Regular
Council Meeting
May 21, 2007

The regular meeting of the Elkton Town Council was held on May 21, 2007 in the Community Room of 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 Tom Miller, Acting Town Superintendent/Zoning Administrator Marty Shifflett, Chief of Police James A. Morris, Treasurer Clairen Sipe, and Clerk of Council Denise R. Monger were also present.

Council member Kite offered the Invocation.

The Pledge of Allegiance was recited.

CITIZEN COMMENTS

Rick Workman,154 Sweetgum, read the following address to Council regarding the 2008 Centennial Celebration:

"On 14 March, 2008 the Town of Elkton will celebrate its 100th Anniversary. Interested citizens have organized and initiated discussions to make this celebration an event our community will be proud of. One hundred years only comes along once and we are all fortunate it will happen during our lifetime. I was a child during the 50th Anniversary and away in the Army during the 75th Anniversary. I will be in Elkton, my hometown, during the 100th and hope to do all I can to make it an event befitting our Town. Today I ask the support of our Town government. I ask the support of the Mayor, Council, Police, and Public Works along with all the Community Organizations and churches. Together we can form partnerships and make our Centennial Celebration a truly community event.

Interested citizens have met four times at advertised public meetings and recently chosen me to lead this endeavor forward. I accepted the challenge and now challenge other to come forward to take on important positions still vacant. The organization must have leaders and directors for it to function and be successful. In addition to leaders, funds will be needed to move forward. I ask the Town Council to support this Centennial Committee with the funds needed for success. Rest assured any funds made available will be spent wisely and accounted for properly. Additionally, any financial reports required by the Town Treasurer will be submitted as requested on a timely basis. I understand and insist that a full understanding of the funding, spending and reporting process be agreed upon before we move on and receive any funds.

Taxpayer's money is not a toy and I take spending seriously. I submit that a full review, discussion and democratic process be followed by the executive board prior to making any significant purchases or signing any contracts. After all, this is our tax money also. For your information, one of the committees will be the Fund Raising Committee. Their primary function will of course be raising funds. Even before the committee is formed, plans are already brewing with endless ideas from fundraising activities. Spaghetti suppers, dances, steak dinners, black tie affairs and the sale of souvenir articles are a few fund raising suggestions on the burner. This Centennial Committee will do all it can to raise its own funds and cut the need for Town funds as much as possible. We are getting a jump on 2008 since we desire to start raising funds

as soon as the committee groundwork is complete. Just to let you know, the major fund raising event in 1983 was the Horse Show. Today it is conducted as the yearly fund raising event for the Historical Society.

In closing, I again want to reiterate my desire that this Centennial Celebration be a community event with the participation of the entire community similar to the Diamond Jubilee in 1983. Again I ask the support of the Town government. The 100th Anniversary in my opinion should be an event backed and enjoyed by every facet of our community. Together we can show the region that Elktonions are proud people, we are together, and on 14 March 2008, we are celebrating 100 years as the Gateway to the New World. Thank you. The Centennial Committee will meet again on Tuesday."

Mr. Workman formally nominated Welty Hensley for the 2007 Elkton Community Service Award for his service to the community. He will submit an official letter outlining his numerous contributions to the betterment of our community.

Mildred Shifflett, 112 West Spotswood Avenue, spoke regarding senior citizens and young married couples being unable to pay utility bills. Mrs. Shifflett commended the police department and Chief Morris for their hard work. Mrs. Shifflett expressed the need to have someone at the police window to accept utility payments for those who are unable to access or have difficulty accessing the steps to the Municipal Building.

Casey Billhimer, spoke regarding the Centennial Celebration and requested $50,000.00 for expenses. Mr. Billhimer suggested a railroad excursion as a fundraising idea to help raise additional funds for the event.

Hazel S. Crider, Elkwood, stated that citizen comments are an important part of every meeting and she would like to see this process continue. Mrs. Crider agreed with Mrs. Shifflett that an employee should be available at the police window to accept payments from those who are unable to climb stairs. Mrs. Crider was concerned that Council appeared to be moving forward on the development of the Kite property and expansion on Blue & Gold Drive without first hearing from the citizens of Elkton or holding a public hearing.

Mayor Printz assured Mrs. Crider that Council was simply gathering information for future reference.

MINUTES

Vice Mayor Dearing moved, second by Council member Sigafoose, and carried to approve the minutes of the Committee Meetings of April 10, 2007.

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

Motion carried (6 – 0 voice vote)

Council member Kite moved, second by Vice Mayor Dearing, and carried to approve the minutes of the Regular Council Meeting of April 16, 2007.

