

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday, August 10, 2009**

The Luray Town Council met in regular session on Monday, August 10, 2009 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: Nancy Shifflett
Lonnie Arrington
William Menefee
Leroy Lancaster
Jerry Schiro
Earl "Rock" Racer

Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Clerk-Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney
Wayne Petefish, Lieutenant - Police
Pat O'Brien, Superintendent of Parks & Recreation
Charlie Hoke, Director of Utilities

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

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 6-0**

Consent Agenda

- A) *Minutes of July 13, 2009 Regular Council Meeting*
- B) *Financial Report for the period July 1 – 31, 2009*
- D) *Accounts payable checks totaling \$203,285.45*

PUBLIC HEARING

Acceptance of a Federal Grant for Land Acquisition at Airport

Town Manager, Rick Black, stated that the purpose of this public hearing is to receive public comments concerning application for and acceptance of a Federal Grant to be used for the purchase of real estate. The real estate is identified on Page County Tax Records as Parcel Numbers 40A1-1-45, 46 & 47 and contains 0.87 acres. The purchase of this identified real estate would be in support of the Airport Layout Plan of the Luray Caverns Airport. The proposed use of this real estate would be to expand the Runway Protection Zone as described in the Airport Layout Plan, AIP Project Number 3-51-0067-07. Currently the Luray Caverns Airport is jointly owned by the Town of Luray and the County of Page and is operated by the Luray Caverns Corporation. The airport is located in the County of Page at 1504 Airport Road, Luray, Virginia 22835. This is for the purchase of three existing residential building lots located in West-Lu Subdivision.

Mayor Presgraves opened the public hearing and asked if anyone would like to speak concerning the Public Hearing. There being no comments from the public, Mayor Presgraves closed the public hearing.

Motion: Councilman Lancaster motioned that Council approve the application and acceptance of a Federal Grant to be used for the purchase of real estate at the Luray Caverns Airport; seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro and Racer. **Approved**
6-0

GENERAL CITIZEN COMMENTS

A) Luray Little League

Pat Racey spoke on behalf of Luray Little League and was joined by Nathan Strickler and Terry Dodson. They were present to announce that the Town of Luray has been selected to host a Southeast Regional Tournament for 9-10 year old girls softball tournament champions in 2010. This tournament involves state champion teams from eight states; Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Alabama and Florida. Luray was recently selected over a site in a neighboring state. The date is around the first weekend in August after your individual state tournaments are completed, and those state champions gather to have a Southeastern Regional Tournament. This opportunity is a direct reflection on how the Little League succeeded in putting together the state tournament recently. Mr. Racey stated that a resolution from Council to support or commit to being a host site was needed. He stated that Luray would host a large number of people and it will be great exposure for the town. Hopefully local businesses would enjoy revenues generated from a long weekend event. The Park would need to have a seating capacity of 1300-1500 at one of the fields, along with other upgrades which would include press box facilities for broadcasting.

Nathan Strickler stated that the Little League did not expect the town to fully fund the project. He stated that they would explore and solicit all opportunities for grants and alternative funding sources. **Motion:** Councilman Arrington made a motion, seconded by Councilman Menefee to approve or pass the resolution giving Nathan the authority to proceed with this venture with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, and Schiro. NAY: Councilman Racer **Approved 5-1**

Pat Racey and Nathan Strickler will be back on August 25th with more information for Council. Mayor Presgraves thanked the Little League and the Department of Recreation for everything they did in the past tournament.

John Rogerson, 1033 Riverview Rd., Rileyville, VA

Mr. Rogerson was present to update Council on a survey that was conducted pertaining to alcohol consumption and drug abuse in Page County. In the Lord Fairfax Planning District Page County was number one in alcohol consumption for grades 6-12 and number two in drugs. Page Alliance for Community Action funded the survey and they received some grant money to hire three counselors for the schools. They have formed an organization and their project was to produce flyers. They also aid the Police Department and the Sheriff's Department with information to distribute. September is National Alcohol and Drug Rehabilitation Month. Mr. Rogerson invited Council to attend a meeting at the Ed Good Memorial Park on September 19, 2:00-5:00 p.m. There will be people there from Richmond and other organizations to answer questions and give out information. There are no recovery programs in the County and they are trying to work with Page Memorial Hospital to get a program here.

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Catherine Stewart reported that she and Mayor Presgraves met with two German reporters. They are the largest reporting agency in Germany stationed in New York City and are a CNBC/CNN type affiliate. They wanted to view different things from downtown Luray and throughout Page County so they could transfer the information back to New York and then to Germany.

Ms. Stewart reported that she just finished a submission to *National Main Street* magazine and is hoping that she will be accepted to attend their conference and do a presentation on way finding signage.

Ms. Stewart updated Council on projects which included creating an Arts and Culture District in downtown Luray. They are forming a committee to sit down and discuss how we could officially designate downtown Luray as an Arts and Culture District. The LDI Cash

Party will be held on September 10. They are working to keep their website updated and have linked with the Chamber of Commerce. She also gave a presentation on Space Book and the information you can post on it about Luray.

Luray/Page County Chamber of Commerce

Karen Riddle reported the Chamber is thrilled with their new location. They are continuing to have business networking breakfasts and Business After Hours. A Tourism meeting will be hosted in the new Visitors Center on August 20th at 4:00 p.m. They are continuing to work with Shenandoah National Park for the 75th anniversary and the Annual Banquet will be held on November 5th.

Airport Commission

Mr. Powell Markowitz reported that he should have some final numbers by the end of this week on the hangar project. He has been corresponding with Tom Cardman and understands the loan is eminent. They currently have four hangar units available for rent. FAA requires them to have an office and he is working with the building department to get that done as quickly as possible. The lot purchase is underway.

DEPARTMENTAL REPORTS

POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES

Lieutenant Petefish introduced the two new part-time police officers, Aaron Cubbage and Christopher Stoneberger. He also updated Council on the speed trailer results.

PARKS AND RECREATION

Pat O'Brien reported that the Triathlon will be coming up this weekend. They capped out at 600 athletes for Saturday and Sunday. Fritz Baukhages updated Council on the restroom projects. The bids were too high. We need to decide if we are going to re-bid or just build one. Mr. O'Brien received approval from the grant administrator of DCR to approve the \$65,000 to construct just one. The grant is valid until September 2010.

Mayor Presgraves stated that we need to talk about this in the Work Session on the 25th and see if we can come back with another alternative. Council asked Mr. Baukhages to inform the bidders that the project is cancelled for now.

PUBLIC WORKS DEPARTMENT

In Mr. Mathew's absence, Rick Black gave the report which included water and sewer leaks, storm drainage program, brush pickup and paving.

WASTEWATER TREATMENT DEPARTMENT

Charlie Hoke, Director of Utilities, stated that all the samples collected at the distribution system came back negative. The construction project is running behind at the water filtration plant. They are putting together a schedule for completion but he hasn't received it. The wastewater construction project is going very well.

PLANNING

Mr. Webb reported that on Wednesday the Planning Commission has one public hearing for a child care facility at 502 West Main Street. Mable Frye already keeps several children in her home, but she wants to get a state license which would allow her to keep 6-12 children. She has applied for a special use permit and he doesn't see too many issues with it.

He will give a copy of the Town Sign Ordinance to the Planning Commission and hopefully after this month we will have the suggested changes so Council can look at and approve it before it is advertised.

The Planning Commission will look at the official Zoning Map and make recommendation to Council. There are not many changes. They plan to update the zoning map every summer.

Mr. Webb will be meeting with the hospital officials on Wednesday to discuss their plans on building which will require a special use permit.

Mr. Webb updated Council on the recycling program. Recycling bins will be utilized for special events and maybe have some downtown at all times.

OLD BUSINESS

Airport Hangar Loan

Mr. Black reported that there is a supplemental resolution that Carolyn Perry put together and must be approved in order to go forward with the loan from Rural Development. **Motion:** Councilman Schiro made the motion, seconded by Councilman Lancaster that Council approve the supplemental resolution regarding the loan from Rural Development with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 6-0**

NEW BUSINESS

Luray Landing

Mr. Mark Reed reported that Baker Development has proposed to amend their Phase I plat to allow for some commercial facilities in the subdivision and to convert these over from residential to commercial. They want to pull 24 lots out of the PND. They will amend the subdivision plat to have that section as a commercial section within the subdivision. The Planning Commission unanimously endorsed the proposal. **Motion:** Councilman Arrington made the motion, seconded by Councilwoman Shifflett to approve Baker Development's proposed amendment to their PND with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 6-0**

TOWN ATTORNEY'S REPORT

Mr. Spitler requested Council approve the enactment of an ordinance regarding an alley way vacation discussed at our last meeting. The lots in question are located on First and Second Streets and Sixth and Luray Avenues. He asked for a motion approving same. **Motion:** Councilman Menefee made the motion, seconded by Councilman Arrington to approve the enactment of the ordinance regarding an alley way vacation with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro and Racer. **Approved: 6-0**

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of consideration and discussion of the investment of public funds where bargaining is involved under Section 2.2-3711.A.6, and under legal matters, consultation with legal counsel pertaining to the actual or probable litigation under Section 2.2-3711.7. **Motion:** Councilman Racer motioned to recess the regular session and to convene in executive session. Motion was seconded by Councilman Schiro with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 6-0**

Motion: Councilman Menefee motioned to adjourn the closed session and to reconvene in open session; Councilwoman Shifflett seconded the motion with the vote as follows: YEA: Council Members Shifflett, Menefee, Arrington, Lancaster, Schiro and Racer. **Approved 6-0**

Councilman Lancaster reported that some grading was done for a burn pit at Lake Arrowhead at the Boy Scout Camp which encroached on someone else's property. He stated the Town should survey and mark boundaries of properties they own.

ADJOURN

There being no further business, Mayor Presgraves adjourned the regular session of the Town Council at approximately 9:12 P.M.

Barry Presgraves
Mayor

Mary Broyles
Clerk-Treasurer