

**TOWN OF ABINGDON  
REGULAR COUNCIL MEETING  
TUESDAY, SEPTEMBER 8, 2009  
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on Tuesday, September 8, 2009 at 7:30 p.m. in the Council chambers of the Municipal Building.

Mayor Morgan called the meeting to order and welcomed everyone in attendance.

**A. ROLL CALL**

Members of Council Present: Edward B. Morgan, Mayor  
Dr. French H. Moore, Jr., Vice Mayor  
Mrs. Lois H. Humphreys  
Mrs. Cathy Lowe  
Mr. Jason N. Berry

Administrative/Town Staff: Gregory W. Kelly, Town Manager  
Cecile M. Rosenbaum, Town Clerk  
Deborah Icenhour, Town Attorney  
Mark Godbey, Town Treasurer/Dir. Of Finance  
Jim Smith, Dir. Of Wastewater Operations/Town Eng.  
Garrett Jackson, Dir. Of Planning  
Kevin Worley, Dir. of Parks and Recreation  
Myra Cook, Dir. Of Tourism  
Jim Cowart, Dir. of Econ. Dev/Grants Writer  
John Dew, Dir. Of Public Services/Construction  
Rob Case, IT Department  
Tony Sullivan, Chief of Police  
Mike Maiden, Superintendent, WCWTF

Visitors: Rick/Susan Humphreys, Courtney Bledsoe, David Matlock, Sammy Campbell and family, Joella Barbour, and students of the Business Law class at Virginia Highlands Community College who were Amanda Adkins, Cody Brant, Angetta Childress, Tiffany Jenkins, Richard Johnston, Hunter Lane, Chris Long, Stephen Summerfield, Jennifer Watson and others

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**B. PLEDGE OF ALLEGIANCE**

Tiffany Jenkins, VHCC Business Law student led the Pledge of Allegiance.

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**C. APPROVAL OF MINUTES**

- August 3, 2009 Work Session Meeting
- August 3, 2009 Regular Meeting

**On motion of Mrs. Humphreys, seconded by Mr. Berry, the Council approved the minutes of the August 3, 2009 work session meeting and the August 3, 2009 regular meeting as presented.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Abstain</b> ( <i>Mrs. Lowe was not present for the August 3, 2009 meeting</i> )
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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At this time, Mayor Morgan announced that the Council would be deviating from the agenda as presented in order to make special presentations.

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**(G3) Resolution of the Council of the Town of Abingdon commending the *Budweiser Clydesdales and Walling Distributing Company*.**

Mayor Morgan asked Greg Kelly, Town Manager, to read the Resolution recognizing the *Budweiser Clydesdales and Walling Distributing Company* and said Resolution is attached herewith and made a part hereof of these minutes.

**On motion of Dr. Moore, seconded by Mrs. Lowe, the Council approved the foregoing Resolution commending the *Budweiser Clydesdales and Walling Distributing Company* as presented.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

Mayor Morgan asked Jeff Walling and Brian Anderson from Walling Distributing to come forward and he and Town Manager, Greg Kelly, presented each of them with a key to the Town of Abingdon. Mayor Morgan noted that there was also a key for Mark Walling and Challen Walling, also of Walling Distributing Co., but they were unable to attend the meeting. Mayor Morgan thanked Mr. Walling and Mr. Anderson for bringing the Clydesdales to Abingdon and for such a great event in the Town's history and indicated the Clydesdales were welcome back to Abingdon any time.

At this time, Mayor Morgan asked that a video of the *Budweiser* Clydesdales' visit to Abingdon, which was prepared by the Town's Network Administrator, Rob Case, be shown for the council members and members of the audience.

