Regular
Council Meeting
October 15, 2007

The regular meeting of the Elkton Town Council was held on October 15, 2007 in Council Chambers at the Elkton Area Community Center with Mayor Wayne E. Printz presiding. The following Council members were present:

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

Town Attorney Lauri A. N. Sigler, Town Superintendent/Zoning Administrator Marty Shifflett, Chief of Police James A. Morris, EACC Administrator Allison Morris, Treasurer Clairen Sipe, EACC Secretary Diane Johnson and Clerk of Council Denise R. Monger were also present.

Council member Kite introduced Reverend James Martin who gave the invocation.

The Pledge of Allegiance was recited.

Vice Mayor Dearing spoke in remembrance of Rachel Good, who disappeared in Elkton on October 18, 2003. Near the fourth anniversary of her disappearance, he noted the case was still open and encouraged any citizens with information to contact the proper authorities.

CITIZEN COMMENTS

Carla Pence, Old Spotswood Trail, Elkton, representing Roosters Restaurant and C & S Diner, stated various reasons why the businesses did not support an increase in meals tax.

Mildred Shifflett, 112 West Spotswood Avenue, Elkton, expressed her dismay regarding certain Council members who had not kept their word concerning an issue. Mrs. Shifflett spoke of her support for a name change regarding the Community Center provided this measure would prevent an increase in taxes. She encouraged Council to consider the difficulties a tax increase would have on senior citizens in the community. Further, she queried if Council were contemplating a business transaction in which real property would be bartered for Bear Lithia Spring.

Vice Mayor Dearing stated that tax rates for the Town are set in July for the entire fiscal year. Therefore, taxes cannot be raised until the next fiscal year. Further, he stated that no transaction or discussion had taken place regarding a trade of land for Bear Lithia Spring nor can taxes be raised without proper notification and a public hearing.

Vic Corbo, Elkton, read the following:

"I would like to direct these questions to Mayor Wayne Printz and Councilman Mike O'Neill and I would like responses from the other Council members."

- Vic Corbo: "Is it true that the Council is negotiating to turn the Community Center over to the County?"

Mayor Printz: "Absolutely not."

- Vic Corbo: "Is it true that Mayor Printz and Councilman O'Neill met with Supervisor Mike Breeden to discuss this matter?"

Mayor Printz: "We met to go up and get the check and we discussed many matters regarding the finances of the Community Center."

Council member Pence stated the entire Council and Mayor should be involved in the process.

- Vic Corbo: "If Mayor Printz and Councilman O'Neal met with Mike Breeden, did you, the Council members, know prior to the meeting?"

Mayor Printz: "No, you can't have more than two people at a meeting, with anyone, unless you have a..."

Vic Corbo: "Some things were discussed without anyone else knowing?"

Mayor Printz: "Things were discussed there and we came back and told Council everything that was discussed."

Mayor Printz continued that he discusses numerous issues regarding Town business with many levels of government on a daily basis. He stated that on certain matters, information would need to be obtained in order to inform Council of options. Regarding the above-referenced matter, an inquiry was made regarding the status of the check for the Community Center and a discussion of financial matters also took place.

Vice Mayor Dearing, Council member Kite and Council member Isom stated their commitment to and support of the Community Center remaining a Town facility.

Hazel Crider, Elkwood, spoke regarding the Veteran's Day Program taking place on Saturday, November 10, 2007 at 11:00 a.m. in Stonewall Park. Mrs. Crider noted that the Neighborhood Watch would sponsor the event and serve refreshments. She encouraged everyone to attend the event.

Mrs. Crider also noted the organization was working with Chief Morris to develop a program for "homebound person(s)." The program would allow volunteers to "hello call" each individual enrolled in the program and have them advise of any needs they may have. Mrs. Crider noted the need for such a program in the community and encouraged all citizens to inform her, any watch member or Chief Morris of person(s) in need.

