

**A REGULAR MEETING OF
THE TOWN COUNCIL
OF
THE TOWN OF LURAY, VIRGINIA**

Monday, April 13, 2020

The Luray Town Council met in regular session on Monday, April 13, 2020, 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 Barry Presgraves

Council Present:

Ron Vickers
Jerry Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours
Leah Pence

Also Present:

Steve Burke, Town Manager
Jason Botkins, Litten & Sipe (via phone)

(This meeting was made public via the Town's Facebook page and YouTube broadcast. Public comments were accepted prior to the meeting via e-mail to sburke@townofluray.com)

A quorum being present, Mayor Presgraves declared the Council to be in session for the transaction of business. All present stood for a moment of silence. Mayor Presgraves led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Consent Agenda

- (A) Minutes of the Regular Council Meeting –3-9-2020
- (B) Accounts Payable checks totaling- \$ 269,026.91
- (C) Financial Statements ending March 31, 2020.

CITIZEN COMMENT

Mr. Burke stated that no citizens were in attendance and no comments were received in advance of the meeting.

ACTION & DISCUSSION ITEMS

BB&T Partial Tax Refund Ordinance

Mr. Burke requested that Council consider authorizing the partial tax refund for Branch Banking and Trust (BB&T). The error is no fault of the Town or BB&T, but was an error discovered on behalf of the Department of Taxation. This determination requires that the town along with many other localities across the State provide a partial refund on bank franchise tax from 2012 through 2014 that were not owed. Branch Banking and Trust has agreed to waive any interest that would otherwise be due. The refund will be paid through funds available from the revenue line item for Bank Franchise Tax.

Motion: Councilman Dofflemyer moved that the Town Council adopt the Ordinance authorizing a partial tax refund for the Branch Banking & Trust Company as presented. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Emergency Ordinance – Continuity in the Government

The Town Attorney, Jason Botkins, has drafted the Emergency Ordinance for the Continuity in Government for the Town associated with Public Meeting, Public Hearings, and Deadlines. The Ordinance is aimed at addressing and recognizing the COVID-19 Emergency and allows the Town to continue to conduct business. Citizens can continue to provide input by e-mail in advance of the meeting. Jason Botkins, Town Attorney, explained that this will allow Council to continue to conduct business in the manner which they are tonight, or to facilitate meetings electronically. This evenings meeting is being broadcast via Facebook and will be later moved to the Town's YouTube Channel. In addition, the meeting minutes and updates will be published also. This Emergency Ordinance provides the Council the ability to meet in person or remotely via electronic means.

Councilman Schiro asked Town Attorney Botkins what other jurisdictions are doing under these circumstances. He responded that other jurisdictions are meeting entirely electronically for the month of April, including their public hearing for budgets. Council and staff discussed that citizen comments are being handled by phone call or e-mail before 5:00pm the day of the meeting. Tonight's meeting is open to the public because this ordinance hasn't been enacted; however, no citizens are in attendance tonight.

Motion: Councilman Schiro motioned to adopt the Emergency Ordinance – Continuity in the Government of Luray, Virginia as presented. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

TOWN ATTORNEY

Jason Botkins, Town Attorney, had no further business for the evening and hopes that everyone is staying well.

ANNOUNCEMENTS/ ADJOURN

Councilman Schiro asked if the Council will meet in a work session for April. Mr. Burke stated that the work session will be held in order to discuss the Town Budget and to review the playground proposals for Imagination Station. Councilman Schiro expressed concern about Transient Occupancy and Meals Tax revenues and how the budget will be impacted.

With no further business, the meeting was adjourned at 7:14pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer