

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday, September 10, 2007**

The Luray Town Council met in regular session on Monday, September 10, 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
Danielle Babb, Deputy Clerk-Treasurer
Charlie Hoke, Director of Utilities
Lynn Mathews, Superintendent of Public Works
Page Campbell, Chief of Police
Andrew Jenner, Page News & Courier
Catherine Stewart, LDI
Attorney Mark Reed
Members of the Luray Planning Commission
Dr. Thomas Cardman, Page County Economic Development Director
Mr. Henry Mikus, Page County Director of Public Works
Members of the Page County Board of Supervisors**

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.

Before proceeding, Mayor Dean asked for a moment of silence in honor of Tommy Wilson, Jr.

CONSIDERATION OF MINUTES

REGULAR COUNCIL MEETING- August 13, 2007

Minutes of the Regular Council Meeting of August 13, 2007 were submitted for review. **Motion:** Councilman Racer 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 – September 4, 2007

Minutes of the Council Work Session of September 4, 2007 were submitted for review. **Motion:** Councilman Menefee 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**

PLANNING COMMISSION MEETING- August 15, 2007

Minutes of the Planning Commission Meeting of August 15, 2007 were submitted for review of information.

BOARD OF ZONING APPEALS HEARING- August 8, 2007

Minutes of the Board of Zoning Appeals Hearing of August 8, 2007 were submitted for review of information.

PUBLIC HEARINGS

Vacation of Alley (TM# 42A11-18-56-19)

Jo Ann Smeltzer of 576 Mont View Lane requested that the 20' alleyway behind Lot 19 of Section 2, Block 56 be vacated and combined with lot 19. However, the adjacent property owner would like this portion to be split and requested 10' of the alleyway be vacated and combined with his property. Bryan Chrisman, Assistant Town Manager, presented this request before council as the property owner was not in attendance. Council agreed that the alleyway should be split between the two property owners. Ms Smeltzer would be granted 10' of the alleyway; however the adjacent property owner would need to make a formal request. **Motion:** Councilman Menefee motioned to approve a 10' vacation of right of way to Jo Ann Smeltzer, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

SUP-07-6: Shenandoah Waste Services (TM# 42A5-A-79)

Mr. Jody Salyards of Shenandoah Waste Services, LLC has requested a special use permit for a materials recovery center in an industrial zoning district. The Planning Commission approved this permit on July 23, 2007. Most recently, members of the Luray Town Council took a trip to observe several material recovery facilities and waste transfer stations to increase their knowledge of such a facility. Mr. Webb reviewed the site visits and addressed council's concerns both in the memo enclosed in council packets, and during the evening's meeting. Mr. Jody Salyard was present before council to address council's questions and concerns regarding the proposed facility.

Council questioned Mr. Salyard on his facility in great length to explore many of their concerns. Many of the concerns regarding this facility were outlined in Town Planner, Ligon Webb's, memo to council dated August 30, 2007. As well, Mr. Webb suggested in this information conditions which we be appropriate to consider as a part of the special use permit. Overall, Council feels that they must decide what is best for both the town and its citizens and would like to discuss the issue further and hear concerns from citizens during the public hearing portion of the meeting.

Mayor Dean opened the public hearing on this issue, speakers included:

Roy Miller- 8 Randolph Rd. , Luray, Virginia

Mr. Miller spoke in favor of the facility and felt that such a facility would bring much needed jobs.

Dr. Thomas Cardman- Page County Economic Development Director

Dr. Cardman spoke on behalf of the Page County Industrial Development Authority. Dr. Cardman stressed that this business concept is future oriented and would bring a new tax base to the town and county as an industrial business. Also, he felt that this would preserve both the future of EMCO and the county landfill.

Mr. Bill Kosar- Controller, EMCO

Mr. Kosar stated that in the nature of EMCO's business there is waste or scrap that is created. He would like the opportunity to continue partnering with Mr. Salyards to recycle such materials.

Mr. Henry Mikus- Page County Director of Public Works

Mr. Mikus stated that he supports Mr. Salyards concept and believes it to be an asset which would create a positive impact on the county landfill.

Mr. Brian Leary- New Market, Virginia

Mr. Leary was very supportive of the concept and believes that this is the way of the future. He also expressed concern over landfill space.

Mr. Lowell Baughan- Chairman, Page County Economic Development Authority

Mr. Baughan feels that this industry would make Luray/ Page County marketable to other industries because of the opportunities provided by such a recycling facility.

Mr. Bill Shuler- Page County Economic Development Authority/ Shenandoah, Virginia

Mr. Schuler expressed two areas of support; the overall benefit to Page County's Economy and the opportunity to improve environmental quality.

