

Elkton Town Council
Elkton Area Community Center
20593 Blue and Gold Drive - Elkton, VA 22827
Monday, May 15, 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. PRESENTATION
 - a. National Police Week Proclamation
 - b. National Public Works Week Proclamation
 - c. Elkton Progressive Improvement Committee (EPIC)
4. PUBLIC COMMENT (Please see “Rules for Citizen Comments at Council Meetings”)
5. CONSENT AGENDA
 - a. Minutes
6. STAFF REPORTS
 - a. Town Manager – Greg Lunsford
 - b. Town Attorney – Nathan H. Miller
 - c. Chief of Police – Dave Harris
 - d. Public Works Director – Gaither Hurt
 - e. Economic & Community Development Director – Delores Hammer
 - f. Town Treasurer – Donna Curry
7. COMMITTEE REPORTS
 - a. Policy & Personnel
 - b. Parks & Recreation
 - c. Public Utilities
 - d. Public Safety
 - e. Finance
 - f. Special Projects & Economic Development

8. UNFINISHED BUSINESS

- a. Final review of FY24 Budget
- b. Architect proposal for new police station

9. NEW BUSINESS

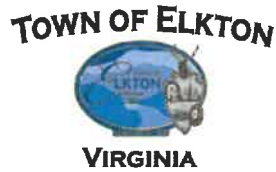
- a. Recommendation by the Elkton Planning Commission to hold a joint public hearing with the Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, § 110-603, § 110-604, § 110-605, §110-606, §110-715
- b. Recommendation by the Elkton Planning Commission to hold a joint public hearing with the Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, § 110-610 Downtown Business District B-1 and § 110-715 (B)
- c. Recommendation by the Elkton Planning Commission to approve a request from Christopher and Wendy Hensley to subdivide a lot located on E. Prospect Avenue, a portion of tax map number 131 A-L46A on a plat by Randall K. Newman, dated April 10, 2023
- d. Recommendation by the Elkton Planning Commission to hold a joint public hearing with the Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, § 110-706 Signs

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."

12. ADJOURNMENT



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: May 15, 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.

TOWN OF ELKTON



VIRGINIA

PROCLAMATION FOR NATIONAL POLICE WEEK 2023

To recognize National Police Week 2023 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the TOWN OF ELKTON POLICE DEPARTMENT;

WHEREAS, since the first recorded death in 1786, there are currently 23,785 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC;

WHEREAS, 556 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 224 officers killed in 2022 and 332 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 35th Candlelight Vigil, on the evening of May 13, 2023;

WHEREAS, the Candlelight Vigil is part of National Police Week, which will be *observed* this year May 9-20;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

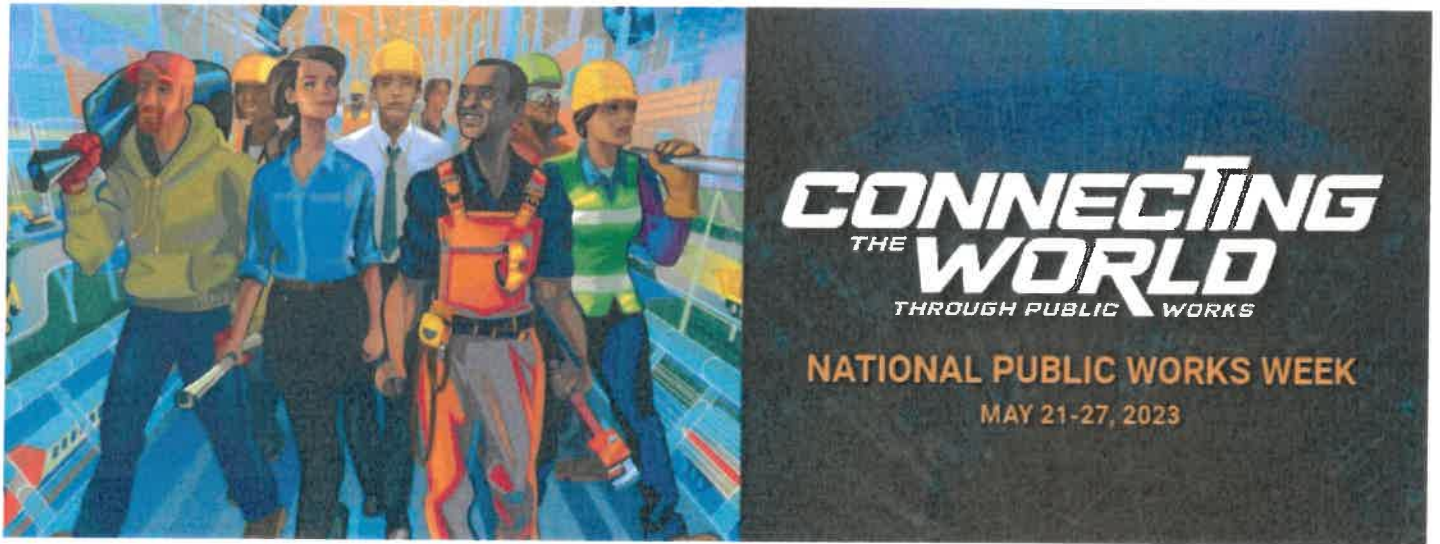
THEREFORE, BE IT RESOLVED that the ELKTON TOWN COUNCIL will observe May 9-20, 2023, as National Police Week in the Town of Elkton, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Elkton, Virginia, to be affixed this 15th day of May in the year of two thousand twenty-three.

Joshua J. Gooden, Mayor

ATTEST:

Clerk of Council



National Public Works Week Proclamation

May 21–27, 2023

“Connecting the World Through Public Works”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the Town of Elkton, Virginia; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the Town of Elkton, Virginia to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

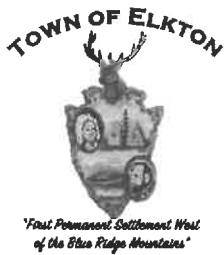
RESOLVED, We, the ELKTON TOWN COUNCIL, do hereby designate the week May 21–27, 2023 as National Public Works Week; We urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Elkton, Virginia, to be affixed this 15th day of May in the year of two thousand twenty-three.

Joshua J. Gooden, Mayor

ATTEST:

Clerk of Council



Staff Report/Recommendation

REQUESTING DEPARTMENT: Clerk of Council

MEETING DATE: May 15, 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 the April 3, 2023, April 13, 2023, and April 17, 2023 meetings.

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
Elkton Town Council
Public Hearing – Agricultural Lease
April 3, 2023
4:30 p.m.**

A public hearing was held on Monday, April 3, 2023, at 4:30 p.m., at EAUS, located at 15386 Old Spotswood Trail, Elkton, Virginia, pursuant to Section 15.2-1800 (B) of the Code of Virginia, as amended, to receive comments relating to the lease of 18 +/- acres of agricultural land located at the Town's wastewater treatment plant in Elkton, Virginia. Mayor Joshua J. Gooden presided.

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

Also Present: Town Manager Greg Lunsford, Chief of Police DSergeant Mike King, Public Works Director Gaither Hurt, Economic & Community Development Director Delores Hammer, Town Treasurer Donna Curry, and Clerk of Council Denise Monger.

PUBLIC HEARING

Mayor Gooden opened the public hearing and the clerk was asked to call roll.

Comments

Randell Snow, Clover Lane, stated that a lease for the property was premature. A plan for the Town's unused property was needed with a better revenue producing system.

With no additional comments, the hearing was closed.

**TOWN OF ELKTON
TOWN COUNCIL RETREAT
APRIL 3, 2023
4:30 p.m.**

The Elkton Town Council Retreat was held on April 3, 2023, at 4:30 p.m., at EAUS located at 15386 Old Spotswood Trail, 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 Rachel Michael, Council Member Aaron Napotnik, and Council Member Louis Heidel.

Also Present: Town Manager Greg Lunsford, Chief of Police Dave Harris, Sergeant Mike King, Public Works Director Gaither Hurt, Economic & Community Development Director Delores Hammer, Town Treasurer Donna Curry, and Clerk of Council Denise Monger.

TOWN COUNCIL RETREAT

Mayor Gooden opened the meeting and the clerk was asked to call the roll.

Mayor Gooden recessed the meeting to hold a public hearing. At the conclusion of the hearing, he reconvened into the retreat. Upon agreement of Council, the action item would be placed on the agenda before the architectural presentations.

ACTION ITEM

Recommendation by the Elkton Planning Commission to deny a request for a special exception permit from Sean Gorman for short-term rentals at 252 Kensington Drive, Elkton

Council member Hensley moved, seconded by Council member Fuginiti, and carried to approve the request.

It was clarified that the motion was to approve the special exception permit, not the recommendation made by the Planning Commission.

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

NAYS: None

ABSTENTION: L. Heidel

VOTE: (5 – 0 roll call with 1 abstention) Motion carried

PRESENTATION

Proposals from architects for police department relocation

Three architectural firms made presentations regarding the new police station. They were as follows:

John R. Mather, AIA, President, and Rebecca Penrod, Director of Marketing and Business Director from Mather Architects, 37 Paul Street, Harrisonburg, Virginia 22801.

Pennie Zinn Garber, President, Principal Architect, and Jonathan F. Garber, Vice-president, Principal Engineer from Lineage Architects, PC, 98 Lee Highway, Verona, Virginia 24482

Mike Wittig, Senior Project Leader, Architect, and Welby Lehman, Senior Project Leader from Blueline, 126 W. Bruce Street, Suite 102, Harrisonburg, Virginia 22801

COUNCIL PLANNING SESSION

Change Committee Name

Council member Fulginiti moved, seconded by Council member Michael, and carried to change the Community Center and Recreation Committee name to Parks and Recreation Committee.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Items from Vice-Mayor Workman

1. Water
2. Storm water
3. Farmer's Market
4. Police station
5. Reorganization of community center
6. Pham Chopra owned properties

Mr. Lunsford would contact the Town of Timberville regarding the actions they took regarding blight and vacant properties.

