REGULAR
COUNCIL MEETING
July 16, 1979

The regular meeting of the Elkton Town Council was held July 16, 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. Betty Engle, Assistant Clerk, Charles Lawhorne, Chief of Police, Gerald Monger, Superintendent and Bruce Wiles, Attorney were also present.

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

Debbie Monger, representing the Junior Order was present to ask the town to put a float in the Field Day Parade which will be held August 4th. at 11:00 A.M. and also to invite the Mayor and Council to ride in the parade. This was deferred until later in the meeting.

AAD025

The minutes of the regular meeting June 11, 1979 and the special meeting June 28, 1979 were approved.

Councilman Holt reported that the State Legislature passed a law providing state aid to police departments. There will be approximately $13,000.00 to $14,000.00 available next year. These funds are distributed on the basis of population, not on size of the police force or area you service. Mr. Holt stated they are working trying to get this amount increased, however they would not turn down this aid.

Councilman Holt reported that in regards to the Comprehensive Plan, Mr. Monger has taken the plans and corrections back to the Planning Commission and they fully expect to have everything ready for the public hearing on August 13, 1979 which will precede the regular council meeting. These changes will be distributed to members of council. The publishing of this is to be taken care of by Mr. Monger and the Treasurer's Office.

Councilman Flory reported a letter has been received from the Environmental Protection Agency awarding the Town of Elkton a grant of $888,200.00 to complete Phase III of the waste water plant. However, there are some formalities to accomplish, such as an ordinance to either prohibit small toxic waste in the waste water system or apply a user charge. Mr. Flory requested that his committee meet with him to come up with an ordinance to cover these formalities. They will decide on a meeting date after the council meeting.

Councilman Flory moved, seconded by Councilman Holt to hire Hunton and Williams as bond counsel as their bid was lower. The following resolution was read:

WHEREAS, the Town of Elkton desires to retain the firm of Hunton & Williams, Richmond, Virginia, as its bond counsel in connection with the issuance and sale of approximately $300,000 Sewer Bonds: and

WHEREAS, the Town has received a disclosure by Hunton & Williams, pursuant to Virginia Code Sections 2.1-349(a)(2) and (b) (5), being part of the Virginia Conflict of Interests Act, of certain members and associates of such firm, and spouses of members or associates, who serve governmental agencies other than the Town;

BE IT RESOLVED BY THE TOWN OF ELKTON, VIRGINIA:

1. Hunton & Williams, Richmond, Virginia, shall be retained as bond counsel in connection with the issuance and sale of approximately $300,000 Sewer Bonds.

2. The agreement to retain Hunton & Williams as bond counsel is a contract for legal services which, in the judgment of the Town, in the public interest should not be acquired through competitive bidding.

3. This resolution shall be filed as a matter of public record with the minutes of this meeting.

The vote was recorded as follows:

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

Councilman Flory gave an account of the time table on this; if everything goes normal they hope to put out bids by August 1, 1979 and give the contractor approximately two months to present their bids. After the bids are in, the town, along with Arthur Beard Engineers, will have approximately two weeks to decide on the lowest bidder. The bids will then be sent to EPA for approval and they have two months. The low bidder could possibly be awarded the contract by December 15, 1979 with ground breaking around March 1980.

Councilman Holt reported on the new dog that has been acquired from the Staunton Police Department. He assured council that the dog would never be used in the field until they are sure of his capabilities, and would not be accepted by the town until the Public Safety Committee has met and agrees upon acceptance of the dog. Mr. Holt also stated that the maintenance of the dog is not costing the town any money at this time.

Councilman Schumacher reported the town has received a letter from Vepco informing them of an error in billing in favor of the town which amounts to a credit of $29.00 including 9% interest.

Councilman Schumacher also reported that Vepco feels they will be able to handle the electric demand this summer unless there are some unforseen difficulties even though they have part of their Vepco plants off line.

Councilman Schumacher commented on his concern of prices for electric energy. After reading an article in Public Power magazine about low head hydrotechnology, he wrote a letter to Congressman Robinson requesting a source of information on the possibility of a hydroelectric plant along the Shenandoah River. In a letter of reply Congressman Robinson informed Mr. Schumacher that the Department of Energy has developed a grant program that is still in the rule making stages and when the applications become available they will be sent to the town. There will be $40,000 set aside for a feasibility study. Mr. Schumacher said maybe someday we could be less dependent of Vepco. He stated he and Mr. Monger have talked about this and even if they could not generate all their power, at least part of it would cut down on the demand where a big part of the energy cost goes.

Councilman Flick reported on a petition from the residents of Lee Avenue between "F" Street and North Street in regards to finishing this street. They have withdrawn their petition after finding out they may have to share the cost. After some discussion, it was decided that since these homes have been there four years and the street was number three on the priority list in October, there should be some consideration given to finishing the street as soon as possible. Mr. Monger stated it may be possible to do some of the work this fall, and until they do, if the residents have any problems they should get in touch with him. Mr. Flick also suggested a deadend street sign be erected since there is no exit or turn around at this time.