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**(G2) Resolution of the Council of the Town of Abingdon Honoring Sammy Campbell for his numerous civic activities and community involvement.**

Mayor Morgan asked Town Clerk, Cecile Rosenbaum, to read the following Resolution honoring Sammy Campbell:

**RESOLUTION  
OF THE COUNCIL OF THE TOWN OF ABINGDON HONORING SAMMY L.  
CAMPBELL FOR HIS CONTRIBUTIONS TO CIVIC LIFE**

**WHEREAS**, the Town of Abingdon wishes to honor the example and service of one Sammy L. Campbell, long a resident of the Town of Abingdon; and,

**WHEREAS**, the Campbell Funeral Home operated in service to the citizens and residents of the Town of Abingdon and the County of Washington throughout much of the 20<sup>th</sup> Century and into the 21<sup>st</sup> century, being established in 1918 and continuing to this day as the Frost Funeral Home; and,

**WHEREAS**, Sammy Campbell earned his license as an embalmer in the Commonwealth of Virginia from 14 May 1958 until his retirement; and,

**WHEREAS**, Sammy Campbell served as a licensed funeral director in the Commonwealth of Virginia from 18 November 1959 until his retirement; and,

**WHEREAS**, Sammy Campbell followed in the footsteps of his father, Sam W. Campbell, also a licensed funeral director and embalmer; and,

**WHEREAS**, Sammy Campbell served in the Abingdon Kiwanis Club as a member, a director, president and secretary, thereby contributing to the civic development of the Town of Abingdon; and,

**WHEREAS**, Sammy Campbell also served in the Abingdon Jaycees, becoming the only individual to twice win their Distinguished Service Award; and,

**WHEREAS**, Sammy Campbell was a Life Member of the Washington County Lifesaving Crew, thereby contributing to the health and safety of the citizens of the Town of Abingdon, the County of Washington and surrounding jurisdictions; and,

**WHEREAS**, Sammy Campbell provided a location, namely the Campbell Funeral Home parking lot, for the organization and launching of many a parade down Abingdon's Main Street; and,

**WHEREAS**, Sammy Campbell also worked to promote the successful operation of the Burley Tobacco Festival and the Washington County Fair, thereby highlighting the contributions and products of our traditionally agricultural economy; and,

**WHEREAS**, Sammy Campbell also founded Abingdon's annual Kiwanis Club Christmas parade, directly overseeing it for thirty-eight years, thereby giving our citizens and the surrounding community a tangible and regular signal of the arrival of the Christmas season; and,

**WHEREAS**, the Town of Abingdon wishes to recognize and salute the many honorable services rendered to our community by Sammy L. Campbell, particularly his commitment to compassionate and professional service to bereaved families at the close of a loved one's life; and,

**NOW, THEREFORE, WE**, the Council of the Town of Abingdon, do hereby issue this Resolution to recognize and commend Sammy L. Campbell for his numerous contributions to civic life and community involvement in the Town of Abingdon, and we do accordingly proclaim Saturday, September 19<sup>th</sup>, 2009, as **Sammy L. Campbell Day**.

**On motion of Mrs. Humphreys, seconded by Mr. Berry, the Council approved the foregoing Resolution honoring Sammy L. Campbell as presented.**

**All Members of Council proclaimed:**

|                       |            |
|-----------------------|------------|
| <b>Mr. Berry</b>      | <b>Aye</b> |
| <b>Mrs. Lowe</b>      | <b>Aye</b> |
| <b>Mrs. Humphreys</b> | <b>Aye</b> |
| <b>Dr. Moore</b>      | <b>Aye</b> |
| <b>Mayor Morgan</b>   | <b>Aye</b> |

**The motion carried.**

Mayor Morgan presented Mr. Campbell with a key to the Town of Abingdon and thanked him for his many years of civic service. Mr. Campbell received a standing ovation from the Council members and the audience.

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**(G1) Resolution of the Council of the Town of Abingdon supporting an application to the Virginia Department of Transportation for Revenue Sharing Program.**

John Dew, Director of Public Services/Construction, appeared before the Council members to ask for approval of the following Resolution supporting an application to VDOT for revenue

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sharing program. Mr. Dew noted that the amount in the Resolution needed to be changed to reflect an increase of \$50,000 which would make the amount applied for \$997,500.

**On motion of Mr. Berry, seconded by Dr. Moore, the Council approved the following Resolution as presented with the amendment that the final amount applied for would be changed from \$947,500 to \$997,500:**

**RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON SUPPORTING AN APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR REVENUE SHARING PROGRAM**

**WHEREAS**, the Council of the Town of Abingdon, Virginia desires to submit an application for an allocation of funds of up to \$947,500 through the Virginia Department of Transportation Fiscal Year 2009-2010 Revenue Sharing Program; and,

**WHEREAS**, \$947,500 of these funds are requested to fund the **Pedestrian, Roadway, and Storm Drainage Improvements – Whites Mill Road, Court Street, and Oak Hill Street** projects, involving the construction of approximately 5,010 linear feet of sidewalk, 4,970 linear feet of curb & gutter, 1,550 linear feet of mixed-use trail, and associated items along **Whites Mill Road** from 430 feet north of **White Street** to **Clark Street**, **Court Street** from 315 feet north of **Valley Street** to **Stonewall Heights**, and **Oak Hill Street** from 630 feet north of **Valley Street** to **Hill Drive**; and the **McBroom Street Roadway Improvements** project, involving the reconstruction of the existing roadway with the addition of curb and gutter, storm drainage pipe and structures, and sidewalk for the approximate 775 foot length of **McBroom Street** from **Campus Drive** to **Porterfield Highway (Route 19)**.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The Town Council of Abingdon, Virginia hereby supports this application for an allocation of \$947,500 through the Virginia Department of Transportation Revenue Sharing Program.

**BE IT FURTHER RESOLVED THAT** the Council of the Town of Abingdon hereby grants authority for the Town Manager to execute project administration agreements for any approved revenue sharing projects.

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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At this time, Mayor Morgan recognized Gary Kimbrell of the Advance Abingdon group to make a special presentation.

Mr. Kimbrell asked David Pendergrass, Equipment Operator for the Town, to come forward. Mr. Kimbrell thanked Mr. Pendergrass for notifying the police of the abduction of a painted wolfe cub on Main Street which belonged to Advance Abingdon. Mr. Pendergrass's action allowed the police to recover the painted wolfe cub undamaged and return it to its location. Mr. Kimbrell presented Mr. Pendergrass with a reward check of \$100.00.

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#### **D. PETITIONS AND PUBLIC HEARINGS**

- 1. Public Hearing –*Proposed Rezoning* – David R. Wall Development Corporation, 1175 Willow Run Drive, Abingdon, VA 24210 – application to rezone property located between Stonybrook Drive and Willow Run Drive on the right side of such street known as Lot No. 29 of the Stonybrook Development, consisting of 9.27 acres, from R-3 Residential District to PUD (Planned Unit Development).**

Mayor Morgan asked Garrett Jackson, Director of Planning, to come forward to comment on the application for rezoning. Mr. Jackson indicated that this was a request from David Wall, developer of the Willow Run apartment complex, off of Stonybrook Drive, and that Mr. Wall had asked that additional property he owned be rezoned for a PUD (Planned Unit Development) which would provide less units and more open space. Mr. Jackson commented that it had gone to the Planning Commission for consideration and that they approved the request and recommended it to the Council for their approval as well.

Mayor Morgan declared the public hearing open and asked if anyone wished to speak to the matter.

Gary Williams of 163 Stonybrook Drive, Abingdon, came forward and commented that he lived on the road entering the proposed development and indicated that the traffic was already congested in the area.

Mr. Jackson indicated that Mr. Wall had had a traffic study done for the area and the results of the study did not require additional streets to accommodate the traffic at the present time.

Mayor Morgan, hearing no further comment, declared the public hearing closed and asked the Council for their comments.

Mrs. Lowe affirmed that the Planning Commission had approved the request for the rezoning and PUD status.

**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council approved the application of David Wall, to rezone property located between Stonybrook Drive and Willow Run Drive on the right side of such street known as Lot No. 29 of the Stonybrook Development, consisting of 9.27 acres, from R-3 Residential**

**District to PUD (Planned Unit Development) and indicated that it would require a second reading to be heard at the October 5<sup>th</sup> meeting.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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- 2. Public Hearing – Proposed Ordinance** - Proposed Ordinance of the Council of the Town of Abingdon to Repeal, Amend and Reenact the Code of Ordinances of the Town of Abingdon, Virginia by adding to Chapter 66, Article II, and enacting Sections numbered 27 through 31, relating generally to the Old and Historic District, Tax Abatement Incentives.

Mayor Morgan asked Deborah Icenhour, Town Attorney to comment on the proposed Ordinance. Mrs. Icenhour explained that Council and Planning Commission had expressed interest in providing tax abatement incentives for homeowners residing in the Town's Historic District. Mrs. Icenhour indicated that the Ordinance had gone before the Planning Commission for consideration and had been approved and recommended to the Council for their subsequent approval.

Mayor Morgan declared the public hearing open and asked if anyone wished to speak to the matter.

After hearing no comment, Mayor Morgan declared the public hearing closed and asked the Council if they wished to comment.

**On motion of Mr. Berry, seconded by Mrs. Humphreys, the Council approved the proposed ordinance to Repeal, Amend and Reenact the Code of Ordinances of the Town of Abingdon, Virginia by adding to Chapter 66, Article II, and enacting Sections numbered 27 through 31, relating generally to the Old and Historic District, Tax Abatement Incentives and indicated that it would require a second reading to be held at the October 5<sup>th</sup> regular Council meeting.**

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

|                       |            |
|-----------------------|------------|
| <b>Mr. Berry</b>      | <b>Aye</b> |
| <b>Mrs. Lowe</b>      | <b>Aye</b> |
| <b>Mrs. Humphreys</b> | <b>Aye</b> |
| <b>Dr. Moore</b>      | <b>Aye</b> |

**Mayor Morgan      Aye**

**The motion carried.**

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- 3. Public Hearing – Proposed Ordinance** - Proposed Ordinance of the Council of the Town of Abingdon to Repeal, Amend and Reenact the Code of Ordinances by adding to Appendix B, Article 8A, Sections Numbered 1 through 8 and Relating Generally to the Creation of the Downtown Abingdon Arts and Cultural District.

Mayor Morgan asked Mrs. Icenhour to comment on the proposed ordinance regarding the creation of the downtown Abingdon Arts and Cultural District. Mrs. Icenhour noted that the Ordinance was before the Council after having been presented for consideration at last month's regular Council meeting. Mrs. Icenhour indicated that the Ordinance had gone before the Planning Commission for consideration and had been approved with a recommendation for Council approval. Mrs. Icenhour noted that the Ordinance did provided that the Town Manager would have the discretion of determining qualification under the Ordinance. Mr. Kelly commented that because the Ordinance addressed a change in business license tax, it would have to go before the Council for two separate readings.

Mayor Morgan declared the public hearing open and asked if anyone wished to speak to the matter.

After hearing no comment, Mayor Morgan declared the public hearing closed and asked the Council if they wished to comment.

**On motion of Mrs. Lowe, seconded by Mrs. Humphreys, the Council approved the proposed Ordinance to Repeal, Amend and Reenact the Code of Ordinances by adding to Appendix B, Article 8A, Sections Numbered 1 through 8 and Relating Generally to the Creation of the Downtown Abingdon Arts and Cultural District and noted it would be heard again for second reading at the October 5<sup>th</sup> regular Council meeting.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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**E. CONSIDERATION OF ANY BIDS**

At this time, Mayor Morgan indicated that the Council would address **Agenda Item E2** before E1 as there were several audience members present in support of The Muster Grounds Visitors Center.

**(E2) Consideration of bids for The Muster Grounds Visitor Center.**

Garrett Jackson, Director of Planning and member of The Muster Grounds Committee, appeared before the Council members to report on the bids received for the Visitors Center to be constructed at The Muster Grounds. Mr. Jackson reported that Mark Nash Construction had submitted the lowest bid in the amount of \$89,213 and that Mr. Nash indicated he could begin construction on October 1<sup>st</sup> with an estimated completion date of January 1<sup>st</sup>. Mr. Jackson noted that funding sources for the project were already in place.

**On motion of Dr. Moore, seconded by Mrs. Humphreys, the Council approved the bid of Mark Nash Construction in the amount of \$89,213 for the construction of the Visitors Center at The Muster Grounds.**

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

|                       |            |
|-----------------------|------------|
| <b>Mr. Berry</b>      | <b>Aye</b> |
| <b>Mrs. Lowe</b>      | <b>Aye</b> |
| <b>Mrs. Humphreys</b> | <b>Aye</b> |
| <b>Dr. Moore</b>      | <b>Aye</b> |
| <b>Mayor Morgan</b>   | <b>Aye</b> |

**The motion carried.**

Mayor Morgan invited Rick Humphreys, member of The Muster Grounds committee to comment on the upcoming Overmountain Victory Trail Celebration. Mr. Humphreys commented that the OVTA trail days would be held from September 21<sup>st</sup> through September 23<sup>rd</sup> and they had fifteen (15) interactive stations set up for visits by 4<sup>th</sup> grade students from all over Southwest Virginia. Mr. Humphreys invited everyone in attendance to come by and join the festivities. Mr. Humphreys thanked the Council for all their support of The Muster Grounds and their ongoing vision for the property.

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**(E1) Consideration of bids for Energy Recovery Project, specifically installation of turbines at the Wolfe Creek Water Reclamation Facility.**

Jim Smith, Town Engineer, asked Mike Maiden, Superintendent of the Wolfe Creek Water Reclamation Facility to comment on the bids received for the installation of turbines at the facility. Mr. Maiden commented that this project came about as a result of

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stimulus monies the Town received in the amount of \$378,000 for a turbine project. Mr. Maiden provided a power point presentation detailing the type of microturbine system the Town would be installing if the bid for the energy recovery project is awarded. Mr. Smith noted that each of the bids received exceeded the amount of the stimulus funds the Town would receive and that the process had been evaluated by the Town's consultant, Olver, Inc for comment. Mr. Smith further indicated that he would be submitting a request to VDEQ for additional funds for the project.

**On motion of Dr. Moore, seconded by Mrs. Humphreys, the Council concurred with the staff recommendation and authorized the Town Manager to seek to secure additional funding to cover the cost overages and award the project to WACO Construction in the amount of \$565,000. The Council further authorized the Town Manager, to negotiate with WACO and Frizzell Construction in the event that additional funds cannot be secured for the full bid amount of \$565,000, to award the project to either WACO or Frizzell Construction for an amount not to exceed the funds that may be made available to the Town from the VDEQ.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

## **F. REPORTS FROM THE TOWN MANAGER**

### **1. Presentation and consideration of a Town partnership with Virginia Highlands Community College for the creation of a regional Period Garden/Arboretum.**

Mayor Morgan asked David Matlock of Virginia Highlands Community College to come forward to speak to the Council. Mr. Matlock reported that the College was celebrating its 40<sup>th</sup> Birthday this year. He indicated that the College had received an endowment of \$200,000 for the creation of a period garden and arboretum and asked the Council to consider partnering with the College in this project. Mr. Matlock showed a power point presentation with slides of historic sites in the Town and County that could be part of the arboretum project.

Mayor Morgan commented that the Town was receptive to requests for budget consideration by the College for the project when the time is appropriate.

Mr. Berry asked if the project would be set up as a 501(C)3 and Mr. Matlock indicated they were in the process of obtaining that status.

*No action was required by Council on this matter.*

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**2. Consideration of request from the Cave House Craft Shop regarding use of appropriated funds from the Council.**

Donna Price of the Cave House Craft Shop appeared before the Council members and commented that the Council had previously appropriated the amount of \$12,000 for the Cave House to assist with construction of handicap accessibility at their location. Mrs. Price indicated that the Cave House would be moving out of their location on Main Street by the first of 2010 and inquired if they could use the \$12,000 for their move and relocation expenses.

**On motion of Dr. Moore, seconded by Mrs. Lowe, the Council approved the request of the Cave House Craft Shop to use their \$12,000 Council appropriation for move and relocation expenses.**

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

|                       |            |
|-----------------------|------------|
| <b>Mr. Berry</b>      | <b>Aye</b> |
| <b>Mrs. Lowe</b>      | <b>Aye</b> |
| <b>Mrs. Humphreys</b> | <b>Aye</b> |
| <b>Dr. Moore</b>      | <b>Aye</b> |
| <b>Mayor Morgan</b>   | <b>Aye</b> |

**The motion carried.**

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**3. Presentation regarding the Pisces Award given to the Wolfe Creek Water Reclamation Facility in Richmond, Virginia on August 18, 2009.**

Mike Maiden, Superintendent of the Wolfe Creek Water Reclamation Facility, reported on the Pisces Award ceremony held in Richmond on August 18, 2009. Mr. Maiden noted that Vice Mayor, Dr. Moore, Town Manager, Greg Kelly, Jim Smith, Town Engineer, and he were in attendance for the presentation. Mr. Maiden read aloud Governor's Kaine's comments about the prestigious Pisces Award and they are hereby made a part of these minutes and are as follows:

*Town of Abingdon, Virginia Pisces Award*

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*“The PISCES (Performance and Innovation in the SRF Creating Environmental Success) Award winner for 2008 from the Commonwealth of Virginia is well deserving of the Award.*

*From treatment innovation to infrastructure management, the Town of Abingdon is a model of government efficiency recently upgraded and expanded Wolf Creek Water Reclamation Facility (WCWRF) is proof positive that the Town values sustainable infrastructure while simultaneously embracing opportunity for environmental stewardship.*

*The Town owns and operates the 4.95 million gallon per day Wolf Creek Water Reclamation Facility, 101 miles of collection system, and six pump stations. Over the past 20 years, the Town has funded 4 separate wastewater infrastructure projects through DEQ's Clean Water Revolving Loan Fund (CWSRF) Program totaling \$18.2 million dollars. Despite serving only 9,900 customers, the Town fully funds operation, maintenance, and debt service from the sale of sewer service while maintaining affordable rates. The in-town monthly charge for 5,000 gallon consumption is \$32.50. A user rate that recovers the costs of building, operating, and maintaining a system is absolutely essential to achieving sustainability. Managing infrastructure capital assets to minimize the total cost of owning and operating them, while delivering the desired service levels, was a significant factor in Abingdon being selected to receive this award.*

*Asset management is important to Abingdon. Originally constructed in 1966, the WCWRF has been upgraded and expanded three times (1978, 1992, and 2008). Optimization of existing facilities has been a reoccurring theme throughout the process because the Town values the asset thus allowing them to realize sustainability. The ability to price the service of collection and treatment including maintenance, debt service and funded depreciation is truly full cost pricing. But Abingdon goes above and beyond the minimum or basics.*

*The Town simply doesn't meet permit limits they routinely treat water to tertiary levels or a better quality than required by their discharge permit. This high quality effluent further demonstrates the Town's commitment to environmental stewardship despite the higher cost of being a good neighbor. The Town also operates a biosolids composting facility and is exploring community-scale biodiesel fuel production using waste vegetable oil—ways to treat waste products as resources and save money.*

*Abingdon is also an active participant in the Green Government Challenge and a certified Green Government by the Virginia Municipal League. The recently announced Stimulus funding will enable Abingdon to continue this green initiative by installing microturbines fueled by digester methane that will produce electricity for the plant. Heat produced from the generation process will be used to augment existing heating requirements. This Stimulus project also includes the installation of solar panels and an effluent heat pump that will further reduce the need for the purchase of electricity produced from fossil fuels.*

*It is easy to see why Abingdon is so deserving of this Award. Certainly, the Town and the WCWRF justly epitomize the concept of the PISCES Award. Congratulations Abingdon.”*

*No action was required by Council on this matter.*

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## **G. PASSAGE OF RESOLUTIONS**

*Each of the items on the Regular Agenda under Resolutions was heard by Council earlier in the meeting.*

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#### **H. FIRST READING OF ORDINANCES**

*Each of the items on the Regular Agenda under First Readings of Ordinances was heard by Council earlier in the meeting during the Public Hearing section.*

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#### **I. SECOND READING OF ORDINANCES – None.**

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#### **J. UNFINISHED BUSINESS – None.**

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#### **K. MATTERS NOT ON THE AGENDA**

- Joella Barbour, member of The Muster Grounds Committee, came before the Council to report on the donation of a historic cabin to be placed on The Muster Grounds site. Ms. Barbour indicated the cabin was built in 1775 and belonged to Col. William Edmiston, who mustered at the site prior to the Battle at King’s Mountain. Mayor Morgan congratulated Ms. Barbour and The Muster Grounds committee on this significant historic donation.
- Rick McBeth of the Southview, Empire Drive, area of Town inquired if the Town staff had received a copy of the traffic study for Empire Drive and the Exit 19 area. Mr. Berry inquired if Town staff had requested prior traffic studies and counts for the area from VDOT. Mr. Dew indicated that he had done some research and the traffic study revealed that VDOT and the County did not require traffic upgrades to the area at this time. Mayor Morgan noted that Town staff will continue to work with VDOT about the issue and asked Mr. Dew to report on any further findings at the October Council meeting.

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At this time, Dr. Moore commented on The Muster Grounds and the anticipated receipt of \$200,000 now that the conservation easement had been finalized. Dr. Moore indicated the Council had considered using the funds for remodel of the home known as “Retirement”. Rick Humphreys, member of the Muster Grounds Committee commented to the Council members that Committee was supportive of this use of the home on The Muster Grounds site. Mr. Berry commented that the Council had not approved the exact

use of those funds at this time and one option the Council would consider would be to pay down the debt on the property. Mr. Berry commented that he had inquired previously if the funds received could be used to reduce the debt as well. Mayor Morgan commented that the Committee continued to move forward on plans for The Muster Grounds site.

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#### L. COUNCIL MEMBER REPORTS

*Dr. Moore* reported on a dinner he attended celebrating Mount Rogers Planning District's 40<sup>th</sup> anniversary and presented a plaque the Town received for the occasion.

*Mrs. Lowe* - reported on a picnic she and Mayor Morgan attended for the dedication of the Kings Mountain School Park.

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#### M. MISCELLANEOUS BUSINESS AND COMMUNICATIONS

**On motion of Mrs. Lowe, seconded by Mrs. Humphreys, the Council went into closed session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) for consideration of appointments to the Planning Commission, the Tree Commission, the Virginia Highlands Small Business Incubator, and the Industrial Development Authority Board.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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**On motion of Dr. Moore, seconded by Mrs. Humphreys, the Council reconvened in regular session.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>

**Mayor Morgan      Aye**

**The motion carried.**

**The Town Clerk, Cecile Rosenbaum, 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. Berry</b>	<b>I so certify</b>
<b>Mrs. Lowe</b>	<b>I so certify</b>
<b>Mrs. Humphreys</b>	<b>I so certify</b>
<b>Dr. Moore</b>	<b>I so certify</b>
<b>Mayor Morgan</b>	<b>I so certify</b>

**1. *Planning Commission(1)***

**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council appointed Francine Ivery to fill the unexpired term of Dr. Todd Pillion on the Planning Commission.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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**2. *Tree Commission(1)***

*Mayor Morgan indicated that this appointment would be postponed and reconsidered at the regular October Council meeting.*

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**3. *Industrial Development Authority Board (1)***

**On motion of Mrs. Lowe, seconded by Mrs. Humphreys, the Council appointed Todd Creasy to fill the unexpired term of Tammy Colangelo on the Industrial Development Authority Board subject to Mr. Creasy's acceptance.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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**4. *Virginia Highlands Small Business Incubator Board (3)***

**On motion of Mrs. Humphreys, seconded by Mrs. Lowe, the Council confirmed the appointments of Mike Spiegler, Kyle Macione, and Dr. French Moore, Jr. to represent the Town of Abingdon on the Virginia Highlands Small Business Incubator Board.**

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

|                       |                                                                           |
|-----------------------|---------------------------------------------------------------------------|
| <b>Mr. Berry</b>      | <b>Abstain</b> ( <i>Mr. Berry noted he is Director of the Incubator</i> ) |
| <b>Mrs. Lowe</b>      | <b>Aye</b>                                                                |
| <b>Mrs. Humphreys</b> | <b>Aye</b>                                                                |
| <b>Dr. Moore</b>      | <b>Abstain</b> ( <i>Dr. Moore is an appointment to this Board</i> )       |
| <b>Mayor Morgan</b>   | <b>Aye</b>                                                                |

**The motion carried.**

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5. *Fairview in Abingdon Foundation Board (This appointment was not listed on the regular Agenda but was added by Council for consideration) (1)*

**On motion of Mr. Berry, seconded by Mrs. Humphreys, the Council appointed Tom Peterson of Appalachian Sustainable Development to serve on the Fairview in Abingdon Foundation Board.**

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

<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mrs. Humphreys</b>	<b>Aye</b>
<b>Dr. Moore</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

**The motion carried.**

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**On motion of Mrs. Lowe, seconded by Mrs. Humphreys, the Council agreed to convene in Closed Session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(3) for the purpose of discussion or consideration of the acquisition of real property for a public purpose or of the disposition of publicly held real property.**

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

|                       |            |
|-----------------------|------------|
| <b>Mr. Berry</b>      | <b>Aye</b> |
| <b>Mrs. Lowe</b>      | <b>Aye</b> |
| <b>Mrs. Humphreys</b> | <b>Aye</b> |
| <b>Dr. Moore</b>      | <b>Aye</b> |
| <b>Mayor Morgan</b>   | <b>Aye</b> |

**The motion carried.**

**On motion of Dr. Moore, seconded by Mrs. Humphreys, the Council reconvened in regular session.**

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

|                       |            |
|-----------------------|------------|
| <b>Mr. Berry</b>      | <b>Aye</b> |
| <b>Mrs. Lowe</b>      | <b>Aye</b> |
| <b>Mrs. Humphreys</b> | <b>Aye</b> |
| <b>Dr. Moore</b>      | <b>Aye</b> |
| <b>Mayor Morgan</b>   | <b>Aye</b> |

**The motion carried.**

**The Town Clerk, Cecile Rosenbaum, 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. Berry</b>      | <b>I so certify</b> |
| <b>Mrs. Lowe</b>      | <b>I so certify</b> |
| <b>Mrs. Humphreys</b> | <b>I so certify</b> |
| <b>Dr. Moore</b>      | <b>I so certify</b> |
| <b>Mayor Morgan</b>   | <b>I so certify</b> |

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At this time, Mayor Morgan noted the announcements and upcoming events listed on the Agenda.

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Mayor Morgan declared the meeting adjourned.

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Edward B. Morgan, Mayor

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Cecile M. Rosenbaum, Town Clerk