Brief discussions took place as follows:

- Step-by-step process for Town projects

- Next step for farmer's market would be to receive bids
- Need architect firm to be at the project during the build process
- Town would choose an employee to be an on-site supervisor for project
- Review the advertisement to see if scope of design was listed

Accept bids for the new police station project

Council member Michael moved, seconded by Council member Fulginiti, and carried to accept bids for the new police station project.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Drinking Water

- VDH Office of Drinking Water performed their annual drinking water inspection which included a review of the Town's meter readings and audit numbers from producing wells which determined the amount of water loss to the Town.
- In 2010 an engineering firm provided the Town a drinking water proposal. At that time, the project estimate was just over \$5 million. In 2023, the same project cost was over \$8 million.
- Water issues had been a problem for the Town for many years.
- Mr. Lunsford submitted applications for the project to VDH and USDA for assistance with the project cost.
- Additional engineering information was required for USDA which would cost the Town another six figures.
- The proposed tower would be located near the in-ground tank on campground road. The Town would need to purchase additional land around the tower to comply with regulations.
- An environmental study was required due to the number of endangered animal species in the area.

Storm water

- The Town had drawings/plans from 2006 regarding the downtown triangle flooding area.
- The scope of the project changed with the addition of the farmer's market such as site grading and paving.
- Engineering firm updated the drawings/plans and recently surveyed the area.

Farmer's Market

- Topography survey being prepared in order to review the storm water issues.
- Site work plans would be the next step for the market project.
- Project not expected to be completed in time for Autumn Days.
- Formal ARPA project list to be voted on in the future.

New Police station

- Town could advertise for the architect bid at any time, then next step would be the construction bid.
- Estimate about three months once the bid was awarded to allow time for measurements, reviews, inspections, etc...
- The County's fire and rescue project estimated time for completion was about one and a half year. They would not move their equipment out of the Town's building until project was finished.
- Inner agency office would be included in the new police station.

General

- A policy was needed on contacting the Town Attorney. Also, if one Council member was updated on an issue, the attorney needed to copy all Council members.
- New appliances were needed at the community center.
- New visual and sound system needed for the Council chambers in the community center.
- Request to be informed on issues/matters in real time and not after the fact; issues that were impactful to the Town.
- Suggestion the Town Manager send out a report/informational summary every two weeks to Council.
- Police department updates.
- Seven candidates qualified for the EACC Director vacancy.
- Special Council Meeting scheduled for April 13, 2023 at 4:00 p.m. at Town Hall for interviews of at least three candidates.
- Compile a list of code amendments that needed to be changed and send to Town clerk.
- Drinking water project estimated cost \$8 million; maybe half could be funded by grants.
- Over \$16 million in debt for the Town after the drinking water project.
- Utility rates for the Town were extremely low, especially water. The proposal for the new budget year was a 16% increase to water user rates, an 8% sewer user rate increase.
- Purchase power increased \$700,000 for the Town and electric rates would also need to be increased.
- First FY24 budget proposal to be given to Council on April 17 would include substantial utility rate increases.

- Discussion that out-of-town rates need to be higher than what Town citizens pay and a re-definition of categories should be reviewed.
- Five or ten year rate increase plan needed.
- No new connections for anyone out of Town.
- Town provided same call-out services for out-of-town customers as in-town customers, but in-town citizens pay the bills for those services.
- Plans for street lights, sidewalks, etc... Needs to be planned for new annexed areas.
- Town water lines were too small and overextended.
- Previous Koogler project discussed which the Town denied at the time due to capacity issues at the plant.
- Study would be done on the Town's utilities.
- Out-of-town utility increases would be included in the budget.

CLOSED SESSION

Council member Hensley moved, seconded by Vice-Mayor Workman, and carried that council go from Regular Session in to Closed Session 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" and 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."

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Approve amended boundary line agreement

Vice-Mayor Workman moved, seconded by Council member Hensley, and carried to approve the agreement to change the boundary line for the Town of Elkton as amended.

It was determined that the Monger Hill Subdivision and the Millbank/River Road section would not be included in the agreement.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Approve agricultural lease

Council member Heidel moved, seconded by Council member Fulginiti, and carried approve the agricultural lease for the eighteen (18) acres +/- adjacent to the Town's wastewater treatment plant.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Solicit proposals for Town legal services

Council member Napotnik moved, seconded by Council member Heidel, and carried to solicit proposals for Town legal services.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Motion to adjourn

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

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

DRAFT

**TOWN OF ELKTON
ELKTON TOWN COUNCIL
SPECIAL MEETING
APRIL 13, 2023**

Mayor Joshua J. Gooden called a special meeting of the Elkton Town Council for Thursday, April 13, 2023, at 4:00 p.m., to be held at the Jennings House/Town Hall, 173 W. Spotswood Avenue, Elkton, Virginia, for a closed session to discuss and/or interview applicants for possible employment, 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."

Vice-Mayor Workman called the meeting to order. The following Council members and staff were in attendance:

Present: Mayor Joshua J. Gooden (4:05 p.m.), Vice-Mayor Phillip Workman II, Council Member Virginia Fulginiti, Council Member Rachel Michael, Council Member Aaron Napotnik, Council Member Jan Hensley and Council Member Louis Heidel.

Also Present: Town Manager Greg Lunsford, and Town Attorney Nathan H. Miller.

CLOSED SESSION

Council member Fulginiti moved, seconded by Council member Heidel, and carried that council go from Regular Session in to Closed Session 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: V. Fulginiti, P. Workman, R. Michael, A. Napotnik, J. Hensley, and L. Heidel

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Mayor Gooden arrived at 4:05 p.m.

Vice-Mayor Workman was excused from the meeting at 5:55 p.m.

OPEN SESSION/MOTION TO CERTIFY CLOSED MEETING

Council member Michael moved, seconded by Council member Hensley, 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: V. Fulginiti, R. Michael, A. Napotnik, J. Hensley, and L. Heidel

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Motion to adjourn

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

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

With no additional business, the meeting adjourned at 6:47 p.m.

**TOWN OF ELKTON
REGULAR COUNCIL MEETING
APRIL 17, 2023
6:00 p.m.**

A Town Council meeting was held on Monday, April 17, 2023 at 6:00 p.m., in the Council Chambers of the Elkton Area Community Center, located at 20593 Blue and Gold Drive, 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 Rachel Michael, and Council Member Aaron Napotnik.

Also Present: Town Manager Greg Lunsford, Town Attorney Nathan H. Miller, Public Works Director Gaither Hurt, Economic & Community Development Director Delores Hammer, Town Treasurer Donna Curry, and Clerk of Council Denise Monger.

REGULAR COUNCIL MEETING

Mayor Gooden opened the meeting and the clerk was asked to call roll.

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

ADOPTION OF AGENDA

Council member Michael moved, seconded by Council member Napotnik, and carried to approve the consent agenda as presented.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

PRESENTATION

Mayor Gooden stated that the Elkton Progressive Improvement Committee (EPIC) would make their presentation at a future meeting.

PUBLIC COMMENT

Wayne Printz, 336 West Washington, Elkton, stated that Countryside Market business had been harassed by the Town and he did not agree with the way they were treated. He briefly discussed FOIA requests and how open and transparent Greene County was. He attended the Finance Committee meeting which basically discussed raising all rates, cashing in the REPO account, while giving 5% raises to Town employees.

CONSENT AGENDA

Council member Fulginiti moved, seconded by Council member Hensley, and carried to approve the consent agenda as presented.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

STAFF REPORTS

Town Manager – Greg Lunsford

Mr. Lunsford thanked Town staff for their hard work and noted how lucky the Town was to have such good employees. He attended the monthly progress meeting regarding the wastewater treatment plant on April 5. He noted the plant should be finished by July 2023. A meeting took place with the engineer regarding the drinking water project which was still in the preliminary stages. There was a meeting on the storm water project which was also in the preliminary engineering stage. He noted that for the work session on May 1, a timeline for the projects would be provided to the Mayor and Council. Formal bids for the new police station would be submitted by the three architects that made presentations at the Council retreat. The bulk clean-up for the Town was scheduled for April 24, 2023. There would be tours by the Middle School of the wastewater treatment plant on April 20 and 21 for Earth Day. On April 14, 2023, Jeffrey Breeden completed his four year lineman training school making him the first certified lineman employed by the Town. He noted that Treasurer Curry and her staff did a phenomenal job with the budget. He noted that Mrs. Hammer's office was extremely busy with sales, rezones, etc...

Town Attorney

Mr. Miller reported no additional business.

A brief discussion took place regarding the motion to suspend short-term rentals for a specified period of time. Town Attorney Miller stated that the motion was proper and there were no legal issues.

Chief of Police

Chief Harris was at training and absent from the meeting.

Director of Public Works

Mr. Hurt reported no additional business.

Director of Economic & Community Development

Mrs. Hammer reported that Council had been provided a copy of the preliminary design for the pavilion. She requested any feedback regarding the design be communicated to her or the Mayor by Friday.

Town Treasurer

Mrs. Curry reported no additional business.

