

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday, February 11, 2008**

The Luray Town Council met in regular session on Monday February 11, 2008 at 7:00 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were present the following:

Presiding: Mayor Ralph H. Dean

**Council Present: Nancy Shifflett
Lonnie Arrington
William Menefee
Leroy Lancaster
Barry Presgraves
Earl "Rock" Racer**

**Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Jason Spitler, Town Attorney
Mary Broyles, Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Ligon Webb, Town Planner
Charlie Hoke, Director of Utilities
Pat O'Brien, Director of Parks and Recreation
Lynn Mathews, Superintendent of Public Works
Page Campbell, Chief of Police
Andrew Jenner, Page News & Courier
Catherine Stewart, LDI
Kevin Henry, Page County Planning Director
James Kelly of Robinson, Farmer, and Cox
Members of the Luray Airport Commission
Members of the Luray Planning Commission
Dixon Freeland, Page County Habitat for Humanity
Dennis and Martha Fleming, Fairview Grocery
Roy Miller, 8 Randolph Road, Luray**

A quorum being present, Mayor Dean declared the Council to be in session for the transaction of business. All present stood to recite the United States Pledge of Allegiance.

CONSIDERATION OF MINUTES

REGULAR COUNCIL MEETING- January 14, 2008

Minutes of the Regular Council Meeting of January 14, 2008 were submitted for review. **Motion:** Councilman Lancaster motioned to approve the minutes as presented, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

COUNCIL WORK SESSION- February 5, 2008

Minutes of the Council Work Session of February 5, 2008 were submitted for review. **Motion:** Councilman Presgraves motioned to approve the minutes as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

PLANNING COMMISSION MEETING- January 16, 2008

Minutes of the Planning Commission Meeting of January 16, 2008 were submitted for review of information.

CDBG MEETING- February 1, 2008

Minutes of the CDBG Meeting of February 1, 2008 were submitted for review of information.

AUDIT REPORT

Mr. James Kelly of Robinson, Farmer, Cox Associates presented the Audit Report for the year ending June 30, 2007. Mr. Kelly stated that the Town of Luray received an Unqualified Opinion which is the best possible auditor opinion. Mr. Kelly complimented the Town Treasurer and Town Staff. Pages 3-6 of the Financial Report are the Management's Discussion and Analysis which he noted are the best summary of the overall financial status. In his report, Mr. Kelly pointed out several portions of the Financial Report including the Balance Sheet, Proprietary Funds, Tax Levies/Collections, and Outstanding Debt. Mr. Kelly felt that the Balance Sheet appeared very healthy; his only suggestions for Council were to consider water and sewer rates in the upcoming budget process, as the water and sewer funds both presented an operating loss.

PUBLIC HEARINGS

FAIRVIEW GROCERY: Tax Map # 42A16-A-12 & 15, Rezoning R2 to B1

The applicants, Ruth E. Spitler and Dennis Fleming, are seeking to rezone the site from R2 to B1 in order to potentially expand the existing store. The Planning Commission recommended Approval of the rezoning request in the January 16, 2008 regular Planning Commission meeting. Dennis and Martha Fleming were present at the evenings meeting however no citizens spoke during the public hearing.

Motion: Councilman Lancaster motioned to approve the Fairview Grocery rezoning request from R2 to B1; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Amendment to Appendix A (Zoning), Section 403.3 (b): Ability to further divide two-family dwelling (duplexes) into separate parcels.

A public hearing was held regarding the proposed amendment to the Town's zoning ordinance. The amendment would permit a two-family dwelling arranged side-by-side to be further divided into separate parcels for each unit. Presently in an R3 zoning district two-family dwellings must be located on one parcel with single ownership. This amendment would provide for two-family dwellings (duplexes) to be divided into separate parcels. Mr. Dixon Freeland was the only citizen to speak on this issue during the public hearing. Mr. Freeland spoke in favor of the amendment to the Town's zoning ordinance on behalf of the Page County Habitat for Humanity. **Motion:** Councilman Arrington motioned to approve the Amendment to Appendix A (Zoning), Section 403.3 (b); motion seconded by Councilman Racer with the

vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.
Approved 6-0

GENERAL CITIZEN COMMENTS

Kevin Henry, Page County Planning Director, was in attendance to offer Town Council the Page County Planning Department’s Proffer Model Presentation. Included in Council packets was a memorandum from Mr. Henry regarding the recent work between the County of Page and the Springstead consultant team. Mr. Henry explained that the proffer model is a tool which allows local government to mitigate fiscal impacts of residential development prior to the rezoning of a property. Mr. Henry gave a power point presentation on this proffer model, before requesting that the Town participate in the use of the model. Council’s consensus was that they would like more time to consider the information presented by Mr. Henry before making a decision regarding the Town’s participation.

Citizen Roy Miller of 8 Randolph Rd, Luray, spoke before Council regarding the minimum water rate fee of 1,000 gallons. Mr. Miller noted that not all citizens use the minimum amount of 1,000 gallons and would rather the Town charge for actual usage rather than the minimum rate. Mr. Miller feels that charging for actual usage would promote water conservation and would like for Council to consider this matter.

TOWN CLERK/TREASURER’S REPORT

Treasurer’s Report of Cash on Hand as of February 11, 2008:

Sun Trust Bank:	
General Fund Account.....	\$ 3,566,102.80
Cash on Hand:	\$ 29,533.70
Total:	\$ 3,595,636.50

Mary Broyles, Town Treasurer, submitted to Council for approval, Accounts Payable invoices in the amount of \$ 169,836.62. **Motion:** Councilman Racer motioned to approve payment of the invoices as presented; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

TOWN MANAGER’S REPORT

Town Manager, Rick Black, noted that areas of his report would be covered under old and new business. Mr. Black requested a short executive session before adjourning the meeting.

