Special
Council Meeting
November 14, 2006

A special meeting of the Elkton Town Council was held in Council Chambers on November 14, 2006 with Mayor Wayne E. Printz presiding. Mayor Printz stated the purpose of the meeting was a First Reading and review of the amended FY 06-07 Town of Elkton budget, Pete Bonavita, Community Center discussion, job description for the Public Works Administrative Assistant, zoning violations, and Greg Mowbray's cabinets. The following Council members were present:

PRESENT
M. Dearing
M. Isom
D. Kite
M. O'Neill
T. Pence
S. Sigafoose

Town Attorney Tom Miller, Treasurer Clairen Sipe, Director of Public Works Marty Shifflett, Chief of Police James Morris, and Clerk of Council Richard Carey were also present.

Review Budget – First Reading

Council member O'Neill presented an amended budget which totaled $4,637,749.00. Some adjustments were made where Council member O'Neill calculated high or low allocation. BPOL, as an example, had not been distributed across the various types of taxes. He used the actual figures from last year for the projected totals in this budget. He added debt service on the building and the 1.7 million dollar loan as additional costs to operate the Community Center.

Included was a $70,000.00 "start-up" allocation and a "major change in staffing," specifically four permanent full-time positions, being a manager, a program director, an administrative assistant, and a custodian. Four part-time positions at $9.00 an hour totaling 120 hours per week were also designated. Council member O'Neill stated he was not "happy with this budget" because, in order to balance it, $205,793.00 would have to be "drawn from cash of last year."

Vice Mayor Dearing expressed that an injustice had been done to the in-coming Council because numbers were just "thrown into" the budget to make it balance. Council member Kite also questioned some of the allocations in the original budget. Council members Sigafoose and Pence championed salary increases for police officers.

A lengthy discussion followed of how the officers are paid, in addition to recent generous increases. Salary, plus benefits, plus take-home vehicles, plus equipment must be considered and added to the base pay to get a true picture of what each officer is truly making. Vice Mayor Dearing argued the Town simply does not the resources of the County and Elkton has traditionally trained officers to leave. Council member O'Neill stated Council, as a whole, would have to find their comfort level and decide what the final budget would be.

Community Center Discussion

The Center is now open from 9:00 A.M., to 9:00 P.M., Monday through Friday, and 9:00 A.M., to 1:00 P.M., on Saturday. Temporary staff was hired for permanent positions:

Allison Morris – full-time Administrative Assistant
Pam Cubbage – full-time custodian
Olivia Diehl – 30 hours temporary

Heather Machcinski – 30 hours temporary
Casey Loker – 20 hours temporary
Elaine Senn – 20 hours temporary
Jessica Frazier – 20 hours temporary

Currently, there are over sixty one-year memberships. Coors is reimbursing their employees for memberships. Vice Mayor Dearing recommended a Board of Directors for the Center. Some minor problems are being corrected. Room rental was disclosed as $25.00 for the first hour and $15.00 for each additional hour. Parents of the gymnastics participants must have membership or pay the $2.00 fee to use the equipment.

A criminal background history will be required for all employees of the Center and for those who will have any contact with the children. Free membership will be given to volunteer workers, who will be utilized in the future. Bookings for the Parks' shelters will be made through the Center staff. Due to the demand for use of the Kite house, Vice Mayor Dearing stated a committee will be formed to oversee the Kite house. In addition, Vice Mayor Dearing disagreed with the practice of permitting alcoholic beverages in government buildings. He did not believe government should promote alcohol consumption in government buildings. Presently, use is allowed as long as a banquet license is obtained from the ABC Board. Council will write the bylaws and regulations for the use of the Kite house, as well as set rental rates. One Council representative will be a member of the Kite House Committee.

Job Description for Public Works Administrative Assistant

Vice Mayor Dearing presented the job description for the position and asked for recommendations for it to be on the agenda for Monday's meeting.

Lugene Dovel

Lugene Dovel, 407 Lee Avenue, addressed Council regarding directions from Council to clean up his property. He stated he was in poor health and did not appreciate the Town's harassment. Council member Kite offered to get churchmen to help Mr. Dovel clean his property. Mayor Printz volunteered to meet with Mr. Dovel in his home at 5:00 P.M., tomorrow.

Greg Mowbray's Cabinets

Council again declined the request.

Lawrence Shifflett

Mr. Shifflett also received a letter regarding the condition of his property. It was learned that the tin cans in the yard were being gathered to be recycled.

Pete Bonavita

Mr. Bonavita discussed the proposed Downey Knolls development. The plan now is to develop the property for the age group of 55 and older. Positives are less impact on schools and an association would take of outside maintenance. The smallest home would be 1,400 square feet, excluding the garage. There will be one building, designed to look like a home, where residents will be able to meet. Curb and gutter, sidewalks, and streetlights are all part of the design, which will enable residents to be mobile by using golf carts. An emergency exit will exist.

The business area will be service oriented – doctors, lawyers, etc. – in order to not compete with existing in-Town businesses. At least one restaurant will be permitted and Mr. Bonavita alluded to a bakery and bagel shop. Every commercial location will have a residential look. Proper landscaping will be part of the design. In the green space, a picnic area and walking trail are envisioned. The Rockingham Planning Commission, although they have not approved the plan, appeared very much in favor of the development, according to Mr. Bonavita.

Mr. Vic Corbo stated since the Town would provide the water and sewer services that the Town should benefit from the tax base. Mr. Bonavita responded that he would not request a boundary line adjustment prior to County approval of the project.

A letter was discussed from the Elkton Planning Commission to Rockingham County, in which was stated the Planning Commission and the Elkton Town Council were "not in favor of rezoning as approved." Council member O'Neill was not aware of such a letter until Mr. Bonavita provided him a copy. Council member O'Neill stated that Council twice affirmed its commitment to provide water and sewer to Downey Knolls and the Planning Commission inaccurately stated his position. Council member O'Neill clearly wanted a policy where this situation would never happen again and he was puzzled why this has become an issue again.

Mayor Printz stated his issues were the connections fees being paid to the County and the possible future conflict of new businesses competing with in-Town businesses. Another unacceptable item was the presentation to Council of the treatment plant flow chart via the Planning Commission. The system appeared to be working in reverse.

Dan Talbot, Planning Commission Chair, was present. He stated it was unfortunate, but there has never been good communication between the Council and the Planning Commission. Therefore, a Council representative on the Planning Commission serves a purpose. Mr. Talbot reminded Council that there is not a reserve of applicants from which members can be appointed. That justified Mr. Marty Shifflett's position as a member of Council as well as being a voting member of the Commission.

Mr. Talbot's history of Mr. Bonavita's rezoning began in April/May of 2006. At that time, Mr. Donachy provided information to the Planning Commission which, "As a commission, we depend pretty heavily on Town representatives to give us the background on things because we don't have good communications with the Council." stated Mr. Talbot. He also acknowledged the lack of time between a request from the County and the reply from the Planning Commission. Sometimes it is less than thirty days.

The draft letter that led to all the contention was a letter that was written under pressure from the County for the Commission to state their position. Ms. Henderson needed "something" from the Planning Commission stating their position on borderline sub-development. Mr. Talbot was told the draft would not be disseminated. By attempting to present a unified voice – Council and Planning Commission – to the County, Mr. Talbot, in the draft, wrote it was the opinion of the Council and Planning Commission. He admitted his error. He was consoled, however, that if this gaffe leads to better communication between the two bodies, then he was "glad to have penned the letter."

Council member Sigafoose was excused at 8:12 P.M.

Closed Session

Council member O'Neill moved, second by Vice Mayor Dearing, and carried to go into closed session under Virginia Code Section 2.2-3711A.7 for consultation

with legal counsel and briefing by staff members pertaining to actual or probable litigation, where such consultation or briefing in an open meeting adversely affect the negotiating or litigating posture of the Town.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and T. Pence

Motion carried (5 – 0 roll call)

Council member O'Neill moved to go from closed session back into regular session and that each member, to the best of his or her knowledge, certified that only public business matters lawfully exempted from an open meeting requirement under Chapter 21 of Title 2.2 of the Code of Virginia were heard, discussed, or considered. Vice Mayor Dearing duly seconded the motion.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and T. Pence.

Motion carried (5 – 0 roll call)

As there was no further business, the meeting was adjourned.

Mayor: _____
Wayne E. Printz

Recorder: _____
Richard D. Carey, Clerk