COMMITTEE REPORTS

Personnel & Policy Committee

Council member Hensley reported that the Town had received quite a number of applicants for the EACC Director position. She noted that Elkton had the best, hardworking, dedicated and polite staff and she was thrilled to be working with them.

Parks & Recreation Committee

Chairperson Fulginiti thanked everyone for their hard work with the Easter Egg Hunt, especially, Delores, Gator, Lisa and Mayor Gooden. She noted that Chris Michael came and set up music and directed the event. A total of 187 goody bags were provided and 3,600 eggs were hunted and found. She thanked the following businesses and individuals that sponsored the event:

- Elkton Eye Care
- Ace Hardware
- Dairy Queen
- Joel Slocum, Jr.
- Ellen Mowbray
- Michelle Brown
- Merck & Co.
- Dollar General
- 7-11

Public Utilities

Chairperson Workman reported no additional business.

Public Safety

Chairperson Heidel reported that the committee met and discussions took place regarding the upcoming fiscal year and the needs of the department. He noted an additional officer was needed, new equipment, cameras, and weapons. The department had applied for a \$153,000 grant which could pay for the majority of needed items. New radar and digital radar equipment was also needed.

Finance Committee

Chairperson Michael thanked Treasurer Curry and her staff for the amazing job they had been doing. She noted that the budget was balanced. She noted that in response to Mr. Printz' comment, the Town needed competitive pay for their employees. They did an amazing job and deserved it. She noted that in regards to transparency, the budget would be published and available on the Town's website.

Special Projects & Economic Development

Chairperson Napotnik reported that four (4) new businesses were coming into Town. He noted that ribbon-cutting ceremonies would take place for each.

UNFINISHED BUSINESS

Recommendation by the Elkton Planning Commission to approve a request from the Town of Elkton to subdivide a lot on Blue & Gold Drive, which is a portion of tax map number 131-A-34

Council member Hensley moved, seconded by Vice-Mayor Workman, and carried to accept the recommendation by the Elkton Planning Commission to a request from the Town of Elkton to subdivide a lot on Blue & Gold Drive, which was a portion of tax map number 131-A-34.

It was determined the parcel of land was the area between the Rescue Squad and the EACC.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

ARPA authorized projects and expenditures

Mr. Lunsford stated that the ARPA funds received were \$3,011,910 of which \$687,960 had been spent. He noted that at the retreat, Council made a motion that the remainder of the ARPA funds be spent on relocation of the Elkton Police Department, West Spotswood Avenue street project (storm water), construction of the farmer's market pavilion, and the remainder on the drinking water.

Council member Michael moved, seconded by Council member Heidel, and carried to approving the ARPA authorized projects and expenditures.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

NEW BUSINESS

Presentation of the Town Manager's recommended FY24 Budget

Mr. Lunsford stated that the Finance Committee had already reviewed the proposed budget. He noted that no action was needed. He read the following:

"Thank you for your input and assistance with the FY 2024 annual budget. Staff had several important goals as we worked through this year's budget process. The primary goal was to ensure that the needs of the Town were analyzed and thoroughly vetted; and that we prioritized these

needs based on projected revenues. Additional goals include: standardizing the format of Elkton's annual budget, consolidating or eliminating account codes which were no longer relevant to the town budget and working closely with the Town leadership team to ensure a financial plan for the current needs of their departments, as well as, long term financial needs.

The proposed FY 24 annual budget totals \$10,015,004.00 vs. a current budget of \$11,379,097.14. The primary reason for this decrease is the expenditure for Elkton's Wastewater Treatment Plant upgrade. \$4,000,000 was budgeted for this project in FY 23 vs. \$2,000,000 in FY 2024. The remaining \$2,000,000 will be used for sewer line replacement throughout town.

The FY 24 budget includes increases to electric rates. Through the Virginia Municipal Electric Association (VMEA), the Town purchases its power from Dominion. We estimate that our "purchased power" expense will increase by \$600,000 in FY 24. Electric rates must be increased to cover this escalation and to create a surplus for unexpected repairs and replacement of parts and supplies.

The budget also includes necessary increases to water and sewer rates. Elkton's water rates have been held unusually low for many years. We are well below the rates of neighboring towns as well as the state average. The Town has also been notified by VDH, USDA and others that grant options will be limited if we do not substantially increase our rates. We are proposing an increase from \$12.13/residential to \$14.07 and from \$12.14/commercial & industrial to \$14.07. Sewer rates are also increased from \$27.96 to \$30.20. The Town must repay more than \$14,000,000 in current sewer loans over the next 38 years. Sewer rates must be set adequately in order to repay these loans while maintaining Elkton's expansive new sewer plant and sewer system throughout the Town.

The FY 24 budget includes 11 departmental budgets. Again, there was a significant increase in electric expense which is outside the Town's control. However if you were to remove the electric increase, the expenses within the Town's control only increased \$64,260. This is less than 1% of the total \$10,015,004 FY 24 budget.

Personnel is almost always the largest operating expense of a municipality. Over the past several years, Town Council has been very supportive in bringing several positions up to a competitive pay range. Each year we also evaluate inflation, cost of living and how we compare with the other local towns. Currently the Cost of Living (COLA) is 8.7%, which is unusually high. This budget assumes a 5% pay increase for all employees in order to keep up with inflation. Another recommendation is to increase the Town's portion of dependent healthcare from 20% to 30%. We estimate that this could cost the Town up to \$15,000 for FY 24.

ARPA revenue and expenses are budgeted separately. To date, the Town of Elkton has received a total of \$3,011,910 in ARPA funding and has spent \$687,963. At its retreat on April 3, 2023, Council designated that the remaining balance of ARPA funding \$2,323,947, be used for the following projects:

- Relocation of Elkton Police Department;
- West Spotswood Avenue Street Project; and
- Construction of the Farmers Market Pavilion and Downtown Park.

The combined estimated cost of the aforementioned projects total \$1,350,000. Any remaining AFPA funds are to be used toward the Drinking Water Project.

Finally, the FY 24 Budget has \$194,138 in excess revenue. Staff recommends that these funds be placed into an "Infrastructure Reserve" account for unexpected capital expenses throughout the year. At the end of FY 24, any unused funds in this account could possibly be used for debt repayment.

Many thanks to Donna Curry for working through all of the changes and compiling this budget. Calculating the utility increases, especially the electric was especially complicated, and Donna did a great job with this. Thank you also to the Finance Committee and to all of the Department Heads who assisted with this budget process. Please contact myself or Donna Curry with any questions that you may have on the FY 24 budget."

Vice-Mayor Workman noted that in the budget was an infrastructure reserve account which was similar to the Town's REPO account. He noted that no discussion had taken place about spending any funds from the REPO account.

Mr. Lunsford stated that was correct that there had not been any discussion regarding spending funds from the REPO account. He noted that it was unfortunate, especially with senior high school class students in attendance that a person would stand up during public comments and make false statements about Town business. He encouraged anyone with questions to contact himself or Treasurer Curry and not "gaslight" crowds with falsehoods.

Appoint Council member Heidel as chairperson and member of committees

Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried to appoint Council member Heidel as chairperson of the Public Safety Committee and become a member of the Finance Committee and Parks and Recreation Committee.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Resignation of Daniel W. Goodson from the Board of Zoning Appeals

Council member Michael moved, seconded by Council member Fulginiti, and carried to accept the resignation of Daniel W. Goodson from the Board of Zoning Appeals.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Resolution to appoint Heather Kite to the Board of Zoning Appeals

Council member Heidel moved, seconded by Council member Michael, and carried to appoint Heather Kite to the Board of Zoning Appeals.

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Appoint Mark Hensley, Mark Stevanus and Billie Jo Dofflemeyer to the Elk Run Cemetery Advisory Commission to one year terms

Council member Michael moved, seconded by Vice-Mayor Workman, and carried to appoint Mark Hensley, Mark Stevanus and Billie Jo Dofflemeyer to the Elk Run Cemetery Advisory Commission to one year terms.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Appoint Millard Dearing, Gene Kite, Sue Armbruster, Michelle Dean to the Elk Run Cemetery Advisory Commission to four year terms

Council member Fulginiti moved, seconded by Council member Heidel, and carried to appoint Millard Dearing, Gene Kite, Sue Armbruster, and Michelle Dean to the Elk Run Cemetery Advisory Commission to four year terms.

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

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

MAYOR'S BUSINESS

Mayor Gooden thanked all the volunteers for their help with the Easter Egg Hunt. He noted that there were many people that came out to make it a great day. He noted the Jr. Order's Spring Festival would be held on April 27-29, EPIC Fest Beer and Wine Festival was scheduled for May 20, 2023. He thanked Mr. Hurt and his department for their help with the new Town Hall sign and EPIC for purchasing the flagpole beside the sign. A flag raising ceremony was forthcoming.

CLOSED SESSION

Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried that council go from Regular Session in to Closed Session 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" and 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" and 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."

YEAS: J. Hensley, V. Fulginiti, P. 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 Workman moved, seconded by Council member Fulginiti, 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, P. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Accept contract for Mt. Pleasant lots 9-14

Vice-Mayor Workman moved, seconded by Council member Heidel, and carried to accept an offer from Clayton Homes pending a contract being completed by the Town Attorney for lots 9-14 of the Elk Run Subdivision along Mt. Pleasant Road.

The lots were described as 131-(15)-L9 though 131-(15)-L14

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

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

Motion to Adjourn

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

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Meeting adjourned at 7:58 p.m.

