



Elkton Town Council
Elkton Area Community Center
20593 Blue and Gold Drive - Elkton, VA 22827
Monday, April 17, 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. 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. 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

- b. ARPA authorized projects and expenditures

9. NEW BUSINESS

- a. Presentation of the Town Manager's recommended FY24 Budget
- b. Appoint Council member Heidel as chairperson and member of committees
- c. Resignation of Daniel W. Goodson from the Board of Zoning Appeals
- d. Resolution to appoint Heather Kite to the Board of Zoning Appeals
- e. Appoint Mark Hensley, Mark Stevanus and Billie Jo Dofflemyer to the Elk Run Cemetery Advisory Commission to one year terms
- f. Appoint Millard Dearing, Gene Kite, Sue Armbruster, Michelle Dean to the Elk Run Cemetery Advisory Commission to four year terms

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: April 17, 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: Clerk of Council

MEETING DATE: April 17, 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 March 20, 2023 meeting

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
REGULAR COUNCIL MEETING
MARCH 20, 2023
6:00 p.m.**

A Town Council meeting was held on Monday, March 20, 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, Chief of Police Dave Harris, 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.

AMENDMENT AND ADOPTION OF AGENDA

Council member Hensley requested an agenda amendment to include a motion regarding short-term rentals. Mayor Gooden asked to include a possible appointment to the Town Council vacancy after closed session.

Vice-Mayor Workman moved, seconded by Council member Michael, and carried to adopt the agenda as amended.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

AWARDS AND PRESENTATIONS

Citizen Award of Valor: The Elkton Police Department, led by Corporal Ryan Insana, presented the Citizen Award of Valor to Garrett Taylor for his bravery and courage in assisting officers during the arrest of a combative criminal.

Pure Shenandoah, LLC: Owner, Abner Johnson, updated Council on the status of the business and new endeavors taking place. He noted Pure Shenandoah had forty new products,

retailed at over two hundred locations, and was responsible for ninety-percent of all hemp in the Commonwealth of Virginia. He thanked the Mayor and Council for their support.

PUBLIC HEARING

Boundary Line Adjustment Public Hearing

A public hearing was held at approximately 6:00 p.m., at the Elkton Area Community Center, located at 20593 Blue & Gold Drive, Elkton, Virginia, regarding the proposed agreement to change the boundary line between the Town and Rockingham County, Virginia, on the western corporate limits and the north-western side of Spotswood Trail (U.S. Route 33) and just south-west of the Town of Elkton, consisting of 175.595 acres, more or less. The following comments were made:

Mr. Lunsford read some general information regarding the potential boundary line adjustment between the Town and the County. There were sixty-three (63) total properties to be annexed which included fifty-three (53) residential, ten (10) commercial, and two short-term rentals. He noted there were already forty-six out of Town utility hook-ups that included twenty (20) water and sewer, twenty-four (24) water only, and one (1) sewer; pre-approved hook-ups totaled three (3).

Andy Verone, 14399 Spotswood Trail, Elkton, stated that he was lied to when he inquired as to the reason Town employees were walking around on his property as he was not told about a boundary line adjustment. He was already connected to the Town for water and sewer. He inquired about a "grandfather clause" for livestock.

Roxanna Gooden, 509 Tannery Lane, Elkton, spoke regarding the walking track and her personal weight loss. She appreciated a place such as the Town's community center. She was partly responsible for having the arrow traffic lights changed at the Food Lion intersection due to safety concerns.

Mary Brothers, 102 McKinley Road, Elkton, stated that eight-nine percent (89%) of the landowners in Monger Hill had signed a petition that opposed their annexation into the Town. She noted that the Town had not fulfilled past annexation obligations such as sidewalks and street lights. Many citizens that lived in the subdivision were on social security and some were disabled. She noted that the added taxes and possible connection fees would be a serious financial burden.

Wayne Printz, 336 West Washington, Elkton, complimented some of the new Council for making transparency a high priority. He questioned why the boundary line adjustment was held until after the election. He noted the Town would spend millions on Monger Hill, spend more for police, and use the REPO fund for the expenses. He did not support the proposal.

Anna Sullivan, 485 Florist Road, Elkton, stated that her property was self-sustaining with water and sewer. She requested that Council omit page seven (7) from the proposal. Her main concern was the intersection traffic on Route 33 and Spotswood Trail which was not being managed safely. If the proposal was approved, Florist Road would be expanded causing additional traffic concerns.

Randell Snow, 121 Clover Lane, Elkton, questioned where the annexation originated from. He noted that no one could answer that question. He noted that nobody knew what the financial implications for the project would be either.

Tim Knight, was opposed to the boundary line proposal. He and several other business owners had installed the water and sewer lines in that area around 1995. He noted there would be no benefit for them to be in Town. He questioned who would compensate them for the money spent fifty years ago.

With no additional comments, the public hearing was adjourned.

PUBLIC COMMENT

Wayne Printz, 336 West Washington, Elkton, inquired as to when the County would hold their public hearing regarding the boundary line adjustment.

Sean Gorman, 252 Kensington, Elkton, spoke regarding his request for a special exception permit for a short-term rental. He requested the same opportunities be offered to him as other citizens of the Town. He noted that the Elkton Planning Commission had not been fair and equitable to him when considering his request. His short-term rental had more space all around the property than others that had applied, his plan was concise, and had a vetted property manager for the rental. He encouraged Council to approve it.

Randell Snow, 121 Clover Lane, Elkton, stated it was a bad idea to rezone property from R-8 to C-1 which removed buildable lots from the Town that could have provided revenue. He questioned how Council would find more revenue in the new budget when the debt service would increase from \$492,000 to \$849,000 not including the drinking water project. He predicted that none of the current officials would be re-elected.

CONSENT AGENDA

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

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

STAFF REPORTS

Town Manager

Mr. Lunsford thanked Treasurer Curry and all of the Department Heads for their work on the proposed budget. He noted that a review of the Town's personal property and liability insurance renewals was taking place. He was pleased with the activity in the police department.

He noted that that economic development and public works department were very busy. He noted that Glo Fiber should start installations this summer.

Director of Public Works

Mr. Hurt reported that the architects were scheduled to meet with Council at the retreat to discuss their proposals for the police department relocation project. He noted that spring clean-up and bulk pick-up fees would be reviewed. He briefly discussed a walking path to the Riverside restrooms and shelter, “Welcome to Elkton” signs, decorative street sign program, WWTP tour scheduled for April 20 – 21, greenway/river access trail at the boat landing, walkway at old A Street to connect the Farmer’s Market project, trash can racks at Stonewall park, and Old Spotswood Trail pedestrian path.

