

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
December 12, 2005**

The Luray Town Council met in regular session on Monday, December 12, 2005 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 Dean

Council Present: Nancy Shifflett Barry Presgraves Leroy Lancaster
Earl "Rock" Racer William Menefee Gerald Snyder

Also Present: Jerry Schiro, Town Manager
Rick Black, Assistant Town Manager
Mary Broyles, Clerk-Treasurer
Shelley Owens, Deputy Clerk-Treasurer
Page Campbell, Chief of Police
Lynn Mathews, Superintendent of Public Works
Charlie Hoke, Wastewater Superintendent
Jason Spitler, Town Attorney
Media: 1 (Page News & Courier)
Other Interested Parties Present: 11

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

Minutes of the November 14, 2005 Regular Meeting of the Luray Town Council were submitted for review. **Motion:** Councilman Racer motioned to approve the minutes as presented; motion seconded by Councilman Presgraves with the following YEA: Council Members Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved 6-0.**

FISCAL YEAR ENDING JUNE 30, 2005 AUDIT REPORT

Mary Earhart of Robinson, Farmer, Cox Associates discussed the Independent Auditor's Report presented with the Town of Luray Financial Report for the year ended June 30, 2005. This report which reflects the auditors opinion on the financial statements indicates the compliance tests performed disclosed no reportable instances of noncompliance. Ms. Ahart stated the town has been provided with an unqualified opinion which is the highest opinion achievable from an audit perspective. Fiscal year end fund balances indicate the town experienced a positive net change of over \$181,000.00. The Statement of Revenues, Expenses, and Changes in Fund Net Assets of the water and sewer funds illustrates the water fund sustained a net income of \$9,238.00 for the year while the sewer fund balance indicates a net loss of \$358,358.00. Exhibit 7 of the audit report identifies the water fund has borrowed from other funds over the years which has resulted in a balance due to other funds in the amount of \$748,033. Ms. Ahart stated these balances suggest the water and sewer rates may not be adequate to provide self-sustaining funds. Ms. Ahart stated the 2005 audit includes clean opinions in respect to internal control over financial reporting. In reference to the Single Audit Opinion which is required when a municipality receives in excess of \$500,000.00 in federal funding, no findings of noncompliance were reported.

Ms. Susan Byers of Robinson, Farmer, Cox Associates provided Council with a verbal overview of her findings as the on-site 2005 auditor. As in prior years, additional segregation of urban highway funds is needed to provide a clear perception of state funds versus other street funds. During the audit Test of Appropriations, Ms. Byers noted some account expenditures exceeded budget forecasts. This was attributable to various approved unanticipated expenses throughout the year.

GENERAL CITIZEN AND ORGANIZATION COMMENTS

Virginia Transportation Safety Board

Ms. Judy Suddith of the Commonwealth of Virginia’s Transportation Safety Board provided Council with updates on current and future projects involving the Board. Ms. Suddith explained the Safety Board is currently developing a bicycle map which will be distributed throughout the state and will be used as an excellent tourism tool. Ms. Suddith is working towards including the Luray Hawksbill Greenway on this state bicycling map. As Luray and Page County continue to grow and the traffic volume increases, motorists and pedestrians need to become more aware of each other by increasing safety and public awareness. As a Board member, Ms. Suddith offered her assistance to help identify safety issues and solutions to these issues in our community by implementing traffic safety related programs.

Luray Downtown Initiative (LDI)

LDI Director, Ms. Diana Scharff, provided Council with a printed and verbal synopsis of the Luray Downtown Initiative events for November of 2005, a current Profit & Loss Statement, a report from the New Bern Presentation, a Driving Tours Brochure, and a mock-up printing of the new LDI website home page. Ms. Scharff also highlighted upcoming activities including placement of flower baskets on street light poles and the possible formation of a local Merchant’s Association.

Snow Shoveling

Citizen, Jim Fargo expressed his gratitude to Chief Campbell and Officer Brice. Mr. Fargo stated he observed citations being issued to residents failing to comply with town snow removal ordinances following the last snowfall.

