

TOWN OF ELKTON



VIRGINIA

Elkton Town Council

Elkton Area Community Center
20593 Blue and Gold Drive - Elkton, VA 22827
September 18, 2023 – 6:00 p.m.

Unless otherwise indicated or unless relocated by the Council, agenda items will be taken in order. The Council reserves the right to remove, add, and/or relocate agenda items as necessary. Public Hearings will begin promptly at the advertised time.

1. CALL TO ORDER – ROLL CALL
 - a. Invocation
 - b. Pledge of Allegiance
2. ADOPTION OF AGENDA
3. PUBLIC COMMENT (Please see “Rules for Citizen Comments at Council Meetings”)
4. CONSENT AGENDA
 - a. Minutes
5. TOWN MANAGER’S REPORT
 - a. Staff reports
6. TOWN ATTORNEY’S REPORT
7. COMMITTEE REPORTS
8. UNFINISHED BUSINESS
 - a. Glo Fiber TV Franchise Agreement
9. NEW BUSINESS
 - a. Purchase service weapon
10. MAYOR’S BUSINESS
11. CLOSED SESSION
 - a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney

- representing the public body is in attendance or is consulted on a matter."
- b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."
 - c. Pursuant to Virginia Code § 2.2-3711.A.3 for, "Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body."

12. ADJOURNMENT



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Adoption of Agenda

BACKGROUND: Council may add items to the agenda.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input type="checkbox"/>
Action Item <input checked="" type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

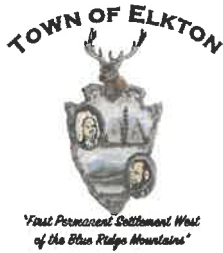
If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: That Council adopt the Agenda as presented.

APPROVAL: 
 Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.



Staff Report/Recommendation

REQUESTING DEPARTMENT: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Consent Agenda

BACKGROUND: N/A

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input type="checkbox"/>
Action Item <input checked="" type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: That Council approve the Consent Agenda as presented.

APPROVAL:



 Greg Lunsford, Town Manager

ATTACHMENTS: Draft minutes for August 7, 2023 and August 21, 2023

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.

**TOWN OF ELKTON
TOWN COUNCIL COMMUNITY MEETING
AUGUST 7, 2023
5:30 p.m.**

The Elkton Town Community Meeting was held on August 7, 2023 at 5:30 p.m. on the front lawn of the Town Hall, located at 173 W. Spotswood Avenue, Elkton, Virginia, with Mayor Joshua J. Gooden presiding.

Present: Mayor Joshua J. Gooden, Vice-Mayor Phillip Workman, II, Council Member Jan Hensley, Council Member Virginia Fulginiti, Council Member Louis Heidel, and Council Member Aaron Napotnik.

Absent: Council Member Rachel Michael (excused).

Also Present: Town Manager Greg Lunsford, Town Attorney Quinton Callahan, Public Works Director Gaither Hurt, Community Development Director Delores Hammer, and Clerk of Council Denise Monger.

Mayor Gooden opened the meeting.

CLOSED SESSION

Council member Fulginiti moved, seconded by Vice-Mayor Workman, and carried that council go from Regular Session in to Closed Session pursuant Virginia Code § 2.2-3711.A.7 and Virginia Code § 2.2-3711.A.1 as follows:

- a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."
- b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."

YEAS: J. Hensley, V. Fulginiti, R. Workman, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

The Mayor and Council left the meeting area and convened into closed session in the conference room of the Town Hall. Upon conclusion of the closed session, Mayor, Council and staff returned to the front lawn of the Town Hall and following motion was presented:

OPEN SESSION/MOTION TO CERTIFY CLOSED MEETING

Vice-Mayor Workman moved, seconded Council member Napotnik, that Council go from Closed Session back into Regular Session and Council certify pursuant to Virginia Code § 2.2-3712(D), that to the best of each member's knowledge, as recognized by each Council member's knowledge, as recognized by each Council member's affirmative vote, that only such business matters lawfully exempted from Open Meeting requirements under Virginia Code § 2.2-3711, as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of the Town Council.

YEAS: J. Hensley, V. Fulginiti, R. Workman, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

ADOPTION OF AGENDA

Vice-Mayor Workman moved, seconded by Council member Heidel, and carried to adopt the agenda as amended to add two personnel hires and to remove the recommendation by the Elkton Planning Commission to hold a joint public hearing on a special exception request by Tucker Wood for a short-term rental at 133 North Street, Elkton, VA.

YEAS: J. Hensley, V. Fulginiti, P. Workman, L. Heidel and A. Napotnik

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

NEW BUSINESS

Planning Commission recommendation to schedule a joint public hearing with the Elkton Town Council on a request from Kai Li for the issuance of a special exception permit for a short-term rental at 17140 Mt. Pleasant Road, Elkton, Virginia

Mrs. Hammer stated that the hearing would take place on August 21, 2023 at 6:00 p.m.

Council member Heidel moved, seconded by Council member Hensley, and carried accept the Planning Commission's recommendation to schedule a joint public hearing for August 21, 2023 at 6:00 p.m. with the Elkton Town Council on a request from Kai Li for the issuance of a special exception permit for a short-term rental at 17140 Mt. Pleasant Road, Elkton, Virginia.

YEAS: J. Hensley, V. Fulginiti, P. Workman, L. Heidel and A. Napotnik

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Appoint Elkton Chief of Police

Vice-Mayor Workman moved, seconded by Council member Fulginiti, and carried to appoint Mike King as the Chief of Police for the Town of Elkton.

YEAS: J. Hensley, V. Fulginiti, P. Workman, L. Heidel and A. Napotnik

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Appoint Interim Sergeant

Council member Fulginiti moved, seconded by Council member Napotnik, and carried to appoint Ryan Insana as Interim Sergeant for the Elkton Police Department.

YEAS: J. Hensley, V. Fulginiti, P. Workman, L. Heidel and A. Napotnik

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

The following items were discussed:

- a. Overview of the downtown marketplace
- b. Donations
- c. Grant money
- d. Sign to be erected showing donation dollars
- e. Cost of downtown marketplace
- f. Notices to Valley Trail, if free

TOWN MANAGER'S REPORT

Mr. Lunsford reported the following:

- a. In-ground holding tank / drinking water / loans / grant money
- b. Engineer designing drinking water project which could go to bid in eight months
- c. Storm water project on Spotswood Avenue / possibility of project going to bid in six months
- d. Police department relocation project / working with architects / possible bid out in three to four months / cannot relocate until Rockingham County has finished their emergency center on Blue & Gold Drive

Mr. Hurt gave an overview of the sidewalk projects.

Mayor Gooden briefly discussed some citizens receiving a letter from the Department of Historic Resources regarding the downtown historic district nomination. A public informational meeting would be held on August 21, 2023. A previous meeting had been held last spring.

Chief King briefly discussed department vacancies and potential promotions.

Council member Fulginiti encouraged citizens visit the community center to see what a wonderful job Jessy Beasley had done reorganizing the facility. She noted that Mrs. Beasley's ability to post events on social media was a huge benefit to the Town. A discussion took place regarding a chili cook-off and Touch-a-Truck event.

Town attorney Callahan briefly spoke regarding nuisance areas and the framework he was working on to assist the Town.

Mrs. Hammer stated that interviews would take place on August 21, 2023 for the planning commission vacancy. An alternate Board of Zoning Appeals vacancy needed to be filled.

All attendees at the event were encouraged to speak individually to Town officials after the meeting adjourned.

Motion to Adjourn

Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried to adjourn the meeting.

YEAS: J. Hensley, V. Fulginiti, P. Workman, R. Michael and A. Napotnik

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

**TOWN OF ELKTON
ELKTON TOWN COUNCIL MEETING
AUGUST 21, 2023**

A Town Council meeting was held on August 21, 2023, at 6:00 p.m. at the Elkton Area Community Center, located at 20593 Blue & Gold Drive, Elkton, Virginia, with Mayor Joshua J. Gooden presiding.

Present: Mayor Joshua J. Gooden, Vice-Mayor Rick Workman, Council Member Jan Hensley, Council Member Virginia Fulginiti, Council Member Louis Heidel, Council Member Rachel Michael, and Council Member Aaron Napotnik.

