

**MINUTES OF A TOWN COUNCIL WORK SESSION
TOWN OF LURAY, VIRGINIA
Tuesday, May 22, 2012**

The Luray Town Council met in a work session on Tuesday, May 22, 2012 at 5:30 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: Ronald Vickers
Mary Menefee
Leroy Lancaster
Jerry Schiro
Earl Racer

Council Absent: Lonnie Arrington

Also Present:

Rick Black, Town Manager
Danielle Babb, Deputy Clerk Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney
John Meaney, Luray Planning Commission
Pat O'Brien, Director of Parks and Recreation
Bryan Cave, Cave Law- Campbell Street Parking
Megan Dalton, Shenandoah Valley Soil and Water Conservation District-Harrisonburg Division
Linda Campbell, Shenandoah Valley Soil and Water Conservation District- Board of Directors
Charlie Newton, Shenandoah Valley Soil and Water Conservation District- Board of Directors
Julian Price, Shenandoah Valley Soil and Water Conservation District- Board of Directors
Page News and Courier

The meeting was called to order by Mayor Barry Presgraves and everyone recited the Pledge of Allegiance to the flag. The roll was called with one member absent.

Shenandoah Valley Soil & Water Conservation District

Megan Dalton, Manager – Shenandoah Valley Soil & Water Conservation District Office- Harrisonburg

Megan Dalton, District Office Manager, introduced herself and members of the board of directors; Linda Campbell, Charlie Newton and Julian Price, all Page County residents. Ms. Dalton thanked members for the opportunity to provide attendees with a short presentation. She stated that her goal was to inform attendees about the conservation district and to allow the opportunity for council members to ask questions and learn more about the organization. Ms. Dalton provided a power point presentation about the organization and noted that the office is located in Harrisonburg with a service area of Rockingham

and Page Counties. The organization is a multi level agency and focuses on the administration of financial and technical assistance for non-point source pollution to improve soil and water quality. Ms. Dalton reviewed the members of the board of directors, associate directors, and staff members. She also reviewed the sources of district funding including; local sources, state sources, federal, and other private partnerships. Ms. Dalton reviewed the Chesapeake Bay TMDL, which refers to the total maximum daily load. This reference is significant to many localities as it defines the amount of pollution that is allowed to drain to the Chesapeake Bay. Ms. Dalton reviewed other aspects of the agency including the Agricultural BMP Cost Share Program, Agricultural and Residential Assistance, Dam Operation and Maintenance, Conservation Education and Outreach, Voluntary BMP Data Collection, and Partnerships with other agencies.

Ms. Dalton presented pictures of conservation efforts that members may see happening locally. Those photos included cropland conversion to hay or pasture, winter cover crops, and stream fencing with alternative water sources for livestock. She emphasized that all of these efforts are voluntary. Ms. Dalton stated that the driving force behind all of these initiatives is the overall health of the Chesapeake Bay. By transitioning local farmers into becoming better stewards, further regulation can be postponed. Councilman Schiro asked if regulatory control is anticipated. Ms. Dalton stated that if progress cannot be made, then likely regulation will happen. Board Member, Mr. Charlie Newton, clarified that Ms. Dalton is discussing local programs that are offered by the district office. He acknowledged that there is a much larger problem and many localities have upgraded their plants to comply with DEQ and EPA regulations. He said that while these regulations are in fact in place, the district is still working with local landowners on the non-point sources of pollution.

Ms. Dalton further discussed the TMDL program and its ties to Page County directly. She stated that through a federal grant, additional district staff members were hired to work on the implementation of this program within Page County. The goal of the program is provide technical and financial assistance for agricultural and residential practices. Councilman Lancaster verified that these programs are all voluntary. Ms. Dalton said that the program has no jurisdiction and works strictly to guide residents and assist them in fixing issues. Ms. Linda Campbell, Board Member, stated that this is the last year of this particular grant program and that upon completion the program will be re-located to a new watershed district. Ms. Dalton advised council members that the total assistance provided by programs during the 2011 Fiscal Year Program totaled \$716,782 for the implementation of conservation efforts.

