

**TOWN OF ABINGDON  
REGULAR COUNCIL MEETING  
MONDAY, JUNE 5, 2017 – 7:30 PM  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A Regular Council meeting of the Abingdon Town Council was held on Monday, June 5, 2017 at 7:30 p.m. in the Council Chambers of the Municipal Building.

**A. WELCOME - Mayor Lowe**

**B. ROLL CALL – Cecile Rosenbaum, Town Clerk**

Members of Council Present:

Mrs. Cathy C. Lowe, Mayor  
Mr. Richard E. Humphreys, Vice Mayor  
Mr. Robert M. Howard  
Mrs. M. Cindy Patterson  
Mr. J. Wayne Craig

Administrative/Town Staff:

Greg Kelly, Town Manager  
Cecile Rosenbaum, Asst. Town Mgr/Town Clerk  
Deb Icenhour, Town Attorney  
C J McGlothlin, IT Department  
Chuck Banner, Director of Finance  
Stacey Reichler, Director of HR  
John McCormick, Fire Chief  
Kevin Worley, Dir. of Parks & Rec  
Jayne Duehring, Dir. of Tourism  
Matt Bolick, Dir. of Public Services/Const.  
Jennifer Johnson/Melisha Wynne Dir. of Park/Rec  
Kim Kingsley, Paralegal/Deputy Treasurer  
Tonya Triplett, Comm. Development Coordinator  
Jason Boswell, Code Enforcement Officer

**C. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council member Cindy Patterson.

**D. APPROVAL OF MINUTES**

**On motion by Mr. Humphreys, seconded by Mr. Howard, the Council, approved the minutes of the May 1, 2017 Work Session meeting, the May 1, 2017 Regular meeting, and the May 15, 2017 mid-month Work Session meeting minutes as presented.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**E. CONFIRMATION OF NEW TOWN DEPARTMENT HEADS**

1. Consideration of confirmation of Jayne Duehring as Director of Tourism

**On motion of Mr. Craig, seconded by Mr. Humphreys, Council members confirmed the hire of Jayne Duehring as the Director of Tourism for the Town.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

2. Consideration of confirmation of Matt Bolick, as Director of Public Services/Construction.

**On motion of Mr. Howard, seconded by Ms. Patterson, Council members confirmed the hire of Matt Bolick as the Director of Public Services/Construction for the Town.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
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<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

Mr. Kelly commented that Jason Boswell, Code Enforcement Officer and Tyler Vencill, Town Engineer had agreed to carry the duties of the Planning Department in addition to their regular positions. Mr. Kelly thanked both gentlemen for their willingness to assume this role and for their team spirit.

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#### **F. PROCLAMATION AND SPECIAL PRESENTATION**

##### **a. Proclamation Recognizing June 4-10 As National Garden Week**

Cindy Patterson, Council Member presented the representatives of the Abingdon Garden Club with a Proclamation declaring June 4-10 as National Garden Week. Ms. Patterson also presented the group with documents that had belonged to her grandmother, Mrs. Debusk who was a member of the Garden Club and a floral judge for many years.

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#### **G. Public Comments**

Residents who provided comments were:

- Stephen Jett, resident of Court Street, Abingdon
- Rich Macbeth, resident of Panorama Drive, Abingdon
- Jim Moore, resident of College Street, Abingdon
- Joe Levine, resident of Green Spring Road, Abingdon

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#### **H. PETITIONS, PUBLIC HEARINGS, AND FIRST READING OF ORDINANCES**

**1. PUBLIC HEARING – First Reading of Ordinance – Ordinance of the Council of the Town of Abingdon, Virginia Proposing a Real Property Tax Increase for the Fiscal Year 2017-2018**

Greg Kelly, Town Manager reported that this Ordinance was before Council for consideration as Washington County had contracted for all properties to be reassessed for value as required every four (4) years. Mr. Kelly noted that the assessment totals increased thereby increasing the town's tax revenue. Mr. Kelly commented that it was important to note that the Council did not authorize a real property tax increase but the Ordinance was required because the reassessment values increased. Mr. Kelly confirmed the town's real property tax rate of \$ .28 cents per \$100 would remain the same.

Mayor Lowe declared the public hearing open. Hearing no comments from the public, Mayor Lowe closed the public hearing.

Mr. Kelly noted that no action was required by Council and the Ordinance would be on the regular July agenda for second reading and adoption by Council.

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**2. PUBLIC HEARING** – Consideration of proposed sale of property, 2,125 square feet or .049 acres, more or less, being a portion of Tax Map No. 012-2-28, currently owned by the Town of Abingdon, 133 West Main Street, Abingdon, Virginia.

Deb Icenhour, Town Attorney and Matt Bolick, Dir. of Public Services and Construction reported to Council that town resident Mike Edwards wished to purchase a small portion of property beside the tennis courts on Church Street for the sum of \$2,500. Ms. Icenhour noted that the matter was before Council for public hearing and recommended that Council approve the sale.

Mayor Lowe declared the public hearing open.

Mike Edwards asked Council to approve this sale.

Hearing no further comments, Mayor Lowe closed the public hearing.

**On motion of Mr. Howard, seconded by Mr. Humphreys, Council approved the sale of property being 2,125 square feet or .049 acres, more or less, and being a portion of Tax Map No. 012-2-28, to Mike Edwards for the amount of \$2,500.**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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**I. SECOND READINGS**

**1. Consideration of General Fund & Sewer Fund Budget proposal for the Town of Abingdon, Virginia for the fiscal year beginning July 1, 2017 through June 30, 2018.**

Greg Kelly, Town Manager summarized the budget process and noted that this was the second reading before Council. Mr. Kelly noted that some changes by Council included a \$0.25 to \$0.35 cigarette tax increase; a \$2.00 solid waste per can increase; and a \$0.21 personal property tax increase, with all other tax rates and user fees remaining the same.

Mr. Kelly stated that the Town's hazardous duties employees will be enrolled in LEOS and the police officers have agreed to cover a larger portion of their health insurance to fund the program.

Mr. Kelly reported that it was important to note that the total general fund included \$6.5M for the Green Spring Road Realignment project.

Mayor Lowe read a certification from the Code of Virginia, 1950, as amended, Sec. 2.2-3112(A)(2) stating that she was "able to participate in the transaction fairly, objectively, and in the public interest". Mayor Lowe noted that she was an employee of the Virginia Highlands Small Business Incubator and that the Incubator received funding from the Town of Abingdon.

Mr. Craig inquired about the status of Incubator as it related to non-town employees receiving VRS benefits. Mr. Kelly noted that the town has asked VRS for an official opinion on the matter and to date have not heard from them. Mr. Kelly commented that the town will terminate the current process of facilitating benefits on behalf of the Incubator as soon as the VRS decision is received. Ms. Patterson commented that she was in favor of the Incubator but wanted all actions on their behalf to be done legally.

**On motion by Mr. Humphreys, seconded by Mr. Howard, the Council approved the General Fund & Sewer Fund Budget as presented for the Town of Abingdon, Virginia for the fiscal year beginning July 1, 2017 through June 30, 2018.**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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**J. CONSIDERATION OF BIDS – None.**

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**K. REPORTS FROM THE TOWN MANAGER/ASSISTANT TOWN MANAGER**

1. Consideration of authorization to drawdown bond funds for the cost of the wetlands mitigation and the acquisition of the right of way properties relative to the Meadows property.

Greg Kelly, Town Manager Mr. Kelly, Town Manager reported that the Meadows project was moving forward and the town was under a deadline of July 12<sup>th</sup> to purchase wetlands mitigation credits from The Nature Conservancy. Mr. Kelly noted that the cost of the credits was \$354,650 and it would be necessary for Council to authorize him to drawdown funds from the bond proceeds in that amount in order to purchase the credits. Mr. Kelly noted that the funds would be reimbursed to the town should circumstances arise that the credits were not needed. Ms. Patterson inquired who determined the cost of the credits needed for purchase. Mr. Kelly responded that Suzy Sidharta, Conservation Coordinator with The Nature Conservancy had provided the figure. Ms. Patterson commented that the amount was a sizeable and she wanted to see ballfields for the children.

**On motion of Mr. Humphreys, seconded by Mr. Howard, the Council authorized Greg Kelly, Town Manager to drawdown bond funds in the amount of \$354,650, payable to The Virginia Aquatic Resources Trust Fund, for the purchase of wetland mitigation credits for The Meadows project.**

<b>Mr. Craig</b>	<b>Nay</b>
<b>Mrs. Patterson</b>	<b>Nay</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

Mr. Kelly noted that in addition to the wetlands mitigation credit purchase, it was necessary for Council to authorize him to drawdown funds to acquire the necessary rights of way needed for the Green Spring Road Realignment project. Mr. Kelly commented that the acquisition costs were \$419,563. Mr. Kelly asked that Council make their approval contingent upon the issuance of the permit by the Army Corps of Engineers and DEQ.

**On motion of Mr. Howard, seconded by Mr. Humphreys, the Council authorized Greg Kelly, Town Manager to drawdown the amount of \$419,563 for the acquisition of rights of way needed for the Green Spring Road Realignment project contingent on the issuance of the permit for The Meadows Project by the Army Corps of Engineers/Department of Environmental Quality.**

<b>Mr. Craig</b>	<b>Nay</b>
<b>Mrs. Patterson</b>	<b>Nay</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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2. Consideration of award of contract to CHA for the design of the proposed sports complex on the Meadows property; authorization of the Town Manager to execute any and all documents associated with the contract; and to drawdown funds from the bond proceeds for payment to CHA for their services.

Greg Kelly, Town Manager commented that Councilman Craig, Councilman Howard, Mr. Kelly and town staff had assembled a committee to review the proposals received for the design of the sports complex on The Meadows property. Mr. Kelly noted that the Committee recommended the firm of CHA out of Blacksburg for the design services. Mr. Craig asked that the contract be reformatted to AIA standards and that the insurance premium be increased by CHA.

On motion of Mr. Humphreys, seconded by Mr. Howard, the Council awarded the design services for the sports complex project to the firm of CHA and authorized the Town Manager, Greg Kelly, to execute any and all documents associated with the contract and to drawdown funds from the bond proceeds for the payment of CHA for their services contingent upon the contract being reformatted to AIA standards and the increase of the insurance premium.

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Nay</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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3. Consideration of Approval of the Employee Handbook

Stacey Reichler, Dir. of Human Resources commented that Council had reviewed the proposed Employee Handbook for town employees and all suggested changes had been made. Ms. Reichler noted that she had also made the changes in the handbook necessary to reflect that VACO would be the town's insurance carrier effective July 1, 2017.

On motion of Mr. Craig, seconded by Mrs. Patterson, the Council approved the Employee Handbook for town employees.

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

Mr. Humphreys thanked Ms. Reichler and Ms. Rosenbaum for their work in putting the new handbook together for review.

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4. Consideration of approval of equipment to be sold as surplus.

Matt Bolick, Director of Public Services/Construction reported that several pieces of town equipment were no longer operational and could be declared surplus. Mr. Bolick noted the equipment consisted of a 1989 GMC Rear Load trash truck, a 2007 Exmark Zero Turn Mower, and a Vermeer Stump Grinder.

On motion of Mrs. Patterson, seconded by Mr. Humphreys, the Council approved the following items as surplus: a 1989 GMC Rear Load trash truck, a 2007 Exmark Zero Turn Mower, and a Vermeer Stump Grinder and authorized town staff to place them on the government surplus site for sale.

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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5. Consideration of moving the July Work Session and Regular Council meetings to July 10<sup>th</sup>, 2017.

**On motion of Mr. Humphreys, seconded by Mr. Craig, Council agreed to move the July Work Session and Regular meetings to Monday, July 10, 2017.**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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**L. RESOLUTIONS – None.**

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**M. OLD BUSINESS OR MATTERS NOT COVERED AT WORK SESSION**

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**N. APPOINTMENTS TO BOARDS AND COMMITTEES**

**On motion of Mr. Howard, seconded by Mr. Humphreys, Council members went into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended, for the purpose of discussing appointments to the Planning Commission and the Tourism Advisory Committee.**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**On motion of Mr. Humphreys, seconded by Mr. Howard, the Council reconvened in regular session.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
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<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

**Cecile Rosenbaum, Clerk, read the following certification to be adopted by the Council members:**

***WHEREAS**, the Council of the Town of Abingdon, Virginia has convened in a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions set forth in the Virginia Freedom of Information Act; and*

***WHEREAS**, Sec. 2.2-3712(D) of the Code of Virginia, 1950, as amended, requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law; and*

***NOW THEREFORE**, be it resolved, that the Council of the Town of Abingdon, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from an open meeting requirement by Virginia law were discussed in closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.*

**The certification was as follows:**

<b>Mr. Craig</b>	<b>I so certify</b>
<b>Mrs. Patterson</b>	<b>I so certify</b>
<b>Mr. Howard</b>	<b>I so certify</b>
<b>Mr. Humphreys</b>	<b>I so certify</b>
<b>Mayor Lowe</b>	<b>I so certify</b>

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**On motion of Mr. Howard, seconded by Mr. Humphreys, Council appointed Scott Wilson to serve on the Planning Commission for the unexpired term of Maggie Costello.**

**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

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**On motion of Ms. Patterson, seconded by Mr. Humphreys, Council appointed Katie Blankenship as the business owner representative and Kathy Shearer as the Member at Large to serve on the Tourism Advisory Committee.**

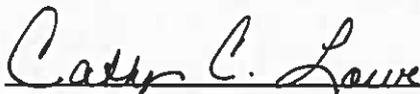
**The roll call vote was as follows:**

<b>Mr. Craig</b>	<b>Aye</b>
<b>Mrs. Patterson</b>	<b>Aye</b>
<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mayor Lowe</b>	<b>Aye</b>

Mayor Lowe inquired if Stephen Jett and Link Elmore would be willing to attend the Planning Certification classes if they were appointed to the Planning Commission.

Mayor Lowe read the announcements.

Mayor Lowe declared the meeting adjourned.

  
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Cathy C. Lowe, Mayor

  
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Cecile Rosenbaum, Town Clerk