

**TOWN OF ABINGDON  
REGULAR COUNCIL MEETING  
MONDAY, MAY 1, 2017 – 7:30 PM  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

A Regular Council meeting of the Abingdon Town Council was held on Monday, May 1, 2017 at 7:30 p.m. in the Council Chambers of the Municipal Building.

**A. WELCOME BY MAYOR LOWE**

**B. ROLL CALL**

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  
Amanda Livingston, Interim Dir. of Tourism  
John Dew, Dir. of Public Services/Const.  
Jennifer Johnson, Dir. of Parks and Rec  
Melisha Wynne  
Kim Kingsley, Paralegal/Deputy Treasurer  
Tonya Triplett, Comm. Development Coordinator  
Jason Boswell, Code Enforcement Officer

Visitors:

Max Hermann, Emmitt Yeary, and others

**C. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilman Wayne Craig.

**D. APPROVAL OF MINUTES (VIDEO 3:13 – 6:33)**

Mrs. Patterson requested that the April 10<sup>th</sup> budget work session minutes be amended with the addition of the following statement:

*"that Mayor Lowe noted that with the cigarette tax increase and personal property tax increase the Town should increase revenues by \$300,000. Mr. Humphreys asked that Council to consider putting \$50,000 aside for historic properties, particularly the exterior painting of Retirement. Before Mr. Humphreys made this statement, I (Mrs. Patterson) also had made a statement that I asked when we were in discussion in the budget remainder of the cigarette tax be used on historic properties as well". (See video 1:15:38)*

Mayor Lowe requested a change on the April 3<sup>rd</sup> work session minutes (pg 45) to indicate a change from "Abingdon Main Street or Washington County to Abingdon Main Street and Washington County".

**On motion by Mr. Craig, seconded by Mrs. Patterson, the Council, with the prior noted changes by Councilwoman Patterson and Mayor Lowe, approved the April 3, 2017 work session minutes; April 3, 2017 regular meeting minutes; April 10, 2017 budget work session minutes; and April 14, 2017 council retreat minutes.**

**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>

**E1. SPECIAL RECOGNITION (VIDEO 6:46 – 15:40)**

Vice-Mayor Rick Humphreys read and presented a Resolution recognizing and commemorating Max Hugo Hermann, German Native, American Patriot, Veteran, and Entrepreneur. Cecile Rosenbaum, Assistant Town Manager thanked Deb Icenhour, Town Attorney and Emmitt Yeary, Esq., for their work in preparing the resolution.

**F. Public Comments (VIDEO 16:09 – 16:35)**

No one requested to speak during this time.

**G1. CONSIDERATION OF GENERAL FUNDS & SEWER BUDGET PROPOSAL FOR THE TOWN OF ABINGDON, VIRGINIA FOR THE FISCAL YEAR**

**BEGINNING JULY 1, 2017 THROUGH JUNE 30, 2018. (VIDEO 16:43 – 27:09) (VIDEO 30:17 – 35:18)**

Greg Kelly, Town Manager, presented a proposed balanced general fund and sewer fund budget for the purpose of public hearing, as duly advertised. Mr. Kelly stated that no action was required at this time and a second reading will be held at the June meeting and Council will need to take action to approve the proposed budget, effective July 1, 2017. A brief overview 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. Mayor Lowe noted that full-time police officers and firefighters would be the only employees eligible for this coverage.

Mayor Lowe opened the public hearing and hearing no comments, declared the public hearing closed.

**H. SECOND READINGS – None**

**II. CONSIDERATION OF GUARDRAIL INSTALLATION, REPAIR AND REPLACEMENT SERVICE BIDS (VIDEO 27:15 – 30:17)**

John Dew, Director of Construction/Public Services presented bids for the guardrail installation, repair and maintenance services for the upcoming fiscal year. Mr. Dew recommended that the contract be awarded to Selco Construction Services, Inc. as they submitted the lowest and best bid for the project.