Mayor Dean then closed the public hearing on this matter. Members of council felt that it would be best to continue their discussion of this matter at the October Council Work Session.

Adoption of an Official Zoning Map

Town Planner, Ligon Webb, presented the official zoning map before council. There are several minor changes that will be made to the map. **Motion:** Councilman Arrington motioned to adopt the official zoning map with the changes as mentioned, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.

Approved 6-0

Adoption of Luray's Comprehensive Plan

Ligon Webb along with Consultant Greg Baka presented council with the Luray Comprehensive plan and outlined the committees work on the project. Council members commended the document. Motion: Councilman Presgraves motioned to approve the Luray Comprehensive Plan, motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

GENERAL CITIZEN COMMENTS

Catherine Stewart, of LDI, presented promotional bags to council members. She noted that the bags were a part of the Virginia Mainstreet Conference which held record attendance. She also advised council of the September 12, CDBG meeting at 2:00pm. Upcoming events include the LDI Cash Party and the Halloween Event to be held on the Greenway.

TOWN CLERK/TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of September 10, 2007:

Sun Trust Bank:	
General Fund Account.....	\$ 3,389,738.62
Cash on Hand:.....	\$ 29,377.01
Total:	\$ 3,419,115.63

Mary Broyles, Town Treasurer, submitted to Council for approval, Accounts Payable invoices in the amount of \$ 201,545.01. **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, stated that repair work was coming up for several streets including, but not limited to, S. Lee Street, South Hawksbill Street, and Hawksbill Heights Drive. Also, repairs are upcoming for areas of the Greenway.

Other topics were covered by Mr. Black under New Business.

TOWN ATTORNEY'S REPORT

Town Attorney, Jason Spitler, addressed the final plat for Fair View Meadows. **Motion:** Councilman Presgraves motioned to approve the final plat for Fair View Meadows, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Mr. Spitler also updated council on his work regarding the Dofflemeyer property (proposed pocket park construction area) and the Mrotek Property (property purchase for future addition to the Greenway).

Mr. Spitler also addressed the need to reappoint Mr. Larry Getz to the Board of Zoning Appeals.

Motion: Councilman Presgraves motioned to reappoint Larry Getz to the Board of Zoning Appeals for another term, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

DEPARTMENTAL REPORTS

POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell reviewed his monthly departmental reports for council and noted that walking patrol continues. Chief Campbell reviewed recent events that his officers had covered including; Page County Agricultural and Industrial Fair, Luray Triathlon, Luray Wranglers games, and Bluemont Concerts. The Chief updated council on the status of the new officers and their training. Chief Campbell briefed council on his staff's recent radar operations on Third Street and gave the statistics of their operations. Also, Chief Campbell informed council of the weekend's events that occurred on West Main Street in Luray, in which a police officer and cruiser were endangered; however only the cruiser was damaged. This incident was turned over to the State Police immediately following for investigation.

PARKS AND RECREATION

Pat O'Brien, Director of Parks and Recreation, could not be present at the evenings meeting. Mr. O'Brien's report can be found in council's packet.

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 brush collection, drain and ditch clean-up, hanging fall banners, and hydrant repairs.

WASTEWATER TREATMENT DEPARTMENT

Mr. Hoke noted that the engineering report for the water plant has been reviewed by Rural Development. He also reviewed the funding status from Bob Arehart which was discussed at the Work Session on September 4, 2007. Mr. Hoke indicated that he expected Reid Engineering to submit a contract to design the wastewater plant upgrades. Also, Mr. Hoke noted full compliance for the month.

TOWN PLANNER'S REPORT

Town Planner, Ligon Webb, reviewed all items under the public hearing portion of the meeting.

OLD BUSINESS

There were no items under Old Business for this meeting.

NEW BUSINESS

Luray High School- Water and Sewer

Town Manager, Rick Black, noted that the new Luray High School site has requested water and sewer connections and preparations are ongoing for the logistics of this process. Also, Mr. Black noted the upcoming LHS Homecoming Parade which will take place on September 21, 2007. The parade will go from the Wrangler parking lot, down Main Street, turning on North Broad Street, and finish up at Bulldog Field.

EXECUTIVE SESSION

Personnel, Section 2.23711.A.1

Mayor Dean requested a motion to adjourn into Executive Session for the purpose of discussing Personnel, Section 2.23711.A.1. Councilman Presgraves motioned to recess the work session and to convene in executive session; Councilman Arrington 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 was discussed during the Executive Session.

Council agreed to reappoint Town Manager, Rick Black for the standard term of one year with a four percent increase in salary.

ADJOURN

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 10:05 pm.

Mayor Ralph H. Dean

Danielle P. Babb
Deputy Clerk-Treasurer