Also Present: Town Manager Greg Lunsford, Town Attorney Quinton Callahan, Chief of Police Mike King, Public Works Director Gaither Hurt, Community Development Director Delores Hammer, EACC Director Jessy Beasley, Treasurer Donna Curry, and Clerk of Council Denise Monger.

Mayor Gooden called the meeting to order and the Clerk was asked to call the roll.

Council Member Fulginiti gave the Invocation. All present were asked to join in the Pledge of Allegiance.

ADOPTION OF REVISED AGENDA

Council member Hensley moved, seconded by Council member Heidel, and carried to adopt the revised agenda as presented.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

JOINT PUBLIC HEARING

Request from Kai Li for the issuance of a special exception permit for a short-term rental at 17140 Mt. Pleasant Road, Elkton, Virginia

In addition to the Mayor and Council, the following Planning Commissioners were present: Dan Talbot, Gene Kite, Dorenda Flick, Donna Mowbray, Jennifer McDonald, and Wesley Walls.

Dr. Li briefly spoke regarding certain aspects of his rental property. He loved Elkton and looked forward to spending time in the area.

There were no other speakers.

Commission Kite moved, seconded by Commissioner McDonald and carried to close the joint public hearing.

YEAS: D. Talbot, G. Kite, D. Flick, D. Mowbray, W. Walls, and J. McDonald

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

The joint public hearing was closed.

PRESENTATION

Glo Fiber Presentation

Mr. Stuart French gave a power point presentation for Glo Fiber. He noted that Shentel had been in telecommunications for over 119 years and was now focused on delivering broadband, CATV, phone and wireless service to rural markets. A franchise TV agreement would need to be approved by Council in September.

PUBLIC HEARING

Sell a portion of a public road to the adjunct land owner via boundary line adjustment, consisting of 0.095 acres, more or less, identified as tax map no. 131 (A) 34, on Mt. Pleasant Road, Elkton, Virginia

Wayne Printz, 336 W. Washington, Elkton, asked that documentation be available for hearings. He noted that most of the Town property being sold was located in a flood zone. He believed the Town changed the zoning in certain areas to avoid a planned unit development in the area; run-off would cause problems. Mayor Gooden responded that any property would be required to obtain a land disturbance permit. Council member Michael noted that the resolution to be approved by Council was in the packet and had been made available to the public.

PUBLIC INFORMATION HEARING

Hosted by staff of the Department of Historic Resources to present and explain the nomination process and results of the historic district designation, to hear public comment, and answer questions

The information hearing was conducted by Aubrey Von Lindern, Architectural Historian / Certified Local Government Program Manager for the Virginia Department of Historic Resources. She discussed the proposal which had been recommended and was eligible for the Virginia Landmarks and National Registers. The proposal would be presented to the State Review Board and the Board of Historic Resources on September 21, 2023. A copy of the proposal was available on-line. The following citizens spoke at the hearing:

Margaretta Isom (property owner in the district)
Wayne Printz (adjacent to the district)
Esther Nizer (community member, candidate for House of Delegates)
Joshua Gooden (property owner in the district)
Jan Hensley (adjacent to the district)

PUBLIC COMMENT

Wayne Printz, 336 W. Washington, spoke regarding out-of-town billing and survey flags.

CONSENT AGENDA

Council member Fulginiti moved, seconded by Council member Michael, and carried to approve the Consent Agenda as amended.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

TOWN MANAGER’S REPORT

Mr. Lunsford reported that the Town was still under a drought watch with Rockingham County being one of the only counties still under a watch. If a drought warning was issued the Town could mandate water restrictions. He briefly discussed the completed wastewater treatment plant and the start of five other capital projects.

Mr. Lunsford stated that Rockingham County had reviewed the site plan for the downtown marketplace and made suggestions which had been addressed by the engineer. He noted that bids for the project would be advertised as required. The staff reports were included in the packet.

Staff Reports

No additional reports.

TOWN ATTORNEY

Mr. Callahan introduced a colleague from his office, attorney Katherine Mann who was working on some of the Town’s projects. He noted that they recently had the opportunity to tour the Town with Mr. Lunsford, Mr. Hurt, Chief King, and Mrs. Hammer. They viewed some properties in Town that could be deemed unsafe. They also viewed personal property that could be considered “rubbish” and issues with vehicles. Also, there was an issue with parking in utility right of way making it difficult for the public works department to perform their duties. They were in the process of creating new laws for the Council and Planning Commission to review. He had items to discuss with Council in closed session.

COMMITTEE REPORTS

Public Health & Safety Committee: Chairperson Heidel reported the committee looked forward to working with the new Chief.

Special Projects and Economic Development Committee: Chairperson Napotnik reported that the car show would be held on September 16, 2023 along with Touch-a-Truck. The committee would be discussing ideas for fundraising for the downtown marketplace.

Finance Committee: Chairperson Michael reported that a common theme discussed under public comments was the Town’s financial welfare. She noted that Davenport Financial had partnered

with the Town to review the Town's financial welfare. They would compare the Town to other like districts, review the debt profile and investments, and ensure the Town had a healthy financial stance.

Public Utilities: Chairperson Workman reported on a new sidewalk and noted that paving would be done in September.

Parks and Recreation Committee: Chairperson Fulginiti reported on the excellent job Jessy Beasley had done as the new administrator. She briefly noted some future activities at the center.

Policy/Personnel Committee: Chairperson Hensley reported that one of the first issues addressed at their meeting was transparency. She noted that many documents, events, and announcements were on the Town's website and other items were available under FOIA. She noted that Council wanted to reach out to citizens and held the first community meeting on the front lawn of the Town hall. There were twenty-five to thirty people at the event. Many items were discussed and citizens were allowed to speak individually to Council members on a more personal level.

Council member Hensley stated that she had prepared an estimate based on the cost to build the Town's sewer plant in 2023 as opposed to in 2004-2005 when the first estimate and recommendations were given to the Town about a new plant. She noted that it cost citizens approximately \$10 million more to build to plant today, in 2023, than it would have if the plant had been constructed years ago when first recommended.

UNFINISHED BUSINESS

Real estate sales contract between Town of Elkton and Marty Pavlik to purchase a lot on Mt. Pleasant Road, Elkton

Vice-Mayor Workman moved, seconded by Council member Hensley, and carried to approve real estate contract between the Town of Elkton and Marty Pavlik to purchase a lot on Mt. Pleasant Road.

Mayor Gooden noted that a copy of the contract was included in the packet and the public hearing was held in early 2022.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

NEW BUSINESS

2023 Records Management Policy

Council member Heidel moved, seconded by Council member Napotnik, and carried to adopt the 2023 Records Management Policy as follows:

TOWN OF ELKTON

RECORDS MANAGEMENT POLICY 2023

Statement of Intent

This policy establishes the general responsibilities for management, retention, and disposition of TOWN records as mandated by the Virginia Public Records Act (VPRA), Code of Virginia § 42.1-76–§ 42.1-91. This policy applies to all employees (including part-time and per diem) and authorized agents of the TOWN and its affiliates.

The TOWN is committed to effectively managing its records, regardless of media type, by adhering to best practices and following a systematic and logical plan developed by the organizational units that maintain the records. The successful implementation and ongoing effectiveness of this policy is dependent on the cooperation of each organizational unit to ensure that permanent records are preserved and nonpermanent records are destroyed in a timely and orderly manner.

The policy will provide guidance for achieving the following objectives:

1. Comply with the Virginia Public Records Act (VPRA), Code of Virginia § 42.1-76–§ 42.1-91, which governs the creation, maintenance, and disposition of public records
2. Develop and implement procedures, guidelines, systems, and business practices that facilitate the creation, backup, preservation, filing, storage, and disposal of records of all formats
3. Create a network of personnel throughout the TOWN trained to manage records of all types
4. Reduce risks associated with unintended disclosure of sensitive information
5. Protect essential and historical information about the TOWN

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- IX. Legal Matters, Audits, and Investigations
- X. Data Privacy

I. Responsibilities Under the Virginia Public Records Act (VPRA)

Records Management Program

The TOWN will implement a sound records management program in accordance with the Virginia Public Records Act (VPRA) § 42.1-76 et seq. An effective records management program will implement Library of Virginia–approved records retention and disposition schedules, document destruction of scheduled records, train employees, and create and disseminate records management procedures.

Designated Records Officer

The TOWN will designate at least one records officer to oversee the TOWN'S records management program in accordance with the Virginia Public Records Act (VPRA) § 42.1-85. The designated records officer(s) will serve as a liaison(s) to the Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction of obsolete records.

The TOWN will identify the person or persons who will serve as records officer(s) by submitting the Records Officer Designation and Responsibilities Form (RM-25) to the Library of Virginia.

Delivery of Records to Successor

At the end of a records custodian's term of office, appointment, or employment, all records should be turned over to his/her successor. In the event that the TOWN ceases to exist and there is no successor, all records should be transferred to the Library of Virginia per the Code of Virginia § 42.1-88.

II. Public Records

Public Records

Public records are those that document the transaction of business by the TOWN. The format in which the information is presented, as well as the medium on which the information is contained, have no bearing on the determination of whether the record is a public record. (Code of Virginia § 42.1-77)

Non-records

Public records shall not include materials made or acquired and kept solely for reference or exhibition purposes, copies of records kept only for convenience or reference, and stocks of publications. These are considered “non-records.” (Code of Virginia § 42.1-77)

Copy of Record

The “copy of record” shall be construed to mean the “official” copy of a particular public record, with no regard as to whether it is an original, copy, or reformatted version. All work units within the TOWN shall work with the designated records officer to establish in writing the ownership of and responsibility for copies of record.

Confidential Records

Public records that are restricted from disclosure by statute, court order, or legally adopted rules and regulations are considered confidential. TOWN records that are deemed confidential are still considered to be public records even though they are not publicly available. TOWN records management procedures will contain references to all applicable regulations and statutes affecting TOWN records.

III. Roles and Responsibilities

Town Council

The ELKTON TOWN COUNCIL is responsible for establishing and approving the TOWN records management program and identifying to the Library of Virginia the person(s) to serve as the designated records officer(s).

Department Heads

The heads of departments are responsible for ensuring that procedures and programs within their areas of responsibility meet the requirements of the TOWN’S records management program relative to record identification, generation, control, maintenance, processing, storage, and disposition.

Town-designated Records Officer

The designated records officer is responsible for the development, implementation, and ongoing coordination of the records management program to meet regulatory requirements.

Responsibilities of the records officer include:

- Developing procedures to implement the TOWN'S records management program in coordination with the Library of Virginia
- Providing training in records management procedures and practices, including the use of appropriate forms
- Implementing systems to meet program requirements for completeness, legibility, reproducibility, retrievability, distribution, control, security, storage, and disposition of records, regardless of format or media type
- Advising staff members on where to access and how to use Library of Virginia–approved retention schedules
- Coordinating staff in the surveying of records
- Ensuring that essential, archival, and permanent records are identified, properly maintained, protected, and accessible for the length of time cited in an applicable retention schedule
- Maintaining contact and connections with TOWN records coordinators

Records Coordinators

Records coordinators are responsible for assisting in the design, implementation, and management of the TOWN records management program by serving as liaisons between their respective work units and the TOWN'S designated records officer. One may be appointed by department heads, if needed.

Responsibilities of a records coordinator include:

- Being familiar with the TOWN'S internal records management policy
- Developing the unit's records management procedures and practices, consistent with this policy
- Educating staff within the organizational unit in understanding sound record management practices
- Restricting access to confidential records and information
- Coordinating the destruction of records with the records officer as provided in the applicable procedures

IV. Records Retention and Disposition Schedules

Records retention and disposition schedules are created and maintained by the Library of Virginia. Retention schedules are approved sets of clearly identified, related records series that dictate the length of time a series must be kept and its required disposition.

All TOWN records must be managed in accordance with the most current Library of Virginia–approved records retention and disposition schedules.

If a new category of records is created, and no applicable series is found on an existing retention schedule, then the TOWN's designated records officer must contact the TOWN's assigned records analyst at the Library of Virginia so that the records may be scheduled.

V. Electronic Records

The TOWN will manage its electronically stored information (ESI) consistent with the Library of Virginia–approved records retention and disposition schedules and any legal obligations that may apply. The retention schedules govern retention of electronic records in the same manner as paper records. Content, not format, drives records retention.

The destruction of electronic records must be documented through submission of the Certificate of Records Destruction (RM-3 Form). (See section VII of this policy.)

VI. Disposition of Public Records

There are two options for public records disposition: permanent retention or destruction. Use the records retention and disposition schedules to determine whether a series is permanent or when it should be destroyed.

Permanent Records

A public record is considered permanent when it has been determined to have “continuing and enduring value useful to the citizens of the Commonwealth and necessary to the administrative functions of public agencies in the conduct of services and activities mandated by law.” (Code of Virginia § 42.1-77)

Permanent records held by the TOWN are identified on a Library of Virginia–approved records retention and disposition schedule as having sufficient informational value to be permanently maintained by the Commonwealth. The retention schedules will identify whether a record must be maintained by the TOWN or may be offered to the Archives at the Library of Virginia. Permanent records of the TOWN cannot be given away, sold, or loaned to any outside person, organization, or business entity.

TOWN staff or work units in possession of permanent records that may be offered to the Library of Virginia must contact the TOWN designated records officer when the records are no longer active. The records officer will contact the Library to begin the transfer process.

Non-permanent Records

All TOWN records that have not been deemed permanent must eventually be destroyed. The records retention and disposition schedules identify when a set of records has reached the end of its usefulness. A retention schedule may also state whether records must be destroyed in a certain manner. Retention schedules constitute a legal timeline for the destruction of records from which the TOWN must not deviate unless in the midst of a legal hold. (See section IX of this policy.)

Destruction of Public Records

All records destruction performed by the TOWN must be done in accordance with written procedures and documented on a Certificate of Records Destruction (RM-3 Form). The RM-3 Form is required when destroying public records, in all formats, that are deemed copies of record. The original RM-3 Form must be submitted to the Library of Virginia. The TOWN must retain a copy of the RM-3 Form for three (3) years.

TOWN records must be destroyed in the manner identified by the appropriate series on a general or specific records retention and disposition schedule. All TOWN records must be destroyed once the applicable retention period has expired. No records may be maintained past the end of their stated retention unless involved in current litigation, investigation, or audit. (Code of Virginia § 42.1-86.1)

TOWN records may not be destroyed because of lack of space or funding for storage. Do not report the destruction of materials that are not public records, such as copies, personal items, and reference materials on an RM-3 Form.

Non-confidential Destruction

Acceptable methods of destruction for non-confidential TOWN records include trash, recycling, or deletion of electronic records. Destruction must be done in a timely manner, construed by the Library of Virginia to be one (1) year from retention expiration.

Confidential Destruction

Acceptable methods of destruction for confidential TOWN records include cross-cut shredding, pulping, incinerating, physical destruction of electronic storage media, "wiping" of electronic records with appropriate software, and degaussing of magnetic material. Destruction of confidential records containing personally identifying information must be done within six (6) months of retention expiration. (Code of Virginia § 42.1-86.1)

Non-record Destruction

The destruction of non-record material, confidential or otherwise, will not be reported to the Library of Virginia. If necessary, the destruction of non-records can be recorded by the TOWN for internal purposes.

VII. Storage, Retrieval, and Disaster Recovery**Storage**

All TOWN records shall be maintained in such a way that they are identifiable and accessible for the entirety of their assigned retention period.

All TOWN records must be stored in areas with consistent temperatures and humidity levels. Ideal conditions are a temperature maintained in the 65–70° range and humidity maintained at 40% +/- 5%.

All TOWN records must be:

- Protected from fire by the installation of smoke detectors, water sprinklers, and fire extinguishers
- Free of vermin and insects
- Far from water pipes

If records are of a confidential nature, they should be stored in a secure area that is locked and has controlled access for select personnel only. Strict procedures must be in place for retrieval, use, and re-filing of confidential records. Access to confidential records in electronic formats will be limited by assigning appropriate log-in credentials.

Retrieval

All work units must have procedures in place for the retrieval of records, their use, and re-filing.

Disaster Recovery

The TOWN will have in place a Records Emergency Action Plan (REAP) that clearly communicates the procedures for records recovery in the event of a natural disaster, fire, or other catastrophic event affecting the TOWN.

VIII. Legal Matters, Audits, and Investigations

Any TOWN record that is relevant to pending or anticipated action, i.e., litigation, claim, audit, agency charge, investigation, or enforcement action, shall be retained until final resolution of the matter. In these circumstances, the work unit involved with the ongoing action will notify

all other relevant organizational units and work with staff to identify and retain any records (including electronic records) and other information that could be relevant to the matter. This will include a directive that the relevant work unit's normal document destruction procedures be suspended temporarily.

TOWN employees who become aware that an action, investigation, or legal proceeding has commenced or is anticipated against their department or work unit must promptly notify the manager of the affected organizational unit, as well as the town-designated records officer, so that all records with potential relevance to the investigation or legal proceeding can be retained as necessary. After matter is closed, records should be maintained according to appropriate records series retention and disposition.

IX. Data Privacy

All records created and maintained by the TOWN that contain personal or other confidential information must be kept in accordance with the Government Data Collection and Dissemination Practices Act, Code of Virginia § 2.2-3800 et seq. (See section VIII of this policy for information on the storage of and access to confidential records).

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Records officer designation

Council member Heidel moved, seconded by Council member Michael, and carried to designate Denise Monger as the Town's records officer.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Resolution to sell a portion of a public road to the adjunct land owner via boundary line adjustment, consisting of 0.095 acres, more or less, identified as tax map no. 131 (A) 34, on Mt. Pleasant Road, Elkton, Virginia

Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried adopt the resolution as presented:

TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA

RESOLUTION

WHEREAS, the Town of Elkton owns a public road known as Charlotte's Way, which is a 50' lane connecting Route 623, also known as Mt. Pleasant Road, to the parcel identified as TM 131 (A) 34, among the tax records of the County of Rockingham, Virginia, which parcel is also owned by the Town of Elkton; and

WHEREAS, the Town of Elkton desires to sell a portion of the public road known as Charlotte's Way to the adjunct land owner of Lot 9 for the amount of \$11,140.20, which conveyance is to be made through a boundary line adjustment pursuant to the Town of Elkton ordinances §§ 110-908, 110-909, and 110-910. Said conveyance shall be made to Superior Siding & Home Improvement, Inc., the record owner of the parcel identified as Lot 9, Tax Map No. 131-A-9 ("Superior"), by deed recorded among the land records of the Clerk's Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 5287, Page 566; and

WHEREAS, the portion of Charlotte's Way to be conveyed to Superior consists of 0.095 acres, more or less, and is shown on a boundary line adjustment survey entitled "Boundary Line Adjustment Survey of Lot 9 and Charlotte's Way, Elk Run Subdivision, Section 1" created by Randall K. Newman, L. S., dated July 12, 2023 (the "Plat"); and

WHEREAS, the new acreage of Lot 9 shall be 0.268 acres, more or less, following the boundary line adjustment as shown on the Plat; and

WHEREAS, the Elkton Planning Commission recommended at their June 5, 2023 meeting, that the Town sell a portion of Charlotte's Way to Superior as described above; and

WHEREAS, the Town of Elkton has determined it is in the Town's best interest to authorize the sale of a portion of Charlotte's Way to Superior as described above; and

WHEREAS, the Town of Elkton has reviewed a proposed deed prepared by the Town Attorney to be recorded with the Plat for the purpose of conveying a portion of Charlotte's Way to Superior as described above;

NOW THEREFORE, BE IT RESOLVED, the Elkton Town Council approves the sale of a portion of Charlotte's Way as shown on the Plat through a boundary line adjustment pursuant to the Town of Elkton ordinances §§ 110-908, 110-909, and 110-910, for the amount of \$11,140.20. The Town further approves the deed prepared by the Town Attorney which shall be recorded with the Plat. The Town Attorney shall prepare any other appropriate closing documents, including, but not limited to: memorandum of sale terms, settlement statement, and owner's affidavits.

The undersigned Clerk of the Town Council of the Town of Elkton, Virginia, certifies that the foregoing constitutes a true, complete and correct copy of the Resolution adopted at a meeting of the Town Council of the Town of Elkton, Virginia, held on August 21, 2023, and has not been revoked, rescinded, or repealed.

Clerk, Town Council, Town of Elkton,
Virginia

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

MAYORS BUSINESS

Mayor Gooden stated that he had the honor to present to the Elkton Lion's Club about the downtown historic district. He thanked Neighborhood Watch for the National Night Out event they recently hosted. He noted that the community meeting was a highlight for him from the last ten years.

CLOSED SESSION

Council member Fulginiti moved, seconded by Council member Hensley, and carried that council go from Regular Session in to Closed Session pursuant Virginia Code § 2.2-3711.A.7 and Virginia Code § 2.2-3711.A.1 as follows:

- a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."**
- b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."**

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

OPEN SESSION/MOTION TO CERTIFY CLOSED MEETING

Vice-Mayor _____ moved, seconded Council member _____, that Council go from Closed Session back into Regular Session and Council certify pursuant to Virginia Code § 2.2-3712(D), that to the best of each member's knowledge, as recognized by each Council member's knowledge, as recognized by each Council member's affirmative vote, that only

such business matters lawfully exempted from Open Meeting requirements under Virginia Code § 2.2-3711, as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of the Town Council.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to Adjourn

Council member _____ moved, seconded by Council member _____, and carried to adjourn the meeting.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

With no additional business, the meeting was adjourned.



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Town Manager's Report

BACKGROUND: Report to be presented verbally by Mr. Lunsford.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input checked="" type="checkbox"/>
Action Item <input type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: N/A

APPROVAL: 
 Greg Lunsford, Town Manager

ATTACHMENTS: Staff reports

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.

CONSOLIDATED MONTHLY RUNS REPORT

AUGUST 2023

Law Enforcement Agencies

HPD.....7043

RCSO.....3226

Bridgewater.....941

Broadway.....687

Dayton.....515

Elkton.....632

Grottoes.....1204

Timberville.....1442

TOTAL.....15,690

TOWN OF ELKTON POLICE REPORT 2023

ARREST/CHARGES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD
ASSAULT & BATTERY	2	3	0	2	0	0	0	0	0				
CURFEW VIOLATIONS	0	0	0	0	0	0	0	0	0				
DRIVING UNDER THE INFLUENCE	1	0	0	1	0	0	0	0	0				
DRINKING IN PUBLIC/PUBLIC INTOXICATION	1	0	0	2	1	2	1	0	0				
DRUGS (POSSESSION & DISTRIBUTION)	7	1	1	2	1	1	0	0	0				
LOITERING	0	0	0	0	0	0	0	0	0				
PARKING TICKETS	0	0	0	0	0	0	2	0	0				
RECKLESS DRIVING	3	2	0	1	1	0	1	0	0				
SEAT BELT/CHILD RESTRAINT VIOL.	0	0	0	0	0	0	1	0	0				
SPEEDING	18	10	9	5	2	1	6	4					
MISCELLANEOUS	24	38	22	47	11	17	13	32					
ADULT ARRESTS	51	54	29	59	15	20	24	36					
JUVENILE ARRESTS	5	0	3	1	1	1	0	0					

POLICE OFFICERS RESPONDED TO THE FOLLOWING COMPLAINTS

BUSINESS/RESIDENTIAL ALARMS	18	9	15	14	14	9	8	14					
DOMESTIC SITUATIONS	4	2	4	3	2	5	6	1					
DISORDERLY	6	8	12	13	8	2	7	5					
LARCENY COMPLAINTS	6	4	2	1	3	6	2	3					
TRAFFIC CRASHES	4	6	5	5	7	4	2	4					
TRAFFIC STOPS	65	58	49	37	35	18	29	29					
VANDALISM/PROPERTY DAMAGE	2	3	0	3	2	3	1	2					
ASSIST OTHER DEPT (POLICE/FIRE/RESCUE)	2	4	5	5	4	0	4	5					
MISCELLANEOUS	1015	1143	1245	764	664	629	685	569					
TOTAL	1122	1237	1337	845	739	676	744	632					

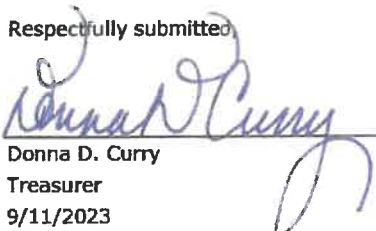
MIKE KING
CHIEF OF POLICE

**TOWN OF ELKTON
TREASURER'S REPORT
For Month Ending August 31, 2023**

FIRST BANK OPERATING ACCOUNT

BEGINNING BALANCE			\$	4,924,211.38
DEPOSITS			\$	808,518.50
Interest earned			\$	23,547.19
EXPENDITURES			\$	(839,703.29)
Bank Service Charge			\$	-
ENDING BALANCE			\$	4,916,573.78
Outstanding Checks			\$	(171,153.59)
<i>ARPA FUNDING (deposited 6/29/2021)</i>		\$	1,505,955.00	
Expended		\$	(681,010.00)	
Proposed Projects		\$	(1,350,000.00)	
Drinking Water Project		\$	(980,900.00)	
<i>ARPA FUNDING (deposited 7/22/2022)</i>		\$	1,505,955.00	
<i>(these funds are included in the Operating total)</i>		\$	-	
ADDITIONAL ACCOUNTS				
INFINEX ACCOUNT (REPO)	6/30/2023	\$	471,684.21	\$ 471,684.21
Bank of America	5/31/2023	\$	-	\$ -
<i>(transferred funds to First Bank \$354,456.87 and closed the account to avoid additional fees)</i>				
SWEEP Accounts				
F & M Bank	8/31/2023	\$	250,021.92	\$ 250,021.92
F & M Bank	8/20/2023	\$	12,634.49	\$ 12,634.49
United Bank	8/31/2023	\$	332,745.37	\$ 332,745.37
United Bank	8/31/2023	\$	450,667.55	\$ 450,667.55
United Bank	8/31/2023	\$	5,000.00	\$ 5,000.00
		\$	1,051,069.33	\$ 1,351,599.95
TOTAL FUNDS			\$	6,268,173.73

Respectfully submitted,


Donna D. Curry
Treasurer
9/11/2023

YEAR TO DATE SNAPSHOT OF SELECTED REVENUE TOTALS

MEALS TAX

Budget		YTD	
\$	1,265,000.00	\$	209,058.70

CIGARETTE TAX

Budget		YTD	
\$	66,000.00	\$	12,000.00

REAL ESTATE TAXES

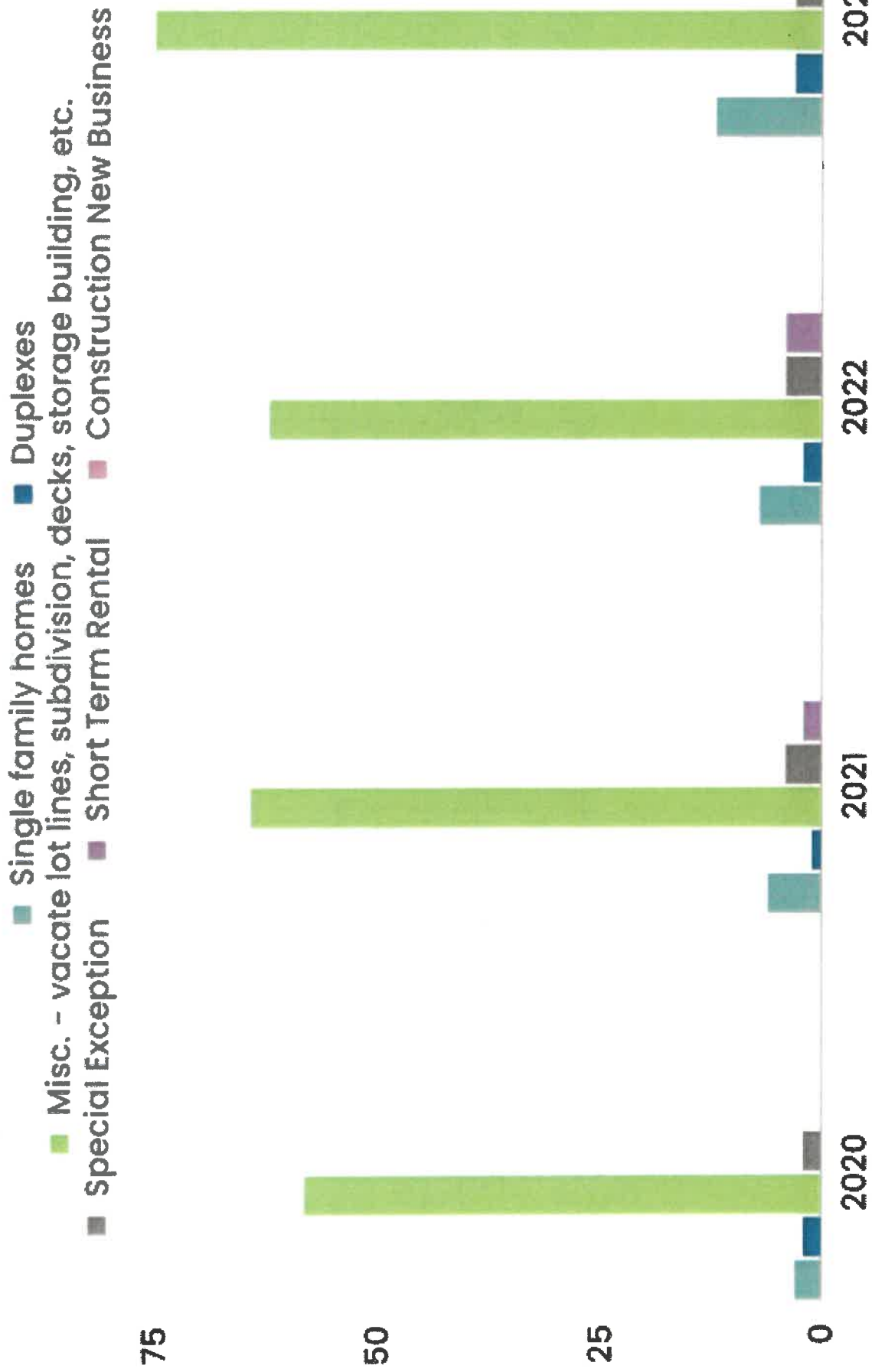
Budget		YTD	
\$	371,643.00	\$	1,875.87
\$	19,490.00	\$	4,701.67 (delinquent)

PERSONAL PROPERTY TAXES

Budget		YTD	
\$	247,501.00	\$	31,540.59
\$	12,076.00	\$	4,358.17 (delinquent)