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

Motion carried (6 – 0 voice vote)

Vice Mayor Dearing moved, second by Council member Kite, and carried to approve the minutes of the Joint Public Hearing of April 18, 2007.

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

Motion carried (6 – 0 voice vote)

Vice Mayor Dearing moved, second by Council member Sigafoose, and carried to approve the minutes of the Special Council Meeting of April 18, 2007.

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

Motion carried (6 – 0 voice vote)

Vice Mayor Dearing moved, second by Council member O'Neill, and carried to approve the minutes of the Special Council Meeting of April 23, 2007.

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

Motion carried (6 – 0 voice vote)

Council member Kite moved, second by Council member Sigafoose, and carried to approve the minutes of the Committee Meetings of May 8, 2007.
YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, T. Pence and S. Sigafoose

Motion carried (6 – 0 voice vote)

Vice Mayor Dearing moved, second by Council member Pence, and carried to approve the minutes of the Regular Council Meeting of May 14, 2007.

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

Motion carried (6 – 0 voice vote)

TREASURER'S REPORT

Treasurer Sipe reported an ending ledger balance of $419,246.62 for General Government for the month of April 2007. Total designated money was $252,210.24, leaving total available cash of $167,036.38.

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

Vice Mayor Dearing requested Treasurer Sipe separately identify donations made to the Community Center.

Mayor Printz and Treasurer Sipe named various ways of paying utility bills: any bank in town will accept payments on or before the due date; and a credit card can be used in person in the Treasurer's office.

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

Motion carried (6 – 0 roll call)

COMMUNITY CENTER ADMINISTRATOR'S REPORT

Vice Mayor Dearing discussed the professional management of temporary employees at the Community Center by Administrator Morris.

Outdoor Effects enhanced the entrance to the Community Center by providing new flowers.

Administrator Morris stated there were 49 new members for the month of April making a total of 1101 members.

Further discussion continued regarding the aerobics room and the pursuit of additional aerobics instructors.

Council member Isom inquired as to the reason for the reduction in hours on Saturdays. Administrator Morris responded that according to her new I.D. system, only 5% of her clientele visit the Community Center on Saturdays. Therefore, the hours were reduced accordingly and the Center now closes at 3:00 pm. Administrator Morris further stated, that according to the data provided to her from the new system, the Center could close at 1:00 pm on Saturdays due to the reduction in attendance. She had produced those statistics in the form of pie charts for Council in previous reports.

Council member O'Neill stated he had observed surveillance equipment around the Community Center and questioned Administrator Morris if the system was active. She responded by stating that the system was active with a total of fourteen cameras. The system is recording 24/7.

Council member Kite stated there would be a fundraising event at the Community Center on Saturday, May 26, 2007. The event to be held is Longaberger Bingo to help raise money for children's equipment.

Vic Corbo, Elkton, inquired as to the status of the Farmer's Market. Administrator Morris stated the Farmer's Market had started two weeks ago and had been advertised in The Valley Banner and The Daily News Record. She stated there should be more participation when produce becomes more in season and when the Department of Agriculture had completed the kitchen inspections for vendors who would sell processed foods.

Mayor Printz commended Administrator Morris and her staff for their hard work.

DIRECTOR OF PUBLIC WORKS

No report at this time.

CHIEF OF POLICE REPORT

Chief Morris had no report at this time.

Vice Mayor Dearing asked Chief Morris to regulate the intersection at Country Inn and discourage motorists from making u-turns in that area.

Vice Mayor Dearing urged the police department to ascertain that Town of Elkton residents display a Town of Elkton decal. He was aware that some Town residents purchased County of Rockingham decals instead of Town decals. Vice Mayor Dearing requested the police department take the proper measures to ensure all motorists, who reside in the Town of Elkton, have the correct decal.

NEW BUSINESS

Mayor Printz tabled the fire company discussion and sent the matter back to committee.

Appointment to Recreation Commission - Jeff M. Jones

Council member Kite moved, second by Council member Sigafoose, and carried to appoint Jeffrey M. Jones to the unexpired term of George McDaniel, ending January 31, 2008.

Vice Mayor Dearing inquired if the required background checks had been processed. Council member Kite affirmed the process was complete.

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

Motion carried (6 – 0 roll call)

Lot Subdivision for Ed & Marie Butler

Vice Mayor Dearing inquired if all documentation was complete before a motion was put on the floor. Acting Town Superintendent Marty Shifflett responded by stating the documentation was being reviewed by the parties' attorneys and therefore had not been endorsed. Vice Mayor Dearing questioned voting on the issue without the completion of all documentation in order to avoid possible complications.