Town Attorney

Mr. Miller reported that a section in the Town Code under 110-802 required an amendment. He would research the issues brought forward by the Planning Commission regarding short-term rentals and the proposed motion to limit short-term rentals. He noted that a public hearing was required under the Va. Code for the proposed lease agreement with SS Farms. His office would also review the baseball field lease agreement and the Town’s employee handbook’s definition of a full-time employee. The Town was involved in the lawsuit brought by Elkmont in a dispute with the County regarding tax assessments. He noted that Wayne Printz had dismissed the lawsuit he filed against the Town of Elkton regarding the recently held special election.

Chief of Police

Chief Harris reported that all was well in his department. He had no additional business.

Director of Economic & Community Development

Mrs. Hammer reported no additional business.

Town Treasurer

Mrs. Curry reported no additional business.

Vice-Mayor Workman inquired if her report in the packet contained financial information regarding the recent lawsuit filed by Mr. Printz. Treasurer Curry responded that she could gather that information for Council.

Vice-Mayor Workman stated that it was his understanding that the Town can re-coup charges for printing and staff time when responding to Freedom of Information Act requests. He noted that the Town could not charge for legal reviews by the Town Attorney of documents when responding to requests. It was determined that Treasurer Curry would include information regarding FOIA charges and money spent on the non-suited lawsuit in her financial report for next month.

COMMITTEE REPORTS

Community Center & Recreation Committee

Chairperson Fulginiti reported that the Town's Easter Egg Hunt would take place at Stonewall Memorial Park on Saturday, April 8, 2023 at 9:00 a.m. There would be 1,000 eggs for each age group. Any volunteers would need to be at the location by 7:00 a.m.

Finance Committee

Chairperson Michael reported that a committee meeting would be held next week.

Personnel & Policy Committee

Council member Hensley reported that she recently took a Town tour with staff and attended recent commission meetings.

Public Utilities

Chairperson Workman reported that the drinking water issue was being addressed. He noted that the storm water issue downtown was being worked on.

Special Projects & Economic Development

Chairperson Napotnik reported that three (3) new businesses were opening in Town.

UNFINISHED BUSINESS

Recommendation by the Elkton Planning Commission to approve a request for a special exception permit from Seth & Laura Stace for short-term rentals at 101 Tamarack Lane, Elkton

Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried to accept the recommendation by the Elkton Planning Commission to approve the request for a special exception permit from Laura & Seth Stace for a short-term rental at 101 Tamarack Lane, Elkton.

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

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

Mayor Gooden stated that Town Attorney Miller had asked Council to table the matter until he had time to research several issues regarding several older recorded plats. He noted that the sixty (60) days Council had to take action on the matter did not expire until after the next scheduled Council meeting. The Council could address the matter at their next meeting.

Council member Hensley moved, seconded by Vice-Mayor Workman, and carried to table the special exception request.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Recommendation by the Elkton Planning Commission to approve a request for a special exception permit from Tiffany Shepherd for short-term rentals at 101 Hill Avenue, Elkton

Vice-Mayor Workman moved, seconded by Council member Fulginiti, and carried to accept the recommendation by the Elkton Planning Commission to approve a request for a special exception permit from Tiffany Shepherd for short-term rentals at 101 Hill Avenue, Elkton.

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Recommendation by the Elkton Planning Commission to approve the request from Rockingham County to rezone 3.049 +/- acres located at 20871 Blue & Gold Drive, Elkton from R-8 to B-2

Council member Michael moved, seconded by Council member Hensley, and carried to accept the recommendation by the Elkton Planning Commission to approve the request from Rockingham County to rezone 3.049 +/- acres located at 20871 Blue & Gold Drive, Elkton, from R-8 to B-2.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Recommendation by the Elkton Planning Commission to approve the request from the Town of Elkton to rezone 113 +/- acres located at Blue & Gold Drive, Elkton, from R-8 to C-1 and rezone 3.351 +/- acres located on 20913, 20939, and 20995 Blue & Gold Drive, Elkton, from R-8 to B-2

Vice-Mayor Workman moved, seconded by Council member Fulginiti, and carried to accept the recommendation by the Elkton Planning Commission to approve the request from the Town of Elkton to rezone 113 +/- acres located at Blue & Gold Drive, Elkton, from R-8 to C-1 and rezone 3.351 +/- acres located on 20913, 20939, and 20995 Blue & Gold Drive, Elkton from R-8 to B-2.

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

NEW BUSINESS

Schedule time for April 3, 2023 retreat

Council member Michael moved, seconded by Council member Hensley, and carried to schedule the time for the April 3, 2023 retreat for 4:30 p.m.

It was noted that the architects regarding the police department relocation project would be in attendance to make presentations.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Mowing contract from Augusta Lawn Care Services

Mrs. Hammer stated Augusta Lawn Care Services had maintained the Cemetery for the past three years. She noted the price had increased \$3,300 from last year due to the extra weed-eating around the new fence.

Council member Fulginiti moved, seconded by Council member Michael, and carried to accept the recommendation by the Elkton Cemetery Commission to approve the mowing contract from Augusta Lawn Care Services.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

VDH Loan Request

Mr. Lunsford stated the item was just a placeholder as the Town was preapproved for \$1 million at well below the market rate. He noted that VDH wanted to know if they were to hold the funds for the Town. He recommended that Council approve the preliminary request.

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

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Schedule a public hearing pursuant to Va. Code Section 15.3-1800 to lease 18 +/- acres of Town owned property, located in Rockingham County for agriculture purposes

Council member Fulginiti moved, seconded by Council member Michael, and carried to schedule a public hearing for the proposed lease for April 3, 2023 at 4:30 p.m.

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Temporary freeze on short-term rental applications

Council member Hensley moved, seconded by Council member Fulginiti, and carried to place a temporary freeze on accepting new short-term rental applications effective March 21, 2023 pending review and recommendations by the Planning Commission to the Council relating to the maximum number of units allowed throughout the Town and any other proposed changes to the short-term rental code. The freeze would expire following the Town Council's vote on any proposed changes, but no later than Tuesday, June 20, 2023.

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

NAYS: R. Michael

VOTE: (4 – 1 roll call) Motion carried

Town Attorney Miller stated he need to review the Va. Code regarding the above motion.

MAYOR'S BUSINESS

Mayor Gooden thanked everyone for attending the ribbon cutting and a special thanks to Mrs. Hammer for arranging the event.

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."

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

OPEN SESSION/MOTION TO CERTIFY CLOSED MEETING

Council member Fulginiti moved, seconded by Vice-Mayor Workman, 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, II, R. Michael, and A. Napotnik

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Motion to appoint Town Council member

Council member Hensley moved, seconded by Council member Michael, and carried to appoint Louis Heidel to the vacant Town Council seat which expired on December 31, 2024.

