee came up with for businesses:

Old Rate		New Rate	
Small Business	2.50	Small Business	4.00
Small Business	5.00	Small Business	6.00
Medium Business	10.00	Medium Business	11.00
Large Business	25.00	Large Business	28.00

Mrs. Life put this in form of a motion, which was seconded by B. B. Holt with the option of a customer having the right to choose if he wishes to use this service.

Mr. Wiles explained to council that any change would have to be in a form of a First Reading to change the ordinance, and one reading on the rates. Due to this the motion was tabled.

Councilwoman Life moved, seconded by Councilman B. B. Holt to approve the First Reading to amend Section 26-16 of the "Schedule for Collection of Garbage, Etc."

AN ORDINANCE TO AMEND SECTION 26-16 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA:

"SCHEDULE FOR COLLECTION OF GARBAGE, ETC."

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA, THAT SECTION 26-16 OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA, BE, AND IT HEREBY IS, AMENDED TO READ AS FOLLOWS:

Sec. 26-16. Schedule for collection of garbage, etc. and monthly charges.

The schedule for collection of garbage, trash, refuse and other similar matter shall be established by the Town Council and maintained in the office of the Town Superintendent.

Monthly charges for the collection and hauling of garbage, trash, etc. shall be as set forth in a schedule of rates and charges promulgated and fixed by the Town Council, and subject to Rules and Regulations adopted therewith. A copy of the schedule of rates and charges and a copy of the rules and regulations shall be maintained in the office of the Town Superintendent and in the Treasurer's Office of the Town of Elkton available for public inspection.

Any house or apartment may be exempt from the refuse collection fee if the owners of such property notify the Town Treasurer in writing that it is unoccupied and creating no refuse. It shall then become

their responsibility to notify the Town Treasurer again in writing when it is reoccupied.

Councilman Flory reported that the Finance Committee met on Saturday and that it came up in the meeting that if the community or council had thought in the last few years and raised accordingly with inflation that the town would be financially better off now. Mr. Flory pointed out that to keep in line with the rising inflation cost that perhaps the town should consider raising each home $0.25 on garbage pick-up instead of waiting and having to raise it all at once to a large amount, and have this money in reserve to help with rising costs in the future.

Councilwoman Life had several things to say in reference to comments by Mr. Holt earlier in the meeting. She stated that everyone knows she brought complaints out in the last council meeting, and that she had not planned to bring anything up tonight, but due to things being discussed she would do so. Mrs. Life stated that for seven weeks she had tried to have a Public Safety Committee meeting. She pointed out that she was not trying to bring a bad name to our Police Department or Councilman Holt, she was just bringing in complaints. Mrs. Life said she has been asked that when people call her to complain that she refer them to the Chief of Police which she shall do, and further stated that when they do call, that she wants to know the date, place and time. Mrs. Life said that she feels, as she stated the other night, that part of the problem is she has not been included on this committee, she has been either overlooked or misled in some instances. She stated that the other night the Chief had called her to ride in the police car, and she appreciated this because she saw on the other hand what happened, and she really agrees with this. She said she will try to work with the Police Department, but there are some things she does not agree with, and since some of it was in the papers and minutes, she did want to say that pertaining to the letter about Route 33 that the radar did not bother her near as much as the patroling of Route 33 and 340 because the citizens of Elkton pay taxes for the Police Department in Elkton and county taxes for the Sheriff's Department to care for out of town. She feels we have a good working relationship with the county, which we should have, since we pay the county for this service.

Councilman Dean presented the finance report for November 1979 and it was approved as presented.

Councilman Dean reported that the Fire Hall had been painted at a cost of $1,193.65 and the book shelves are in the library, and all they need is some metal on the sides. This cost was reduced to $300.00.

Councilman Dean reported that the Finance Committee had met a couple of times, and at the last meeting they came up with the following recommendations to present to council for the use of Revenue Sharing money in the amount of $17,520.00:

Fire Department	$ 1,200.00
Recreation Department	2,500.00
Landfill	2,500.00
Police Department	2,000.00
Sewer (to help problem in lower end of town)	9,320.00
	$17,520.00

There will be a Public Hearing on the Proposed Revenue Sharing Budget on the second Monday of January prior to the regular meeting.

Councilman Flory commended everyone that had a part in the preparation of the Christmas Party. Mr. Flory stated he was very glad the town could do this for the employees, and the Council had a chance to join them on this occasion.

Mr. Wiles reported on receiving notification of a Public Hearing by VEPCO in January. Mr. Monger stated he felt that the town would probably be represented by Electri-Cities at this meeting.

As there was no further business the meeting adjourned.

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

RECORDER: Betty H. Engle
Betty H. Engle, Acting Clerk

AAD025