Mr. Shifflett briefly explained that VDOT had agreed to a 40' right of way instead of a 50' right of way. The parties had met at the site and inspections were complete. However, Mr. Shifflett had not received the letter from VDOT stating that agreement.

Town Attorney Miller emphasized to Council the importance of receiving the correspondence from VDOT before proceeding with the matter.

Council member Isom queried Mr. Shifflett as to the time frame regarding the receipt of the impending correspondence. Mr. Shifflett responded by stating one or two days.

Mr. Shifflett commended the Butlers, who were in attendance, for their patience.

Town Attorney Miller reiterated the need for some type of correspondence from VDOT to state the acceptance of the 40' right of way since a 50' foot right of way is the standard.

Mr. Shifflett asked Council to consider attending a Special Meeting if he received a letter from VDOT accepting the terms as stated above and all endorsed documentation from the homeowners. Town Attorney Miller stated that, "State Code requires real estate to be actually accepted by the Town, so we have a signature line on there for the Mayor to actually accept the deed."

Mayor Printz sympathized with the Butlers and stated he appreciated their patience regarding this matter.

Council member O'Neill inquired if the contracts addressed multiple sewer connections and land. Mr. Shifflett responded that the contracts did address those issues, at which time Council member O'Neill stated he was not prepared to agree to barter sewer connections for land.

Mr. Shifflett explained the reason for the barter as, "Each one gets one water and one sewer. Because they were part of the Annexation and when this Council (former Council) agreed that anybody that came in under Annexation had the opportunity for the $3,000.00 hook-up."

Council member Kite expressed concern that this matter had not been explained properly to Council. Mr. Shifflett stated, "When this all started, there was one lot. But because of right of way issues with VDOT that was extended. We affected the Butlers and their two neighbors. That's how it went from one to four people. We looked at the

value of the property versus the value of hook ups. It's about $9,400.00 versus $12,000.00; $10,000.00 versus $12,000.00. What that document states is that each resident will get one water, one sewer hook up as payment for this 40' right of way through there. If they subdivide their lot, they get one water and sewer connection. They don't get two. If they sell that lot then whoever would buy and build a house on it would in turn have to pay the current rate for water and sewer hook ups."

Council member Sigafoose suggested the matter be tabled until the next Council meeting.

Mayor Printz apologized to the Butlers.

Mr. Butler stated he felt their share of the responsibility in this matter is complete. He now had to await all other parties to complete their part before being able to move forward. Mr. Butler thanked Council for their time.

Lot Line Adjustment for Nick Campbell

Vice Mayor Dearing moved, second by Council member Kite, and carried to adjust the lot line for Nick Campbell as recommended by the Planning Commission.

Council member Isom inquired if a site inspection had been performed. Mr. Shifflett responded a Final Plat from a surveyor had been submitted to the Planning Commission. The Planning Commission had recommended approval.

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

Motion carried (6 – 0 roll call)

Final Plat Approval for Phase V Quail Run

Vice Mayor Dearing moved, second by Council member Pence, and carried to approve the Final Plat of Phase V of the Quail Run Subdivision as recommended by the Planning Commission.

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

Motion carried (6 – 0 roll call)

Emergency Response Plan

Vice Mayor Dearing moved, second by Council member O'Neill, and carried to approve the Emergency Response Plan as presented.

Council member Kite reiterated his concern for the Town not having a siren.

Vice Mayor Dearing inquired as to why the Town of Elkton cannot have the County's emergency plan in place, but have a siren as a back-up plan.

Further discussion continued regarding the pros and cons, benefits and eliminations of having a siren in the Town.

Once Mr. Shifflett explained the County policy, he then asked Council to table the matter until the next Committee Meeting.

Pursuant to this action, Vice Mayor Dearing withdrew his motion on the floor and Council member O'Neill withdrew his second.

Set Meeting Dates for Budget Work Session

Vice Mayor Dearing stated the budget that was presented was a "bare" budget. Money had not been allotted for EDRC or the Centennial Celebration. He requested Council to consider the Town's current rates.

Council member O'Neill stated this budget does not provide for any rate increases with the exception of water and sewer connection fees which were figured in at $8,000.00.

Council member Isom inquired as to funding in the budget for the Centennial Celebration. Council member O'Neill responded there was no funding for this event in the revised budget since there were no new sources of revenue being generated. Further, he stated, the previous version of the budget had increased rates figured into the revenue in order to demonstrate to Council possible avenues that may be taken in order to achieve a balanced budget.

