

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
MONDAY, MARCH 5, 2012 – 7:30 P.M.
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on March 5, 2012 at 7:30 p.m. in the Council chambers of the Municipal Building.

A. ROLL CALL

Members of Council Present:

Edward B. Morgan, Mayor
Mrs. Cathy Lowe, Vice Mayor
Mr. Jason N. Berry
Mr. Richard E. Humphreys
Mr. Robert M. Howard

Administrative/Town Staff:

Gregory W. Kelly, Town Manager
Garrett Jackson, Assistant Town Mgr./Dir. Of Planning
Cecile M. Rosenbaum, Town Clerk
Deborah Icenhour, Town Attorney
Mark Godbey, Town Treasurer/Dir. of Finance
Jim Smith, Dir. Of Wastewater Operations/Town Eng.
Jim Cowart, Dir. of Econ. Dev/Grants Writer
John Dew, Dir. Public Services/Construction
Tony Sullivan, Chief of Police
Kevin Worley, Dir. of Parks & Recreation
Kevin Costello, Dir. of Tourism
Debbie Atkins-Vance, Dir. of Human Resources
Daniel Kidd, Information Technology Dept.
John Phelps, Information Technology Dept.

Visitors:

Rich Macbeth, Dr. Reach, Jan Hurt, Michael Wartella,
and others

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**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by members of the Webelos Den Pack #20, Abingdon Elementary School.

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C. APPROVAL OF MINUTES

On motion of Mrs. Lowe, seconded by Mr. Berry, the Council approved the minutes of the February 6, 2012 Work Session meeting with one correction and the February 6,

2012 Regular meeting as presented. The correction to the February 6, 2012 Work Session minutes should read:

On page 21, under Item 3. Presentation and Update regarding Heartwood, Southwest Virginia's Artisan Gateway, the sale figure should read over \$600,000 in sales from featured artwork.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

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**D. SPECIAL EMPLOYEE ACKNOWLEDGEMENTS**

- 1. Recognition of Jerry Roe for his five (5) years of service to the town as an equipment operator at the town shop.**

Mr. Kelly, Town Manager indicated that Mr. Roe was not able to attend the meeting but thanked him for his service to the town.

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- 2. Presentation of Employees of the Year and Outstanding Employees of the Year Awards.**

Greg Kelly, Town Manager reported that the Employee of the Year Committee had selected the following town Employees of the Year:

- **Melisha Wynne** – Aquatic Coordinator at the Coomes Recreation Center
- **Chris Jennings** - Patrol Officer for the Police Department
- **Sarita Moore** – Environmental Compliance Supervisor at Wolf Creek Water Reclamation Facility
- **Daniel Kidd** – Network Engineer for the Information Technology Department

Mr. Kelly presented each employee with a plaque and indicated that they would each receive a paid day off.

Mr. Kelly reported that the Employee of the Year Committee had also selected one employee as this year's Outstanding Employee of the Year.

- **Tammy Baldwin** - Tax Clerk for the Finance Department who was recently awarded her certificate as a Deputy Treasurer.

Mr. Kelly presented Mrs. Baldwin with a plaque and a certificate of deposit at a bank of her choosing in the amount of \$500.00. Ms. Baldwin will also a paid day off.

E. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES – None.

F. SECOND READING OF ORDINANCES – None.

G. CONSIDERATION OF ANY BIDS

1. **Consideration of bids for the replacement and repair of guardrails located within the Town.**

John B. Dew, Director of Public Services/Construction reported that he had received one (1) bid for the replacement of guardrails located in the town and the bid amount of \$97,965 was almost double the budgeted amount of \$50,000. Mr. Dew recommended that Council reject the submitted bid and authorize the re-bid of the project.

On motion of Mrs. Lowe, seconded by Mr. Howard, the Council rejected the bid by Powers Fence and Guardrail in the amount of \$97,965 and authorize the re-bid of the project.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye



2. Consideration of bids for the Abingdon Train station Restoration Project.

Garrett Jackson, Assistant Town Manager reported that he had received a total of three (3) bids for the Train station Restoration Project. Mr. Jackson indicated that VDOT has awarded the town an enhancement grant of \$220,000 for the project but the bids received were in excess of that figure. Mr. Jackson noted that Glade Construction Company had submitted the lowest bid of \$303,200 which left a total of \$83,200 to be made up by the town. Mr. Jackson indicated if the VDOT enhancement funds were not used for the project by the end of the year, they would be lost. Mr. Kelly recommended that Council proceed with the project and accept the bid from Glade Construction for \$303,200 given the fact that the grant funds would expire and go away at the end of the current fiscal year unless the project gets underway in the current fiscal year.

On motion of Mr. Humphreys, seconded by Mr. Berry, the Council accepted the bid from Glade Construction Company for the Train station Restoration Project in the amount of \$303,200 and authorized the Town Manager to cover the costs over and above the VDOT Enhancement funds of \$220,000.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye



H. REPORTS FROM THE TOWN MANAGER

1. Consideration of the Audit Report for the Town of Abingdon as of June 30, 2011

Mr. Kelly reported that Greg Tucker of Bostic Tucker, CPA's had appeared before the Council at the February meeting and Council to present the audit report as of June 30, 2011. Council members agreed to continue the matter to allow Mr. Tucker time to provide additional documents to the Council before they accepted the audit as presented.

On motion of Mrs. Lowe, seconded by Mr. Berry, the Council accepted the Audit Report for the Town of Abingdon as of June 30, 2011 as presented.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

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## **2. Presentation and update on Johnston Memorial Hospital**

Sean McMurray, CEO of Johnston Memorial Hospital appeared before Council to provide a power point presentation on a report regarding the status of the health of our community and the Southwest Virginia area. Mr. McMurray indicated that the largest health threats in our region included heart disease, obesity and diabetes. Mr. McMurray reviewed the statistical data with regard to the region and provided documentation regarding citizen perception of health care in our region.

Mayor Morgan noted that he was pleased with the efforts of Mountain States Health Alliance Board to improve the quality of healthcare in our region and realized that the challenge in region was the shortage of doctors. Mayor Morgan indicated that he hoped the Council could count on the MSHA Board to support the Town's efforts to bring a new medical school to Abingdon.

Mr. McMurray responded that Mayor Morgan's comments were "duly noted" and that having quality physicians was important and they would be supportive of efforts to ultimately provide that

Mayor Morgan thanked Mr. McMurray for this presentation.

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

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3. **Consideration of the i-Tree Ecosystem Analysis report for the Town of Abingdon.**

Kevin Sigmon, Town Arborist reviewed the Ecosystem analysis report for the town and reported that the urban tree canopy is between 22.7% and 26%. Mr. Sigmon reported that the town's tree population was reduced to the tornado in the area in April 2011. Mr. Morgan commented on the report with regard to the amount of pasture/grazing land due to our large agricultural areas. Mr. Sigmon commented that he continues the goal of increasing the town's tree canopy. Mr. Humphreys asked Mr. Sigmon to report on the root invigoration program for some of the town's trees as well as plans to assist Glenrochie Country Club with tree replacement due to the effects of the tornado last year.

No action was required by Council on this matter.



4. **Presentation of the annual report on the status of the Town's trees.**

Kevin Sigmon, Town Arborist reviewed his annual report on the town's trees. Mr. Sigmon commented on the Main Street planting program, reminded Council of the upcoming Arbor Day Celebration on April 17th, and reported on the status of the VA loves trees license plates campaign.

No action was required by Council on this matter.



