

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

The Luray Town Council met in regular session on Monday December 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  
Mary Broyles, Treasurer  
Danielle Babb, Deputy Clerk-Treasurer  
Charlie Hoke, Director of Utilities  
Lynn Mathews, Superintendent of Public Works  
Pat O'Brien, Director of Parks & Recreation  
Page Campbell, Chief of Police  
Andrew Jenner, Page News & Courier  
Catherine Stewart, LDI  
Members of the Luray Planning Commission  
Members of the Luray Airport Commission**

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- November 13, 2007**

Minutes of the Regular Council Meeting of November 13, 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**

**SPECIAL COUNCIL MEETING- November 16, 2007**

Minutes of the Special Council Meeting of November 16, 2007 were submitted for review. **Motion:** Councilman 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**

## **COUNCIL WORK SESSION- December 5, 2007**

Minutes of the Council Work Session of December 5, 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**

## **PLANNING COMMISSION MEETING- November 14, 2007**

Minutes of the Planning Commission Meeting of November 14, 2007 were submitted for review of information.

## **CDBG MEETING- November 19, 2007**

Minutes of the CDBG Meeting of November 19, 2007 were submitted for review of information.

## **PUBLIC HEARINGS**

### **The Laurance, LLC**

The applicant, Bob Harrison, is seeking a special use permit. The property was previously utilized for apartments. Mr. Harrison plans to rehabilitate the existing structure for retail and residential uses. The only issues for this special use permit are in regards to parking. Mr. Webb believes that there is an adequate supply of off street parking. The Planning Commission voted on November 14, 2007 to approve this special use permit. The Commission feels that the rehabilitation is a positive for the Town of Luray. Mr. Harrison was in attendance to speak before Council regarding his planned improvements. He presented Council Members with an exterior rendering of the property and interior sketches. **Motion:** Councilman Lancaster motioned to approve The Laurence LLC special use permit with the conditions noted by the Commission and Mr. Webb , motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0** Council complimented Mr. Harrison's efforts and noted that they look forward to seeing the project at completion.

### **Water and Wastewater Financing**

Assistant Town Manager, Bryan Chrisman, reviewed the financing issues for the Water and Wastewater Treatment Plant and infrastructure. **Motion:** Councilman Racer motioned to propose and adopt an Ordinance and Resolution authorizing the issuance of General Obligation bonds by the Town of Luray, as specified in the advertisement, and in one or more series, not to exceed an aggregate of \$14 million, for short-term financing of the required water plant, mandated wastewater plant upgrades, and associated infrastructure improvements, motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**Motion:** Councilman Presgraves motioned to select the SunTrust Bank proposal of 3.15% to complete the first (2007) phase of the necessary short-term financing in support of the mandated water and wastewater improvements required by the Town of Luray, 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**

Mr. David Lipscomb, President of the Train Depot Restoration, Inc., presented Council with a check for \$7,500. Council expressed their appreciation to Mr. Lipscomb.

Mike and Julie McCaughan (1068 Judy Lane, Stanley, Virginia) were present at the meeting to make a formal request before Council. Mr. and Mrs. McCaughan purchased a lot in Forest Hills Subdivision in April 2007 for the purpose of building a home. Mrs. McCaughan believes that she was not given accurate information regarding the water and sewer facility fees. Effective July 1, 2007 all requests for water and sewer service are subject to the Town's facility fees that were adopted in June of 2006. The McCaughan's would like to request from Council that they be charged the old rate for water and sewer facility fees. **Motion:** Councilwoman Shifflett motioned to grant the old fee rates for water and sewer, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, NAY: Lancaster, Presgraves, Racer, Mayor Dean. **Denied 4-3**

Councilwoman Shifflett stated that in the future she would like to be certain that new residents receive correct information. Councilman Arrington felt that the McCaughan's should have been told that the fees were going up. Other Council members felt that allowing the old rate to be granted would have set an unfair precedent.

**TOWN CLERK/TREASURER'S REPORT**

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

<b>Sun Trust Bank:</b>	
General Fund Account.....	\$ 3,235,789.46
<b>Cash on Hand:</b> .....	\$ 26,303.46
<b>Total:</b> .....	<b>\$ 3,262,092.92</b>

Mary Broyles, Town Treasurer, submitted to Council for approval, Accounts Payable invoices in the amount of \$ 144,539.00. **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 the CDBG pre-bid conference that was to be held on Friday, December 7, 2007 had been rescheduled for tomorrow (Tuesday, December 11, 2007) at 9:00am.

**TOWN ATTORNEY'S REPORT**

Town Attorney, Jason Spitler, addressed council regarding the Greenway Phase IV deeds of gift from David Covington and Shawn Price. **Motion:** Councilman Menefee motioned to accept the Deeds of Gift by the current owners and to authorize staff to execute the necessary documents; 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**

Catherine Stewart, LDI, informed Council members that she will be making a presentation at the 2008 National Main Street Conference to be held in Philadelphia. Also, she reminded council of the upcoming CDBG meeting, and expressed LDI's concerns over the lagging timeframe for project implementation.

Mr. Powell Markowitz spoke before Council regarding the Airport Commission. Recently Council approved the T-Hangar construction project and the associated down payment. In addition the Airport Commission is requesting additional funding for other projects. Mr. Markowitz provided Council Members with a copy of the Airport Capital Improvement Plan dated December 10, 2007. Rick Black asked for clarification from Mr. Markowitz concerning the December 10, 2007 Airport CIP, specifically if the requested \$18,364.00 covered all CIP expenses through September 30, 2008. Mr. Markowitz assured Mr. Black that that was correct. Also, Mr. Black requested an update from Mr. Markowitz concerning the easement necessary for the storm water structure that would serve the Luray Landing development and the existing commercial development. Mr. Markowitz stated that it was his understanding that everything had been taken care of. Mr. Black advised Council that the status of the storm water structure should be confirmed "as approved" prior to signing any contracts or grants associated with the airport or approving payment of the \$18,364.00.

## **DEPARTMENTAL REPORTS**

### **POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT**

Chief Campbell reviewed his monthly departmental reports for council and noted that at the January 2008 Council Meeting he will have a full year end report.

### **PARKS AND RECREATION**

Pat O'Brien, Director of Parks and Recreation, passed out a new recreation brochure which included information about the Town of Luray. Mr. O'Brien thanked the Police and Public Works Departments for their help with the 2007 Christmas Parade. There was also discussion over the condition of the Luray High School Tennis courts and if it was viable to make repairs to them. The majority of the Council expressed a desire to build new courts at the Luray Recreation Park instead of helping to replace the High School courts. Most of Council also agreed that keeping the Inn Lawn court open and operational was important.

### **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, and sign repairs.

### **WASTEWATER TREATMENT DEPARTMENT**

Mr. Charlie Hoke, Director of Utilities, noted that in regards to the water treatment plant, the health department has approved the plans and so has the engineer for Rural Development. The project should be put out to bid by the end of this year. Mr. Hoke noted full compliance for the month.

### **TOWN PLANNER'S REPORT**

Town Planner, Ligon Webb, reviewed upcoming items for the Planning Commission monthly meeting. There will be a public hearing regarding short term rentals. The commission will also review the preliminary plat from MontVue. Mr. Webb informed Council of other items on the commission's agenda.

## **OLD BUSINESS**

Bryan Chrisman briefly reviewed the VDOT Six Year Improvement Plan. Council feels that it is necessary to move the Leaksville Road Project to the Town's number one priority. However, Council wants the Reservoir Road Project to remain the number two priority. **Motion:** Councilman Arrington motioned to move the Leaksville Road Project to the number one priority ranking and to allocate 100% of the funding to the number one project; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.

**Approved 6-0**

## **NEW BUSINESS**

### **Town of Luray Holiday and Meeting Schedule**

The Town of Luray Holiday and Meeting Schedule was presented to Council for the Calendar Year 2008.

**Motion:** Councilman Racer motioned to accept the 2008 Holiday and Meeting Schedule; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.

**Approved 6-0**

### **Luray Airport**

Town Manager, Rick Black, discussed airport funding requests and the Airport Hangar Long-Term Financing. The Council expressed concerns that the storm-water pond issue for Luray Landing had still not been approved. They also expressed concern over the ever-changing Airport Capital Improvement Plan, and continual requests for un-budgeted funds. At the work session there were four long-term financing options presented before council. **Motion:** Councilman Lancaster motioned to borrow the money through the EDA with the County but for the Town to receive its own bond at closing; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.

**Approved 6-0**

## **MAYOR'S ANNOUNCEMENTS**

Mayor Dean requested a motion to adjourn into Executive Session for the purpose of the discussion of legal consultation (VA Code 2.2-3711-A.7). Councilman Racer motioned to recess the regular meeting and to convene in closed session. Councilman Presgraves 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 legal consultation was 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.

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Mayor Ralph H. Dean

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Danielle P. Babb  
Deputy Clerk-Treasurer