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Motion to Adjourn

Vice-Mayor Workman moved, seconded by Council member Fulginiti, 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



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: April 17, 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
MARCH 2023

Law Enforcement Agencies

HPD.....	7710
RCSO.....	3389
Bridgewater.....	1337
Broadway.....	581
Dayton.....	706
Elkton.....	1337
Grottoes.....	1342
Timberville.....	1205
 TOTAL.....	 17,607

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

POLICE OFFICERS RESPONDED TO THE FOLLOWING COMPLAINTS

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

DAVE HARRIS
CHIEF OF POLICE

TOWN OF ELKTON



VIRGINIA

Public Works Report for March 2023

Work Order List

Cemetery	9
Electric	17
Garbage	2
Gen.Govt	19
Recreation	29
Sewer	5
Streets	12
Water	6
Total	99

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

#	Date issue:	Caller:	St #	Address	Ph:	Project	Comp	Date comp:	Initial
3100	3/1/2023	cemetary		elk run cemetary		repair flagpole	x	3/1/23	jb-lb-sh
3118	3/7/2023	kyger		elk run cemetary		grave for vivian seal	x	3/9/2023	kb-bb-rl
3124	3/9/2023	kyger		elk run cemetary		grave for charles breeden	x	3/11/23	jb-rl-sh
3135	3/14/2023	cemetary		elk run cemetary		cemetary clean up	x	3/14/2023	lb-gf
3144	3/13/2023	kyger		elk run cemetary		grave for earl madison	x	3/15/23	kb-bb-rl
3156	3/22/2023	cemetary		elk run cemetary		touch up several graves-cemetary clean up	x	3/22/23	sh-lb-gf
3165	3/24/2023	cemetary		elk run cemetary		seed-straw all graded areas	x	3/24/23	crew
3168	3/22/2023	kyger		elk run cemetary		grave for donald mowbray	x	3/26/2023	kb-bb-rl
3177	3/28/2023	kyger		elk run cemetary		grave for dixie mowbray	x	3/30/2023	kb-bb-rl
3104	03/06/23	electric		harnsberger st		repair transformer	x	3/6/2023	jb-gf-lb-sh
3105	3/6/2023	electric	101	lee ave		repair service lines	x	3/6/2023	jb-gf-lb-sh
3109	3/6/2023	electric		riverside park		cut rees away from powerlines	x	3/6/23	jb-gf-lb-sh
3111	3/7/2023	electric		hill ave		assist contractor with pole replacement	x	3/7/2023	jb-gf-lb-sh
3112	3/7/2023	electric		journeys crossing		check voltage-inside panel fuse burnt	x	3/7/2023	jb-sh
3117	3/8/2023	electric		hill ave		start transferring power lines to new pole	x	3/8/2023	jb-lb-sh
3120	3/9/2023	electric		hill ave		complete pole transfer	x	3/9/23	jb-lb-sh
3123	3/10/2023	electric		harrisonburg		pick up electrical supplies	x	3/10/23	jb-sh
3125	03/08/23	electric		substation		run generator	x	3/8/2023	jb-sh
3126	3/9/2023	electric		substation		run generator	x	3/9/23	jb-sh
3129	3/13/2023	electric		shop		repair backup camera on service truck	x	3/13/2023	jb-sh
3132	3/13/2023	electric		stonewall park		repair electric on epic shelter	x	3/13/2023	jb-sh
3134	3/8/2023	electric		gibbonsave-2nd st		replace streetlight	x	3/13/2023	jb-sh
3150	3/20/2023	electric		substation		run generator	x	3/20/2023	sh
3158	03/20/23	electric	601	west spotswood trail		repair service connection	x	3/22/2023	sh-lb-gf
3175	3/28/2023	electric		town hall		install conduit-wire for new sign	x	3/28/23	jb-kb-lb-gf
3186	3/31/2023	electric	113	clover lane		power outage	x	3/31/23	jb-sh
3103	3/2/2023	garbage	610	west spotswood trail		bulk pick up	x	3/2/2023	jb-lb-sh
3185	3/30/2023	garbage	610	west spotswood trail		bulk pick up	x	3/30/23	kb-bb-rl
3096	3/1/2023	gen.govt		shenandoah		assist with installing totum pole	x	3/1/23	jb-lb-sh
3097	3/1/2023	gen.govt		vfw		repair flagpole	x	3/1/23	jb-lb-sh
3114	3/7/2023	gen.govt		town hall		cut-remove asphalt for new town hall sign	x	3/7/23	kb-bb-rl
3115	3/8/2023	gen.govt		town		disconnects	x	3/8/2023	bb-gf
3116	3/8/2023	gen.govt		town hall		dig-pour footers for new town hall sign	x	3/8/2023	kb-rl-bb-gf

3127	3/13/2023	gen.govt	governor	town			flag order for firefighter rocky wood	x	3/14/23	bs-jp-rh
3133	3/13/2023	gen.govt		town hall			install book shelf in managers office	x	3/13/2023	kb-bb-rl
3136	3/14/2023	gen.govt		shop			gather-sort safety data sheets	x	3/14/23	crew
3138	3/15/2023	gen.govt		wwtp			install new fence-gate for backfield access	x	3/16/23	jb-lb-sh
3146	3/17/2023	gen.govt	governor	town			flag order for marine tommy deramus	x	3/18/2023	bs-jp-rh
3148	3/20/2023	gen.govt	H.Armbruster	vfw			replace pulley on flag pole	x	3/20/2023	sh-lb-gf
3152	3/20/2023	gen.govt		eacc			replace several light bulbs	x	3/20/2023	sh-lb-gf
3173	3/28/2023	gen.govt	governor	town			flag order for tenn school victims	x	3/31/23	bs-jp-rh
3179	3/29/2023	gen.govt		town			radio read meters	x	3/29/2023	lb-gf
3180	3/29/2023	gen.govt		town hall			set curb forms for sign	x	3/29/23	jb-sh
3181	3/30/2023	gen.govt		town			meter rechecks	x	3/30/23	lb-gf
3182	3/30/2023	gen.govt		town hall			remove forms-cut asphalt wider	x	3/30/23	kb-jb-sh-rl-bb
3187	3/31/2023	gen.govt		town hall			set curb forms for sign	x	3/31/23	jb-rl-sh
3188	3/31/2023	gen.govt		town			meter rechecks	x	3/31/2023	kb-bb-rl
3092	03/01/23	recreation		stonewall park			hang signs along walking path	x	3/1/23	bs-jp-rh
3093	3/1/2023	recreation		stonewall park			fix ruts - seed and straw	x	3/1/23	bs-jp-rh
3094	3/1/2023	recreation		stonewall park			check-tighten playground equipment	x	3/1/23	bs-jp-rh
3095	3/1/2023	recreation		stonewall park			clean up-prep restrooms for opening	x	3/1/23	bs-jp-rh
3098	3/1/2023	recreation		greenway area			fill in sink holes in field	x	3/2/23	kb-rl-bb-gf
3106	3/7/2023	recreation		riverside park			replace water valve at restrooms	x	3/7/2023	bs-jp-rh
3107	3/7/2023	recreation		riverside park			grade around boat landing	x	3/7/2023	bs-jp-rh
3108	3/7/2023	recreation		riverside park			clean up-prep restrooms for opening	x	3/7/23	bs-jp-rh
3110	3/6/2023	recreation		greenway area			fill in sink holes in field	x	3/6/23	kb-bb-rl
3121	3/9/2023	recreation		greenway area			final grade -seed-straw	x	3/9/23	kb-bb-rl
3122	3/10/2023	recreation		stonewall park			build new trash can rack	x	3/10/23	kb-bb-rl
3137	3/14/2023	recreation		harrisonburg			take white line truck for service	x	3/14/23	jb-sh
3139	3/15/2023	recreation		boatlanding			clear brush around boatlanding area	x	3/16/23	bs-jp-rh
3140	3/15/2023	recreation		greenway area			dig out for river access walk trail	x	3/16/2023	kb-rl-bb-gf
3141	03/17/23	recreation		greenway area			install gravel for river access trail	x	3/17/2023	kb-rl-bb-gf
3145	3/13/2023	recreation		stonewall park			repair several swings	x	3/13/2023	bs-jp-rh
3147	03/20/23	recreation		greenway area			final grade along river access trail	x	3/20/23	kb-bb-rl
3149	3/20/2023	recreation		parks			check and clean parks	x	3/24/2023	bs-jp-rh
3151	3/20/2023	recreation		boatlanding			build information sign	x	3/22/2023	bs-jp-rh
3154	03/20/23	recreation	M.Sutton	blue sox field			mow outfield	x	3/20/2023	jp

3155	3/21/2023	recreation	M.Sutton		blue sox field				move bleachers for clean up	x	3/21/2023	sh-lb-gf
3157	03/22/23	recreation			wwtp				final grade around new fence-cleared areas	x	3/22/2023	kb-bb-rl
3161	3/23/2023	recreation			basketball courts				replace old nets	x	3/23/23	bs-jp-rh
3164	03/24/23	recreation			boatlanding				seed-straw all graded areas	x	3/24/23	crew
3166	3/24/2023	recreation			blue sox field				haul gravel dust for around bleachers	x	3/24/23	sh-lb-gf
3171	3/28/2023	recreation			stonewall park				repair tables near basketball courts	x	3/28/2023	bs-jp-rh
3176	3/28/2023	recreation			boatlanding				install entrance post for river trail	x	3/28/23	bb-sh-rl
3189	3/31/2023	recreation			stonewall park				place bleachers for opening day	x	3/31/2023	kb-bb-rl
3190	03/27/23	recreation			parks				check and clean parks	x	3/31/23	bs-jp-rh
3113	3/7/2023	sewer	ecc	244	spring ave				sewer back up	x	3/7/2023	kb-bb-rl
3142	3/17/2023	sewer			shop				service wwtp truck	x	3/17/23	jb-lb-sh
3153	3/21/2023	sewer	J.Shifflett		mt pleasant rd				install two new sewer connections	x	3/21/2023	kb-bb-rl
3160	3/23/2023	sewer	D.Yoder	111	hill ave				sewer back up	x	3/23/23	kb-bb-rl
3172	3/28/2023	sewer	J.Parikh	110	maple leaf				sewer back up	x	3/28/23	bb-sh-rl
3101	3/2/2023	streets			340-33 ramp				install new post for welcome sign	x	3/2/2023	jb-lb-sh
3102	3/3/2023	streets			shop				perform safety walk-thru	x	3/3/2023	crew
3119	3/9/2023	streets			340-33 ramp				install welcome to elkton sign	x	3/9/2023	bs-jp-rh
3128	3/13/2023	streets			shop				update sds sheets-shop clean up	x	3/13/2023	crew
3143	3/17/2023	streets			shop				wash trucks	x	3/17/23	jb-lb-sh
3159	3/13/2023	streets	K.Gentry	231	west washington st				touch up driveway where leak was fixed	x	3/22/23	kb-bb-rl
3162	3/23/2023	streets	R.Insana		old spotswood trail				remove deer from road	x	3/23/2023	kb-bb-rl
3167	3/24/2023	streets			shop				shop clean up	x	3/24/23	crew
3169	3/27/2023	streets			county dump site				clear brush-stumps-fix cable for parking	x	3/27/2023	bs-jp-rh
3170	3/28/2023	streets			county dump site				clear brush around entrance	x	3/28/2023	bs-jp-rh
3183	03/29/23	streets			shop				prep mowers for mowing season	x	3/29/23	bs-jp-rh
3184	3/30/2023	streets			shop				pick up repair parts for mowers	x	3/30/23	bs
3099	3/2/2023	water			harrisonburg				training on water line repair	x	3/2/23	kb-bb-rl
3130	3/13/2023	water	R.Lawson	218	fairfax ave				pull meter data	x	3/13/2023	kb-bb-rl
3131	3/13/2023	water	Z.Dyer	108	water street				pull meter data	x	3/13/2023	kb-bb-rl
3163	3/23/2023	water			jr order park				final grade where leak was fixed	x	3/23/2023	sh-lb-gf
3174	3/22/2023	water	T.Watkins	16840	east washington				pull meter data	x	3/22/2023	kb-bb-rl
3178	3/28/2023	water	R.Landis	93	hill ave				fix water leak	x	3/29/2023	kb-bb-rl

**TOWN OF ELKTON
TREASURER'S REPORT
For Month Ending March 31, 2023
FIRST BANK OPERATING ACCOUNT**

BEGINNING BALANCE				\$	4,769,583.99
REVENUE				\$	731,557.35
Interest earned				\$	18,560.74
EXPENDITURES				\$	(828,616.01)
Bank Service Charge				\$	(3.00)
ENDING BALANCE				\$	4,691,083.07
Outstanding Checks				\$	(205,877.74)
ARPA FUNDING (deposited 6/29/2021)		\$	1,505,955.00		
ARPA FUNDING (deposited 7/22/2022)		\$	1,505,955.00		
(these funds are included in the Operating total)		\$	3,011,910.00		
Funds Expended		\$	(687,963.00)		
		\$	2,323,947.00		
ADDITIONAL ACCOUNTS					
INFINEX ACCOUNT (REPO)	(3/31/2023)	\$	471,017.36	\$	471,017.36
Bank of America	(3/31/2023)	\$	276,067.37	\$	276,067.37
SWEEP Accounts					
F & M Bank	(3/31/2023)	\$	250,018.49	\$	250,018.49
F & M Bank	(3/31/2023)	\$	12,356.02	\$	12,356.02
United Bank	(3/31/2023)	\$	331,333.73	\$	331,333.73
United Bank	(3/31/2023)	\$	450,667.55	\$	450,667.55
United Bank	(3/31/2023)	\$	5,000.00	\$	5,000.00
		\$	1,049,375.79	\$	1,590,582.78
TOTAL FUNDS				\$	6,281,665.85