TOWN ATTORNEY’S REPORT

Town Attorney, Jason Spittle, noted only one addition from the previous council work session regarding the Deed of Easement between the Town of Luray and the Page County Fair Association. **Motion:** Councilman Menefee motioned to authorize the acceptance of the Deed of Easement between the Town of Luray and the Page County Fair Association; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.
Approved 6-0

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Catherine Stewart, Luray Downtown Initiative, provided a presentation regarding the Wayfinding Signage as part of the CDBG project. The signs were designed by Wes Porter free of charge. Catherine Stewart and Bryan Chrisman gave a power point presentation displaying the design and locations of the gateway, downtown, parking, and trailblazing signs. Discussion was held on the placement and dimensions of the signs. CDBG funds would be permissible for all of these signs and would remain under the allocated amount in the grant budget. Council commended the designs presented and effort put forth on this project. **Motion:** Councilman Presgraves motioned to authorize approval from Council to proceed with the Wayfinding Sign Project; motion seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Airport Commission

Council received updates from Powell Markowitz regarding the Airport Commission. He noted that negotiations are in the final stages regarding the acquisition of the Bennett Property. As well, Robinson, Farmer, Cox Associates has finished the audit of the Airport Commission. Mr. Markowitz informed Council that the commission will begin holding regular monthly meetings at the Luray Town Hall on the Fourth Wednesday of each month at 6:30pm. Mr. Markowitz provided Council members with an updated financial report and discussed additional funding in the amount of \$28,300 for the next budget year.

DEPARTMENTAL REPORTS

POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell reviewed his monthly departmental report. He noted that walking patrol continues and that his department has provided officers at many recent sporting events. Chief Campbell informed Council of a minor vehicle crash that involved one of his officers, he noted that no one was injured and the officer was not at fault in the incident.

PARKS AND RECREATION

Pat O'Brien, Director of Parks and Recreation, addressed Council on the upcoming summer concerts to be held at either the Ruffner Plaza or the Inn Lawn Park with Bluemont Concert Series. Mr. O'Brien emphasized the success of the concerts held last year on the Ruffner Plaza. He would like to see the Town discontinue the use of the Bluemont Concert Series due to the cost and limited list of entertainers. Mr. O'Brien feels that the concerts on the plaza would be better sponsored solely by the Town and would accomplish the goal of attracting business to the downtown. **Motion:** Councilman Presgraves motioned to approve the discontinuance of the Bluemont Concert Series and permit the Downtown Concerts to be held on the Ruffner Plaza; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0** Also, Mr. O'Brien noted plans for the upcoming 2008 Arbor Day Proclamation and other events for his department.

PUBLIC WORKS DEPARTMENT

Public Works Director, Lynn Mathews reported that all of the monthly water samples checked out OK.

Upcoming projects for his department will include storm drainage, ditch clean-up, street sign repairs, and flags displayed in observance of Presidents Day on February 18. His department made two new water & sewer taps this month. Mr. Mathews also noted that the reservoir is currently at a full level.

WASTEWATER TREATMENT DEPARTMENT

Mr. Charlie Hoke, Director of Utilities, noted full compliance for the month. Also, he reported that the Water Filtration Plant request for proposals went out and bids were opened on January 31, 2008. Proposals are currently being evaluated. Also, regarding the WWTP upgrades; Town Attorney, Jason Spitzer, has approved the final agreement with Reid Engineering.

TOWN PLANNER'S REPORT

Town Planner, Ligon Webb, noted five public hearings for the Planning Commission monthly meeting. He also advised Council that the Final Plats for Phase I of Luray Heights would also be reviewed at the meeting.

OLD BUSINESS

The Town Council needs to amend the resolution concerning the upgrades to Leaksville Road for the VDOT Six Year Improvement Plan. The resolution should include the upgrades all the way to the Rt.211 Bypass. The new resolution will involve an approximate distance of 4,250 feet. **Motion:** Councilman Racer motioned to accept the revised VDOT Project Programming Resolution for Leaksville Road as presented and to direct the Town Manager to issue a letter of support to VDOT for the planned improvements to the West Main Street/US 211 Interchanges; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

NEW BUSINESS

Water and Wastewater Financing

Town Manager, Rick Black, presented Council with information regarding the respondents to the request for proposal for the Water Treatment Plant and the Wastewater Treatment Upgrade interim financing. After consultation from Carolyn Perry, the Town's Bond Council, Mr. Black would like to recommend the selection of SunTrust Bank. **Motion:** Councilman Presgraves motioned to authorize the acceptance of SunTrust Bank as the lending institution for the Water Treatment Plant and the Wastewater Treatment Upgrade interim financing and to authorize the Mayor and staff to execute the necessary documents; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Student Ambassador Program

Luray High School Student, Melissa Spears, has requested a donation toward the funding of an educational opportunity in Australia. Council would like for Melissa to come before them regarding her trip. **Motion:** Councilman Racer motioned to authorize the donation of \$500; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

MAYOR'S ANNOUNCEMENTS

Mayor Dean asked for a five minute recess and to reconvene in executive session.

EXECUTIVE SESSION

Personnel, Section 2.2-3711.A.1

Mayor Dean requested a motion to adjourn into Executive Session for the purpose of discussing Personnel, Section 2.2-3711.A.1. Councilman Racer motioned to recess the work session and to convene in executive session; Councilman Menefee seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, and Racer.

Approved 6-0

After reopening the work session, Council agreed that only personnel were discussed during the Executive Session.

ADJOURN

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 9:00 pm.

Mayor Ralph H. Dean

Danielle P. Babb
Deputy Clerk-Treasurer