Ms. Dalton discussed the ways that district staff assists the Town of Luray specifically. She noted that staff works with the Town on the operation, maintenance, and inspection needs associated with its two dams. Also, district staff attends and participates in the State Dam Safety Program and is available to assist with those needs for the town. The District office also works locally with youth conservation education efforts and community outreach; including workshops and even Earth Day on the Luray Hawksbill Greenway Trail. Also, the district office assisted the town with its CREP project and in 2006 presented the parks and recreation department with the Urban Forestry Award. Ms. Dalton offered the program's resources to the town council members and their constituents and invited members to attend local conservation meetings. Ms. Linda Campbell, board member, discussed additional ways that the organization has worked with the Town of Luray on grant projects and asked for the town's continued support of the Shenandoah Valley Soil and Water Conservation District.

Campbell Street Parking

Town Manager, Rick Black, stated that he has received a request from Mr. Bryan Cave. Mr. Black explained that Mr. Cave will be opening his law practice at 7 Campbell Street, next to Domino's Pizza.

Currently there are a total of 9 “15 minute” parking spaces either in front of or across the street from this address. These parking spaces are primarily used for post office business or by patrons of Domino’s Pizza. Mr. Cave is requesting that two parking spaces located in front of his business be changed to “30 minute” spaces. Mr. Black said that he does not believe this request is unreasonable and should not affect anyone else. Mr. Cave stated that he is asking the Council to approve the changes for the last two parking spaces on Campbell Street. Mr. Cave stated that the spaces he is requesting are also, in his opinion, the farthest from the post office.

Motion: Councilwoman Menefee motioned to authorize two “30 minute” parking spaces in front of 7 Campbell Street; Councilman Vickers seconded the motion with the following members voting YEA: Council Members Vickers, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

Councilman Lancaster requested to remove the “15 minute” parking spaces in front of McKim and Huffman Pharmacy since the business is no longer operating.

Concession Stands

Mayor Presgraves stated that he would like to discuss the Concession Stands at the R.H. Dean Recreation Park in regards to recent games/tournaments. Mr. Black stated that he has received complaints from both Mayor Presgraves and Councilwoman Menefee about the hours of operations for the concession stands at the park. Mr. Black said that currently the town is operating the stand at an average of 35.3 hours per week. The concession stand is already operating more than originally planned; based on last year’s average of about 26-28 hours. Mr. Black maintained that regardless of who is running the stand, it is still open more than in previous seasons.

Mr. Black explained that there have been issues with games on Saturdays; some games may be scheduled in advance and then cancelled at the last minute. He advised that it is extremely difficult to plan ahead when the schedule is changed weekly. Councilman Lancaster said that, in fact, the schedule seems to change on a daily basis. Mr. Black said that it does not make sense to open the stand for 2 hours in the morning and then re-open the stand for the evening hours. Mr. Black noted that a recent high school tournament was planned in advance and the concession stand at Field #5 did very well, while a second stand was opened simultaneously for a Little League game which saw very little use. Mayor Presgraves said that he would like to see us use our “nicest” facility at Field #5. Councilwoman Menefee explained that the complaints she received were not about “which” stand was open, but that “none” of them were open.

Councilman Schiro asked how many people are currently working the stand. Mr. Black said that the town has designated one employee to work concessions. Mr. Schiro asked if the stands are not being opened during tournaments. Mr. Black stated that the stands are always open for tournaments, while it is the unscheduled games that the stand may not be open for. Director of Parks and Recreation, Pat O’Brien, said that last Saturday was a prime example of the problem. He said that two games were played at 10:00am with no games until later that day at 2:30pm. Mr. O’Brien said that he did not instruct his employee to come in early to open up for the two earlier games. Mr. O’Brien stated that if the Council wants him to open the stand whenever there is a game conducted, then additional staff must be hired. Mr. Black explained that he understands that various games are being scheduled; however, receiving one days notice in a schedule change is not sufficient for scheduling staff to open the concession stand.