Respectfully submitted,


Donna D. Curry
Treasurer
4/11/2023

YEAR TO DATE SNAPSHOT OF SELECTED REVENUE TOTALS

MEALS TAX

Budget		YTD	
\$	1,200,000.00	\$	850,942.82

CIGARETTE TAX

Budget		YTD	
\$	60,000.00	\$	57,000.00

REAL ESTATE TAXES

Budget		YTD	
\$	346,624.86	\$	307,626.80
\$	25,000.00	\$	5,257.20 (delinquent)

PERSONAL PROPERTY TAXES

Budget		YTD	
\$	150,000.00	\$	180,479.25
\$	25,000.00	\$	9,532.98 (delinquent)

ATTORNEY FEES

Budget		YTD	
\$	130,000.00	\$	29,301.67 (FOIA related)

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 / Instrctrional

Town Residents:	13
County Residents:	21
Non Residents:	12
Daily Book Sign In Count:	260
Family:	14
Youth:	5
Adult:	16
Senior:	11
Total New Members:	<u>46</u>

Total \$ Daily Fees / Walking Track: (Month)	\$781.00
Total \$ Monthly Membership (Adult,Family, Senior & Youth): (Month)	\$3,790.00
Total \$ Yearly Membership (Adult,Family, Senior & Youth): (Month)	\$615.00
<u>Monthly Total:</u>	\$5,186.00

Room Rentals Including Deposits
 Shelter Rental Fees Collected:

\$3,636.00
 \$580.00

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

\$0.00
\$222.00
\$37.80
Monthly Total: **\$4,475.80**

Total Membership Fiscal Year:
Total Room Rentals Fiscal Year:

\$34,515.00
\$25,839.90
Current Yearly Total: **\$60,354.90**

March 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		
May		
June		
YTD:	6,680,440.00	48,719.43

ELK RUN CEMETERY REPORT
TRANSACTIONS
March 2023

LOTS SOLD.....	4	YTD = 16
INTERMENTS.....	5	YTD = 12
CREMATIONS.....	1	YTD = 4
Space Contract.....	1	YTD =3
Niche Contract.....	0	YTD=0

MEETING DATE

Interments this month	Lot Sales	Opening/Closing
Vivian Seal		\$750
Charles Breeden		\$750
Earl Madison		\$300
Donald Mowbray		\$750
Eleanor Harrison		\$750
Dixie Mowbray		\$750
	Sales/Contracts	
Jeff & Brenda Shifflett	contract	\$250
Allen Meadows	Contract paid in full	\$1,300
Terry Milby	2 spaces	\$3000

-**Cemetery Commission Members**
-Chairperson: Lee Dearing
-Vice Chair: Mark Hensley
-Dwight "Gene" Kite
-Billie Jo Dofflemyer
-Sue Armbruster

Submitted by: Delores Hammer – Director of Community Development



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: April 17, 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

REQUESTING DEPARTMENT: Community Development

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Recommendation by the Elkton Planning Commission to approve a request from the Town of Elkton to subdivide a lot. Property located on Blue and Gold Drive, portion of tax map number 131 A-34 on a plat prepared by Randall K. Newman with Newman Surveying dated January 25, 2023.

BACKGROUND: On April 4, 2023 the Elkton Planning Commission voted 4-2 to approve a request from the Town of Elkton to subdivide a lot located on Blue and Gold Drive.

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

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.

§ 110-611 General Business District B-2.

A. Intent of General Business District B-2. Generally, this district covers that portion of the Town intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theaters, business offices, newspaper offices, printing presses, restaurants and taverns, and garages and service stations.

B. Permitted uses. Within the General Business District B-2 the following uses are permitted:

(1) Department stores, variety stores, specialty shops, discount shops, and appliance stores.

(2) Bakeries.

(3) Laundries, dry cleaning shops, and clothes dyeing establishments.

(4) Living and/or sleeping quarters shall be a permitted use when constructed above the ground and basement floors. No living and/or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot of any building.

[Amended 12-19-2005]

(5) Retail stores and shops.

(6) Theaters, assembly halls, playhouses and dinner theaters.

(7) Hotels.

(8) Banks and loan and finance offices, including drive-in types.

(9) Churches and other places of worship, and church school buildings.

(10) Libraries.

(11) General hospitals.

(12) Special care hospitals.

(13) Funeral home and/or mortuary.

(14) Automobile service stations and public garages (with major repair under cover).

(15) Clubs and lodges.

(16) Automobile sales.

(17) Lumber and building supply (with storage under cover).

(18) Plumbing and electrical supply (with storage under cover).

(19) Carpentry, cabinet making, furniture refinishing, woodworking, electrical, plumbing, heating, welding sheet metal, appliance, bicycle, watch and shoe

repair, painting, publishing, lithographing, upholstering, gunsmith or similar shops, provided that any use shall be conducted within a completely enclosed building and provided that no part of a building for such use shall have any opening other than stationary windows or required fire exits within 100 feet of any residential district.

(20) Public utilities.

(21) Public service and storage buildings.

(22) Restaurants including dairy product stores and soda fountains, and drive-in restaurants.

(23) Newspaper offices and printing shops.

(24) Business and professional offices.

(25) Greenhouses.

(26) Police, fire, and rescue squad stations.

(27) Post offices.

(28) Bus stations and taxi stands.

(29) Radio and television broadcasting studios.

(30) Public buildings and properties of a cultural, administrative, or service type.

(31) Individual residential uses associated with a permitted use such as the residence of an entrepreneur, but not including subdivisions and multifamily complexes.

(32) Parking garages and parking lots.

(33) Business and vocational schools.

(34) Off-street parking as required by this chapter.

(35) Signs as provided in Article **VII**.

(36) Museums.

(37) Picture frame manufacturing and assembling.

(38) Single-family detached dwelling, provided that the single-family detached dwelling is existing and otherwise conforms with all other requirements in Chapter **110** as of the date of the adoption of this subsection with lot regulations and accessory uses consistent with R-3 District standards, and there shall be no more than one single-family detached dwelling per lot.

[Added 1-18-2010]

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:

(1) Wholesale and processing not objectionable because of dust, noise, or odors.

(2) Public billiard parlors and pool rooms, bowling alleys, dance halls, and similar forms of public amusement.

(3) Satellite antennas.

(4) Athletic fields, stadiums, and arenas.

(5) Beverage manufacturing, bottling or distribution stations and food processing, packaging, or distribution stations.

(6) Circuses, carnivals, fairs, and sideshows.