Mayor Printz stated there was a multitude of ways to achieve increased revenue. He encouraged Council to cutback expenses and not increase rates.

Vice Mayor Dearing stated the Town had increased rates very little in past years. Therefore, he believed the Town was providing inadequate service for the residents. He understood the concern regarding the hardship senior citizens would face should there be a rate increase. However, Elkton has the lowest water rates in the Commonwealth of Virginia according to the Draper Report.

Vice Mayor Dearing requested each Department Head review the budget and reduce expenses for unnecessary items.

Discussion ensued regarding calendar dates for the budget session. The date of June 5, 2007 at 6:00 pm was scheduled. The meeting will be held in the Old Council Chambers of the Municipal Building.

Easement Off Old Spotswood Trail for O'Dell Crawford

Vice Mayor Dearing stated there was a situation in the downtown area regarding a sewer backup. The Town investigated and found the backup went across Old Route 33. When the road was paved all of the sewer lines were capped. The line with the backup cannot be replaced. Therefore, a new sewer line had to be installed from the back. In order to replace the line, the Town would need access to Mr. Crawford's property. Mr. Crawford stated he did not want the Town on his property. At that time, the Town was forced to cease all work. This left a sewer line exposed and unmaintained. Mr. Crawford advised he would not allow the Town on his property until he was granted an easement. Vice Mayor Dearing stated that the owner of record of the property is Kenneth Crawford who gave verbal approval to Robin Dean to move vehicles on the car lot so the Town could access the line.

Mayor Printz instructed the Town Attorney Miller, Chief Morris and Vice Mayor Dearing to do what was legally in the public's best interest to alleviate this issue.

COMMITTEES

Electric

No report at this time.

Finance

Council member O'Neill spoke regarding a 2005 Resolution from the previous Council guaranteeing EDRC funding in the amount of $25,000.00 for four or five subsequent years. He questioned if the Resolution was a legally binding Resolution and deferred to Town Attorney Miller.

Mayor Printz asked Town Attorney Miller to review the matter and advise Council member O'Neill of his conclusion.

Personnel

Vice Mayor Dearing stated there are two funded vacancies in the Maintenance Department. These positions will be advertised. The Superintendent position has been posted and will be there for two weeks.

Council member Isom inquired regarding the status of Owen "Tink" Shifflett. Vice Mayor Dearing spoke briefly regarding the conditions of his retirement.

Public Health, Safety, Ordinances

No report at this time.

Streets and Sidewalks

No report at this time.

Water and Sewer

Council member Kite queried Mr. Shifflett regarding a report from Anderson & Associates. Mr. Shifflett responded he had met with the engineer from Anderson & Associates and she has requested some additional information. He will be forwarding that information to her.

Vice Mayor Dearing requested all Department Heads convey to Council their scheduled vacation dates.

Recreation

No report at this time.

Planning Commission

No report at this time.

Cemetery

Vice Mayor Dearing reported that some trees had been removed from the cemetery and fences had been installed. The commission is trying to raise funds for the purchase of new gates.

Vice Mayor Dearing stated that Town employees will be off on May 28th, 2007 in observance of Memorial Day. Vice Mayor Dearing spoke briefly regarding the sacrifice and bravery of the men and women who had lost their lives for our country. As a gesture, he would like to see the Town provide the flags that Mr. Sam Gentry has requested for the cemetery.

TOWN ATTORNEY

No report at this time.

MAYOR'S BUSINESS

Mayor Printz spoke regarding the current inflated oil prices. He asked Council to possibly compose a correspondence to Virginia Attorney General Bob McDonnell and request a review or investigation of current refinery policies.

Further, he stated only one legislator had spoken out against high oil prices and that was New York Senator Chuck Schumer.

Mayor Printz encouraged everyone to step forward in an effort to discourage these high prices.

Rescue Squad meeting on June 6, 2007 at 7:00 at their facility.

Vice Mayor Dearing and Council member O'Neill will be attending the Rockingham County Board of Supervisors Meeting on May 23, 2007 to speak regarding Pete Bonavita's real estate development. Vice Mayor Dearing stated Council will be in attendance only to state that the Town has given Mr. Bonavita capacity for water and sewer for the project.

Council member O'Neill stated he supported Mr. Bonavita's project.

Mayor Printz stated that he will also be in attendance at the meeting. However, he will not support the above-referenced project.

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

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk