

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday, December 11, 2006**

The Luray Town Council met in regular session on Monday, December 11, 2006 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: Jerry Schiro, Town Manager
Rick Black, 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
Pat O'Brien, Parks & Recreation Director
Page Campbell, Chief of Police
Representatives from Premier Technologies**

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, 2006

Minutes of the November 13, 2006 Regular Council Meeting were submitted for review. **Motion:** Councilman Lancaster motioned to approve the minutes as presented, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

SPECIAL COUNCIL MEETING, NOVEMBER 17, 2006

Minutes of the Special Council Meeting of November 17, 2006 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**

PLANNING COMMISSION MEETING- NOVEMBER 15, 2006

Minutes of the Planning Commission Meeting of November 15, 2006 were submitted for review of information.

CDBG HOUSING REHABILITATION PROJECT MEETING- NOVEMBER 17, 2006

Minutes of the CDBG Housing Rehabilitation Project Meeting of November 17, 2006 were submitted for review of information.

CDBG MANAGEMENT COMMITTEE MEETING- DECEMBER 04, 2006

Minutes of the CDBG Management Committee Meeting of December 04, 2006 were submitted for review of information.

PUBLIC HEARINGS

Assistant Town Manager, Rick Black, presented information to council in the absence of Town Planner Ligon Webb who was ill and could not attend the meeting. Mr. Black presented the request from Robert Brown to Rezone .16 acres from R3 (High Density Residential) to B1-C (Business with Conditions).

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

Mr. Black also presented an ordinance amendment which would amend Section 408.1 of Appendix A of the Code of the Town of Luray, Virginia. The purpose of this change is to adopt the most recently dated Flood Plain Map. **Motion:** Councilman Lancaster motioned to approve the amendment to the flood plain map, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

GENERAL CITIZEN COMMENTS

Citizen Vickie Pitts of the Luray Tree and Beautification Committee expressed sincere thanks to the Mayor and Council for their continued support of the committee and noted various updates from the committee.

Catherine Stewart of LDI presented new signage that has been created for the purpose of inviting tourism to the downtown area. The new signage will be placed on billboard space donated to the Luray Downtown Initiative.

TOWN CLERK/TREASURER’S REPORT

Treasurer’s Report of Cash on Hand as of December 11, 2006:

Sun Trust Bank:	
General Fund Account.....	\$ 3,030,859.78
Cash on Hand:	\$ 18,155.32
Savings Accounts:	
PVB-FmHA Sewer Plant Sinking Fund.....	\$ 28,788.00

Mary Broyles, Town Clerk/Treasurer submitted to Council for approval, Accounts Payables invoices in the amount of \$ 147,986.47. **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

Mr. Schiro 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, briefed the council on staff's approach to counsel regarding the current pro-ration of personal property taxes. Staff would like to establish January 1 ownership of personal property and discontinue the pro-ration of personal property. Mr. Spitler noted that when reviewing the fiscal information on this approach the town is actually losing money by pro-rating taxes. **Motion:** Councilman Lancaster motioned to approve the January 1 tax date of ownership and that personal property taxes would not be pro-rated; motion seconded by Councilman Presgraves 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 Page Campbell noted that all information could be found in the Council Packet. Chief Campbell noted the recent graduation of Lt. Wayne Petefish from the Department of Forensic Science Academy.

PARKS AND RECREATION

Pat O'Brien, Director of Parks and Recreation, noted all information could be found in his report to council.

PUBLIC WORKS DEPARTMENT

Public Works Director, Lynn Mathews reported that all of the monthly water samples checked out OK. The department made one new water and one new sewer tap. Upcoming projects for his department will include general clean-up and cleaning of drainage ditches.

WASTEWATER TREATMENT DEPARTMENT

Charlie Hoke, Director of Utilities, noted one exception to compliance for the month. This exception was due to the heavy amount of rainfall in the area recently. Mr. Hoke noted that the WWTP is on schedule and should be out for bids by the end of next month.

TOWN PLANNER'S REPORT

Assistant Town Manager, Rick Black, noted the Wednesday, December 13th meeting. He emphasized the meeting would include the public hearing for the Rezoning of the land to be included in the Luray Heights Project.

OLD BUSINESS

Mr. Schiro reminded council that there is still a need to fill both the regular Planning District Commission Seat and the Executive Committee Seat on the Northern Shenandoah Valley Regional Commission.

Mr. Schiro also asked council for authorization for staff to prepare the necessary resolutions to discontinue the sale of the Town Decal in April 2007. The County of Page and Town of Stanley have both already decided to discontinue their sale of decals. The fee however, will not be waived. The fee will be added to the personal property tax bill. The decals fee would then be enforced by the Division of

Motor Vehicles “Stops” program. This program allows the municipality to place a “stop” on allowing the vehicle owner to renew his or her vehicle registration until taxes and fees are made current. This process would eliminate the hassles associated with the actual “sticker” but would still generate revenue from the “fee” of the decal. **Motion:** Councilman Presgraves motioned to allow staff to prepare the necessary resolutions to discontinue the sale of the Town Decal; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, NAY: Racer. **Approved 5-1**

NEW BUSINESS

Under new business Mr. Schiro asked council to consider amending the Fiscal Year 2007 budget to purchase hardware and software updates to accommodate the new tax billing requirements. . The most feasible option is for the Town to convert to the BAI system. The costs for the upgrades are estimated at \$75,500.00. This would mean the Town and County would both be operating on the same software which would allow for greater compatibility and exchange of information between the two entities. This solution would eliminate the problems and margin for error with making manual changes to our tax payer accounts. Also this would give the Town of Luray the independence of creating its own tax bills. As well, the Town has outgrown its current server and will need to be upgraded with the assistance of Premier Technologies. The BAI system would not only be more compatible but would be beneficial to the town’s citizens as well. With all the changes that are to come concerning the pro-ration of Real Estate this upgrade would be greatly beneficial in the long run.

There were concerns on this upgrade in technology made by Councilman Racer and those concerns were addressed by Mr. Schiro. Mr. Schiro noted that all the details as well as cost analysis could be found in the Town Manager’s Report.

Motion: Councilman Racer motioned to approve a budget amendment in the amount of \$75,500 to allow for new IT upgrades including hardware and software; motion seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

MAYOR’S ANNOUNCEMENTS

Mayor Dean reminded everyone of the Town Christmas Dinner on December 20, 2006 at 6:00pm at the Luray Fire Hall.

Mayor Dean requested a motion to adjourn into Executive Session for the purpose of the discussion of personnel issues pursuant to Virginia Code Section 2.2 – 3711 Paragraph 7. Mr. Menefee 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 personnel issues were discussed during the Executive Session. **Motion:** Councilman Menefee motioned to reconvene into open session; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Motion: Councilwoman Shifflett motioned to accept the agreement between the Town of Luray and Mr. Rick Black as Town Manager; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

The council discussed changing departmental reports to include a short synopsis of current issues to be discussed during council meeting so that the public may hear what is currently going on regarding such departments.

The council expressed thanks to Mr. Schiro for his years of service and dedication to the Town of Luray.

ADJOURN

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 8.35 pm.

Mayor Ralph H. Dean

Danielle P. Babb
Deputy Clerk-Treasurer