

**TOWN OF ELKTON**  
**ELKTON TOWN COUNCIL MEETING**  
**February 20, 2024**  
**6:00 p.m.**

A Town Council meeting was held on Tuesday, February 20, 2024 at 6:00 p.m. at 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 Rick Workman, Council Member Jan Hensley, Council Member Virginia Fulginiti, Council Member Rachel Michael, Council Aaron Napotnik, and Council Member Louis Heidel.

**Also Present:** Town Manager Greg Lunsford, Town Attorney Quinton Callahan, Chief of Police Mike King, Public Works Director Gaither Hurt, Community Development Director Delores Hammer, Treasurer Donna Curry, Parks and Recreation Director Cristina Morrow and Deputy Clerk of Council Kim Shifflett.

**REGULAR COUNCIL MEETING**

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

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

**ADOPTION OF AGENDA**

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

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

**NAYS: None**

**VOTE: (6 – 0 voice vote) Motion carried**

**JOINT PUBLIC HEARING**

In addition to the Mayor and Council, the following Planning Commissioners were present for the joint public hearing: Dan Talbot, Gene Kite, Wesley Walls, and Dean Tills.

There were no other speakers.

Chairperson Talbot read the following proposed amendments.

- 1) Child-care definition in §110-302 to correct the Code of Virginia, to 63.2-1700-VA code et. Seq.,
- 2) §110-715 Short term rentals to specify a limit on the number of occupants allowed to stay in a rental.
- 3) §110-610 B-1 and § 110-611 B-2 to list child-care as a permitted use in B-1 and B-2 zonings.

Maximum occupancy total was 14, which included 8 adults and no more than 2 adults per room.

**Council member Hensley moved, seconded by Council member Heidel, and carried to close their joint public hearing.**

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

**NAYS: None**

**VOTE: (6 – 0 voice vote) Motion carried**

**Commissioner Gene Kite moved, seconded by Commissioner Dean Tills and carried to close their joint public hearing.**

**YEAS: G. Kite, W. Walls, D. Tills, and D. Talbot**

**NAYS: None**

**VOTE: (4 – 0 voice vote) Motion carried**

**CONSENT AGENDA**

**Council member Heidel moved, seconded by Council member Napotnik, and carried to approve the Consent Agenda as presented.**

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

**NAYS: None**

**VOTE: (6 – 0 voice vote) Motion carried**

**ELKTON RURITAN CLUB CHECK PRESENTATION**

Vice-Mayor Workman, Mr. Randall Snow, and Mr. Harry Armbruster presented a check for \$15,000 from the Elkton Ruritan Club to the Elkton Downtown Marketplace Pavilion project.

**PUBLIC COMMENT**

Wayne Printz, 336 W. Washington Avenue, spoke about the proposed well development, Glo Fiber, spending, and transparency.

**TOWN MANAGERS REPORT**

Mr. Lunsford stated that the staff reports were included in the packet. He welcomed Christina Morrow as the new Parks and Recreation Director. The first draft of the Comprehensive Plan was completed. Jordan and Courtney were working on a new Town website. There was a meeting with the Virginia Department of Health and Virginia Resource Authority to finalize the financing for the drinking water project.

Treasurer Curry spoke regarding delinquent taxes. The Town had collected all but \$1,100.00 in personal property taxes. She noted that her staff had worked very hard to collect money for the Town.

**TOWN ATTORNEY REPORT**

Town Attorney Callahan spoke regarding the Rockingham Mobile Home Park outside of Town. He had completed all of the title work and the only easements were for the sanitary sewer line and water line. There was a provision for a utility easement. A list of unsafe properties had been sent to the Rockingham County building inspector. He had been working with Town staff on ordinances for inoperable vehicles, a revised floodplain ordinance to align with Rockingham County's ordinance, and an ordinance for unpaid real estate taxes. He noted a pending real estate contract for property located on Mt. Pleasant Road.

**COMMITTEE REPORTS**

**Policy/Personnel Committee:** Chairperson Hensley welcomed Christina Morrow to her new position. She noted her enormous strengths in management which would be beneficial to the center.