Council member O'Neill spoke regarding the Community Center. He stated that the Town had been expecting to receive funds in the amount of $250,000.00 from the County for the Community Center for several months. The Treasurer had contacted him on several occasions with concerns regarding cash flow and payroll for the Town. Due to the dependency of those funds to keep the center operational, he felt as finance chair, it was appropriate to pursue the receipt of the check.

Council member O'Neill noted that at one point it seemed the reason for the non-payment of funds was due to a name discrepancy, pursuant to information received from Town Superintendent Shifflett.

Council member O'Neill noted a new budget would need to be prepared in January of 2008 and information for that purpose was also a goal at the meeting. He noted the actions were proper and the check was secured for the Town. Additional options were explored and that information was relayed back to the Council.

Council member O'Neill presented a financial analysis of the center in which various scenarios were offered as solutions to increase revenue for the Town and maintain the center. However, he stated he did not support raising taxes or utilities to

subsidize the center. He also noted a discussion took place regarding the County assuming operations of the center, as an option, which he presented to Council.

Council member Kite discussed other community centers in the County and noted his commitment to the Elkton center.

Council member Isom requested all Council members meet with County to discuss options regarding the center.

Vice Mayor Dearing stated it was never anticipated the Community Center would make a profit. He noted some expenses were to be absorbed under general government.

Bobby Johnson, Elkton, spoke in favor of the Town's support for the center. He asked Council to continue efforts to keep the center as part of the Town.

Council member Pence also spoke in favor of the Community Center remaining a part of the Town.

Mayor Printz stated he had spoken with Mike Breeden regarding numerous issues involving the Town. He had discussed the name of the Community Center with Supervisor Breeden and stressed the importance of the center to the people of Elkton. He noted that Supervisor Breeden agreed to the name remaining Elkton Area Community Center.

Mayor Printz spoke regarding the history of the Community Center and the events that took place in order for the facility to be built. He noted the previous Council made decisions to spend and borrow money regarding the center. He stated the finances of the center had been an issue for some time. However, he was satisfied with the fees that were charged. He noted his non-support to raise taxes and encouraged everyone to work with the County for their support. Mayor Printz advised diligence regarding spending.

Mayor Printz discussed the seriousness of the Town's current financial situation. He encouraged everyone to work together as a unit. He noted suggestions for increased revenue for the center such as: teen dances, printing donation information for the center on Town bills and inviting additional volunteers to work at the center.

MINUTES

Motion to Approve September 11, 2007 Committee Meetings Minutes

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to approve the minutes for the Committee Meetings held on September 11, 2007.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve September 17, 2007 Regular Council Meeting Minutes

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to approve the minutes for the Regular Council Meeting held on September 17, 2007.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Approve October 9, 2007 Special Council Meeting Minutes

Council member Kite moved, seconded by Council member Isom, and carried to approve the minutes for the Special Council Meeting held on October 9, 2007.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

TREASURER'S REPORT

Treasurer's report was not part of the regular packet.

Treasurer Sipe reported an ending ledger balance of $346,256.09 for General Government for the month of September 2007. Total designated money was $210,023.42, leaving total available cash of $136,232.67.

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried to accept the Treasurer's report as presented.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Vice Mayor Dearing queried Treasurer Sipe regarding the status of the Town's cash flow since the initiation of the "spending freeze." Treasurer Sipe responded by stating there was an increase in cash flow.

COMMUNITY CENTER ADMINISTRATOR'S REPORT

Report provided for Council in the packet.

EACC Administrator Allison Morris stated the First Annual Community Health Fair would be held on October, 27, 2007 from 9:00 a.m. – 1:00 p.m.

Vice Mayor Dearing suggested a full Council meet with Administrator Morris and her staff to discuss various topics and issues regarding the Community Center.

Council member Kite requested and was given approval by Council to publish advertisements regarding the Community Center.

TOWN SUPERINTENDENT'S REPORT

Town Superintendent's report was not part of the regular packet.