TOWN OF ELKTON ZONING PERMITS -

YTD FEE'S COLLECTED \$11,480



10-340-0100 PERMITS - 10-340-0100 PERMITS

GL Account	AType	Date	Description1	Debit	Credit	Batch	FName
GL Account: 10-340-0100 PERMITS							
FName: Fiscal Period - 2023							
10-340-0100 P R		01/04/2023	MISC PAYMENT	\$0.00	\$25.00		53386 Fiscal Period - 2023
10-340-0100 P R		01/04/2023	MISC PAYMENT	\$0.00	\$25.00		53385 Fiscal Period - 2023
10-340-0100 P R		01/18/2023	MISC PAYMENT	\$0.00	\$50.00		53603 Fiscal Period - 2023
10-340-0100 P R		01/23/2023	MISC PAYMENT	\$0.00	\$25.00		53641 Fiscal Period - 2023
10-340-0100 P R		01/25/2023	MISC PAYMENT	\$0.00	\$50.00		54107 Fiscal Period - 2023
10-340-0100 P R		01/26/2023	MISC PAYMENT	\$0.00	\$25.00		54188 Fiscal Period - 2023
10-340-0100 P R		01/27/2023	MISC PAYMENT	\$0.00	\$25.00		54266 Fiscal Period - 2023
10-340-0100 P R		01/27/2023	MISC PAYMENT	\$0.00	\$100.00		54245 Fiscal Period - 2023
10-340-0100 P R		01/30/2023	MISC PAYMENT	\$0.00	\$50.00		54274 Fiscal Period - 2023
10-340-0100 P R		02/01/2023	MISC PAYMENT	\$0.00	\$25.00		54560 Fiscal Period - 2023
10-340-0100 P R		02/01/2023	MISC PAYMENT	\$0.00	\$100.00		54559 Fiscal Period - 2023
10-340-0100 P R		02/02/2023	MISC PAYMENT	\$0.00	\$25.00		54573 Fiscal Period - 2023
10-340-0100 P R		02/07/2023	MISC PAYMENT	\$0.00	\$25.00		54668 Fiscal Period - 2023
10-340-0100 P R		02/21/2023	MISC PAYMENT	\$0.00	\$50.00		54931 Fiscal Period - 2023
10-340-0100 P R		03/06/2023	MISC PAYMENT	\$0.00	\$25.00		55029 Fiscal Period - 2023
10-340-0100 P R		03/10/2023	MISC PAYMENT	\$0.00	\$25.00		55097 Fiscal Period - 2023
10-340-0100 P R		03/20/2023	MISC PAYMENT	\$0.00	\$25.00		55154 Fiscal Period - 2023
10-340-0100 P R		03/22/2023	MISC PAYMENT	\$0.00	\$75.00		55168 Fiscal Period - 2023
10-340-0100 P R		03/23/2023	MISC PAYMENT	\$0.00	\$100.00		55170 Fiscal Period - 2023
10-340-0100 P R		03/27/2023	MISC PAYMENT	\$0.00	\$25.00		55182 Fiscal Period - 2023
10-340-0100 P R		04/14/2023	MISC PAYMENT	\$0.00	\$25.00		55340 Fiscal Period - 2023
10-340-0100 P R		04/17/2023	MISC PAYMENT	\$0.00	\$25.00		55353 Fiscal Period - 2023
10-340-0100 P R		04/18/2023	MISC PAYMENT	\$0.00	\$500.00		55393 Fiscal Period - 2023
10-340-0100 P R		04/21/2023	MISC PAYMENT	\$0.00	\$150.00		55459 Fiscal Period - 2023
10-340-0100 P R		04/26/2023	Pole Rental Correctio	\$0.00	\$7,125.00		76757 Fiscal Period - 2023
10-340-0100 P R		05/01/2023	MISC PAYMENT	\$0.00	\$25.00		55521 Fiscal Period - 2023
10-340-0100 P R		05/02/2023	MISC PAYMENT	\$0.00	\$25.00		55536 Fiscal Period - 2023
10-340-0100 P R		05/05/2023	MISC PAYMENT	\$0.00	\$50.00		65583 Fiscal Period - 2023
10-340-0100 P R		05/08/2023	MISC PAYMENT	\$0.00	\$50.00		65651 Fiscal Period - 2023
10-340-0100 P R		05/11/2023	MISC PAYMENT	\$0.00	\$125.00		65704 Fiscal Period - 2023

Southern Software FMS GL Account History

Date: 9/7/2023 11:26 AM

10-340-0100 PERMITS - 10-340-0100 PERMITS

GL Account	AType	Date	Description1	Debit	Credit	Batch	FPName
10-340-0100 P R		05/23/2023	MISC PAYMENT	\$0.00	\$135.00	65810	Fiscal Period - 2023
10-340-0100 P R		05/23/2023	MISC PAYMENT	\$0.00	\$200.00	65808	Fiscal Period - 2023
10-340-0100 P R		05/24/2023	MISC PAYMENT	\$0.00	\$25.00	65815	Fiscal Period - 2023
10-340-0100 P R		05/30/2023	MISC PAYMENT	\$0.00	\$25.00	65832	Fiscal Period - 2023
10-340-0100 P R		05/30/2023	MISC PAYMENT	\$0.00	\$50.00	65832	Fiscal Period - 2023
10-340-0100 P R		05/31/2023	MISC PAYMENT	\$0.00	\$25.00	65870	Fiscal Period - 2023
10-340-0100 P R		06/01/2023	MISC PAYMENT	\$0.00	\$25.00	65884	Fiscal Period - 2023
10-340-0100 P R		06/06/2023	MISC PAYMENT	\$0.00	\$25.00	65970	Fiscal Period - 2023
10-340-0100 P R		06/09/2023	MISC PAYMENT	\$0.00	\$25.00	66074	Fiscal Period - 2023
10-340-0100 P R		06/09/2023	MISC PAYMENT	\$0.00	\$25.00	66074	Fiscal Period - 2023
10-340-0100 P R		06/12/2023	MISC PAYMENT	\$0.00	\$25.00	66077	Fiscal Period - 2023
10-340-0100 P R		06/12/2023	MISC PAYMENT	\$0.00	\$100.00	66081	Fiscal Period - 2023
10-340-0100 P R		06/13/2023	MISC PAYMENT	\$0.00	\$25.00	66082	Fiscal Period - 2023
10-340-0100 P R		06/16/2023	MISC PAYMENT	\$0.00	\$25.00	66115	Fiscal Period - 2023
10-340-0100 P R		06/16/2023	MISC PAYMENT	\$0.00	\$50.00	66115	Fiscal Period - 2023
10-340-0100 P R		06/20/2023	MISC PAYMENT	\$0.00	\$25.00	66127	Fiscal Period - 2023
10-340-0100 P R		06/27/2023	MISC PAYMENT	\$0.00	\$20.00	66180	Fiscal Period - 2023
10-340-0100 P R		06/27/2023	MISC PAYMENT	\$0.00	\$25.00	66180	Fiscal Period - 2023
10-340-0100 P R		06/27/2023	MISC PAYMENT	\$0.00	\$100.00	66179	Fiscal Period - 2023
10-340-0100 P R		06/27/2023	MISC PAYMENT	\$25.00	\$0.00	66180	Fiscal Period - 2023
10-340-0100 P R		06/28/2023	MISC PAYMENT	\$0.00	\$100.00	66208	Fiscal Period - 2023
				\$25.00	\$10,030.00		
FPName: Fiscal Period 2024							
10-340-0100 P R		07/07/2023	MISC PAYMENT	\$0.00	\$25.00	66341	Fiscal Period 2024
10-340-0100 P R		07/10/2023	MISC PAYMENT	\$0.00	\$25.00	66366	Fiscal Period 2024
10-340-0100 P R		07/17/2023	MISC PAYMENT	\$0.00	\$50.00	66425	Fiscal Period 2024
10-340-0100 P R		07/17/2023	MISC PAYMENT	\$0.00	\$50.00	66425	Fiscal Period 2024
10-340-0100 P R		07/17/2023	MISC PAYMENT	\$50.00	\$0.00	66425	Fiscal Period 2024
10-340-0100 P R		07/20/2023	MISC PAYMENT	\$0.00	\$300.00	66451	Fiscal Period 2024
10-340-0100 P R		07/21/2023	MISC PAYMENT	\$0.00	\$100.00	66456	Fiscal Period 2024
10-340-0100 P R		07/24/2023	MISC PAYMENT	\$0.00	\$25.00	66455	Fiscal Period 2024

GL Account History

1/1/2023 - 8/31/2023
10-340-0100 PERMITS - 10-340-0100 PERMITS

GL Account	AType	Date	Description1	Debit	Credit	Batch	FPname
10-340-0100 P R		07/26/2023	MISC PAYMENT	\$0.00	\$25.00	66475	Fiscal Period 2024
10-340-0100 P R		08/03/2023	MISC PAYMENT	\$0.00	\$100.00	66521	Fiscal Period 2024
10-340-0100 P R		08/03/2023	MISC PAYMENT	\$0.00	\$25.00	66521	Fiscal Period 2024
10-340-0100 P R		08/15/2023	MISC PAYMENT	\$0.00	\$25.00	76595	Fiscal Period 2024
10-340-0100 P R		08/18/2023	MISC PAYMENT	\$0.00	\$25.00	76605	Fiscal Period 2024
10-340-0100 P R		08/18/2023	MISC PAYMENT	\$0.00	\$25.00	76609	Fiscal Period 2024
10-340-0100 P R		08/18/2023	MISC PAYMENT	\$0.00	\$25.00	76609	Fiscal Period 2024
10-340-0100 P R		08/18/2023	MISC PAYMENT	\$0.00	\$100.00	76609	Fiscal Period 2024
10-340-0100 P R		08/21/2023	MISC PAYMENT	\$0.00	\$25.00	76618	Fiscal Period 2024
10-340-0100 P R		08/22/2023	MISC PAYMENT	\$0.00	\$50.00	76627	Fiscal Period 2024
10-340-0100 P R		08/23/2023	MISC PAYMENT	\$0.00	\$25.00	76626	Fiscal Period 2024
10-340-0100 P R		08/24/2023	MISC PAYMENT	\$0.00	\$25.00	76639	Fiscal Period 2024
10-340-0100 P R		08/24/2023	MISC PAYMENT	\$0.00	\$25.00	76639	Fiscal Period 2024
10-340-0100 P R		08/25/2023	MISC PAYMENT	\$0.00	\$100.00	76644	Fiscal Period 2024
10-340-0100 P R		08/28/2023	MISC PAYMENT	\$0.00	\$150.00	76648	Fiscal Period 2024
10-340-0100 P R		08/29/2023	MISC PAYMENT	\$0.00	\$25.00	76657	Fiscal Period 2024
10-340-0100 P R		08/30/2023	MISC PAYMENT	\$0.00	\$100.00	76656	Fiscal Period 2024
				\$50.00	\$1,450.00		
				\$75.00	\$11,480.00		
				\$75.00	\$11,480.00		

Administrative Report August 2023

Elkton Area Community Center/Stonewall District

Monthly Center Programs

Strong Figure Bootcamp / Elkton Fitness: Monday-Saturday

Pilates: Tuesday/Thursday

Pound Class: Monday

Latin Fitness Dancing: Wednesday

StrengthenUpbeat Cardio Dance: Thursday

Next Level Karate / Instructional: Monday-Friday

Town Residents:

11

County Residents:

10

Non Residents:

4

Daily Book Sign In Count:

192

Family:

6

Youth:

0

Adult:

7

Senior:

12

Total New Members:

25

Total \$ Monthly Membership (Adult,Family, Senior & Youth): (Month)

\$3,317.00

Room Rentals Including Deposits

\$2,475.00

Shelter Rental Fees Collected:

\$840.00

Monthly Donations:

\$30.00

Credit Card Transaction Fees Collected:
Computer Copy Fees Collected:

\$222.00
\$56.40
\$3,623.40

Monthly Total:

ELK RUN CEMETERY REPORT
TRANSACTIONS
August 2023

LOTS SOLD.....	6	YTD = 32
INTERMENTS.....	4	YTD = 31
NICHE.....	1	YTD = 1
CREMATIONS	1	YTD = 5
Space Contract	1	YTD =4
Niche Contract.....	0	YTD=0

Interments this month	Lot Sales	Opening/Closing
Carl Dovel		\$750
Eugenia Sullivan		\$750
Phyliss Lowery		\$750
Ricky Lucas Sr.		\$750
	Sales/Contracts	
Elva C. Shifflett	5 spaces	\$5000
Jeff Shifflett	Contract payment	\$250
Phillip Lowery	1 space	\$1000

Total: \$9,250

- **Cemetery Commission Members**

Chairperson: Lee Dearing

Vice Chair: Mark Hensley

Dwight "Gene" Kite

Billie Jo Dofflemyer

Sue Armbruster

Michelle Dean

Mark Stevanus

Submitted by: Delores Hammer – Director of Community Development

Misc Code	Credit Acct	Debit Acct	Full Name	Trans Date	Comment	Amount	Void
Code Desc: CEMETERY FENCE DONATIONS							
CEMFENCEDON	52-300-0260	52-101-0400	ANGELA SMITH	7/10/2023		\$200.00	\$0.00
CEMFENCEDON	52-300-0260	52-101-0400	BILLIE JO DOFFLEM	7/10/2023		\$200.00	\$0.00
CEMFENCEDON	52-300-0260	52-101-0400	TOP GUN AUTO BOD	7/18/2023		\$200.00	\$0.00
						\$600.00	\$0.00
Code Desc: OPEN/CLOSE FEE - CEM							
OPEN/CLOSE	52-300-0400	52-101-0400	MARY DUNBAR	1/4/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	WILLIAMS SELLERS	1/19/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	ABBIE COMER	2/13/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	JEREMY MCINTURFF	2/23/2023		\$300.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	JANET JENKINS	2/23/2023		\$300.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	FREDRICK MILLER	3/9/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	VIVIAN SEAL	3/13/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	KYGER FUNERAL HO	3/17/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	CHARLES BREEDEN	3/17/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	KYGER FUNERAL HO	3/17/2023		\$300.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	DONNIE MOWBRAY	3/27/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	ELENOR HARRISON	3/28/2023		\$300.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	DIXIE MOWBRAY	3/31/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	RUTH DINGES	4/11/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	MELINDA DOFFLEMY	4/11/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	AIMEE TEMPLETON	4/14/2023	LARRY BAUGHER	\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	JANET ROACH	5/22/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	MARY SHIFFLETT KY	5/22/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	JAMES DEAN	5/24/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	PEGGY DEAN	6/5/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	KYGER FUNERAL HO	6/9/2023	CHARLES HITT SR	\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	MARSHALL SHIFFLE	6/14/2023		\$750.00	\$0.00

Transaction Date from 1/1/2023 - 9/1/2023 Miscellaneous Transaction Code Report

Date: 9/7/2023 12:10 PM

Misc Code	Credit Acct	Debit Acct	Full Name	Trans Date	Comment	Amount	Void
OPEN/CLOSE	52-300-0400	52-101-0400	KENNETH MORRIS	6/14/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	MARGERY KITE	6/26/2023		\$300.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	EUGENE SHIFFLETT	6/28/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	LEO LAWSON	7/3/2023		\$100.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	NANCY DORSETT	7/12/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	LEO LAWSON	7/17/2023		\$100.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	KYGER FUNERAL HO	7/31/2023	GERALDINE PARROT	\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	CARL DOVEL	8/14/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	EUGENIA SULLIVAN	8/14/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	PHYLLIS LOWERY	8/28/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	RICKY LUCAS	8/28/2023		\$750.00	\$0.00
OPEN/CLOSE	52-300-0400	52-101-0400	VIRGIE BAUGHER	8/29/2023		\$750.00	\$0.00
						\$21,950.00	\$0.00
Code Desc: SALE OF LOTS ELK RUN CEMETERY							
LOTSALES	52-300-0000	52-101-0400	RUTHANNE KIBLER	1/4/2023		\$1,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	DEBBIE SHIFFLETT	1/13/2023		\$8,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	LARRY EPPARD	1/13/2023		\$1,500.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	DANNY HENSLEY	1/26/2023		\$150.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	MARLA MCCAULEY	1/31/2023		\$2,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	JEFF & BRENDA SHI	3/1/2023		\$250.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	ALLEN MEADOWS	3/2/2023		\$1,300.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	FREDRICK SHMIDT	3/14/2023		\$3,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	DON SHIFFLETT	4/18/2023		\$1,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	JEFFREY SHIFFLETT	4/20/2023		\$250.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	ADAM LAM	4/20/2023		\$3,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	SANDRA CAMPBELL	4/24/2023		\$2,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	LISA MORRIS	5/2/2023		\$2,000.00	\$0.00

Transaction Date from 1/1/2023 - 9/1/2023 Miscellaneous Transaction Code Report

Date: 9/7/2023 12:10 PM

Misc Code	Credit Acct	Debit Acct	Full Name	Trans Date	Comment	Amount	Void
LOTSALES	52-300-0000	52-101-0400	JEFF SHIFFLETT	5/11/2023		\$250.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	WALTHEY HENSLEY	5/31/2023		\$200.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	JEFF SHIFFLETT	6/15/2023		\$250.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	RICHARD MILLER	6/20/2023		\$6,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	ELVA CATHERINE SH	6/26/2023		\$1,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	REBEL PHELPS	7/6/2023	CONTRACT PAYMEN	\$500.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	JEFF SHIFFLETT	7/14/2023		\$250.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	ELVA SHIFFLETT	8/8/2023		\$5,000.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	JEFF SHIFFLETT	8/8/2023		\$250.00	\$0.00
LOTSALES	52-300-0000	52-101-0400	PHYLLIS LOWERY	8/22/2023		\$1,000.00	\$0.00
Code Desc: SALE OF NICHE							\$40,150.00
NICHE	52-301-0000	52-101-0400	DEBORAH COMER	1/10/2023		\$100.00	\$0.00
NICHE	52-301-0000	52-101-0400	DORIS ACCTON	2/21/2023		\$1,200.00	\$0.00
NICHE	52-301-0000	52-101-0400	DEBRA COMER	4/6/2023		\$200.00	\$0.00
NICHE	52-301-0000	52-101-0400	DEBBIE MORRIS	5/9/2023		\$25.00	\$0.00
NICHE	52-301-0000	52-101-0400	RONNIE MORRIS	5/15/2023		\$275.00	\$0.00
NICHE	52-301-0000	52-101-0400	DEBRA COMER	6/5/2023		\$100.00	\$0.00
							\$1,900.00
							\$64,600.00
							\$0.00

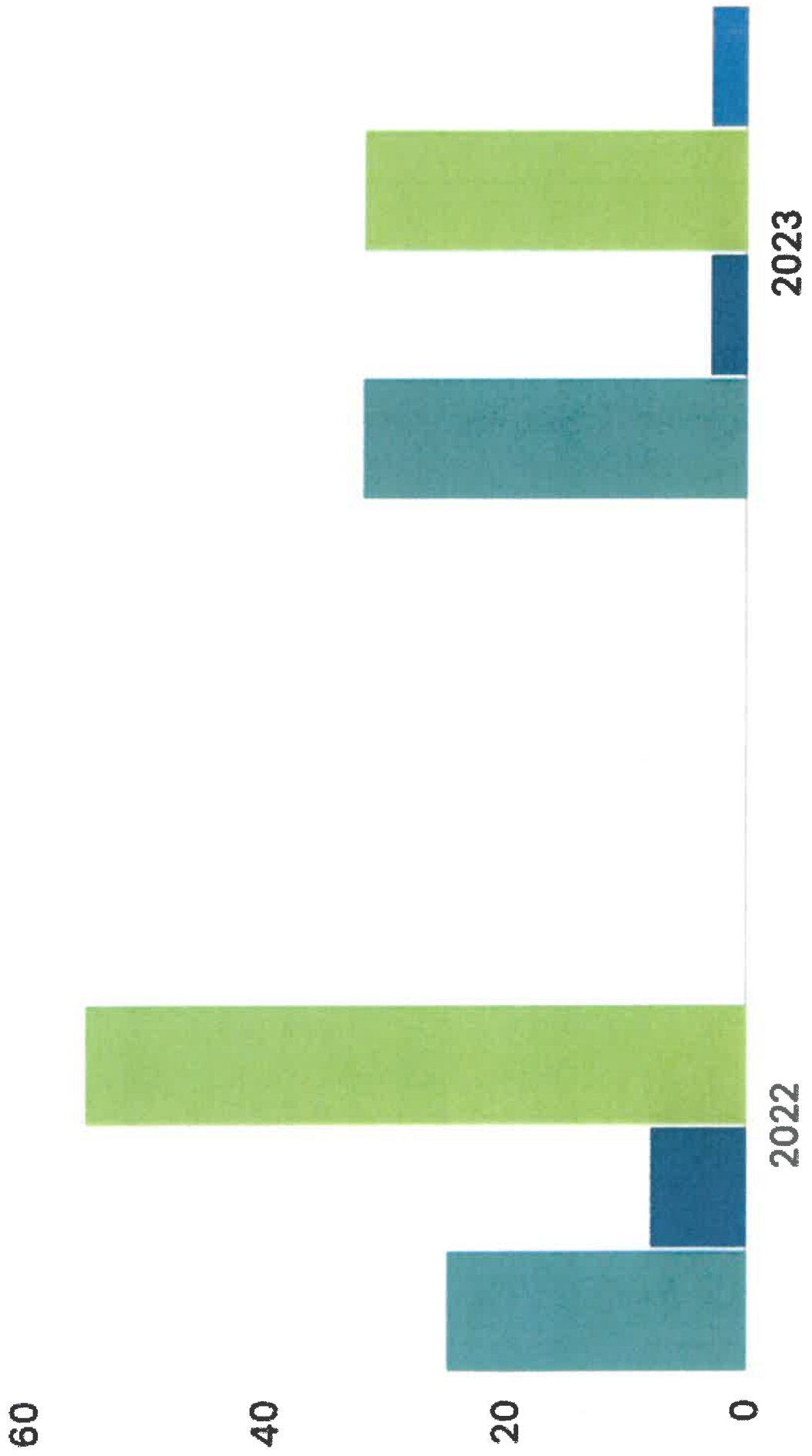
Transaction Date from 1/1/2023 - 9/1/2023 Miscellaneous Transaction Code Report

Date: 9/7/2023 12:10 PM

ELK RUN CEMETERY

YTD FEE'S COLLECTED \$64,600

■ Lot Sales
 ■ Niche Sales
 ■ Opening/Closing
 ■ Plaque



August Water Hauling Report

<u>July 2022-June 2023</u>		<u>Revenue</u>
July	837,377.00	5,986.31
August	888,570.00	6,445.32
September	818,569.00	5,955.66
October	832,144.00	6,050.27
November	723,466.00	5,289.36
December	724,205.00	5,299.56
January	665,506.00	4,888.69
February	551,263.00	4,093.86
March	639,340.00	4,710.40
April	720,553.00	5,283.92
May	998,779.00	7,241.72
June	1,077,155.00	7,790.19
YTD:	9,476,927.00	69,035.26

<u>July 2023-June 2024</u>		<u>Revenue</u>
July	996,911.00	8,046.47
August	1,058,680.00	8,547.12
September		
October		
November		
December		
January		
February		
March		
April		
May		
June		
YTD:	2,055,591.00	16,593.59



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Town Attorney's Report

BACKGROUND: Report to be presented verbally by the town attorney.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input checked="" type="checkbox"/>
Action Item <input type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: N/A

APPROVAL:

A handwritten signature in black ink, appearing to be "Greg Lunsford", written over a horizontal line.

Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda **MUST** be received within five (5) working days prior to the meeting date. All pertinent information **MUST** be attached in order for this item to be placed on the agenda.



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Committee Reports

BACKGROUND: Reports to be presented verbally by committee chairs.

ACTION REQUESTED:

Information Only	<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Reports	<input checked="" type="checkbox"/>
Action Item	<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Closed Session	<input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
Amount: N/A
Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: N/A

APPROVAL: 
Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Glo Fiber TV Franchise Agreement

BACKGROUND: Town manager to discuss agreement.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input type="checkbox"/>
Action Item <input checked="" type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: N/A

APPROVAL:



 Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Purchase of service weapon

BACKGROUND: Upon the retirement of Chief of Police, David Harris, and pursuant to Virginia Code Section 59.1-148.3 E, the attached motion was proposed.

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input type="checkbox"/>
Action Item <input checked="" type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: N/A

APPROVAL: 
 Greg Lunsford, Town Manager

ATTACHMENTS: Motion

TOWN OF ELKTON



VIRGINIA

PURCHASE OF SERVICE WEAPON

Upon the retirement of Chief of Police, David Harris, who was a sworn law-enforcement officer with over 10 years of state service, and pursuant to Virginia Code Section 59.1-148.3 E, the Elkton Town Council allow Chief Harris to purchase his service handgun, a Glock Model 22 with serial number BMHT707, for the purchase price of \$1.

173 W. SPOTSWOOD AVENUE ■ ELKTON, VIRGINIA 22827
ELKTONVA.GOV



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: September 18, 2023

SUBJECT/TOPIC: Closed Session pursuant to Virginia Code § 2.2-3711.A.7, § 2.2-3711.A.1, and § 2.2-3711.A.3.

BACKGROUND: N/A

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Reports <input type="checkbox"/>
Action Item <input type="checkbox"/>	Public Hearing <input type="checkbox"/>	Closed Session <input checked="" type="checkbox"/>

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☐
 Amount: N/A
 Budget Line Item: N/A

If expenditure of funds is required, the amount and the line item name/number that the funds are to be taken from must be stated. If funds are not available in the appropriate line item but they are available in a different line item within the department, this must be explained. If no funds are to be expended, simply state "There is no financial impact to the Town."

STAFF RECOMMENDATION: That Council go into a Closed Session pursuant to the following:

- a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."
- b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."

TOWN OF ELKTON



VIRGINIA

Staff Report/Recommendation

- c. Pursuant to Virginia Code § 2.2-3711.A.3 for, "Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body."

APPROVAL:

A handwritten signature in black ink, appearing to read "Greg Lunsford", is written over a horizontal line.

Greg Lunsford, Town Manager

ATTACHMENTS: None

Request(s) to be added to the agenda MUST be received within five (5) working days prior to the meeting date. All pertinent information MUST be attached in order for this item to be placed on the agenda.