

**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

Regular Council Meeting
April 17, 2023
Page 2

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

Regular Council Meeting

April 17, 2023

Page 3

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 Dofflemyer 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 Dofflemyer 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

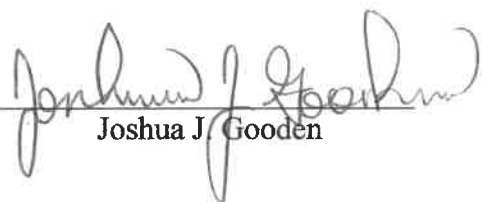
Council member Fulginiti moved, seconded by Council member Napotnik, and carried to adjourn the meeting.

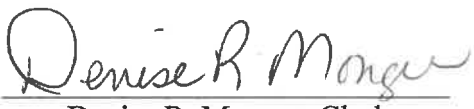
YEAS: J. Hensley, V. Fulginiti, P. Workman, II, R. Michael, and A. Napotnik

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Meeting adjourned at 7:58 p.m.

Mayor: 
Joshua J. Gooden

Recorder: 
Denise R. Monger, Clerk