TREASURER’S REPORT

Treasurer’s Report of Cash on Hand as of December 12, 2005:

SunTrust Bank:	
General Fund Account.....	\$ 2,787,239.88
Pioneer Bank:	
General Fund Account.....	\$ 0.00
Cash on Hand:	\$ <u>33,360.18</u>
TOTAL:	\$ 2,820,600.06
Savings Accounts:	
PVB-FmHA Sewer Plant Sinking Fund.....	\$ 28,788.00

Mary Broyles, Town Clerk / Treasurer submitted to Council for approval, Accounts Payable invoices in the total amount of \$ 138,353.20. **Motion:** Councilman Menefee motioned to approve payment of the list of invoices presented, seconded by Councilman Presgraves with the following council members voting YEA: Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved: 6-0.**

TOWN MANAGER'S REPORT

Community Development Block Grant (CDBG)

Town Manager, Jerry Schiro stated the town was reimbursed \$11,000 from the Department of Housing Community Development Block Grant for the Downtown Planning Project conducted by Frazier and Associates. On Friday, December 9, 2005, Governor Warner announced the Town of Luray will receive additional CDBG funds in the amount of \$780,000.00 for the downtown restoration / revitalization projects. Mr. Schiro stated although the town was not included in the first cycle of community development grant funding, the agency pools all funds at the end of each year and reconsiders applicants in sequence based on specific criteria. Staff, the LDI, and Management Committee members will be meeting with Todd Christianson on Thursday, December 15, 2005 to discuss new opportunities for the upcoming year. The Mayor and Council are invited to attend this meeting to be held in Council Chambers at 11:00 a.m.

Property Rezoning

Mr. Schiro indicated he met with the Page County Board of Supervisors in reference to the issue of rezoning property adjacent to the Luray-Page County Airport. The Board of Supervisors referred this matter back to the Page County Planning Commission for further evaluation. The County Planning Commission will be holding a joint meeting with the Town Planning Commission to review issues related to this proposed rezoning. Mr. Schiro reiterated concerns expressed to Council by the Airport Commission in his December Manager's Report included in the Council packets.

Lord Fairfax Community College

Mr. Schiro stated the construction of the Lord Fairfax Community College Luray Campus is now complete. Council has been invited to a preliminary open house of the facility to be held December 19, 2005 from 4:00 to 6:00 p.m.

Parks & Recreation

Parks Director Pat O'Brien is participating in the Christmas Tree Decorating Contest being held tonight at the Mimslyn. Jerry Schiro commended the Parks Department for their work on the Town Council Parade Float and the Christmas Parade in addition to the department's assistance to the LDI and their work installing the new doors and windows at the Train Depot. The town will realize considerable savings in rehabilitation expenses as a result of the Parks and Recreation staff installing these items.

TOWN ATTORNEY'S REPORT

Town Attorney Jason Spitler stated he has been primarily working with issues pertaining to inoperable vehicles this month. He has also been working with the Police Department in reference to other issues not yet addressed in the new town codes. Mr. Spitler will be drafting additional ordinances relevant to these issues which will soon be presented for Council consideration.

DEPARTMENTAL REPORTS

• POLICE - PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

In addition to presentation of activity and statistical departmental reports presented for the month of November 2005, Chief Page Campbell updated Council on the following issues. New officers Lansberry and Foster graduated from the Police Academy on December 2, 2005. Officer John Brice has pro-actively addressed approximately 50 calls regarding various code compliance issues this month.

- **PUBLIC WORKS DEPARTMENT**

Public Works Director, Lynn Mathews stated all water tests were in compliance during the month of November and the department made one new water and sewer tap this month. Department projects for the month of December include sign maintenance and replacement, tree trimming, and correcting some ditch drainage problems.

- **WASTEWATER TREATMENT DEPARTMENT**

Wastewater Superintendent, Charlie Hoke stated the Department of Environmental Quality performed a technical and laboratory inspection of the wastewater facility this month. All inspection results indicated the facility passed. Draper Aden Associates will be conducting the upcoming Nutrient Production Analysis of the wastewater plant. Mr. Hoke indicated the wastewater plant is in compliance with all state and federal regulations.

OLD BUSINESS

Alley Dedication – Thomas Wiatrowski

Jerry Schiro stated Mr. Wiatrowski's request for dedication of the alleyway adjacent to his property, was the subject of a public hearing during the November 14, 2005 Town Council meeting. No public opposition was presented in reference to this dedication. **Motion:** Councilman Lancaster motioned to approve vacation of the public right-of-ways as requested by Thomas Wiatrowski identified as Page County Tax Map #42A12-3-44 and described as a twenty foot (20') right-of-way separating lots 6 & 7 from lots 10 & 11 adjacent to Mr. Wiatrowski's property at 503 Ninth Avenue in Luray Virginia. Motion seconded by Councilman Menefee with the following YEA: Council Members Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved 6-0.**

Committee and Commission Appointments

Jerry Schiro stated Council will be appointing members of the various town committees and commissions in January 2006. As agreed to by Council, each Councilmember and the Mayor will appoint one individual to each committee and commission. Appointments will run concurrent with the corresponding official's term. Mr. Schiro reminded Council that about one year ago, the Economic Development Committee Chairman, Joe Davis requested Council dissolve this committee. At that time, Council agreed that this committee should not be disbanded until such time as the county created an Economic Development Committee. Councilwoman Shifflett stated the town needs a vibrant Economic Development Committee to focus not only on the downtown area of Luray but also the east and west ends of town. Councilman Presgraves suggested Council meet for a work session to discuss committee and commission appointments before the regular Council meeting in January. Following further discussion, it was the consensus of Council to hold a work session on Tuesday, January 3, 2005 at 6:00 p.m. in Council Chambers.

NEW BUSINESS

Water and Sewer Connections – Chris Ramsey

Jerry Schiro stated Mr. Chris Ramsey is requesting modification to the out-of-town water and sewer connections the Town granted to the previous property owner, Art Ellis. The new property owner, Mr. Chris Ramsey is proposing to construct approximately 96 townhouses on the property which is located in Page County off of Fairview Road. Photographs of the proposed townhouses and design elevations were provided for Council review. Councilman Racer stated Mr. Ramsey will need to provide additional documentation of the intended construction of these units including design standards before making a decision regarding Mr. Ramsey's requests. Mr. Schiro stated Mr. Ramsey will provide concept designs to include the addressing of traffic issues, estimated purchase prices of the units, draft homeowners association documents, and related information for Council review if he has reasonable assurance that

Council will consider his proposal. In response to Councilman Menefee's question, Mr. Ramsey indicated he would be willing to work with the town to pursue adjustments to the town corporate boundaries; however, he would like to have the privilege of constructing duplexes on the property. Following further discussion, it was the consensus of Council to authorize staff to work with Mr. Ramsey in developing a design plan to present to Council for consideration and approval.

MAYOR'S ANNOUNCEMENTS

Mayor Dean initiated discussion of adding a full-time Planner to the town staff. \$30,000.00 was budgeted to provide funds to share in the cost of the county hiring a Planner however the county is no longer considering creation of this position. The Mayor indicated that in consideration of the rapid growth of the town, we need to begin advertising for this position soon. **Motion:** Following discussion, Councilwoman Shifflett motioned to authorize the Town Manager to proceed with advertising for the position of Planner / Economic Development Director. Motion seconded by Councilman Snyder with the following council members voting YEA: Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved: 6-0.**

Mayor Dean commended staff and parade participants for providing an excellent Christmas Parade last week. The Mayor received several comments from people who indicated this year's parade was one of the best the town has ever had.

There being no further business to transact, Mayor Dean adjourned the regular session of the Town Council at 8:00 p.m.

Mayor Ralph H. Dean

Attest:

Michelle Owens, Deputy Clerk / Treasurer