Councilwoman Menefee asked staff what they felt may be a solution to this. Mr. Black said that the goal is to provide the best service that they can to “most” of the people who attend games, while not losing too

much money. Councilwoman Menefee asked if there is a communication issue with the league board. Mr. Black said he does not feel it is ever cost effective to open both stands at the park unless there is a large tournament. Council and staff discussed hiring additional staff to work in the stands. Mr. Black reminded that in order to meet health permit requirements, the staff must be certified in order to prepare specific foods. Councilman Schiro stated that council needs to determine if its purpose in providing the concessions is to make money or to provide a service for the visitors of the park. Both, Mr. Black and Mr. O'Brien agreed that this is not going to be a money making source for the town. Councilman Schiro asked if it is feasible to hire additional personnel and have them be certified. Mr. Black said that the second stand can be opened with a limited menu.

Mr. O'Brien maintained that he is looking for direction on this and does not feel that some of the complaints are based on correct information. Councilman Vickers inquired about the responsibility level needed for additional staff members, who would be responsible for opening, closing, and handling funds. Mr. O'Brien maintained that his concern is not over staff but how the staffing costs relate to his department's budget. He stated that when last year's budget was implemented there was no foresight that the department would be running the concession stand. Mr. O'Brien stated that none of the materials, staffing, etc. were included in his budget. Councilman Schiro said that one of the issues is the perception that the town took control of the concessions, but is now not operating it properly. Mr. Schiro said that while this is the perception of the public, the fact is that the little league did not want to continue operating the concession stands. Thus, the end result was the town stepping in to provide this service. Councilman Schiro said that certainly the town does not want to lose a great deal of taxpayer money in operating this facility but does need to provide a level of service for the recreation program. Councilwoman Menefee and Mayor Presgraves both agreed that the town is getting bad press over these complaints. Mr. O'Brien said that the town was tasked with running the concession stands and therefore a staff member was hired to do so. He expressed that if additional staff is desired, then he would like direction to do so. Mayor Presgraves said that he feels it is embarrassing to the town's facility. Mr. O'Brien asked if it is the Council's wish to hire more people and be open during all the games. Mayor Presgraves said that it is not up to him to manage the facility, nor is it up to the Council to manage it. He said that if managing the concession stand is his job, then he doesn't need staff members to do so. Mr. Black expressed that it is, in fact, his job to manage the town's budget.

Councilman Vickers said that he would like for Council to authorize Mr. O'Brien to hire additional staff, up to 20 hours per week, to run the concession stand. Councilman Lancaster stated that this should be left up to Mr. O'Brien and Mr. Black. Councilwoman Menefee maintained that she is not expecting both stands to be open, but perhaps some signage or better communication. Mr. O'Brien agreed that better communication with the league, in regards to scheduling, could be helpful. Councilman Lancaster reminded that the complaints are only coming from a few community members. Mayor Presgraves stated that Council was not going to give the directive to hire additional staff. Councilwoman Menefee told staff that in no way is this a reflection upon them, but she is getting information/complaints from the public on this issue. Mr. Black stated that he and Mr. O'Brien will meet on the issue tomorrow.

VRS Updates

Employer Retirement Contribution Resolution

Town Manager, Rick Black, discussed two resolutions that will be action items for the June 11th regular meeting. The first resolution is the full payment option for the VRS Employer Retirement Contribution which is incorporated in the FY2013 budget. This option keeps the town from paying extra at a later time.

Also, included in the proposed budget is the full employee five percent which prevents a two tiered benefit system for town employees. Mr. Black said that he encourages both of these resolutions.

Line of Duty Act (LODA)

Mr. Black stated that he also has information regarding the Line of Duty Act. Last year the council voted to utilize VRS for this program. Mr. Black said that the council has the option to opt out of the VRS program, which he advises against. This resolution will also appear on the agenda for June 11th.

Virginia Resources Authority Refunding

Town Manager, Rick Black, said that Virginia Resource Authority has potential savings for refinancing the town's debt. Total savings for the town may amount to as much as \$245,000. Mr. Black said that Council has been instructed to vote on this at the June 26th work session according to the town's bond counsel.

Luray Landing Boundary Line Adjustment

Mr. Black said that he would like to set a date for the public hearing regarding this request. Mr. Black explained that the public hearing must be advertised twice prior to holding the hearing. Advertising costs will be at the expense of Page Community Development LLC. Councilman Lancaster suggested advertising this for the August 13th meeting. Town Attorney, Jason Spitler, stated that the developer would be responsible for drafting the advertisement and the agreement.

FY July 1, 2011 – June 30, 2012 Budget Amendment

Town Manager, Rick Black, said that a budget adjustment needs to be made for the current fiscal year. He explained that by code any adjustment exceeding more than 1% of the current budget requires a public hearing. This public hearing will be scheduled for the June 26th meeting. Also, at this time Council will need to grant authority to the Treasurer to balance accounts at year end.

Price House

Mr. Black said that previously the town purchased the Price property and estimated renovations to plumbing and electricity would exceed \$50,000. In the interest of cost savings, he said that it would be best to try to utilize this space by removing the structure. Mr. Black said that renovating the building would not address any needs of the town. He explained that \$50,000 would be spent far more wisely on the construction of a storage facility to house traffic control materials. Currently, the town houses traffic signs, barricades, and other equipment in approximately six different locations. Mr. Black said that due to the extremely mild weather this past winter, funding remains in the town's VDOT allocation to address this issue. Mr. Black proposes removing the structure and then using this area to construct a traffic control storage facility. He also suggested that the local fire department assist in removing the structure.

Motion: Councilman Lancaster motioned to authorize the removal of the Price House and to construct a new storage facility for traffic control materials through the use of VDOT funds; Councilman Vickers seconded the motion with the following members voting YEA: Council Members Vickers, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

Town Attorney

Town Attorney, Jason Spitler, provided a few updates since the last Council meeting. Mr. Spitler said that Chief Campbell has revised the application for taxicab driver permits and the public certificate pursuant to changes in the taxicab ordinance. Mr. Spitler stated that the Page County Board of Supervisors unanimously approved the boundary line adjustment agreement concerning the R.H. Dean Recreation Park at its meeting last Tuesday. This matter will go before circuit court on June 12th and Mr. Spitler anticipates receiving approval.

Announcements

Mayor Presgraves reminded Council members of the VML Town Sections Meeting in Gordonsville on June 7th. Those interested in attending will need to respond to Mr. Black no later than May 30th.

Councilman Vickers inquired about a previous presentation regarding tree plantings on West Main Street. Mr. Black said that the town plans to pursue the project and fall would be the most appropriate time to begin work.

Mr. Black informed Council members that the town has been approached about the concept of placing a dog park on the greenway. Mr. Black said that while he is supportive of the concept of a dog park, he does not feel that town property is the best location. Mr. Black said that he has concerns about the liability of such a facility on town property and the associated maintenance that would be required. As well, the town also incorporates a leash law in its town code. Councilman Vickers and Councilwoman Menefee stated that they would like more information on what this type of project would entail. Mr. Black said that a fenced in area would be required and an appropriate location. Councilman Lancaster said that this does provide pet owners an opportunity for their dogs to socialize. However, he said that the greenway is likely not the best location. Councilman Schiro said that he has had some experience on this subject and members should consider liability issues carefully. Council members and staff discussed that dogs are allowed on the greenway, but must abide by the leash law.

Councilman Vickers inquired about the status of LDI's move to the depot office location. Mr. Black responded that we are still waiting on hardware to complete the office doors. Mr. Black reminded that the architect is in charge of the design of the project.

Mayor Presgraves reminded of the town of Shenandoah's Memorial Day Parade coming up this weekend, he will be sending members an email with the details.

Adjourn

There being no further business, Mayor Presgraves adjourned the work session of the Town Council at approximately 7:02 pm.

Barry Presgraves
Mayor

Danielle P. Babb
Deputy Clerk-Treasurer