(7) Drive-in theaters, provided that all parts of such drive-in shall be distant at least 200 feet from any residential district and provided that the screen shall be located as not to be visible from adjacent streets or highways, and it shall be set back not less than 200 feet from the established right-of-way of said street or highway.

(8) Livestock market and sales pavilions.

(9) Overnight recreational vehicle park.

(10) Shooting range or gallery.

(11) Wholesale business, storage or warehouse provided that any such use shall be distant at least 50 feet from any residential district.

(12) Existing apartments in structures existing at the time of adoption of this chapter.

(13) Commercial kennels and animal hospitals, provided that any structure or premises used for such purposes shall be located at least 200 feet from any residential district.

(14) Swimming pools, skating rinks, golf driving ranges, miniature golf courses, or similar recreational use or facility if located at least 200 feet from any residential lot.

(15) Auction houses.

[Added 12-18-2000]

(16) Telecommunications facilities.

[Added 12-18-2000]

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

(18) Adult businesses.

[Added 1-19-2006]

(19) Structures that were originally designed to be residential in nature, existed before January 18, 2010, but did not meet the requirements for single-

family dwellings at that time, may be permitted to be returned to single-family dwellings provided that the following requirements are met:

[Added 8-17-2015]

(a) The structure is proven to be habitable.

(b) The structure meets R-3 District standards.

(c) The owner certifies that no more than one family will live in the dwelling.

(d) Two off-street parking spaces are provided.

(e) The use of this structure as a residence is not in conflict with existing businesses.

(20) Short-term rental, provided the property is a permitted use under § **110-611B(38)**.

[Added 9-17-2018]

(21) Motel, motel court, motor hotel, lodge, or inn.

[Added 5-17-2021]

D. Requirements for permitted uses in the General Business District B-2. Final grading and site finishing are required on the parcel where uses are permitted in this district. The execution of this requirement must take into consideration traffic hazards. Landscaping will be restricted to a height of three feet within 50 feet of the intersection of two roads.

E. Accessory uses. Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:

(1) Living quarters in the main building of persons employed on the premises.

(2) Private parking garage.

(3) Temporary buildings and/or 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**.

F. Lot regulations.

(1) Main building: N/A.

(a) For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the Health Official. The Zoning Administrator shall require greater area as considered necessary by the Health Official.

(b) Setback: 25 feet.

(c) Frontage at setback: 50 feet.

(d) Side yard, one or two sides: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a ten-foot clear and maintained setback on the side or sides adjoining such residential district.
[Amended 12-20-2004]

(e) Rear yard: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a ten-foot clear and maintained setback on the side or sides adjoining such residential district.
[Amended 12-20-2004]

(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 workmen 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.

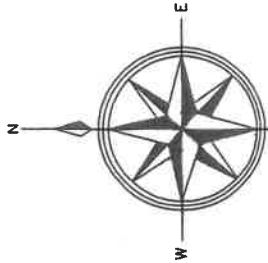
(2) Accessory buildings and uses: zero feet from main building.

(a) Side yard and rear yard: zero feet, except where property located in a business district adjoins or is separated from any residential district only by a public street or way. In such instances, there shall be a ten-foot clear and maintained setback on the side or sides adjoining such residential district.
[Amended 12-20-2004]

(b) 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.

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

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



THIS SUBDIVISION IS
APPROVED BY THE
UNDERSIGNED AS
COMPLIANT WITH
REGULATIONS OF
THE TOWN OF
ELKTON, VIRGINIA.

- 1 = BEARINGS ARE MAGNETIC
2 = SCALE 1" = 100'
3 = TAX MAP = 131-A-34
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

NOTE: LOTS 1 AND 2 ARE CURRENTLY
ZONED R-8 TO BE REZONED TO B-2
THE RESIDUE IS CURRENTLY ZONED
R-8 TO BE REZONED TO C-1.

LINE	BEARING	DISTANCE
L1	N 67°06'37" W	122.68'
L2	N 70°16'18" W	98.09'
L3	N 76°57'30" W	67.77'
L4	N 21°54'29" E	261.90'
L5	S 68°06'01" E	295.77'
L6	S 23°46'15" W	121.29'
L7	S 23°46'15" W	128.71'
L8	N 76°57'30" W	33.47'
L9	N 47°55'45" W	56.07'
L10	N 63°44'41" W	44.87'
L11	N 78°49'04" W	52.00'
L12	N 64°15'17" W	59.68'
L13	N 00°43'49" E	268.07'
L14	S 68°06'01" E	337.92'

LOT 2
1.679± ACRES

LOT 1

FLOOD ZONE
ZONE AE 1.680± ACRES

THIS SUBDIVISION IS WITH THE FREE
CONSENT AND IN ACCORDANCE WITH THE
DESIRES OF THE PROPERTY OWNER.

BLUE AND GOLD SUBDIVISION
LOCATED IN THE TOWN OF ELKTON
ROCKINGHAM COUNTY, VIRGINIA.

BLUE AND GOLD DRIVE

OWNER _____ DATE _____
OWNER _____ DATE _____
SUBD. AGENT _____ DATE _____

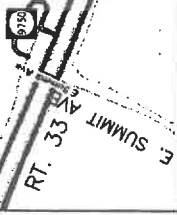
OWNER: TOWN OF ELKTON
REFERENCE: DEED BOOK 1665, PAGE 28

JOB NO. R131-A-34SQUAD DATE: JANUARY 25, 2023

AGENT OF THE TOWN OF ELKTON DATE

VICINITY
MAP

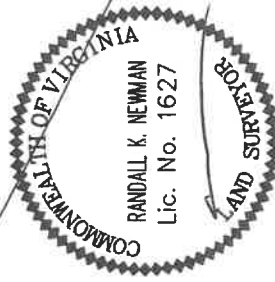
JOB
SITE
X



RESIDUE
TOWN OF ELKTON
131-A-34

ZONE AE
FLOOD ZONE LINE

ZONE X
131-A-34B
COUNTY OF ROCKINGHAM
5586/220



NEWMAN SURVEYING
Licensed Land Surveyor
GROTTONES, VIRGINIA 24441
(540) 421-6232



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: ARPA authorized projects and expenditures

BACKGROUND: Town manager to verbally discuss this item.

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 ARPA funds in the amount of \$1,350,000 for the relocation of the Elkton Police Department, West Spotswood Avenue Street Project, and construction of the Farmer's Market Pavilion and Downtown Park with any remaining funds used towards the drinking water project.

APPROVAL: 
 Greg Lunsford, Town Manager

ATTACHMENTS: Summary

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
ARPA Authorized Projects and Expenditures
April 17, 2023

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.



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Presentation by Town Manager's recommended 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: Budget documents

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 Budget

FY 2024 (July 1, 2023 - June 30, 2024)

REVENUE	
GENERAL GOVT	\$ 3,738,627.00
ELECTRIC	\$ 2,856,388.00
WATER	\$ 536,581.00
SEWER	\$ 2,998,046.00
CEMETERY	\$ 75,000.00

TOTAL: \$ 10,204,642.00

EXPENDITURES	
COUNCIL	\$ 46,655.00
GENERAL GOVT	\$ 1,415,183.00
STREET MAINTENANCE	\$ 894,698.00
SANITATION	\$ 215,000.00
RECREATION	\$ 496,398.00
POLICE	\$ 836,576.00
PLANNING COMMISSION	\$ 12,067.00
ELECTRIC	\$ 2,726,907.00
WATER	\$ 284,108.00
SEWER	\$ 3,038,286.00
CEMETERY	\$ 44,626.00

TOTAL: \$ 10,010,504.00

REVENUES	\$ 10,204,642.00
EXPENDITURES	\$ 10,010,504.00
DIFFERENCE	\$ 194,138.00

April 17, 2023

Dear Elkton Town Council and Finance Committee and Treasurer:

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.

| Thank you,

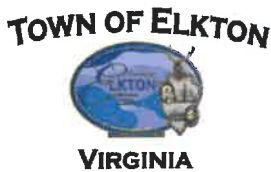
Greg Lunsford



Town Manager

FY24 Departmental Budget Requests

Department	FY23 Adopted Budget	FY24 Requested Budget
Council	\$ 68,935.00	\$ 46,655.00
Planning Commission	\$ 22,067.00	\$ 12,067.00
Administration (General Gov.)	\$ 1,403,673.00	\$ 1,415,183.00
Police Department	\$ 836,518.00	\$ 836,576.00
Public Works	\$ 755,771.00	\$ 894,698.00
Recreation/Community Center	\$ 563,732.00	\$ 500,898.00
Sanitation	\$ 210,000.00	\$ 215,000.00
Electric	\$ 2,178,509.00	\$ 2,726,907.00
Water	\$ 292,246.00	\$ 284,108.00
WWTP	\$ 5,013,771.00	\$ 3,038,286.00
Cemetery	\$ 52,175.00	\$ 44,626.00
	<hr/>	<hr/>
	\$ 11,397,397.00	\$ 10,015,004.00



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Appoint Council member Heidel to committees

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 appoint Council member Heidel as the chairperson of the Public Safety Committee and a member of the Finance Committee and Parks & Recreation Committee.

APPROVAL: 
 Greg Lunsford, Town Manager

ATTACHMENTS: Committee sheet

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.

2023 Town of Elkton Proposed Committees

Vice Mayor: Rick Workman

Special Projects & Economic Development

- Aaron Napotnik (Chair)
- Rick Workman
- Jan Hensley

Policy & Personnel

- Jan Hensley (Chair)
- Virginia Fulginiti
- Rachel Michael

Finance

- Rachel Michael (Chair)
- Aaron Napotnik
- Louis Heidel

Parks & Recreation Committee

- Virginia Fulginiti (Chair)
- Louis Heidel
- Rick Workman

Public Safety

- Louis Heidel (Chair)
- Jan Hensley
- Virginia Fulginiti

Public Utilities

- Rick Workman (Chair)
- Aaron Napotnik
- Rachel Michael



Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Board of Zoning Appeals resignation

BACKGROUND: Daniel W. Goodson submitted a letter of resignation effective February 15, 2023. Mr. Goodson term expires on May 1, 2023.

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

Budget Line Item:

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:

TOWN MANAGER APPROVAL:




 Greg Lunsford

ATTACHMENTS: Letter of resignation

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.

Delores Hammer
Zoning Administrator
Town of Elkton
173 W. Spotswood Ave.
Elkton, VA 22827

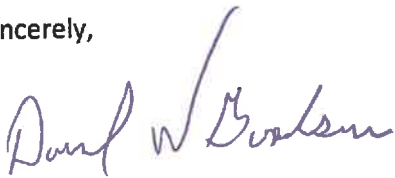
Dear Ms. Hammer,

This is to notify you that I am resigning my position on the Board of Zoning Appeals effective February 15, 2023 due to age and health reasons. I have served for a long period of time and now think someone else should be allowed to offer new ideas and thoughts.

Unfortunately, I cannot locate my copy of the Code of Town of Elkton to return it. We made a move to Downey Knolls over the summer and things are still not as organized as they would normally be. If I come across it in unpacking, I will see that it gets to you.

I have enjoyed serving the town over the years.

Sincerely,

A handwritten signature in purple ink, reading "Daniel W. Goodson". The signature is written in a cursive style with a large, sweeping initial "D".

Daniel W. Goodson



Item # 9d

Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Board of Zoning Appeals

BACKGROUND: In a Board of Zoning Appeals meeting held on Tuesday, March 21, 2023 Heather Kite was recommended to fill a vacancy on the Board of Zoning Appeals with a term of May 1, 2023 – May 1, 2028.

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

Budget Line Item:

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:

TOWN MANAGER APPROVAL:



Greg Lunsford

ATTACHMENTS: Volunteer application

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
PLANNING COMMISSION
BOARD OF ZONING APPEALS**

VOLUNTEER APPLICATION

If you are a Town resident, at least 18 years of age, and willing to volunteer your time and talents to your community, please complete this application and return to:

Delores Hammer
Director of Community Development
173 W. Spotswood Avenue
Elkton, Virginia 22827
dhammer@townofelkton.com

Name: Heather Kite

Home Address: 106 Hill Avenue Elkton, VA 22827

Telephone: Work _____ Home 202-221-0341

Place of Employment: University of Virginia Health System

Job Title: Patient Billing Lead Analyst

Please list any work, volunteer, and/or educational experience you would like to have considered in the review of your application. Quick learner, Trainer, project manager

Studied Lean process improvement and participated in multiple projects at UVA, Supervisor for

a team of 17-20 team members, Handled escalated issues from patients that are requesting a manger or supervisor

Date: 1/31/2022 Signature: Heather Kite

Only one member of each household may serve on a Town Commission and/or Board.



**RESOLUTION OF THE ELKTON TOWN COUNCIL
Recommendation of Heather Kite for
Appointment as a Member to
the Board of Zoning Appeals**

BE IT RESOLVED by the Council for the Town of Elkton, Virginia, as follows:

1. Daniel Goodson's full-term as a member of the Board of Zoning Appeals ends on May 1, 2023. He does not seek reappointment.
2. At a meeting held on March 21, 2023, the Board of Zoning Appeals unanimously nominated and recommended **Heather Kite**, to the Board of Zoning Appeals to fill the vacant full-term.
3. The Elkton Town Council recommends and submits to the Circuit Court of Rockingham County, Virginia, the name of **Heather Kite**.

NOW THEREFORE, the Town Council hereby recommends **Heather Kite** as a full member of the Board of Zoning Appeals with a term to begin May 1, 2023 and ending May 1, 2023.

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 April 17, 2023, and has not been revoked, rescinded or repealed.

Clerk, Town Council, Town of Elkton,
Virginia



Item # 9e

Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Appoint Mark Hensley, Mark Stevanus and Billie Jo Dofflemeyer to a one year term with the Elk Run Cemetery Advisory Commission.

BACKGROUND:

ACTION REQUESTED:

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

FINANCIAL IMPACT:


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

Budget Line Item:

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: Appointment of Mark Hensley, Mark Stevanus and Billie Jo Dofflemeyer to a one year term beginning April 17, 2023 and ending April 17, 2024 with the Elk Run Cemetery Advisory Commission.

TOWN MANAGER APPROVAL:



Greg Lunsford

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.

**ELKTON TOWN COUNCIL
RESOLUTION TO AMEND AND RESTATE THE
CEMETERY SUPERVISION RESOLUTION
#2019-6 adopted September 16, 2019**

RECITALS:

1. By Deed recorded April 16, 1985, in the Clerk's Office of Rockingham County, Virginia, Elk Run Cemetery, Inc. (Cemetery), Garner H. Downey and Mae Frances Downey conveyed to the Town of Elkton (Town) certain Cemetery properties with conditions.
2. The condition under which the Town accepted conveyance of the Cemetery were:
 - A. "It will manage the above described property as a community cemetery, the management of which shall be under the control of a commission appointed by the Town Council for that purpose."
 - B. "That funds coming into its hands shall be managed for the purpose of perpetual care and accounted for in the Town's annual audit as a separate account."
 - C. "The Town will have the right to be compensated for labor and materials used by it in the maintenance and care of the cemetery on the basis of the fair market of said labor and materials."

3. The Town accepted the responsibility for the management and supervision of the Elk Run Cemetery.
4. From April 16, 1985, to present, management of the Cemetery took several forms and structures, culminating in the present arrangement.
5. The Town Council has determined that the current structure is not in compliance with the conditions outlined in the Deed of conveyance, and the current structure is not adequate to be true to the obligations accepted by the Town to manage the Cemetery as a “community cemetery”.
6. The Town has determined that the management and operation of the Cemetery must be clarified to enforce the Town’s control of and accountability for funding, maintenance, revenues, and expenditures generated by Cemetery operations.

NOW THEREFORE, be it resolved that the Town Council by this Resolution amends and adopts the following in regard to the management and operations of the Elkton Cemetery.

The Rules and Procedures that govern the Advisory Commission are amended as follows:

(a) **The Commission:**

- (1) The Cemetery Advisory Commission shall be composed of seven (7) members, who shall be appointed by the Town Council. No member shall be an employee of the Town of Elkton. The members shall serve terms of four (4) years each. Four (4) members

will serve a four year term beginning in 2023 (Expiring in 2026) and three (3) members will serve a term beginning in 2023 (expiring in 2024).

(2) Vacancies shall be filled by appointment made by the Council.

Members of the Commission shall be eligible for reappointment.

(3) Members of the Commission may be removed by the Council.

(b) **Quorum**. A majority of members of the Commission shall constitute a quorum for any meetings.

(c) **Officers**. The officers of the Commission shall consist of a Chairperson and Vice-Chairperson elected from the membership. Regular terms for officers shall be one (1) year. Nomination of officers may be made at any meeting, and election of officers shall follow immediately. Removal of an officer shall be by a vote of the Town Council.

(d) **Duties of Officers and Director:**

(1) **The Chair Shall:** Preside at all meetings. Rule on procedural questions (subject to reversal by a majority vote of the members present). Carry out other duties as assigned by a majority of the Commission.

(2) **The Vice-Chair Shall:** Act in the absence or inability of the Chairperson to act. Have the powers to function in the same capacity as the Chairperson in cases of the Chairperson's inability to act.

(3) **The Director Shall:** Manage the day to day responsibilities and obligations pursuant to the directions of the Elkton Town Manager.

(e) **Meetings:**

(1) Meetings of the Commission may be held in the conference room at Town Hall, 173 W. Spotswood Avenue, Elkton, Virginia 22827 after proper notice. The Cemetery

Director shall be responsible for scheduling, and posting a public notice of meeting dates and times.

(2) The Commission shall meet the second Monday of the months of January and June at 6:00 PM. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless the Commission selects an alternative day.

(3) Special meetings shall be called as needed by the Chairman or the Director. The Director shall mail a written notice or send an email to all members, at least five (5) days before a special meeting stating the time, place, and purpose of the meeting.

(4) Scheduled meetings may be cancelled, by the Chairman, up to 48 hours before the meeting.

(5) All meetings of the Commission shall be open to the public.

(h) **Rules Concerning Cemetery:** The Commission shall, from time to time, recommend rules, regulations, fees, and other matters, regarding the use, maintenance, and upkeep of the Cemetery. Upon review and recommendation by the Town Manager, the recommendation will be presented to the Elkton Town Council by the Cemetery Director for consideration and action.

7. The Cemetery Supervision Resolution #2019-6 adopted September 16, 2019 is reaffirmed except as herein modified.

8. This resolution shall be effective upon the date of its adoption.

GIVEN under my hand this ____th day of _____, 2023.

Joshua J. Gooden
Mayor, Town of Elkton

ATTEST:

Denise Monger, Clerk of Council



Staff Report/Recommendation

REQUESTING DEPARTMENT: Community Development

MEETING DATE: April 17, 2023

SUBJECT/TOPIC: Appoint Millard Lee Dearing, Dwight "Gene" Kite, Sue Armbruster and Michelle Dean to a four year term with the Elk Run Cemetery Advisory Commission.

BACKGROUND:

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

Budget Line Item:

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: Appointment of Millard Lee Dearing, Dwight "Gene" Kite, Sue Armbruster and Michelle Dean to a term with the Elk Run Cemetery Advisory Commission beginning April 17, 2023 and ending April 17, 2026.

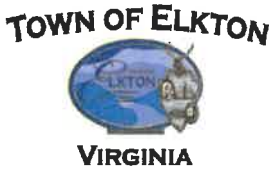
TOWN MANAGER APPROVAL:



Greg Lunsford

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.



Staff Report/Recommendation

REQUESTED: Town Manager Greg Lunsford

MEETING DATE: April 17, 2023

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

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."
- b. 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."

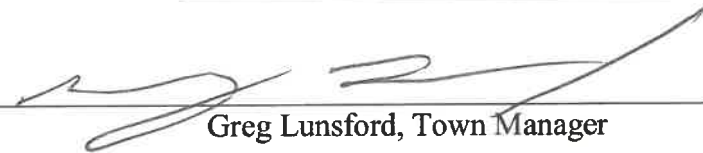
TOWN OF ELKTON



VIRGINIA

Staff Report/Recommendation

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.