Council received progress reports regarding work orders for the month of September with year-to-date figures and a report on utility use.

A brief discussion took place regarding the Town's donation of electrical use. A water loss report was not available at the time of the meeting.

Mayor Printz stated the policy regarding yard waste had been revised which now stated that two (2) thirty-five gallon bags would be accepted at no additional charge.

Council members Pence and Kite stated the tables at the shelters were in need of attention. Council agreed that a Town employee would rinse the tables off once a week.

CHIEF OF POLICE REPORT

Report provided for Council in the packet.

Mayor Printz stated he and others attended Chief Morris' graduation ceremony. He commended Chief Morris for his efforts.

NEW BUSINESS

Motion to Allocate Funds for Halloween Hoo-Doo

The Halloween Hoo-Doo was scheduled for October 31, 2007 from 5:30 p.m. – 7:30 p.m. Neighborhood Watch would participate in the event. Chief Morris stated some streets would be closed during that time.

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to allocate $1,000.00 to EDRC to be used for the Halloween Hoo-Doo and the Autumn Days festivities that they have set-up. They will present to our Treasurer, upon completion, the expenditures.

Council member Kite stated he had received calls from citizens regarding the participation of EDRC in the event if businesses were giving candy. He stated the organization would work in conjunction with the Community Center for the costume judging and other activities to take place that evening at the center.

Vice Mayor Dearing concurred and added that EDRC provided the advertisements and additional work for the Halloween event.

Treasurer Sipe requested Council clarify the above-referenced motion. Council member O'Neill stated the funds were to be allocated from economic development.

Additional discussion continued concerning the participation of EDRC with the event.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Allocate Funds for Water, Sewer and Electric Expenses for the Centennial Headquarters

Council member O'Neill moved, seconded by Council member Isom, and carried for the Town to allocate funds to cover water, sewer and electric expenses for the Centennial Headquarters. Basically, the Town will assume the cost for those. In addition, we cover the expenses for propane heating for that building.

Brief discussion took place regarding the amount of funds to be allocated for propane heating.

Council member O'Neill amended the motion to state the following:

Council member O'Neill moved, seconded by Council member Isom, and carried for the Town to allocate funds to cover water, sewer and electric expenses for the Centennial Headquarters and also authorize up to $800.00 to cover the expenses for propane heat.

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

NAYS: None

VOTE: (6 – 0 roll call) Amended Motion carried

Motion to Authorize Treasurer to Abate $1,217.87

Council member O'Neill moved, seconded by Council member Isom, and carried to authorize the abatement of utility delinquencies presented by the Treasurer in the amount of $1,217.87.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Allocate Fire and Rescue Donations

Council member O'Neill moved, seconded by Council member Sigafoose, and carried to authorize $2,500.00 each to the Fire Department and the Rescue Squad which is half of what we had planned thus far.

Vice Mayor Dearing questioned the reduction in the donation amount when Council had voted on a larger donation as stated in the budget. Mayor Printz responded that although the donations were not capital expenditures the amounts were being presented to Council again due to the spending freeze. Council member O'Neill added that even though a certain amount was designated in the budget, the Town could not currently release the full amount.

Vice Mayor Dearing compared the allocation of donations and stated it was his hope that the Town would be able to financially assist the rescue organizations with more funding.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Authorize Second $7,500.00 to Centennial Committee

Council member O'Neill moved, seconded by Council member Isom, and carried to authorize the expenditure of the second $7,500.00 to the Centennial Committee on their request; it authorizes the Treasurer to issue payment on their request.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

COMMITTEES

Electric

No report at this time.

Council member Isom thanked Town Superintendent Shifflett for the reports.

Finance

No report at this time.

Personnel

Vice Mayor Dearing stated personnel matters would need to be discussed in closed session.

Public Health, Safety, Ordinances

No report at this time.

Vice Mayor Dearing suggested the police department begin foot patrolling the Town in order to create good personal police service.

Streets and Sidewalks

No report at this time.

Council member Pence stated the streets were in need of attention. Numerous potholes throughout Town were discussed. Town Superintendent Shifflett stated the Town had funds for repairs.

Council member Kite stated there was a bit of confusion regarding what funds could or could not be spent while the Town was under a spending freeze.

Council member Isom stated the Railroad Caboose located near the Municipal Building was in disarray and in need of repair. Mayor Printz asked the public for suggestions and sent the matter back to committee.

Water and Sewer

No report at this time.

Recreation

No report at this time.

Planning Commission

No report at this time.

Cemetery

Vice Mayor Dearing reported the commission met last month. He noted the commission had named the streets in the Cemetery after prominent individuals or people instrumental in the creation of the Cemetery. He noted the commission was reviewing mausoleum and cremation policies.

Advisory

Mayor Printz thanked Madelyn Dixon, Bill McDonald, Bob Hammer and Haze Crider, Chair of the Advisory Committee.

The committee recommended the Town contact the State Highway Department and suggest an additional left turn arrow be painted on Stuart, near the intersection of Stuart and Rockingham Street. As it is now, some drivers get in the left lane, thinking it is a thru lane, when in fact you must turn left from that lane. Advising drivers earlier would help resolve this problem.

The committee recommended, for the third time, that consideration be given to improving the entering and exiting of Stonewall Park. This is an accident area waiting to happen.

The committee stated there is a traffic problem with school buses entering Stuart Avenue from C Street every afternoon when school lets out. Again, the committee suggested the Town police consider directing traffic at the intersection for the 15 minutes it would take, immediately after school dismisses.

With the improvements to the Triangle, which has greatly improved the appearance of that area, the committee recommended again, that the Town consider painting cross walks for the safety of pedestrians in that area.

UNFINISHED BUSINESS

Fence Ordinance – Second Reading

This matter was sent back to committee. A public hearing would be held on the matter.

Flood Ordinance – Second Reading

This matter was sent back to committee. A public hearing would be held on the matter.

Sign Ordinance – Second Reading

This matter was sent back to committee. A public hearing would be held on the matter.

Ordinance to Amend Chapter 143 (Streets and Sidewalks) and Add Article VI (Closure of Streets or Alleys) to the Code of the Town of Elkton

This matter was sent back to committee.

Ordinance Approved by Planning Commission regarding Apartment Houses

This matter was sent back to committee.

Trespass Ordinance – Second Reading

Council member O'Neill presented the following as a Second Reading:

Second Reading
Amendment to the Elkton Town Code
October 15, 2007

WHEREAS, § 15.2-1717.1 the Code of Virginia gives a locality the authority to adopt an ordinance to establish a procedure whereby the owner, lessee, custodian, or

personal lawfully in charge of real property may designate the local law enforcement agency as a "person lawfully in charge of the property" for purposes of forbidding another to go or remain upon the lands, buildings or premises of the owner; and

WHEREAS, the chief of police has recommend the adoption of such ordinance;

BE IT RESOLVED that the Town of Elkton hereby adopts by ordinance the following Amendment to Chapter 27, POLICE, to the Elkton Town Code creating a new Section, as follows:

Chapter 27
POLICE
Article I
Police Department

Section 27-7. **Designation of police to enforce trespass violations.**

The chief of police may accept a designation by the owner, lessee, custodian, or person lawfully in charge, as those terms are used in the Code of Virginia § 18.2-119, as amended, of real property located within the town, designating the Elkton Police Department as a "person lawfully in charge of the property" for the purpose of forbidding another to go or remain upon the lands, buildings or premises of the owner as specified in the designation. Any such designation shall be in writing and shall be kept on file with the Elkton Police Department. The chief of police shall promulgate rules, regulations and/or a procedure for the acceptance and use of such designation.

Council member Kite duly seconded the motion.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Water Hauler Rate Increase – Second Reading

Council member O'Neill moved on the second reading, seconded by Vice Mayor Dearing, and carried that the rates charged to water haulers and bulk purchasers of water be raised to $3.50 per 1000 gallons.

Vice Mayor Dearing stated the Town does not bill invoices to water haulers for water consumption. He suggested the Town prepare and mail invoices to the water haulers in order to maintain proper records.

Further discussion ensued regarding the matter. Town Attorney Sigler to review the matter and advise Council.

The first reading, which stated the water hauler rates would increase to $4.00 per 1000 gallons was modified. The rate was lowered to $3.50 per 1000 gallons as reflected in the above motion.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Increase Meals Tax – First Reading

Pursuant to advice from Town Attorney Sigler, Council member O'Neill stated that since a section of the Town Code must be modified, he would present the following motion as a First Reading and not a Second Reading as stated on the agenda. He would like the Second Reading to take place at the public hearing.

Council member O'Neill presented the following as a First Reading:

Amendments to the Elkton Town Code
October 15, 2007

Chapter 148
TAXATION
Article V
Meals Tax

Section 148-40. Levy and rate.
In addition to all other taxes of every kind, now or hereafter imposed on meals, there is hereby imposed and levied on each and every meal sold by restaurant and caterers within the town, as defined herein, a tax equivalent to -4-6% of the total amount paid for such meals.

This ordinance shall become effective on December 1, 2007.

A brief discussion took place if a public hearing would be necessary. Town Attorney Sigler stated she had researched the issue and concluded there were no requirements to have a public hearing. A Special Council Meeting would be required in order to perform the Second Reading.

Council member O'Neill amended his motion to include the ordinance would become effective on December 1, 2007.

Increase Cost of Town Decals – First Reading

Council member O'Neill stated for the same reasons as above, he would present the following as a First Reading:

Council member O'Neill presented the following as a First Reading:

Amendments to the Elkton Town Code
October 15, 2007

Chapter 148
TAXATION
Article IV
Motor Vehicle License Tax

Section 148. How license obtained; schedule of license taxes.

A. The owner of a vehicle as provided for in § 148-33 shall obtain the requisite licensed from the Town Treasurer upon giving to the Town Treasurer a description of the vehicle to be licensed, including the make, model, serial number and state license number of the motor vehicle and upon the payment to the Town Treasurer of a license tax in the following amount:

(1) Motor vehicle other than motorcycle: $ ~~20~~ 25.

This ordinance shall become effective on December 1, 2007.

Council member O'Neill spoke of discussions regarding a one-time use of the increased decal fee relative to the Centennial Celebration. Town Attorney Sigler noted that if the increased decal fee was only imposed for one year, Council would have to return to the matter next year in order to reduce the fee.

Mayor Printz requested Council discuss the matter and return with a decision by the next Regular Council Meeting.

Lot Line Revision for Dr. Brown

Mayor Printz noted this matter would be sent back to committee. Town Superintendent Shifflett requested some movement on the matter.

Vice Mayor Dearing stated this was a conflict between Subway and Dr. Brown and their attorneys should handle the matter. Town Superintendent Shifflett stated the matter involved the adjustment of lot lines. Town Attorney Sigler stated, "Really, the lot line adjustment he's asking for doesn't affect the issue of parking spaces. That might be an issue, but it's a separate issue."

Vice Mayor Dearing stated he had spoken with Boyd Lam, who inspected Subway. He had authorized the building to open with the number of parking spaces they had - 82 seats. He noted that if Mr. Brown would be allowed to take away those side parking spaces then the seating capacity would need to be reduced. Vice Mayor Dearing asked for Mr. Lams' recommendation on the matter and was told not to involve the Town.

A brief discussion continued in which Vice Mayor Dearing presented the following:

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to consider the revision for Mr. Brown's lot line addition.

Vice Mayor Dearing stated he would put a motion on the floor just to consider the revisions to the lot lines. Mayor Printz stated he could not recognize the motion as presented and asked for a motion either "for or "against" the request.

Council member O'Neill moved, seconded by Vice Mayor Dearing and carried to deny approval.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Approve Policies regarding Divertees

Mayor Printz sent this matter back to committee.

Motion to Adopt Grievance Procedure

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried for Council to adopt the Grievance Procedures specified in the already approved Employee Handbook Manual for adoption for the Town of Elkton.

Town Attorney Sigler noted that the employee handbook had been adopted but no specific reference made to the grievance procedure which was new. She noted that Council should be on record regarding the adoption of the new grievance procedure.

A brief discussion took place regarding the grievance procedures for the Elkton Police Department.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Allocate Funds to Purchase Centennial Banners and Brackets

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to allocate $10,000.00 to purchase 100 Centennial banners and brackets which will be controlled by the Centennial Committee and sold as collectors' items to recoup the money, be placed back in general funds at the end of the sale.

Council member Kite spoke regarding the number of banners and brackets being purchased in regards to the number of poles to be used. Further, he spoke regarding the condition of the merchandise once the items were retired and offered for sale. Council member Isom stated a great deal of interest had been generated on the matter.

Further discussion continued regarding the matter.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Centennial Celebration

Council member Isom reported that the Centennial Headquarters would be open Saturday during the festival and Halloween night as they will be giving out candy. She noted the committee was working on various projects for fundraisers. She distributed merchandise that had been ordered for the event to Council for consideration.

Council member Isom noted that private citizens had volunteered money to buy items and the proceeds would be used to benefit the Centennial. She noted that Vice Mayor Dearing had graciously purchased some items and would allow the Centennial Committee to keep the proceeds. She noted that key chains, pencils, t-shirts and wooden nickels had been ordered for the event.

The next scheduled meeting for the Centennial Committee is October 25, 2007 at 6:00 p.m. in the Centennial Headquarter location.

Council member Isom asked Council to consider a July 4th Celebration for 2008. Council member O'Neill suggested that decal revenue assist with funding for a July 4th Celebration.

TOWN ATTORNEY

Town Attorney Sigler stated she had no additional items to discuss.

MAYOR'S BUSINESS

Mayor Printz stated he appreciated the attendance of the citizens and hoped the meeting resolved certain issues that were of concern. He noted his hope that everyone could move forward regarding the Community Center. He encouraged volunteers to step forward to assist the center and encouraged everyone to work together.

Benny King, Elkton, noted a real estate issue he would like to discuss with Council. Mayor Printz stated the Council had not made a decision regarding that matter. Mr. King stated he had made two simultaneous requests for water and sewer connections. Town Superintendent Shifflett stated Council would have to review the information once more. Mr. King noted the house is finished and prepared for the hook-ups.

A brief discussion took place regarding the next meeting date that would allow Council to review the matter for Mr. King. Mayor Printz suggested the matter be heard on the same evening as the public hearings.

Closed Session

Council member O'Neill moved, seconded by Council member Isom, and carried to go into closed session under Virginia Code 2.2-3711.A.11 to discuss personnel issues, and under Virginia Code 2.2-3711.A.7 to discuss pending/possible litigation.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

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. Council member Sigafoose duly seconded the motion.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Hire Robert Greer

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried for Council to hire Robert Greer at $33,000.00 per year.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Hire Herbert Kite

Vice Mayor Dearing moved, seconded by Council member Kite, and carried for Council to hire Herbert Kite at $33,000.00 per year.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Authorize Buy-back Vacation Time from Chief James A. Morris

Council member O'Neill moved, seconded by Council member Sigafoose, and carried for Council to authorize buy-back of vacation time for Chief James A. Morris over a period of three weeks.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

As there was no additional business, **Council member O'Neill moved, seconded by Council member Kite, and carried to adjourn the meeting.**

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk