REGULAR
COUNCIL MEETING
March 8, 1982

The regular meeting of the Elkton Town Council was held March 8, 1982 at 8:00 P.M. in the council chambers with the Mayor Maurice W. Lough presiding. The following council members were present: V. L. Cook Jr., R. E. Davis, S. P. H. Flick, T. G. Hulings, L. C. Life and R. L. Snow. Noah Helsley, Acting Chief, Norma Leap, Clerk and Dale Davenport, Attorney were also present.

The meeting was opened with prayer by the Mayor.

Mr. Vernon Shifflett, Mrs. Hazel Crider, Mr. Norris McCune, Mr. Bill Holt, Mr. R. B. Hutton, Mr. B. W. Gooden, Mrs. Shirley O'Byrne, Mrs. Virginia Harman, Mrs. Dennis Mowbray and Mrs. Lorraine Smith all spoke regarding the Vepco rebate. The general consensus was that the rebate should be returned to the consumer. Several options were suggested as ways of returning the money.

Mr. Vernon Shifflett also spoke regarding the development of Memorial Park. He felt that until the drainage is corrected in the park, the town would be throwing money down the drain if they do anything else in that area.

Mrs. Hazel Crider questioned why some of Nancy Pence's time has not been utilized in the library thus allowing the library to be open more hours, possibly Saturday mornings, for people who work. Councilman Snow stated that the Personnel Committee did meet with members from the Woman's Club and attempted to work out a schedule whereby the library could be open more and did make an offer which was not accepted by them. It seems every time there is a recommendation that help be offered, someone jumps up and says we are trying to kick the Woman's Club or the volunteers out. Mrs. Crider stated that maybe if the offer was remade something could be worked out along these lines.

Mrs. Dennis Mowbray stated that they have a water problem on Washington Avenue and if the town is not going to give the rebate money back, they should consider doing something about their water problem.

Councilman Cook pointed out that there was a surplus last year in the budget but that a $50,000.00 bucket truck which was badly needed has been purchased and will have to be paid from that surplus. He also pointed out that there are two projects which the town is going to have to undertake which will cost approximately $80,000.00. One is the moving of the utility lines on Route 340 and the other is correcting the sewer problem on the lower end of town. If the rebate money is refunded, the town will have to turn around and up their rates to pay for these projects. He felt the most logical thing to do is use the rebate money for these projects and try to hold the rates to the customer at their present level.

Councilwoman Life and Councilman Davis both stated that they felt the rebate money should be returned to the consumer.

The minutes of the Public Hearing and Regular Meeting February 8, 1982 were approved.

Councilman Davis reported that Mr. Charles Taylor wants to improve the old "Heard" building by placing an awning over the sidewalk similar to the one on the Farm Bureau building. Mr. Monger has approved the plans and Councilman Davis stated he personally felt this would be okay. Council needs to give their okay before he can take it to the State Highway Department and the County zoning agency.

Councilman R. E. Davis moved, seconded by Councilwoman L. C.

Life that council approve Mr. Taylor's request to improve his building by placing an awning on the front of the building, subject to the other approvals necessary from the State Highway Department and the County. This approval is granted with the understanding that it will be without liability to the town. The vote was recorded as follows:

Cook	- yea	Hulings	- yea
Davis	- yea	Life	- yea
Flick	- yea	Snow	- yea

Councilwoman Life reported that Officer Furr signed the employment agreement contract. He is now in his sixth week of basic training. The town still has twenty-four hour coverage which is being handled by Sergeant Helsley and Officer Weaver, with Officer Furr helping out on weekends. Sergeant Helsley is trying to find some help in the area of a part time officer. The committee does have some applications for patrolmen and hope to do some interviewing next week.

Councilman S. P. H. Flick moved, seconded by Councilman V. L. Cook Jr. and carried to approve the Finance Report for the month of January.

The Committee Chairmen were asked to have their budget figures ready as soon as convenient.

Councilman Hulings reported that he and Mr. Monger went to the Virginia Electric Power Association meeting in Richmond about ten days ago. The progress on the plans of hydroelectric facilities was discussed and preliminary reports are expected by the end of the month or the first of next month.

Councilman Hulings reported that the Electric Committee met on the 22nd. of February and discussed a number of things including the Vepco rebate money. He stated that he, as Chairman, was prepared to make a motion, but would not suggest that it is the committee's motion. The committee has not firmly decided upon the best course of action. The committee decided on one thing February 22nd. but since then, without a formal committee meeting, the committee individually have decided not to decide.

Councilman T. G. Hulings moved that a credit of one-half the March electric bill be given to all subscribers of the Elkton Town Electric System with the exception of the town council members and the mayor. Any balance from the $85,000.00 Vepco rebate should be placed in a capital improvement sinking fund with first priority being the needs of the utilities department. By no means should the credit total more than the amount refunded by Vepco.

Mayor Lough ruled that the motion was out of order on the grounds that it is discriminatory.

Councilman Hulings withdrew his motion.

Councilman V. L. Cook Jr. moved, seconded by Councilman T. G. Hulings that one-half of each customers Town of Elkton electrical bill be refunded for the March electric bill and the rest of the rebate money be put into capital improvements for the two projects. The projects being moving the electrical lines and water lines off the State Highway Department on Route 340 and the rest of it going to the sewer project on First Street to the sewerage treatment plant.

Councilman Davis questioned if the people who paid this and have since moved out of town are out in the cold, and if someone who did not pay this and has since moved in town is going to get it. He does not understand how we are going to solve this.

Councilman Hulings stated that when in Richmond at the meeting about ten days ago, the seven cities represented were all faced

with this problem. Not one of those cities that he talked to refunded the total amount, nor did anyone of those refund to the original customer. They all refunded a portion of their rebate.

Councilwoman Life reviewed the 1978 refund and reasons she felt the entire rebate should be refunded to the consumer. She felt the town would have to refund to all the customers even if they have moved out of town. She stated that she has talked to seventy-three people or households in the past few days. Sixty wanted the money returned, seven felt the town should keep the money and six didn't care. She also talked with the manager of Elkton IGA, one of the two largest consumers in town, and he stated that if the town keeps the money, he would like recognition for the donation. She had talked with three other businesses and two were for returning the money and the other felt if the town kept the money it should be for electrical projects only.

Councilman Snow asked how many of the seventy-three contacted were all electric users and Councilwoman Life said she did not break that down but didn't think it was that many.

Councilman Cook stated something had been brought to his attention which made good sense to him. It has been suggested that rather than giving one-half of the March bill, give one-half of the February bill on the March billing because some people knowing they are getting half their bill free would not care how much they used. Councilwoman Life objected to this as the February bill is going to be lower due to amount of time between the readings. It was then suggested to give one-half of the January bill.

Councilman Cook withdrew his motion.

Councilman V. L. Cook moved, seconded by Councilman T. G. Hulings that one-half of each customers Town of Elkton electrical bill for the month of January be deducted on the March bill and the rest of the rebate money be put into capital improvements for the two projects. The projects being moving the electrical lines and water lines off the State Highway Department on Route 340 and the rest of it going to the sewer project on First Street to the sewerage treatment plant.

Councilman Davis still questioned the effect on people who have since moved and those who have moved in. He said he resented this question of the rebate dragging on as long as it has but that he was glad to see some action being taken. He still felt the rebate should be given back in its entirety. Either it belongs to the people or it doesn't belong to the people.

Councilman Hulings questioned if council could legally vote themselves a refund and the Mayor stated that they have paid electric bills the same as everyone else and this presents no legal problem.

Councilman Snow stated he would like to know what will be done. Is it a blanket deal to everyone that is living here now and is there not going to be any attempt to go back to people who have moved out or to screen the people who have moved in within the last month or so?

Councilman Hulings feels the intent of the motion is to benefit the Town of Elkton, and the Town of Elkton doesn't live down the road any more. The Town of Elkton is right here.

Councilman Flick stated he had nothing to say as the motion the committee agreed on and he was going to support did not come up.

Mayor Lough stated that he had hoped that the intent of the committees is to come to some sort of consensus and bring a recommendation before council. This has not happened and it has created a great deal of confusion.

The vote was recorded as follows:

Cook	- yea	Hulings	- yea
Davis	- nay	Life	- nay
Flick	- nay	Snow	- yea

Mayor - yea

Councilman Davis reported that copies of the Recreation Commission's Annual Report have been distributed to each council member and the mayor. He also reported that the grant which was sought through the Recreation Commission to develop the park was not awarded in March but will be reconsidered in June.

Councilman Davis stated that the attorney has a rough draft of the conditional zoning ordinance which has been prepared and he hopes to have a recommendation ready at the next meeting. He also reported that there is still some interest in the yard sale ordinance. They are still working on this and hope to have something on this also at the next meeting.

Councilman Davis read the following proposed agreement between the Town of Elkton and the Peoples Service Center of Elkton, Va.:

> The Town of Elkton, Virginia hereby enters into agreement with the Peoples Service Center of Elkton, Va. to lease to the Peoples Service Center, the rear portion of the town building located at 107 Terrace Avenue (formerly Elkton Police Station). The amount of rent to be fifty dollars ($50.00) per month and is to be paid to the Town Treasurer by the 10th of each month.
>
> It is also agreed that the cost of all utilities used in the rented portion of this building shall be the sole responsibility of Peoples Service Center.
>
> Be it further agreed that any desire to terminate this agreement by either party shall be presented in writing to the other party and shall provide for a period of at least sixty (60) days between time of such notice and effective date of termination of agreement.
>
> Attached drawing shows exact portion of building to be leased.

Councilman R. E. Davis moved, seconded by Councilman S. P. H. Flick and carried to accept this contract with the Peoples Service Center of Elkton.

Councilman Cook reported that one set of plans have gone to the highway department for right-of-way and for drilling under the road to put the sewer line from First Street to the sewerage treatment plant. They have requested an additional four copies of the drawings. These have already been sent and we have paid for a permit to do this. We are now waiting for approval from the highway department.

Councilman Cook read the following letter to Mr. Monger from Chuck Bedall of Vepco:

> "In response to your inquiry concerning the job to install six additional street lights in Elkwood Sub, I am writing to let you know that all material has been ordered from the respective manufacturers. As of 3-1-82, we have received all six light fixtures whiles both the spun concrete poles and fixture arms have not been received.
>
> I feel sure that the delay in receiving material is due to low manufacture inventory, given present economic conditions.

I do plan to contact you and start construction as soon as all material has been received."

Mr. Davenport reported that he petitioned the Circuit Court last month for the Writ of Elections for the special ballot. The clerk forwarded it to the local Electoral Board and there will be a separate ballot.

As there was no further business, the meeting adjourned.

MAYOR: Maurice W. Lough, Mayor

RECORDER: Norma R. Leap, Clerk