

**MINUTES OF A TOWN COUNCIL WORK SESSION  
TOWN OF LURAY, VIRGINIA  
Tuesday, October 23, 2012**

The Luray Town Council met in a work session on Tuesday, October 23, 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  
Lonnie Arrington  
Mary Menefee  
Leroy Lancaster  
Joey Sours  
John Meaney**

**Also Present: Bryan Chrisman, Assistant Town Manager  
Mary Broyles, Town Clerk/Treasurer  
Danielle Babb, Deputy Clerk Treasurer  
Ligon Webb, Town Planner  
Jason Spitler, Town Attorney  
Jerry Schiro, Luray Planning Commission  
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 all members present.

**Wendel Energy Preliminary Assessment**

Assistant Town Manager, Bryan Chrisman, advised Council that included in their packet is a copy of the condensed version of the preliminary assessment from Wendel Energy. This was a free preliminary assessment that has been completed, a formal energy audit for the town would cost about \$50,000 to \$70,000. A formal assessment would not include any infrastructure improvements. Actual infrastructure improvements would be needed to begin realizing any potential cost savings to the town. Mr. Chrisman said that a full report can be provided to Council if they so choose. Mr. Chrisman recommends that when considering the town's size, the associated cost of such an audit, and the needed improvements; he does not feel this would be a wise use of town funds during these economic times.

**Town Planner's Report**

Town Planner, Ligon Webb, announced that the Monument Dedication will be held this Saturday at 11:00am. He stated that he has prepared a pamphlet to have available at the ceremony. Mr. Webb anticipates that some of the Barbee family will be in attendance. He stated that the pocket park area at the

monument has come together nicely and he thanked Park and Recreation for their work on this. Mr. Webb said that he hopes all Council members can attend on Saturday.

Mr. Webb stated that he plans to work on the Request to Administer for the Bridge and for the Six Year Improvement Plan. Mr. Webb said that he plans to be respectfully aggressive on trying to get this project going. He stated that he knows there are procedures that must be followed but he hopes to get these projects moving. He advised that the sooner the bridge project begins, the sooner it will all be complete. Mr. Webb said that he will be attending VDOT training in Richmond this week for self administered projects. He hopes to gain lots of information on these procedures.

Town Planner, Ligon Webb, advised of the public hearing for a rezoning of the old IGA property. The developer plans to close on the purchase of the property at the end of December. Presently, the subject parcel contains a “split zoning” of R3 and B1. The front portion of the parcel is zoned B1, and the rear portion of the parcel is zoned R3. The applicant seeks to rezone the rear portion of the parcel to B1.

### **CDBG Revolving Loan Program**

Assistant Town Manager, Bryan Chrisman, stated that there are several items included for Council’s review. Those items are the CDBG Income Plan, a sample loan agreement, and previously approved action items. Mr. Chrisman explained that the microenterprise loan program continues after the CDBG Grant has been closed out. Any active loans that came in during the CDBG program generate program income through principal and interest payments. Mr. Chrisman said that the town is obligated for at least another five years of the revolving loan program and until all needs in the service areas have been met. He explained that the town is permitted to retain 3% of these funds for administrative costs. All principal payments must be offered for revolving loan funds.

Mr. Chrisman said that a sample loan form has been included and LDI is proposed to serve as the loan committee again. This committee would review an applicant and make a recommendation to Council based on their qualifications. The town holds the loan note and accepts the loan payments. Council should review these documents and consider a vote for an updated income plan and loan agreement.

### **Additional Lighting Requests**

Mr. Chrisman stated that he has received several requests for additional lighting from Mechanic Street to Route 340. He said that there are several areas between Mechanic Street and the park and ride area that lack lighting. Councilman Lancaster suggested using this issue as a beautification project. Mayor Presgraves confirmed that two requests have been received for additional lighting from separate individuals. Councilman Arrington asked if we have been able to gain any cost information from Mr. Sisler at SVEC. Mr. Chrisman said that he has requested this information but the time frame may not be possible to have these costs for the next Council meeting. Council and staff discussed different styles and types of lighting.

