

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE  
TOWN OF LURAY, PAGE COUNTY, VIRGINIA  
Monday, March 12, 2007**

The Luray Town Council met in regular session on Monday, March 12, 2007 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, Clerk-Treasurer  
Danielle Babb, Deputy Clerk-Treasurer  
Charlie Hoke, Director of Utilities  
Lynn Mathews, Superintendent of Public Works  
Page Campbell, Chief of Police  
Pat O'Brien, Director of Parks & Recreation  
Catherine Stewart, Luray Downtown Initiative  
Doug Meredith, LMW P.C.  
Andrew Jenner, Page News & Courier

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- February 12, 2007**

Minutes of the February 12, 2007 Regular Council Meeting were submitted for review. **Motion:** Councilman Racer 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**

**COUNCIL WORK SESSION- February 26, 2007**

Minutes of the Council Work Session of February 26, 2007 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- March 6, 2007**

Minutes of the Council Work Session of March 6, 2007 were submitted for review. **Motion:** Councilwoman Shifflett motioned to approve the minutes as presented, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

### **PLANNING COMMISSION MEETING- February 21, 2007**

Minutes of the Planning Commission Meeting of February 21, 2007 were submitted for review of information.

### **CDBG Management Committee Meeting- March 12, 2007**

Minutes of the CDBG Management Committee Meeting, held earlier today, were submitted for review of information.

### **PUBLIC HEARINGS**

Public Hearings were held on two major topics, Tax Relief for the Elderly and Handicapped and the tax rate for Real Property. Town Manager, Rick Black, read aloud both the Ordinance Amendments for Section 78-33 (Requirements for Exemption) and Section 78-33 (Amount of Exemption) for the public present at the evenings meeting to review. Several town residents were on hand to speak regarding these issues. All related materials were handed out to residents present at the meeting for them to review before a vote would take place.

Lisa Holland, 22 Meadow Lane – Ms. Holland spoke on her concerns over increasing taxes in comparison to the quality of jobs in the area. Ms. Holland also voiced her concerns on the new tax assessments and the associated value of her property and several concerns regarding her property as it relates to town services that she receives. Both Councilman Arrington and Councilman Menefee clarified to Ms. Holland that the County of Page was responsible for the new tax assessments and that it is up to the Town of Luray to set the tax rate. Both Councilmen stressed that they are attempting to lower the tax rate to help with the increased tax assessment.

Carlos Ruiz, 21 Wallace Ave- Mr. Ruiz voiced his concerns over the tax rate, as well.

Georgia Maxine Ponn, 15 Painter St. - Ms. Ponn asked for council to clarify their intentions for the new tax rate.

**Motion:** Councilman Racer motioned to approve the Ordinance Amending Section 78-33 of the Code of the Town of Luray, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**Motion:** Councilman Lancaster motioned to approve the Ordinance Amending Section 78-38 of the Code of the Town of Luray, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Manager Black reviewed information pertaining to the rate for Real Property and noted that this rate would be set at the March 26, 2007 budget meeting at 9:00am.

### **GENERAL CITIZEN COMMENTS**

Catherine Stewart attended the evenings meeting and distributed a current balance sheet for LDI. Also, Ms. Stewart noted an article in Southern Living Magazine which highlighted another local Downtown Revitalization. Doug Meredith of LMW P.C. was on hand to brief council on a meeting held earlier with regarding the CDBG Loan Pool. Mr. Meredith updated council on Phase I of the Façade Designs and noted that the designs had been sent to the Department of Historic Resources for approval. As well, applications continue to be taken for Phase II of the Façade Program. There has only been one applicant for the Housing Rehabilitation Program and that construction is currently underway. Both Mr. Meredith

and Ms. Stewart highlighted points from the earlier CDBG Management Meeting with Arthur Barnstein of Frazier Associates.

Tracey Kendig of The Gus Bus was in attendance to present information on their bookmobile. Ms. Kendig stressed the value of this program in the local community and stressed its goal of "early literacy".

**TOWN CLERK/TREASURER’S REPORT**

Treasurer’s Report of Cash on Hand as of March 12, 2007:

<b>Sun Trust Bank:</b>	
General Fund Account.....	\$ 3,793,137.75
<b>Cash on Hand:</b> .....	\$ 17,616.58
<b>Total:</b> .....	<b>\$ 3,810,754.33</b>

Mary Broyles, Town Clerk/Treasurer submitted to Council for approval, Accounts Payable invoices in the amount of \$ 213,053.26. **Motion:** Councilman Presgraves motioned to approve payment of the invoices as presented; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**TOWN MANAGER’S REPORT**

Mr. Black noted that all information he would be covering falls under Old and New Business in this evenings meeting.

