Special
Council Meeting
January 8, 2008

A special meeting of the Elkton Town Council was held in Council Chambers of the Elkton Area Community Center on January 8, 2008, with Mayor Wayne E. Printz presiding. The following Council members were present:

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

ABSENT
D. Kite

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

Mayor Printz read the agenda:

1. Closed Session
2. Carolina Transformer Matters

A brief pause in the meeting took place while awaiting Town Superintendent Shifflett, Town Attorney Sigler and the consultants' arrival.

Vice Mayor Dearing requested Chief Morris brief Council regarding the recent vandalism activity in Town.

Chief Morris stated the person(s) responsible for the vandalism that took place in the park were juveniles. He noted that charges had been filed against the juveniles and the court dates were scheduled for February. Chief Morris stated two juveniles were suspected of the vandalism to a fence. He also noted that three suspects should be taken into custody soon regarding vandalism to C & S Diner and Mr. Ecroyd's property.

Brief discussion took place regarding community service.

Council member Isom queried the length of response time that it took for officers to arrive at C & S Diner to address the vandalism matter. Chief Morris responded by stating the response time was adequate.

Vice Mayor Dearing commended the actions of Chief Morris and Officer Kite. While responding to a traffic accident, the officers performed cardiopulmonary resuscitation on a victim of the accident, which saved his life. The gentleman was recovering at Rockingham memorial Hospital.

Council member Isom queried the reason other businesses were not notified of recent vandalism events so that they could take extra precautionary measures to ensure the safety of their businesses. Chief Morris stated he would re-evaluate current procedures and make any necessary changes.

A brief pause in the meeting took place awaiting the arrival of Town Superintendent Shifflett. Upon his arrival, Council member O'Neill moved the meeting into closed session.

Closed Session

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

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

NAYS: None

VOTE: (5 – 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. Vice Mayor Dearing duly seconded the motion.

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Resolution No. 1807-1 to Adopt Consent Decree in Carolina Transformer Site Settlement

Council member O'Neill moved on the following Resolution:

Resolution No. 1807-1 Regarding Adoption of Consent Decree
In the Carolina Transformer Site Settlement
January 8, 2008

WHEREAS, the Town of Elkton has been named as a potentially responsible party ("PRP") with regard to the Carolina Transformer Superfund Site in Fayetteville, Cumberland County, North Carolina;

WHEREAS, the cost of litigating the issue of liability would greatly exceed the cost associated with settling the claims;

WHEREAS, the Elkton Town Council would like to formally adopt the Comprehensive Environment Response Compensation and Liability Act Consent Decree and assignment of contribution rights that has been circulated;

BE IT RESOLVED that Mayor Printz has the authority to endorse the consent decree, assignment of contribution rights and any other document necessary to effect settlement on behalf of the Town and the Treasurer of the Town is authorized to release and pay out the settlement funds in the amount of Twenty Thousand Dollars ($20,000.00).

Vice Mayor Dearing seconded the motion.

_____
Wayne E. Printz
Mayor, Town of Elkton

Attest:

_____
Denise R. Monger
Clerk of the Council

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Council member Sigafoose was excused at 6:30 p.m.

Closed Session

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

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

NAYS: None

VOTE: (4 – 0 roll call) Motion carried

Mayor Printz vacated the chair and left the meeting at 7:20 p.m.

Vice Mayor Dearing took the chair and presided over the meeting.

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 Pence duly seconded the motion.

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

NAYS: None

VOTE: (4 – 0 roll call) Motion carried

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

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

NAYS: None

VOTE: (4 – 0 roll call) Motion carried

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk