Special
Council Meeting
February 27, 2007

Vice Mayor Dearing called a special meeting of the Elkton Town Council to order in the Community Room of the Elkton Area Community Center on February 27, 2007. The following Council members were present:

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

Acting Town Superintendent Marty Shifflett, Treasurer Clairen Sipe, and Clerk of Council Richard Carey were also present. Mayor Wayne E. Printz arrived with Town Attorney Tom Miller at 6:07 P.M., and Mayor Printz proceeded to chair the meeting.

Allow Alcohol in the Elkton Area Community Center

Council member Kite opened the session by explaining how the Committee System operates to bring business to full Council. As Chair of Recreation, tonight he will bring Community Center policies and procedures before Council for discussion and, hopefully, resolution.

At Council's last meeting, Council member Kite presented an alcohol policy for the Community Center, if Council voted to allow alcohol consumption for special events held inside the Community Center. Council member Kite made it clear he was not an advocate for an alcohol policy but, because of requests, he was obligated, as the Council representative, to bring the issue to Council.

Vice Mayor Dearing moved, second by Council member O'Neill, and carried to designate the Elkton Area Community Center as a drug, alcohol, and tobacco free Center.

With a short comment period, five Council members favored the motion and opted to keep the Center "family oriented." Council member Sigafoose believed the issue was too controversial and would abstain when his name was called for the vote.

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

ABSTAIN: S. Sigafoose

Motion carried (5 with 1 abstention – roll call)

Elkton Area Community Center (EACC) Procedure Manual

Full-time Town employees observe 11 paid holidays. Vice Mayor Dearing observed the EACC Manual listed five. EACC Administrator Morris stated the Center would be manned by part-time employees.

Acting on a recommendation from Council member O'Neill, Council accepted the Town of Elkton paying the membership for full-time employees and part-time Center employees as an added employee benefit. The employee, in turn, could pay the difference for family membership. Rockingham County could elect to do the same for its employees, or pay the full fee for family membership.

Vice Mayor Dearing questioned who would enforce disciplinary action and who would track it. There were no guidelines in the policy. An appeal process was discussed.

Whatever is eventually decided, Attorney Miller suggested that if a suspension was involved, would the suspension time be deducted from the duration of the membership, or would the suspension time have no affect on the remaining time. Also, a length of time to appeal should be included in a policy. Attorney Miller suggested additional information regarding medical disclosure be researched for Center users.

Various uses of the Community Room and other areas of the EACC were discussed. A senior lounge and a satellite training area were among the suggestions.

Payment must be made at the time of a reservation. This is a policy to assure that requested space is used and does not set vacant when another group could have rented a room.

Administrator Morris described additional equipment that would benefit children. Mrs. Morris added donation could cover the cost of four new pieces of exercise equipment.

The batting cage, supervision of children, liability, evacuation policy, training policy, entry after hours, the use of the Center by the Red Cross as a shelter, CPR certification, and kitchen use were additional topics of interest.

Sewer Back-Up – West Washington

Two homes were affected. One family chose to remain in their home and take care of the clean-up. Their loss was HVAC, for which a bid has been received to replace. The second family was removed from their home, a sanitation company was called, a dumpster and a pod were placed at the location. Mayor Printz was certain the damage would exceed the $10,000.00 coverage of the Town's No Fault Policy.

Mayor Printz stated one family had no homeowner coverage and the other had $5,000.00 coverage. Attorney Miller was concerned with Council accepting liability when ownership of the tree and sovereign immunity had not been established.

The Town is paying for their hotel accommodations and meals. Mayor Printz stated he told the family from this point all expenditures had to have Council approval. Council member O'Neill considered doing what was basically expedient to get the family out of the hotel and back into their home. Attorney Miller suggested an insurance adjuster from VML make recommendations or arrive at a conclusion for damages.

Council member Sigafoose was excused at 7:50 P.M.

Council agreed to authorize $40.00 per day for lodging and $30.00 per diem for meals, until further notice.

Closed Session

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

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.

Mayor Printz was excused at 10:00 P.M.

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, Vice Mayor Dearing adjourned the meeting.

Mayor: _____
Wayne E. Printz

Recorder: Richard D. Carey, CMC
Richard D. Carey, Clerk