**On motion by Mr. Craig, seconded by Mr. Humphreys, the Council, moved to award the contract for guardrail installation, repair and replacement to Selco Construction Company, Inc. in the amount of \$59,367.50 and further authorized the Town Manager to sign any documents relative to this contract.**

**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>

**12. CONSIDERATION OF BIDS FOR TENNIS COURT REPAIRS AND REPAINTING AT NORTH CHURCH STREET (VIDEO 35:44 – 40:08)**

Kevin Worley, Director of Parks and Outdoor Recreation reported that an RFP had been issued for repairs and repainting of the tennis courts on North Church Street. Mr. Worley noted that the Town received three bids and recommended that Council award the bid to the Courtworks, Inc. as it is a Virginia based company and recently repaired the tennis courts at the Coomes Recreation Center. Mr. Worley noted he felt it was the best bid for the work on the tennis courts.

**On motion by Mr. Craig, seconded by Mr. Howard, Council approved the bid award to Courtworks, Inc. for the North Church Street tennis courts in the amount of \$13,450.00 and authorized the Town Manager to sign any documents relative to the contract.**

**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>

**K1. A RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA DECLARING SUPPORT FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S PROPOSED MODIFICATION TO THE EXIT 19 PROJECT UPDATE ON RESOLUTION FOR EXIT 19 SMART SCALE (FORMERLY KNOWN AS HB2) PROJECT MODIFICATION (VIDEO 40:13 – 44:22)**

John Dew, Director of Construction and Public Services stated that this resolution was requested by VDOT for the Town regarding what was originally called the HB2 project Exit 19 submitted by Washington County almost two years ago. Mr. Dew noted that VDOT has confirmed funding for the project to do improvements at Exit 19 interchange. Mr. Dew reported that VDOT is requested modifications to the original project which will result in expediting the project by a year with a total savings of approximately \$2,000,000 and overall lesser impact on surrounding property owners. Mr. Dew noted that town staff have reviewed the proposed modifications and recommend Council approve the Resolution as it provides improvement for both costs, time and safety. Councilman Wayne Craig read the resolution into the record.

**On motion by Mr. Craig, seconded by Mr. Humphreys, Council adopted the Resolution declaring support for the Virginia Department of Transportation's proposed modification to the Exit 19 project update for Exit 19 Smart Scale (formerly known as HB2) project modification.**

**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>

**K2. A RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA TO PROVIDE BENEFITS IN THE VIRGINIA RETIREMENT SYSTEM EQUIVALENT TO THOSE PROVIDED FOR STATE POLICE OFFICERS OF THE DEPARTMENT OF THE STATE POLICE AS SET OUT IN SECTION 51.1-138 OF THE CODE OF VIRGINIA, 1950, AS AMENDED. (VIDEO 44:25 – 48:32)**

Stacey Reichler, Director of Human Resources stated that on Monday, April 10<sup>th</sup> the Council approved moving forward to obtain the Virginia Retirement System Hazardous Duty Benefits, known as LEOS. Ms. Reichler explained that the program would benefit full-time members of the Police and Fire Departments, whose jobs were considered hazardous duty. Ms. Reichler noted that the benefits would go into effect on July 1, 2017 and asked that Council approve the resolution in order for the benefit package to be implemented. Mayor Lower read the Resolution into the record.

**On motion by Mr. Humphreys, seconded by Mr. Howard, Council approved the Resolution to provide benefits in the Virginia Retirement System equivalent to those provided for State Police Officers of the Department of State Police and as set out in Section 51.1 of the Code of Virginia, 1950, as amended.**

**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>

**L. OLD BUSINESS OR MATTERS NOT COVERED AT WORK SESSION (VIDEO 48:35 -)**

Mr. Craig had nothing to report.

