SPECIAL
COUNCIL MEETING
June 28, 1979

A special meeting of the Elkton Town Council was held June 28, 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, B. B. Holt, L. C. Life, and C. A. Schumacher. Councilman H. D. Flory was absent. N. W. Helsley, Patrolman, Norma Leap, Clerk and Gerald Monger, Superintendent were also present.

Councilman R. R. Dean moved, seconded by Councilman B. B. Holt to approve on Second Reading the following additional budget appropriations:

General Government	
Unemployment Tax	$ 420.00
Repairs Town Property	1,300.00
	$1,720.00
Electric	
Misc.	$1,000.00
Garbage	
Misc.	$ 700.00
Supplies	100.00
	$ 800.00
Streets	
Wages	$2,000.00
Public Safety	
Overtime	$2,400.00
Radio & Radar Upkeep	50.00
Misc.	250.00
Telephone	460.00
Uniforms	185.00
	$3,345.00

The vote was recorded as follows:

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

Councilman R. R. Dean moved, seconded by Councilman B. B. Holt to approve on Second Reading the following budget for 1979-80:

EXPECTED REVENUE	1979-80
Taxes, including penalty and interest	$ 40,000.00
License - Business and Car	21,000.00
Electric Charges and Penalty (Inc. F.F.)	500,000.00
Water and Sewer Charges	75,000.00
Refuse Collection	26,250.00
Fines and Cost	11,000.00
Water and Sewer Connections	8,000.00
Telephone Utility Tax	12,500.00
Street Light Rental	5,175.00
Highway Upkeep Grant	56,760.00
Sales Tax	13,000.00
Va. A.B.C. Board	6,500.00
Gasoline Tax Refund	1,500.00
Misc.	3,500.00
Vepco Utility Tax	250.00
Drainage Charges	----
Rolling Stock Tax	40.00
T. V. Franchise	750.00
Brush Grinding	2,000.00
Sewer Clean-out	720.00
	$783,945.00
Less Debt Retirement	12,000.00
	$771,945.00
Less Funds for Land Acquisition	6,000.00
	$765,945.00

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EXPECTED DISBURSEMENTS	1979-80
General Government	$ 80,275.00
Electric Department	440,786.80
Water Department	32,143.85
Sewer Department	32,559.93
Garbage Department	24,981.56
Street Department	56,760.00
Public Safety	95,987.00
	$763,494.14

The vote was recorded as follows:

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

Councilman R. R. Dean moved, seconded by Councilman B. B. Holt to approve on Second Reading the 1979-80 Budget Appropriations in each department as presented on the second page of the budget breakdown. The vote was recorded as follows:

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

Councilman R. R. Dean moved, seconded by Councilman B. B. Holt to approve on Second Reading the tax rate for this year at $0.12 on each $100.00 of assessed value for real estate and $0.75 on each $100.00 of assessed value for personal property. The vote was recorded as follows:

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

Mayor Dean distributed copies of a letter from Mr. Wiles and copies of a letter to Mr. Wiles from Michie Bobbs-Merrill regarding the code revision contract and rate of interest they would be willing to pay on the $1,400.00 paid them by the town. Michie indicated they would be willing to pay the legal rate of 6% interest as set out in the Code of Virginia, Section 6.1-330.9 and would provide the town with a formal rescission agreement if this is agreeable. Mr. Wiles stated in his letter that the authority cited by Mr. Satterthwaite of Michie Bobbs-Merrill in his judgement is persuasive on the question of interest. He pointed out that if the town could show specific damages suffered because of the delay, that would be a separate matter and should be pursued before entering into a rescission agreement. However, since PRM is willing to perform on substantially the same basis, Mr. Wiles feels we would be hard pressed to show much in the way of damages and advises taking the 6% interest and ending the contract with Michie so that we can get moving with PRM. Council was in agreement with Mr. Wiles suggestion. Mr. Wiles reported that he had received a proposed contract from PRM which conforms with the representations made by Mr. Burgess at the last meeting. The proposed agreement, however, is silent with respect to a completion date. Mr. Wiles has written Mr. Burgess asking if he would be willing to incorporate some timetable into the agreement, but has not yet had a response. Mayor Dean stated that he hopes to have the rescission agreement and the new contract, with the timetable, from PRM by the next meeting.

Councilman Holt reported that the Planning Commission had received their maps and corrections back from the county planning department and there were discrepancies that they did not feel they could correct and so they did not advertise for the public hearing. They hope to be able to have the hearing at the August meeting.

Councilman Holt reported that the Planning Commission found a flaw in the Subdivision Ordinance and have asked Mr. Wiles to prepare a proposed amendment. He has done so and if council had no objections, the proposed amendment would be passed on to the Ordinance Committee. Mr. Holt also pointed out that any amendment in the Subdivision Ordinance requires a public hearing and if there were no objections, they would go ahead and advertise at the same time as they advertise for the comprehensive plan. The first reading on the amendment could then be taken after the public hearing on August 13th.

Councilwoman Life reported that she has rescheduled her committee meeting for Monday, July 2, 1979.

Councilman Holt brought to council's attention that the Board of Supervisors will meet Monday night, July 9th., to consider the rezoning of land for Coor's Brewery and that he feels many people would like to attend this meeting and wondered if council would like to consider rescheduling the regular council meeting scheduled for July 9th. at 8:00 P.M.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life and carried to reschedule the regular council meeting from July 9th. to July 16th. at 8:00 P.M.

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

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

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