DRAFT



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: May 15, 2023

SUBJECT/TOPIC: Staff Reports

BACKGROUND: Written reports provided in the packet

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"/>

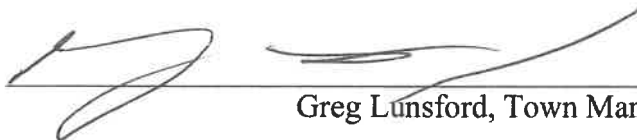
FINANCIAL IMPACT:

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

APRIL 2023

Law Enforcement Agencies

HPD.....	8013
RCSO.....	2995
Bridgewater.....	1171
Broadway.....	671
Dayton.....	699
Elkton.....	845
Grottoes.....	1474
Timberville.....	994
TOTAL.....	16,862

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									
CURFEW VIOLATIONS	0	0	0	0									
DRIVING UNDER THE INFLUENCE	1	0	0	1									
DRINKING IN PUBLIC/PUBLIC INTOXICATION	1	0	0	2									
DRUGS (POSSESSION & DISTRIBUTION)	7	1	1	2									
LOITERING	0	0	0	0									
PARKING TICKETS	0	0	0	0									
RECKLESS DRIVING	3	2	0	1									
SEAT BELT/CHILD RESTRAINT VIOL.	0	0	0	0									
SPEEDING	18	10	9	5									
MISCELLANEOUS	24	38	22	47									
ADULT ARRESTS	51	54	29	59									
JUVENILE ARRESTS	5	0	3	1									

POLICE OFFICERS RESPONDED TO THE FOLLOWING COMPLAINTS

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

DAVE HARRIS
CHIEF OF POLICE

TOWN OF ELKTON



VIRGINIA

Public Works Report for April 2023

Work Order List

Cemetery	6
Electric	13
Garbage	1
Gen.Govt	11
Recreation	14
Sewer	5
Streets	11
Water	11
Total	72

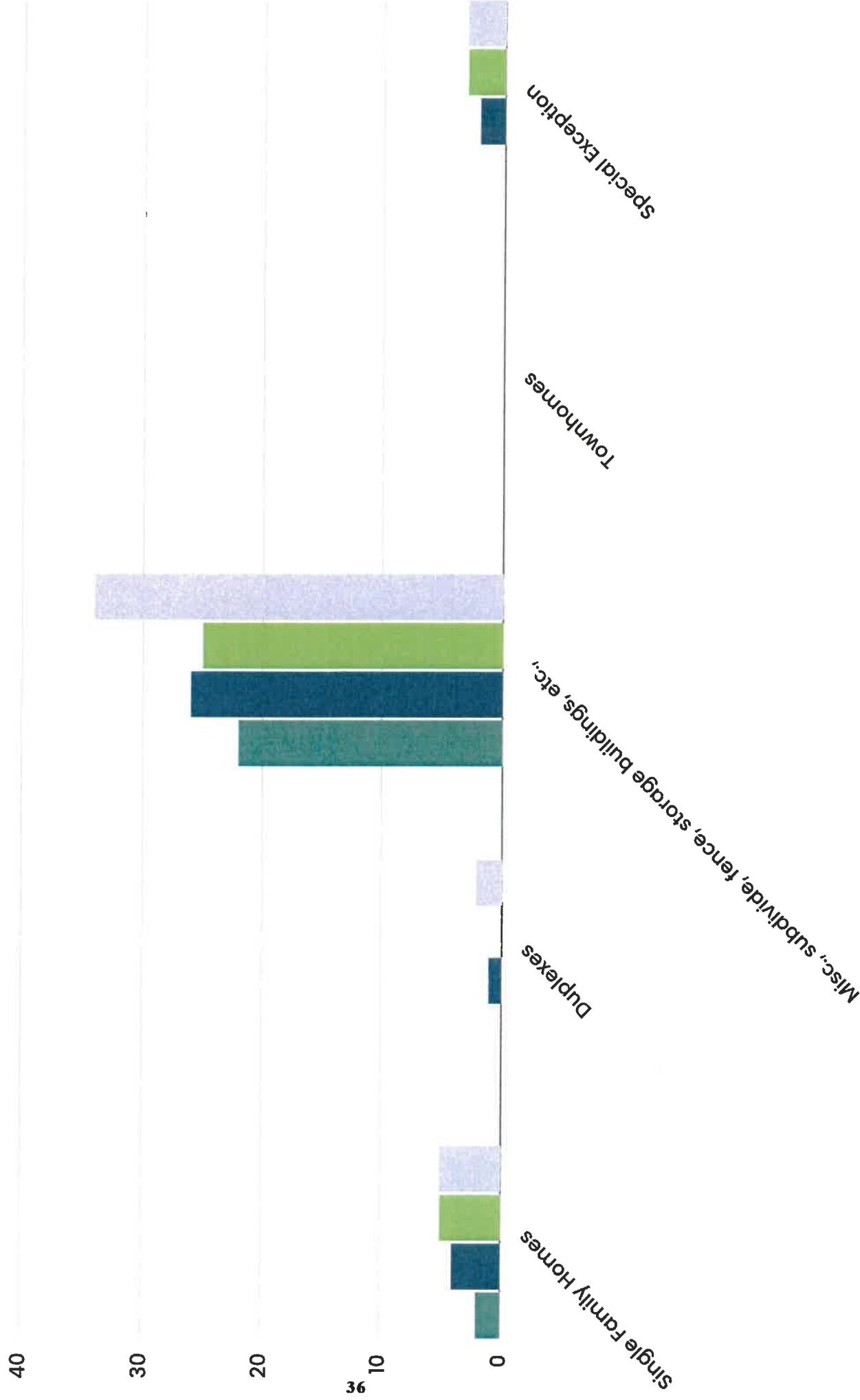
173 W. SPOTSWOOD AVENUE | ELKTON, VIRGINIA 22827
ELKTONVA.GOV

#	Date issue:	Caller:	St #	Address	Ph:	Project	Comp	Date comp:	Initial
3197	4/5/2023	cemetary		elk run cemetary		clean up for easter	x	4/5/23	lb-gf
3199	4/3/2023	kyger		elk run cemetary		grave for larry baugher	x	4/6/23	kb-rl-bb
3200	4/6/2023	kyger		elk run cemetary		grave for melinda dofflemyer	x	4/6/2023	kb-rl-bb
3201	3/27/2023	C.Powell		elk run cemetary		touch up grave	x	4/5/2023	lb-gf
3208	4/4/2023	kyger		elk run cemetary		grave for ruth dinges	x	4/10/23	kb-rl-bb
3221	4/11/2023	M.Harrison		elk run cemetary		cremation for eleonor davis	x	4/13/23	bb-rl
3191	04/01/23	ecc	502	lee ave		power outage	x	4/1/23	sh-kb
3205	4/5/2023	dominion		substation		run generator	x	4/5/2023	sh
3206	4/7/2023	ecc		trailer park		power outage	x	4/7/2023	jb-sh
3207	4/6/2023	dominion		substation		run generator	x	4/6/23	jb
3222	4/13/2023			stonewall park		replace streetlight	x	4/13/23	sh-bb
3223	4/13/2023			spotswood trail		replace streetlight	x	4/13/23	sh-bb
3224	04/10/23	F.Turner	628	wirt ave		replace streetlight	x	4/13/2023	sh-bb
3230	4/12/2023	B.Wille		vinny court		replace streetlight	x	4/17/2023	jb-sh
3233	4/17/2023			town hall		finish lighting for new sign and flag	x	4/17/2023	jb-sh
3234	4/18/2023	ecc		stonewall park		power outage	x	4/18/2023	jb-sh
3237	4/18/2023			harrisonburg		restock electrical supplies	x	4/18/23	jb-sh
3240	04/19/23			stonewall park		replace broken power pole	x	4/19/2023	kb-kb-sh-bb-rl
3255	4/26/2023	verizon		hill ave		assist contractor with 2 pole replacements	x	4/27/23	jb-sh
3254	4/24/2023	garbage		town		spring clean up for bulk items	x	4/28/2023	crew
3192	4/3/2023	gen.govt		town hall		pour curb-sidewalk for new sign	x	4/3/23	jb-gf-rl-lb-sh
3193	4/3/2023	gen.govt		town		read town and demand meters	x	4/3/23	kb-bb
3194	4/4/2023	gen.govt		town hall		remove concrete forms-grade center	x	4/4/23	jb-lb-gf-sh
3198	4/5/2023	gen.govt		town hall		install wiring for new sign	x	4/5/23	jb-sh
3209	4/10/2023	gen.govt		town		disconnects	x	4/10/23	sh-bb
3214	4/11/2023	gen.govt		eacc		service hvac units	x	4/11/2023	sh-bb
3215	4/11/2023	gen.govt		town hall		service hvac units	x	4/11/2023	sh-bb
3216	4/11/2023	gen.govt		library-dance studio		service hvac units	x	4/11/2023	sh-bb
3229	4/17/2023	governor		town		flag order for v.tech 16th anniversary	x	4/17/2023	bs-jp-rh
3258	4/27/2023	gen.govt		town		radio read meters	x	4/27/23	lb-gf
3259	4/28/2023	gen.govt		town		meter re-checks	x	4/28/23	lb-gf
3195	4/4/2023	recreation		boat landing		dig out to extend river trail	x	4/5/23	kb-rl-bb
3202	4/6/2023	recreation		stonewall park		install ground cover around playground	x	4/6/2023	jb-bb-lb-gf-sh

3203	04/06/23	recreation			stonewall park			set up for the easter event	x	4/6/2023	crew
3210	4/10/2023	recreation			boat landing			dig out to extend river trail	x	4/10/2023	rl-lb-gf
3217	4/11/2023	recreation			boat landing			dig out to extend river trail	x	4/11/2023	rl-gf
3220	4/13/2023	recreation			boat landing			dig out to extend river trail	x	4/13/23	kb-gf-rl-bb
3225	4/11/2023	recreation			riverside park			replace broken fence railing	x	4/11/23	bs-jp-rh
3228	4/10/2023	recreation			parks			check and clean parks	x	4/16/23	bs-jp-rh
3232	4/17/2023	recreation			river trail			build steps to river access	x	4/17/2023	kb-rl-bb
3236	4/18/2023	recreation			river trail			install gravel for river trail	x	4/18/23	kb-rl-bb
3243	4/20/2023	recreation			river trail			install gravel for river trail	x	4/20/23	kb-rl-bb
3247	4/17/2023	recreation			stonewall park			spray weeds	x	4/21/2023	bs-jp-rh
3252	4/17/2023	recreation			parks			check and clean parks	x	4/23/2023	bs-jp-rh
3262	4/24/2023	recreation			parks			check and clean parks	x	4/30/2023	bs-jp-rh
3204	4/6/2023	sewer			town			assist survey crew with utility marking	x	4/6/2023	kb-rl-bb
3213	4/11/2023	sewer			town			assist survey crew with utility marking	x	4/11/23	kb-lb
3218	4/11/2023	sewer			east rockingham st			sewer back up	x	4/11/2023	kb-lb-rl-gf-sh
3231	4/17/2023	sewer	E.Rodgers	210	jackson ave			sewer back up	x	4/17/2023	kb-rl-bb
3245	4/21/2023	sewer	J.Ginter		henhouse			sewer back up	x	4/21/2023	kb-jb-sh
3196	4/6/2023	streets			town			mow-weedeat	x	4/6/23	bs-jp-rh
3219	4/13/2023	streets			shop			replace water pump-steering pump unit 5	x	4/13/23	kb-sh
3226	4/11/2023	streets			river bridge			clean bridge	x	4/11/23	bs-jp-rh
3227	4/10/2023	streets			town			mow-weedeat	x	4/14/2023	bs-jp-rh
3239	4/19/2023	streets			town			spray weeds	x	4/19/2023	lb-gf
3241	4/20/2023	streets			town			hang banners for spring fest.	x	4/20/23	jb-sh
3244	4/21/2023	streets			shop			wash and stock trucks for earth day	x	4/21/2023	crew
3246	04/18/23	streets	K.Hyrck	302	morgan ave			spray weeds	x	4/21/23	bs-jp-rh
3251	4/22/2023	streets			town			earth day litter clean up	x	4/22/2023	jb-rl-sh
3253	04/17/23	streets			town			mow-weedeat	x	4/21/2023	bs-jp-rh
3261	4/24/2023	streets			town			mow-weedeat	x	4/28/2023	bs-jp-rh
3211	4/10/2023	water	R.Heiston	326	florist rd			pull meter data	x	4/10/2023	sh-bb
3212	4/5/2023	water	B.Wilfong	16805	16809 east spring ave			set water meters for new houses	x	4/10/2023	sh-bb
3235	4/18/2023	water			town			water meter service inventory	x	4/18/23	lb-gf
3238	4/19/2023	water			town			water meter service inventory	x	4/19/23	lb-gf
3242	4/20/2023	water			town			water meter service inventory	x	4/20/23	lb-gf
3248	4/21/2023	water		14580	beatty drive			set water meter	x	4/21/2023	kb-jb-sh

TOWN OF ELKTON ZONING PERMITS - YTD

2020 2021 2022 2023



No	Zone	First	Last	St #	St Name	Description	Fee	Mo
2023-001	B	Pride	Electric	309	Woodbridge Dr.	electric for pool	\$25	Jan.
2023-002	B	Brian	Heatwole	157	W. Spotswood Avenue	Electrical/reno.	\$25	Jan.
2023-003	B	Rockingham	County	20871	Blue and Gold Drive	vacate lot line	\$0	Jan.
2023-004	B	Rockingham	County	20871	Blue and Gold Drive	rezone	\$0	Jan.
2023-005	B	EAUS		157	W. Spotswood Avenue	storage building	\$0	Jan.
2023-006	B	Bradford	Morris	209	W. Marshall Avenue	Demolition	\$25	Jan.
2023-007	B	Town of	Elkton	173	W. Spotswood Avenue	subdivide	\$0	Jan.
2023-008	B	Town of	Elkton	173	W. Spotswood Avenue	rezone	\$0	Jan.
2023-009	R	Seth & Laura	Stace	101	Tamarack Lane	short term rental	\$100	Jan.
2023-010	B	Propst	Family		E. Prospect	single family home	\$50	Jan.
2023-011	R	Gorman	Sean	252	Kensington	short term rental	\$100	Jan.
2023-012	B	Eddie	Edward Signs	135	W. Spotswood Avenue	sign	\$25	Jan.
2023-013	B	Superior	Siding	17140	Mt. Pleasant	single family home	\$50	Jan.
2023-014	B	EAUS		15386	Old Spotswood Trail	sign	\$0	Jan.
2023-015	R	Xiang	Hui Lin	235	Quail Run	fence	\$25	Jan.
2023-016	R	Chris	Comer	612	W. Spotswood Trail	gazebo	\$25	Jan.
2023-017	R	Tiffany	Shepherd	101	Hill Avenue	short term rental	\$100	Jan.
2023-018	B	Justin	Jones	206	Lee Avenue	single family home	\$50	Jan.
2023-019	B	Marty	Crider	122	Kittiwake	deck	\$25	Feb.
2023-020	B	Carstensz		196	W. Spotswood	downstairs appt.	\$25	Feb.
2023-021	B	Rockingham	Schools	21063	Blue and Gold Drive	temporary building	\$0	Feb.
2023-022	B	EAUS		15836	Old Spotswood Trail	remodel	\$0	Feb.
2023-023	R	Katie	Shenk	E.	Summit Avenue	single family home	\$50	Feb.
2023-024	B	Mark	Capps	14817	Spotswood Trail	renovation	\$25	March
2023-025	B	Big L	Tires	207	W. Spotswood Avenue	sign	\$25	March
2023-026	B	Converge	Model Nails	14817	Spotswood Trail	sign	\$25	March
2023-027	R	Sandra	Glick	221	Kensington	fence	\$25	March
2023-028	R	Kerry	McCray	16653	Washington	shed	\$25	March
2023-029	B	GBLA	Enterprises		Willow Oaks	duplex	\$50	March
2023-030	B	Converge	Model Nails	14817	Spotswood Trail	sign	\$25	March
2023-031	B	Shentel	Glo Fiber		Shenandoah Avenue	utility pole	\$925	March
2023-032	B	Shentel	Glo Fiber		Marshall Avenue	utility pole	\$1,350	March
2023-033	B	Shentel	Glo Fiber		E. Spotswood Avenue	utility pole	\$2,925	March

2023-034	B	Shentel	Glo Fiber		Stuart Avenue	utility pole	\$1,775	March
2023-035	B	Shentel	Glo Fiber		Mt. Pleasant Road	utility pole	\$150	March
2023-036	B	Town of Valley	Elkton	20593	Blue and Gold Drive	subdivide	\$0	March
2023-037	B	Valley	Amusements	900	Shenandoah Avenue	carnival	\$25	April
2023-038	B	Southerly	Construction	14781	Greenview Drive	single family home	\$50	April
2023-039	B	Southerly	Construction	14756/58	Greenview Drive	duplex	\$100	April
2023-040	B	Shenandoah	Cable	15384	Old Spotswood Trail	utility upgrades	\$25	April
2023-041	R	Wendy	Hensley	17086	E. Prospect	subdivide	\$100	April
2023-042	B	Matthew	Mason	208	E. Rockingham	Home Occupation	\$100	April
2023-043	B	Rockingham	County Schools	21063	Blue and Gold Drive	modular classrooms	\$0	April
2023-044	B	Dakota	Shifflett	125	Sweetgun	Home Occupation	\$100	April
2023-045	B	Cody	Dellinger	1285	N. Eastside Hwy	renovation	\$25	May
2023-046								
2023-047								
2023-048								
2023-049								
2023-050								
2023-051								
2023-052								
2023-053								
2023-054								
2023-055								
2023-056								
2023-057								
2023-058								
2023-060								
2023-061								
2023-062								
2023-063								
2023-064								
2023-065								
2023-066								
2023-067								
2023-068								

Administrative Report March 2023

Elkton Area Community Center/Stonewall District

Monthly Center Programs

Strong Figure Bootcamp / Elkton Fitness Monday- Saturday
 Strength Up w/ Betsy Dean / Monday Thursday 6:30
 Pound Class / Monday - Wednesday
 Brian Maynes Karate / Instrctional

Town Residents:	8
County Residents:	10
Non Residents:	4
Daily Book Sign In Count:	208
Family:	8
Youth:	2
Adult:	3
Senior:	9
Total New Members:	<u>22</u>

Total \$ Daily Fees / Walking Track: (Month)	\$335.00
Total \$ Monthly Membership (Adult,Family, Senior & Youth): (Month)	\$2,049.00
Total \$ Yearly Membership (Adult,Family, Senior & Youth): (Month)	\$554.00
Monthly Total:	\$2,938.00

Room Rentals Including Deposits	\$1,873.60
Shelter Rental Fees Collected:	\$1,740.00

Monthly Donations:
Credit Card Transaction Fees Collected:
Computer Copy Fees Collected:

\$0.00
\$230.00
\$21.40
\$3,865.00

Monthly Total:

Total Membership Fiscal Year:
Total Room Rentals Fiscal Year:

\$38,659.00
\$28,460.50
\$67,119.50

Current Yearly Total:

ELK RUN CEMETERY REPORT
TRANSACTIONS
April 2023

LOTS SOLD.....	5	YTD = 21
INTERMENTS.....	3	YTD = 15
CREMATIONS.....	0	YTD = 4
Space Contract.....	0	YTD =3
Niche Contract.....	0	YTD=0

MEETING DATE

Interments this month	Lot Sales	Opening/Closing
Melinda Dofflemyer		\$750
Larry Baugher		\$750
Ruth Dinges		\$750
	Sales/Contracts	
Debra Comer	Contract payment	\$200
Jeff & Brenda Shifflett	contract	\$250
Don Shifflett	1 space	\$1,000
Marshall & Sandra Campbell	2 spaces	\$2,000
Adam & Debbie Lam	2 spaces	\$3,000

Total: \$8,700

• **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

April Water Hauling Report

<u>July 2021-June 2022</u>		<u>Revenue</u>
July	1,155,763.00	7,109.94
August	1,142,263.00	7,053.83
September	882,183.00	5,498.37
October	819,249.00	5,135.76
November	751,979.00	4,732.19
December	853,928.00	5,343.64
January	744,663.00	4,687.91
February	704,292.00	4,445.82
March	773,251.00	4,859.42
April	811,698.00	5,090.37
May	1,025,063.00	6,370.26
June	1,012,747.00	6,301.47
YTD:	10,677,079.00	66,628.98

<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		
June		
YTD:	7,400,993.00	54,003.35



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: May 15, 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: May 15, 2023

SUBJECT/TOPIC: Final review of FY24 budget

BACKGROUND: N/A

ACTION REQUESTED:

Information Only <input type="checkbox"/>	Discussion <input checked="" type="checkbox"/>	Reports <input 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:

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



VIRGINIA

Staff Report/Recommendation**REQUESTED:** Town Manager Greg Lunsford**MEETING DATE:** May 15, 2023**SUBJECT/TOPIC:** Architectural proposal for new police station

BACKGROUND: The Elkton Town Council agreed to renovate a town owned building on Terrace Avenue to accommodate a new police station. An RFP was published in the Daily News Record on November 4, 2022. At the Council retreat held on April 3, 2023, three architectural firms made their presentations regarding conceptual design and renovations for the space. The Council will formalize their choice for the firm to design and oversee the project at the May 15, 2023 meeting.

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: Copy of RFP and Proposals (Mayor & Council only)

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.

**NOTICE OF REQUEST FOR PROPOSAL
ARCHITECTURAL SERVICES –
RENOVATION TO TOWN BUILDING
TOWN OF ELKTON, VIRGINIA**

The Town of Elkton, Virginia is requesting sealed proposals from qualified architectural firms with experience in design and construction phase services to update an existing building located at 108 Terrace Avenue, Elkton, VA. The Town seeks an architectural firm who has experience assisting municipalities with space planning, conceptual and final design, construction administration and inspection services for building renovations and updates to include ADA and Virginia Code compliance.

The complete Request for Proposal is available at www.eva.virginia.gov. Questions should be directed to Mr. Gaither Hurt, Public Works Director at ghurt@townofelkton.com or (540) 578-0563. A non-mandatory preproposal conference and site visit will be held at 10:00 AM on Friday, October 14, 2022, at the building location, 108 Terrace Avenue, Elkton, VA.

The Town of Elkton intends to select one firm to provide services using the competitive negotiation procedure for professional services as defined in Section 2.2-4301 of the Virginia Public Procurement Act. The selection process shall be by competitive negotiation. Non-binding fee proposals will be requested at the interview stage of the selection process.

Proposals must be submitted to and received by the Town of Elkton, as directed in the Request for Proposal on the website listed above, on or before 2:00 PM, Friday, November 4, 2022.



Item # 9a

Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: May 15, 2023

SUBJECT/TOPIC: Recommendation by the Elkton Planning Commission to hold a joint public hearing with Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, §110-603, §110-604, §110-605, §110-606 and §110-715.

BACKGROUND: On May 9, 2023 the Elkton Planning Commission voted unanimously to hold a joint public hearing with Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, §110-603, §110-604, §110-605, §110-606 and §110-715.

ACTION REQUESTED:

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


FINANCIAL IMPACT:

Budgeted:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	No Financial Impact <input checked="" type="checkbox"/>
Amount:			Positive Financial Impact <input type="checkbox"/>

If fund expenditure or positive revenue generation is expected, the amount and the line item name/number must be stated. If required funds for an expenditure are not available in the appropriate line item but they are available in a different line item within the department, you must state from which line item name/number you propose to transfer the funds.

STAFF RECOMMENDATION: To hold a joint public hearing with Elkton Town Council on Monday, June 5, 2023 to receive comments on an ordinance amending Chapter 110 Land Development, §110-603, §110-604, §110-605, §110-606 and §110-715.

TOWN MANAGER APPROVAL:



Greg Lunsford

ATTACHMENTS:

1. Ordinance to amend

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: Community Development

MEETING DATE: May 15, 2023

SUBJECT/TOPIC: Recommendation by the Elkton Planning Commission to hold a joint public hearing with Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, §110-610 Downtown Business District B-1 and §110-715 (B).

BACKGROUND: On May 9, 2023 the Elkton Planning Commission voted unanimously to hold a joint public hearing with Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, §110-610 Downtown Business District B-1 and §110-715 (B).

ACTION REQUESTED:

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

FINANCIAL IMPACT:

Budgeted: YES <input type="checkbox"/>	NO <input type="checkbox"/>	No Financial Impact <input checked="" type="checkbox"/>
Amount:		Positive Financial Impact <input type="checkbox"/>

If fund expenditure or positive revenue generation is expected, the amount and the line item name/number must be stated. If required funds for an expenditure are not available in the appropriate line item but they are available in a different line item within the department, you must state from which line item name/number you propose to transfer the funds.

STAFF RECOMMENDATION: To hold a joint public hearing with Elkton Town Council on Monday, June 5, 2023 to receive comments on an ordinance amending Chapter 110 Land Development, §110-610 Downtown Business District B-1 and §110-715 (B).

TOWN MANAGER APPROVAL:


Greg Lunsford

ATTACHMENTS:

1. Ordinance to amend

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.

**AN ORDINANCE TO AMEND CHAPTER 110 (LAND DEVELOPMENT)
OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA**

WHEREAS, on December 28, 2000, the Town of Elkton previously adopted Chapter 110 (Land Development) of the Code of Elkton; and

WHEREAS, the Town has determined it is in its best interest to amend and update this Chapter.

BE IT ORDAINED by the Town Council of Elkton, Virginia that Chapter 110 (Land Development) is hereby amended to as follows:

1. Chapter 110, § 110-610 Downtown Business District B-1 is hereby amended to read as follows:

- (a) Add: Section 110-610(40) Short-terms rentals, subject to:
 - (i) the conditions and requirements set forth in the Elkton Town Code Section 110-715 Short-Term Rentals and this Section 110-610 Downtown Business District B-1;
 - (ii) Living and/or sleeping quarters shall be a permitted use only when constructed above the ground and basement floors; and
 - (iii) No living and/or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot with any building.
- (b) Amend Chapter 110 Section 110-715(B) by deleting the current language and replace it as follows:

Prior to using the dwelling as a short-term rental, the owner(s) shall obtain a special exception permit pursuant to the terms of Article VIII herein; except however where the ordinances allow short-term rentals by right. Owner(s) shall not be required to submit a site plan as detailed as in § 110-802B(1); however, owner(s) shall provide any documentation requested by the Zoning Administrator detailing the proposed use of the property, including, but not limited to, the area(s) or rooms of the property to be utilized for short-term rental and the emergency evacuation plan detailed in Subsection G below.

2. Except as modified herein, the Code of the Town of Elkton remains in full force and effect. This modification to the Code shall be effective immediately upon its adoption.

ADOPTED by the Town Council of the Town of Elkton this ____ day of _____, 2023.

Josh Gooden, Mayor

Clerk of Council

Approved this ____ day of _____, 2023.

Josh Gooden, Mayor



Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: May 15, 2023

SUBJECT/TOPIC: Recommendation by the Elkton Planning Commission to approve a request from Christopher and Wendy Hensley to subdivide a lot. Property located on E. Prospect Avenue, portion of tax map number 131 A-L46A on a plat prepared by Randall K. Newman with Newman Surveying dated April 10, 2023.

BACKGROUND: On May 9, 2023 the Elkton Planning Commission voted to recommend approval of a request from Christopher and Wendy Hensley to subdivide a lot.

ACTION REQUESTED:

Information Only	<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Report	<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:
 Budget Line Item:

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:

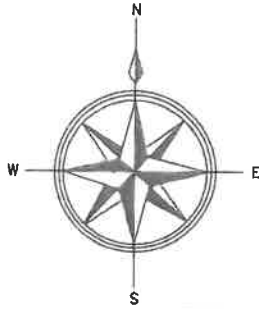
TOWN MANAGER APPROVAL:


 Greg Lunsford

ATTACHMENTS:

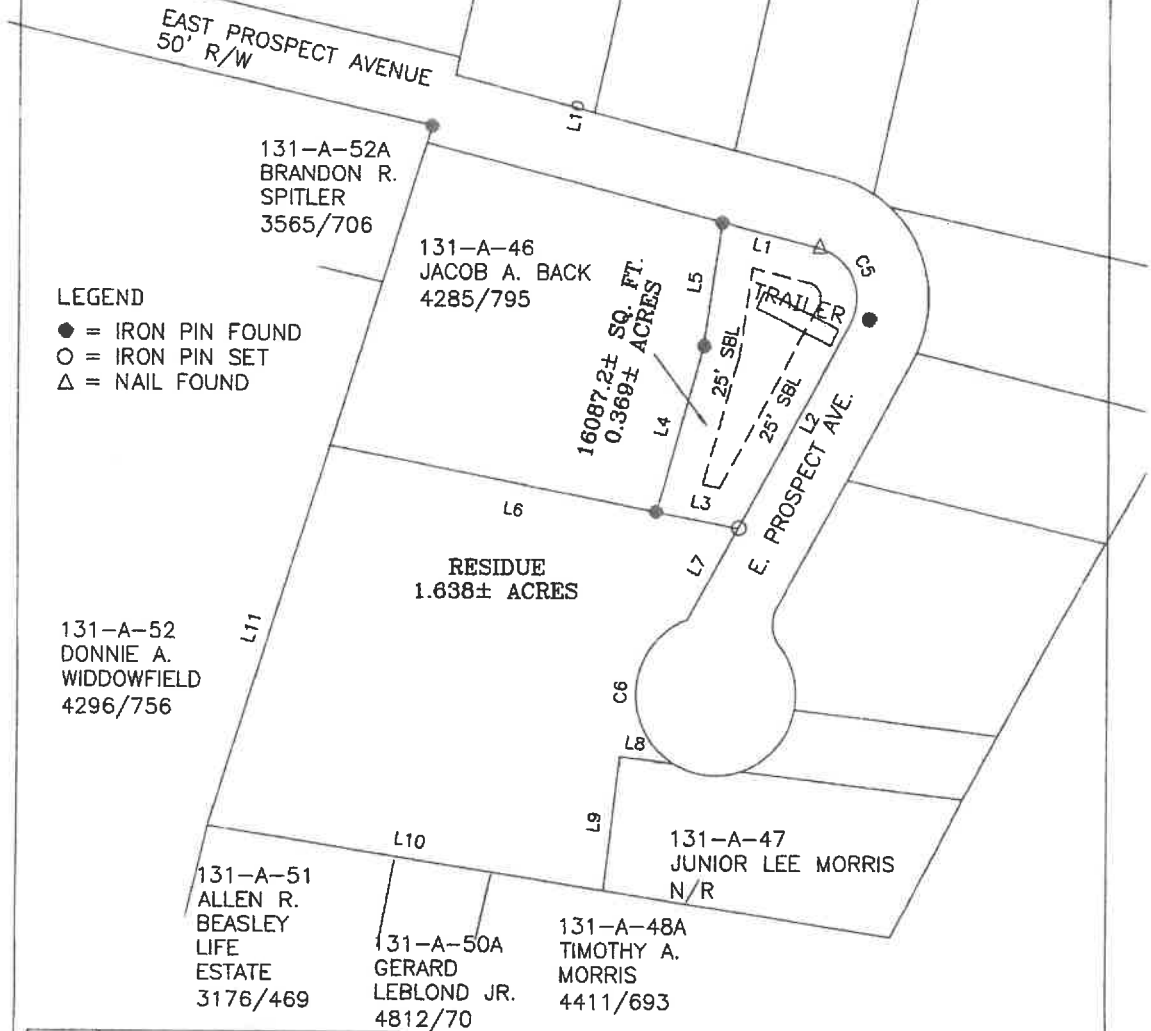
1. Survey from Newman Surveying
2. R-5 Code

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.



- 1 = BEARINGS ARE MAGNETIC
- 2 = SCALE 1" = 100'
- 3 = TAX MAP = 131-A-46A
- 4 = DATUM AS SHOWN HEREON IS ACCORDING TO RECORDED INFORMATION AND IS A CURRENT FIELD SURVEY.
- 5 = NO TITLE REPORT FURNISHED
- 6 = OTHER RIGHTS OF WAY AND EASEMENTS IF ANY, ARE NOT SHOWN

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C5	35.25'	63.89'	55.49'	S 23°22'49" E	103°51'21"
C6	55.00'	121.95'	98.46'	S 05°11'58" W	127°02'20"



LEGEND

- = IRON PIN FOUND
- = IRON PIN SET
- △ = NAIL FOUND

LINE	BEARING	DISTANCE
L1	S 75°18'29" E	68.79'
L2	S 28°32'52" W	160.97'
L3	N 78°40'52" W	56.98'
L4	N 15°33'59" E	117.11'
L5	N 08°29'28" E	86.75'
L6	S 78°40'59" E	229.56'
L7	S 28°32'52" W	71.69'
L8	N 83°27'02" W	37.14'
L9	S 06°59'39" W	91.80'
L10	N 81°00'06" W	274.75'
L11	N 17°21'47" E	273.64'

OWNER _____ DATE _____

OWNER _____ DATE _____

SUBD. AGENT _____ DATE _____

AGENT OF THE TOWN OF ELKTON DATE _____



DIVISION OF TAX MAP 131-A-46A

LOCATED IN THE TOWN OF ELKTON
ROCKINGHAM COUNTY, VIRGINIA.

OWNER: CHRISTOPHER L. AND WENDY A. HENSLEY

REFERENCE: DEED BOOK 3388, PAGE 357

REFERENCE: DEED BOOK 4265, PAGE 797 (PLAT)

JOB NO. R131-A-46A

DATE: APRIL 10, 2023

NEWMAN SURVEYING

Licensed Land Surveyor

GROTTOS, VIRGINIA 24441

(540) 421-6232

§ 110-606 **Residential District R-5.**

A. Purpose of Residential District R-5. The purpose of the R-5 Residential District is to protect the residential character of established neighborhoods and communities. The regulations for this district tend to reflect and protect established neighborhoods which reflect on long-standing character.

B. Permitted uses within Residential District R-5. The following uses are permitted:

(1) Single-family detached dwellings.

(2) Duplexes.

(3) Two-family dwellings.

(4) Multiple-family dwellings and single-family dwellings, provided that no more than eight dwelling units shall be permitted in each multiple-family dwelling or single-family attached dwelling, and provided that, with respect to townhouses, the use is in compliance with the provisions of § **110-709** of this chapter.

[Amended 8-27-1990; 10-15-1990]

(5) Public utilities.

(6) Public water and sewage facilities.

(7) Public service or storage buildings.

(8) Apartments located in the same building as a private garage, but only if a single-family detached dwelling exists on the same lot, and further limited to a single such apartment on such lot.

[Amended 11-19-1990]

(9) Modular homes.

[Added 3-25-1991]

C. Special exceptions. When, after review of an application and hearing thereon, in accordance with Article **VIII** herein, the following uses may be permitted by special exception permit:

[Amended 3-25-1991]

(1) Schools.

(2) Churches and other places of worship with attendant educational and recreational facilities. No recreational facility shall be located closer than 100 feet from any residential lot.

(3) Public parks, playgrounds, recreational facilities, tennis courts, public swimming pools and outdoor recreational activities, all of a noncommercial

nature. No swimming pool or structure shall be located closer than 100 feet from any residential lot.

(4) Child-care centers and family day-care homes. The main structure shall not be located closer than 50 feet from any residential lot.

(5) Foster care homes, foster homes, or group homes serving the mentally retarded, developmentally disabled or others, rest homes, homes for adults, or nursing homes, provided that licensing requirements are met.

(6) Commercial radio wave towers.

(7) Bed-and-breakfast facilities, limited.

(8) Cemeteries.

(9) (Reserved)^[1]

*[1]Editor's Note: Former Subsection C(9), home occupations, was redesignated as an accessory use 4-18-2005. See now Subsection **D(10)**.*

(10) Transitional housing facility/living center. Factors to be considered will include, but not be limited to, the following:

[Added 4-18-2016^[2]

(a) Defined mission statement which is consistent with the definition of transitional housing facility/living center.

(b) One or more resident professional support staff on premises to assist with transition.

(c) Defined period of stay of less than 24 months.

(d) Defined admission policy that precludes the current illegal use of or addiction to a controlled substance as defined in § 54.1-3401 of the Code of Virginia, as amended from time to time.

(e) Defined conditions of residence that are aligned with the principle of transitioning back to productive society.

(f) Defined conditions of residence which include limits of two individuals per bedroom.

(g) Defined policy adherence enforcement protocol.

(h) Appropriate state license, where required.

[2]Editor's Note: This ordinance also provided for the renumbering of former Subsection C(10) as Subsection C(11).

(11) Other uses of the same general character as those listed above and deemed appropriate by the Planning Commission and in accordance with Article **VIII**.

(12) Accessory apartment, subject to the provisions of § **110-716**.

[Added 1-28-2020]

D. Accessory uses. Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized, including but not limited to the following:

[Amended 11-18-1991]

(1) Living quarters of persons principally employed on the premises.

(2) Travel trailers, which may be stored within the minimum yard requirements and shall be prohibited from occupancy.

(3) Temporary buildings or officer trailers for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work.

(4) Signs as provided for in Article **VII**.

(5) Parking as provided for in Article **VII**.

(6) Private garage.

(7) Shelter for house pets.

(8) Private swimming pool.

(9) Satellite antenna.

(10) Home occupations in accordance with § **110-705**.

[Added 4-18-2005]

E. Lot regulations.

(1) Main building:

(a) Minimum lot size:

[1] 6,250 square feet with public water and sewer. If two-family dwelling, 6,250 square feet for first unit and 3,000 square feet for each additional attached unit.

[2] 21,000 square feet with other facilities.

[3] Maximum density is eight units per acre.

[4]

See § **110-709** for townhouses.

(b) Setback: 25 feet.

(c) Frontage at setback: 50 feet.

(d) Side yard:

[1] One side: five feet.

[Amended 11-18-2013]

[2] Two sides: 15 feet.

[Amended 11-18-2013]

[3] Add 15 feet for corner lots.

[4] Minimum side yard requirement of this chapter, for yards facing streets, shall not apply to any lot where the average side yard on developed lots within the same blocks and zoning district and fronting on the same street is less than the minimum. In such cases, the side yard on such lot may be less than the required side yard, but not less than the existing side yards on the developed lots, plus 15 extra feet for corner lots.

[Amended 11-18-2013]

(e) Rear yard: 25 feet.

(f) Maximum height: 35 feet.

[1] The height limit for dwellings may be increased up to a maximum of 45 feet and up to three stories, provided that each side yard is 20 feet, plus one foot or more of side yard for each additional foot of building height over 35 feet.

[2] A public or semipublic building, such as a school, church, or library, may be erected to a height of 60 feet from grade, provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.

[3] Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antenna and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.

[4] For buildings over 45 feet in height, approval shall be obtained from the Zoning Administrator. Chimneys, flues, cooling towers, flagpoles, radio or communication towers, or their accessory facilities, not normally occupied by workers are excluded from this limitation. Parapet walls are permitted up to four feet above the limited height of the building on which the walls rest.

(2) Accessory buildings and uses: 10 feet from main building. **(a)** Side yard: 5 feet.

[1] The side yard requirements for accessory buildings and uses on townhouse lots of 20 feet in width or less shall be zero. For lots from 20 feet wide to 50 feet wide, the side yard shall be two inches per foot for each foot of width over 20 feet in width, except on corner lots where the regular side yard distances apply as noted below.

[2] Add 15 feet for corner lots.

[3] Minimum side yard requirement of this chapter, for yards facing streets, shall not apply to any lot where the average side yard on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the side yard on such lot may be less than the required side yard, but not less than the average of the existing side yards on the existing developed lots.

(b) Rear yard: five feet.

(c) Height: 35 feet. Accessory buildings over one story in height shall be at least 10 feet from any lot line. All accessory buildings shall not exceed the main building in height.

F. See § **110-701**, Area regulations.

G. See § **110-708**, Nonconforming uses.



Item # 9d

Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: May 15, 2023

SUBJECT/TOPIC: Recommendation by the Elkton Planning Commission to hold a joint public hearing with Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, §110-706 Signs.

BACKGROUND: On May 9, 2023 the Elkton Planning Commission voted unanimously to hold a joint public hearing with Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development, §110-706 Signs.

ACTION REQUESTED:

Information Only ☐ Discussion ☐ Report ☐
Action Item ☐ Public Hearing ☒ Closed Session ☐

FINANCIAL IMPACT:

Budgeted: YES ☐ NO ☐ No Financial Impact ☒
Amount: Positive Financial Impact ☐

If fund expenditure or positive revenue generation is expected, the amount and the line item name/number must be stated. If required funds for an expenditure are not available in the appropriate line item but they are available in a different line item within the department, you must state from which line item name/number you propose to transfer the funds.

STAFF RECOMMENDATION: To hold a joint public hearing with Elkton Town Council on Monday, June 5, 2023 to receive comments on an ordinance amending Chapter 110 Land Development, §110-706 Signs.

TOWN MANAGER APPROVAL:



Greg Lunsford

ATTACHMENTS:

1. Ordinance to amend

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.

**AN ORDINANCE TO AMEND CHAPTER 110 (LAND DEVELOPMENT)
OF THE CODE OF THE TOWN OF ELKTON, VIRGINIA**

WHEREAS, on December 28, 2000, the Town of Elkton previously adopted Chapter 110 (Land Development) of the Code of Elkton; and

WHEREAS, the Town has determined it is in its best interest to amend and update this Chapter.

BE IT ORDAINED by the Town Council of Elkton, Virginia that Chapter 110 (Land Development) is hereby amended to as follows:

1. Chapter 110, § 110-706 Signs is hereby amended to read as follows:
 - (a) Amend: Section C(9)General requirements, No portion of any elevated sign structure shall be less than 7 feet above the level of an adjacent sidewalk or other pedestrian thoroughfare, whether developed or undeveloped; or, less than 16 feet above the level of an adjacent public driveway, alley, or street. This excludes official road markers that otherwise comply with applicable state and local codes.
 - (b) Amend: Section C(14)General Requirements, The maximum sign area for a freestanding or non-freestanding sign in the Downtown District is 20 square feet. This area runs along Old Spotswood Trail from Shenandoah Avenue to Harnsberger Street/ Ashby Avenue. Then, North and South to the first Alley or Street in each direction that is closest to Old Spotswood Trail.¹ Otherwise, the maximum sign area for any freestanding sign is 40 square feet unless specified differently for specific purposes in another section of this chapter.
 - (c) Map to be used as Attachment 3.1 of this chapter.

¹ Editors Note: A map of the Downtown District is Included ⁵⁹ as an Attachment 3.1 to this chapter.

2. Except as modified herein, the Code of the Town of Elkton remains in full force and effect. This modification to the Code shall be effective immediately upon its adoption.

ADOPTED by the Town Council of the Town of Elkton this ____day of _____, 2023.

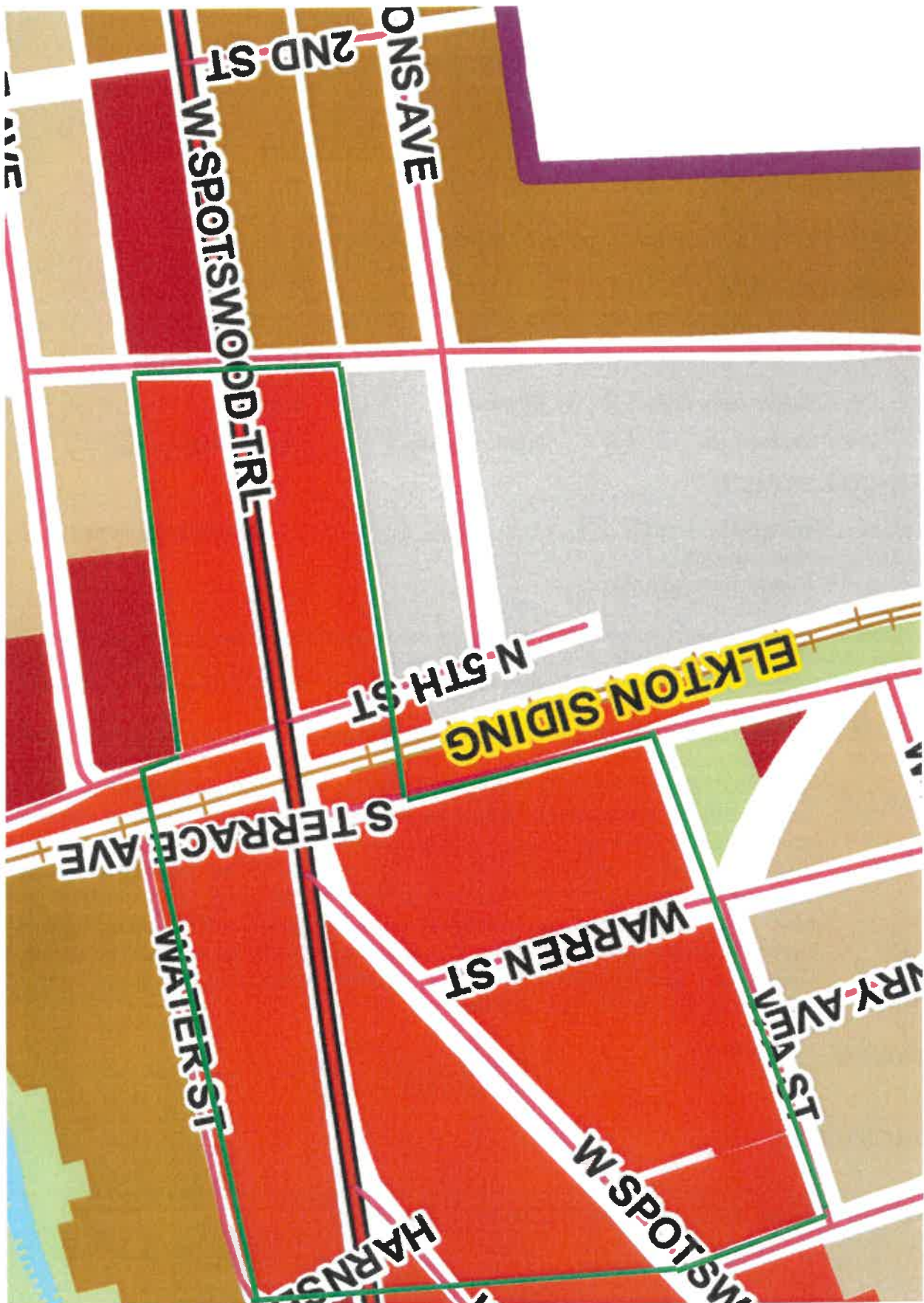
Josh Gooden, Mayor

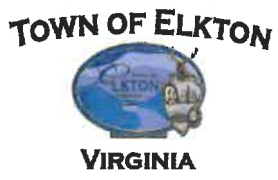
REVISED 05/05/2023

Clerk of Council

Approved this ____day of _____, 2023.

Josh Gooden, Mayor





Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: May 15, 2023

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

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. 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."

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.