**TOWN ATTORNEY’S REPORT**

Jason Spitler, Town Attorney, noted that the aerial truck issue with Colvin Trucking had been resolved and funds received were deposited. Also, Mr. Spitler brought to council’s attention some rule variations that had been uncovered by Officer John Brice regarding the posting of 911 addresses and stressed the importance of reconciling these.

**DEPARTMENTAL REPORTS**

**POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR’S REPORT**

Chief Page Campbell updated council on the department’s progress regarding the code enforcement of 911 addresses. Chief Campbell noted that response had been very good. In addition, Chief Campbell stated that the department had been more aggressive recently in the enforcement of snow and ice removal along town sidewalks. Many of the residents/ owners were repeat offenders and those are being handled by the town’s attorney. Coming up, the department will be enforcing yard sale permits and has several compliance days scheduled. Councilman Racer asked Chief Campbell for one of his officers to be in attendance at the next Page County Crime Solvers meeting. Councilman Menefee asked for a report at the next meeting on 911 compliance from Chief Campbell.

**PARKS AND RECREATION**

Pat O’Brien, Director of Parks and Recreation, noted that his report could be found in the council packet.

**PUBLIC WORKS DEPARTMENT**

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

The department repaired two water leaks over the last month. Upcoming projects for his department will include replacing signs and continuing to clean storm drainage ditches. Council commended Mr. Mathews and his department for an excellent job on snow removal in light of recent weather conditions.

## **WASTEWATER TREATMENT DEPARTMENT**

Charlie Hoke, Director of Utilities, noted full compliance for the month. Mr. Hoke stated that Patton Harris and Rust had submitted plans to the Department of Health and Rural Development. Both agencies gave comments back to PHRA. The town is awaiting revisions by PHRA. Also, Mr. Hoke noted that the town will hold a meeting with one particular firm regarding the request for proposal for a preliminary engineering report for nutrient reduction modifications to the sewage treatment plant.

## **TOWN PLANNER'S REPORT**

Town Planner, Ligon Webb, reported that the Brumback Avenue town homes had been denied by the Planning Commission. On Wednesday, March 14, 2007 the Planning Commission will hold a public hearing on the topic of the Regional Jail at the Luray Fire Hall at 7:00pm. Mr. Webb noted that he and other members of the Planning Commission had recently visited the Winchester Regional Jail and were quite impressed with its operations.

## **OLD BUSINESS**

Under new business Mr. Black addressed the Fair View Meadows development and noted that issues with the fair association had been resolved. **Motion:** Councilman Presgraves motioned to approve the Fair View Meadows subject to bond agreement; motion seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

## **NEW BUSINESS**

Under new business, Mr. Black presented council with a revised plan from David Puckett for the Train Depot with all considerations from the previous council work session. **Motion:** Councilwoman Shifflett motioned to approve the Train Depot design as presented; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Mr. Black presented council with a letter from Powell Markowitz, Secretary-Treasurer, for the Luray-Page County Airport Commission. The commission is requesting the Town and County fund the design cost for the airport hangars in the loan amount of \$47,000 each until the VAB funds the project. Upon this time the amount will be repaid in full to both the Town and County. **Motion:** Councilwoman Shifflett motioned to approve the request from the Luray-Page County Airport Commission as presented; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Manager Black addressed the topic of the Bluemont Concert Series. **Motion:** Councilwoman Shifflett motioned to approve supporting the Bluemont Concert Series; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Mr. Black and Councilman Racer requested council's permission for Luray Caverns to borrow a town bucket truck with town operators for the use of filming new commercials. **Motion:** Councilman Presgraves motioned to approve the borrowing of the town bucket truck for this purpose; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0** A certificate of insurance must be provided by the film company that lists the town.

Assistant Town Manager, Bryan Chrisman updated council on the VDOT reimbursement list and the associated resolution needing approval. **Motion:** Councilman Presgraves motioned to approve resolution for the request of additional streets for municipal assistance payments as presented; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Lastly, under new business, Council discussed the potential for a sidewalk along the Rte.340-West side of the Hawksbill Creek. Mr. Racer and others met with Racey Engineering and VDOT earlier today to discuss this possibility. Pat O'Brien was directed by Councilmen Racer and Presgraves to research grant issues with DCR.

### **MAYOR'S ANNOUNCEMENTS**

Mayor Dean requested a motion to adjourn into Executive Session for the purpose of the discussion to be land acquisition. Councilman Presgraves motioned to recess the regular meeting and to convene in executive session regarding Land Acquisition, Sec.2.2-3711A.3, Councilwoman Shifflett seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, and Racer. **Approved 6-0**

After reopening the regular session, Council agreed only land acquisition issues were discussed during the Executive Session.

### **ADJOURN**

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 9:10 pm.

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Mayor Ralph H. Dean

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Danielle P. Babb  
Deputy Clerk-Treasurer