Ms. Patterson questioned whether there were any agreements, written or verbal, between the Town of Abingdon and Virginia Highlands Small Business Incubator. Greg Kelly, Town Manager, advised Ms. Patterson that there were agreements between the City of Bristol,

Washington County and the Town from the formation of Incubator in 2003. Mr. Kelly reported that when the City of Bristol withdrew their support for the Incubator, there was a Memorandum of Understanding enacted between Washington County and the Town. Ms. Patterson requested copies of those agreements. Ms. Patterson stated she could not vote on the budget until she received and reviewed the documents.

Mayor Lowe stated that Mike Spiegler, Board Vice President of the Virginia Highlands Small Business Incubator, and Jim Fern, auditor for the Virginia Highlands Small Business Incubator were present and asked Council if they could speak on the budget and audit.

Discussion ensued regarding a Washington County Board of Supervisors informational meeting regarding the Virginia Highlands Small Business Incubator.

Jim Fern, whose firm prepares the audit for the Incubator presented, a summary of the most recent audit for the Virginia Highlands Small Business Incubator.

Discussion ensued among the Council members and Ms. Patterson asked for point of order. Mayor Lowe asked for the parliamentarian to comment. (VIDEO 58:16 – 1:01:00) Cecile Rosenbaum, Town Clerk commented that the matter being discussed was not on the agenda but if Council wished to continue the discussion, she would advise that Mayor Lowe turn the gavel over to Vice Mayor Humphreys and leave the dais for the remainder of the discussion involving the Incubator.

Ms. Rosenbaum noted that Mayor Lowe had left the dais and Vice Mayor Humphreys was leading the meeting. (VIDEO 1:01:53 – 1:02:09)

Cathy Lowe, in her capacity as Director of the Incubator, questioned Chuck Banner, Town Treasurer, as to whether the Virginia Highlands Small Business Incubator submits all the same information that every non-profit corporation submits as a non-departmental request for the upcoming annual budget process. Mr. Banner responded that that was the process since he had been Town Treasurer. (VIDEO 1:02:10 – 1:02:27)

Mike Spiegler, Vice Chairman of the Virginia Highlands Small Business Incubator, addressed Council regarding the budget request for the fiscal year 2017-2018. (VIDEO 1:02:52 – 1:06:07)

Cecile Rosenbaum, Town Clerk noted that Mayor Lowe had resumed her position on the dais and Mr. Humphreys has passed the gavel back. (VIDEO 1:06:17 – 1:06:20)

Mayor Lowe read a letter from Lila Thurmond with the Black's Fort Chapter Daughters of American Revolution regarding the Proclamation commemorating the 100<sup>th</sup> Anniversary of World War One (VIDEO 1:06:50 – 1:07:39)

Mayor Lowe also read a Proclamation recognizing May as Small Business Appreciation Month (VIDEO 1:07:40 – 1:09:10)

**M. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 1:09:25 -**

**On motion by Mr. Humphreys, seconded by Mr. Craig, Council moved to table this matter until the next meeting.**

**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>

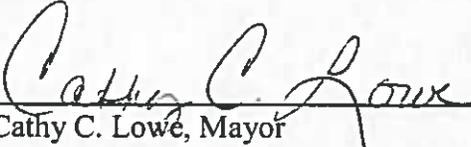
**N. COUNCIL MEMBER REPORTS**

At this time, Greg Kelly, Town Manager, advised Council that John Dew, Director of Construction/Public Services, will be leaving his position and taking a job with VDOT. Mr. Kelly wished Mr. Dew the best in his future endeavors and to stay in touch. Mayor Lowe presented him with a Town of Abingdon pin. (VIDEO 1:10:40 – 1:13:06)

**O. ANNOUNCEMENTS (VIDEO 1:13:07 – 1:17:43)**

Mayor Lowe read the announcements.

Mayor Lowe declared the meeting adjourned.

  
Cathy C. Lowe, Mayor

  
Cecile Rosenbaum, Town Clerk