**Parks and Recreation Committee:** Chairperson Fulginiti also welcomed Mrs. Morrow. She reported on the changes that come with new management and that Christina had the full support of Council. The Easter Egg Hunt was scheduled for March 30<sup>th</sup> at 11:00 a.m. There would be 4,000 eggs and 12 golden eggs with prizes. The Church of the Nazarene, Massanutten Regional Library, Mr. and Mrs. Easter Bunny, and MC Chris Michael would all be in attendance at the event.

**Public Works Committee:** Chairperson Workman reported on the progress of the Elkton Downtown Marketplace Pavilion project and the replacement of street signs. He noted the sidewalk project would begin in March. The potholes would be addressed when the asphalt plant

opened in April. Spring Cleanup would take place in mid-April with information being placed on Facebook, the newsletter and on the Town's website.

Finance Committee: Chairperson Michael reported on the financial meeting with Davenport. They did an assessment on the Town's general fund and gave a good summary. The Town's existing debt profile and debt ratios were in line, if not better rated, than other highly rated Virginia Towns. They made recommendations on how to continue to keep the debt profile in a healthy state. Davenport was well-known and used by many municipalities in the area.

Special Projects and Economic Development Committee: Chairperson Napotnik reported on the opening of two new businesses: This and That Dealz, at 306 W. Spotswood Avenue, and Lisa's Hometown Grill, opening on March 1, 2024. The Town was still working with the Central Shenandoah Planning District Commission on potential grants for the pavilion.

Health & Safety Committee: Chairperson Heidel reported that he and Jan would be meeting with a potential applicant for a vacant position in the police department. There was a speed limit change on Spotswood coming into Town. A new digital sign for enforcement would be operational soon.

**UNFINISHED BUSINESS**

New Fee Proposal for Well Development

Mr. Lunsford stated that Herb White from WW Associates contacted him with another option for the well development project. The Town could choose an hourly fee not to exceed \$75,000, or a flat rate fee of \$65,000.

**Council member Hensley moved, seconded by Council member Michael, and carried to approve the hourly fee not to exceed \$75,000 from WW Associates.**

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

**NAYS: None**

**VOTE: (6 – 0 voice vote) Motion carried**

**NEW BUSINESS**

Award Contract for Phase 1 – Spotswood Ave. & Mt. Pleasant Road Intersection Sidewalk Improvement Project

**Vice-Mayor Workman moved, seconded by Council member Heidel, and carried to approve the contract for Phase I of the Sidewalk Improvement Project.**

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

**NAYS: None**

**VOTE: (6 – 0 voice vote) Motion carried**

Contract to Sell Real Estate

**Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried to approve the sale of lot 8, Elk Run Subdivision for \$40,000.00.**

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

**NAYS: None**

**VOTE: (6 – 0 voice vote) Motion carried**

**MAYORS BUSINESS**

Mayor Gooden spoke briefly regarding Council transparency and addressed some of the inaccuracies circulating throughout Town.

**CLOSED SESSION**

Council member Michael moved, seconded by Council member Heidel seconded that Council go from Regular Session into Closed Session under the following exemptions:

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

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

**NAYS:** None

**VOTE:** (6 – 0 voice vote) Motion carried

**Motion to Adjourn**

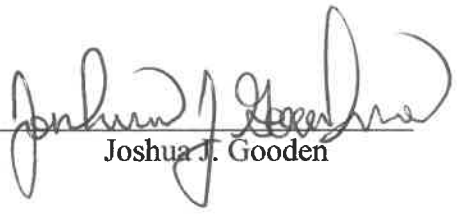
Council member Fulginiti moved, seconded by Council member Napotnik, and carried to adjourn the meeting.

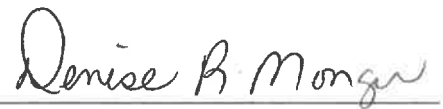
**YEAS:** R. Workman, J. Hensley, V. Fulginiti, R. Michael, A. Napotnik, and L. Heidel

**NAYS:** None

**VOTE:** (6 – 0 voice vote) Motion carried

**Town Council Meeting**  
**Joint Public Hearing**  
**February 20, 2024**  
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Mayor:   
Joshua J. Gooden

Recorder:   
Denise R. Monger, Clerk