Mr. Chrisman then discussed lighting issues under the Highway 211 bridges along the Greenway trail. Council and Staff then discussed the types of lighting and the best types for reducing vandalism and which types would be subject to flood damage.

## **Town Attorney's Report**

Town Attorney, Jason Spitler, provided updates on the Harrison Property. He has obtained nearly all signatures and anticipates no issues. The Charles Seal Boundary Agreement and Miller/Prendable Agreement regarding Lake Arrowhead have been received and will be recorded. Mr. Spitler discussed water rights and the Janice Davis Property. Regarding the Town of Luray Commissions and Boards, Mr. Spitler has presented ordinances for Council's authorization and he will file the petition with the Circuit Court of Page County. He stated that on November 14<sup>th</sup> these individuals will be officially appointed by the Circuit Court.

Mr. Spitler discussed the revised McConnell tree planter easement. This was approved by Council several weeks ago; however it became apparent that utility service would be needed for electricity in this area. The deed has now been revised to reflect this change. Mr. Spitler stated if there is a consensus from Council, he will proceed with executing this deed. Council members agreed for the Town Attorney to proceed with this easement.

Mr. Spitler reported that a meeting was held today with Mr. Eddie Smith, Project Manager, for Page Community Developments. He said that the meeting was held to clarify some issues concerning the roles of the town and the developer on providing the necessary infrastructure for the development and its residents upon its incorporation. The adjacent developer (Baker Development) issued an agreement in 2006 for the property that obligated the developer to provide the infrastructure to the property. After today's meeting, Mr. Spitler anticipates receiving another developer's agreement from Page Community Developments concerning the parcel that they are requesting be incorporated into the town's boundaries. Once this has been reviewed with town staff and Council provides their approval, then Mr. Spitler will proceed with finalizing this process.

Mr. Spitler discussed the Fake Deed of Easement. Mr. Spitler said that it may be a bit premature in that there is no survey yet. However, he said this is a unique situation and wants to keep Council members up to date on this issue. Mr. Spitler requested Council's input on the consideration that the Fake family will receive in return for the easement. The language provides for a water tap to serve the residence and to continue to provide water service to the residents. These matters are provided with the continuance of the Hite Spring easement and its continued inclusion as a part of the town's water system. Mr. Spitler said there is no need for approval at this point, but wanted to share the approach that he and staff are using regarding this unique situation. Mr. Spitler said that he will continue to proceed and will be working with town staff on this. Town Attorney, Jason Spitler, discussed the Janice Davis property along Wallace Avenue.

Mr. Spitler also said that he will be working on updating the agricultural easement regarding Mr. Phillip Long on Phase III of the Greenway. Mr. Long currently grazes cattle on Phase III of the greenway trail and this document has not been re-executed since 2002. He stated that this matter will be on the November agenda for the regular Council meeting.

## **EXECUTIVE SESSION**

**Personnel, Section 2.2-3711.A.1**

**Legal Matters, Section 2.2-3711.A.7**

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing Section 2.2-3711.A.1 and Section 2.2-3711.A.7.

**Motion:** Councilman Lancaster motioned to recess the regular session and to convene in executive session; Councilman Arrington seconded the motion with the following members voting YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

**Motion:** Councilman Vickers motioned to adjourn the closed session and to reconvene in open session; Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Mayor Presgraves asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.1 were heard, discussed, or considered during the closed session. **The roll was called with all members certifying “Yes”.**

### **Adjourn**

Mayor Presgraves reminded everyone of the new hospital groundbreaking ceremony at 4:00pm on November 1st with the Luray-Page County Chamber of Commerce Annual Banquet to follow at 6:15pm (social) and dinner at 7:00pm. He stated that all council members are planning to attend. Also, Mayor Presgraves reminded everyone of the Monument Re-Dedication on Saturday, October 27<sup>th</sup> at 11:00am. There being no further business, Mayor Presgraves adjourned the work session of the Town Council at approximately 6:49 pm.

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Barry Presgraves  
Mayor

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Danielle P. Babb  
Deputy Clerk-Treasurer