Keith Menchel, a science teacher at Elkton High School who is employed by VEC this summer, introduced himself to council. There are three teenagers who were hired by the summer Youth Program who are helping with some projects in town. There are areas in town they wish to clean up and also encourage people to be aware of litter and place it in proper containers. They want to encourage business people to take pride in their store entrances, in keeping them clean and in safe repair. He also informed council that if the county could obtain land for a dumpster in this area, there is money available, as people in this end of the county have to drive to Pleasant Valley to dispose of their trash. Mr. Menchel also stated that due to new state laws there are some of the town ordinances that need to be rewritten, especially the one dealing with abandoned cars. Also they would like to set up a place to store papers and cardboard which they hope to collect for recycling as there is a market for this. He hopes to continue this program through the school year with members of the ecology club working as volunteers, and the money from the recycling program to go into their club treasury. Mr. Menchel stated he would like to come back to the September meeting with slides of areas before and after this program was started.

Councilwoman Life commended Mr. Menchel and his workers on what they had accomplished, and offered to help with this worthwhile project.

her that they do not give cash awards. She will be working with Mr. Menchel on this project as it will require a lot of time and work and there is a deadline of July 31, 1979.

Councilwoman Life brought up the Sunday beer issue which will probably be brought before council next month. She stated she wanted the people of Elkton to know that she is going to represent them in this issue. Councilwoman Life stated she has received telephone calls on this issue and anyone wishing to call her may feel free to do so as she will go with the majority.

Councilman Dean presented the June Finance Report and it was approved as presented.

Councilman Dean reported on the six shelves for the library. The prices quoted could run between $55.00 and $65.00 each. He also was asked to obtain prices to paint the fire hall and he will bring these prices to the next meeting.

Councilman Flory brought to the attention of council that Mr. William Madren wishes to resign as a member of the Board of Zoning Appeals, therefore they need to be thinking of a name to submit to council. Councilman Flory volunteered to find someone interested and bring their name to the next meeting.

Mr. Wiles reported he had received a letter from Michie Co. which included two copies of the agreement to rescind the contract between the Town of Elkton and the Michie Company to codify the town's ordinances. Upon receipt of the signed copies from the town they will refund the money due the town.

Councilman H. D. Flory moved, seconded by Councilman B. B. Holt to rescind the contract with Michie Co. The vote was recorded as follows:

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

Mr. Wiles brought to the attention of council the litigation the town is involved in pertaining to taxes on the post office building purchased by Rockingham Cooperative Farm Bureau which they feel is incorrectly assessed. The actual taxes involved amounts to approximately $40.00 refund if they are awarded this relief.

Mr. Wiles presented the following annual report for the fiscal year ending June 30, 1979:

I. Litigation Completed:

1. Chancery suit for ratification and approval of purchase by Town of Elkton of 1.9969 acres of land, together with a buffer zone easement over adjoining 12.6172 acres, for expansion of sewage treatment plant facilities.

II. Litigation Pending:

1. Application by Virginia National Bankshares, Inc. for Correction of Erroneous Assessments of Taxes.

2. Petition by Rockingham Co-Operative Farm Bureau, Inc., for Relief from Erroneous Assessment of the Elkton Post Office Property.

III. Contracts Prepared or Reviewed by Town Attorney:

1. Contract with Blue Ridge Disposal Company for trash pick-up.

2. Contract with ShenElk Associates for extension of utility services to ShenElk Plaza Shopping Center.

IV. Ordinances Prepared by Town Attorney:

1. Ordinances amending Sec. 9-22, Sec. 32-42, and repealing Sec. 32-43 of the Elkton Town Code: Reading of meters and billing for utility services; establishing procedures for contesting bills prior to cut-off.

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2. Amendment to Zoning Ordinance, Section 9, Item 9: Shrubbery obstructing vision.

3. Ordinance adding Sections 24-4, 24-5, 24-6, and 24-7 to the Elkton Town Code, and repealing Article V, Chapter 7: Removal of Dilapidated buildings.

4. Ordinances amending Sections 32-10 and 32-27 of the Elkton Town Code: Water and sewer connection charges.

5. Proposed ordinance prohibiting the display, sale, or loan of sexually explicit materials to juveniles. (In committee.)

V. Miscellaneous:

1. Prepared revised Grievance Procedure.

2. Examined title to land for sewage treatment plant.

3. Rendered numerous informal opinions on various matters.

VI. Other Matters Pending:

1. Revision and recodification of Elkton Town Code by PRM Law Publishers, Inc.

2. Financing of sewage treatment plant construction project.

3. Purchase of Downey lots.

4. Preparation of deeds of easement for water and sewer pipelines along Shenandoah Avenue.

Councilwoman Life ask if there had been an electrician hired as yet. She was told they have received two applications and the Electric Committee will be having a meeting to review the applications. Councilwoman Life also inquired as to whether there has been any response from the insurance companies as to bids on town insurance.

As there was no further business, the meeting adjourned.

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

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

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