5. **Presentation regarding Watauga Medical Group practice located on Valley Street, Abingdon.**

Dr. R.T. Reach, Representative of the Watauga Medical Group appeared before the Council members to report on his new medical practice located on Valley Street. Dr. Reach reported that he treats patients with the disease of addiction which has been particularly destructive in the Southwest Virginia region. Dr. Reach noted that he does not presently prescribe methadone to treat patients battling a drug addiction. Dr. Reach provided information on Suboxone a drug he does prescribe to treat addiction and commented on how the drug works in a standard course of therapy. Dr. Reach commented on a lease of a portion of his property to a group known as Hannah House for women battling addiction. Dr. Reach indicated he is not charging for the leased space and the residents are working and/or in school. Dr. Reach commented on the need in Southwest Virginia for treatment of addiction and invited anyone to come by and visit his practice if they have further questions.

Mayor Morgan commented that he had visited the location and was satisfied that Dr. Reach was adhering to the provisions set forth in his business license application. Mr. Berry commented on the economic impact of citizens who seek employment and cannot pass a drug screen. Mrs. Lowe suggested that Dr. Reach contact Sheriff Newman about the drug court program in Washington County.

No action was required by Council on this matter.



6. Consideration of renewal of contract for town employee health insurance plan for upcoming year.

Greg Kelly, Town Manager commented on the renewal of the health insurance plan for town employees. Mr. Kelly noted that the town's premium had reduced from last year by 1.9% and recommended that the Council authorize him to renew the plan prior to the April 1st deadline.

On motion of Mr. Berry, seconded by Mrs. Lowe, the Council authorized the Town Manager, Greg Kelly, to renew the contract for the employee health insurance plan through Local Choice.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye



7. Consideration of plans for replacement of Trestle #7 on the Virginia Creeper Trail.

John Dew, Director of Public Services/Construction reviewed the options for the replacement of Trestle #7 on the Virginia Creeper Trail. Mr. Dew noted that the trestle was destroyed during the tornado event in April 2011. Mr. Dew reported that the

Option was an all timber replacement, Option 2 was a steel sub structure with wooden decking replacement, and Option 3 was an earthen fill with trail over top. Mr. Dew indicated that he and Mr. Kelly had met with stakeholders in the trestle replacement project and Option was 1, the all timber replacement, was the choice.

On motion of Mr. Humphreys, seconded by Mr. Berry, the Council authorized the Town Manager, Greg Kelly to move forward with selecting a consulting firm for the design of Option #1, all timber replacement, for the Trestle #7 replacement project on the Virginia Creeper Trail.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

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**8. Consideration of dates for budget work session meetings.**

Greg Kelly, Town Manager reported that Council had reviewed their calendars during the work session meeting and had selected two (2) dates for upcoming budget work session. Council will hold a budget work session on April 11<sup>th</sup> at 5:30 in the downstairs meeting room to review the General Fund/Sewer Budget and Council will meet again on April 18<sup>th</sup> at 5:30 to hear requests from non-departmental agencies funding.

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

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I. PASSAGE OF RESOLUTIONS – None.

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**J. UNFINISHED BUSINESS – None.**



**1. Consideration of report on status of Country Club Stormwater Management Issue.**

Deb Icenhour, Town Attorney reported on the status of the award from FEMA for the Country Club Stormwater Management project. Ms. Icenhour indicated that the town could get notification in a few days confirming the award of funding. Ms. Icenhour reported on the status of the easements that remained to be obtained for the project to proceed.

**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council agreed to move forward under the current plan to construct a stormwater/flood mitigation structure, with or without FEMA grant funds, to be tentatively completed by October 2012. In the event that all necessary documents are not executed by property owners or should the Town find it must acquire certain property through eminent domain, Council acknowledges that a delay in the project may be required. Council further recognizes that no work can begin on the project site until legal and preconstruction issues are addressed.**

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

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

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K. MATTERS NOT ON THE AGENDA

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**L. COUNCIL MEMBER REPORTS**

- Mrs. Lowe commented on the success of the Rotary Frolics which raised \$25,000 for children's projects.
- Mr. Berry reported that Delegate Johnson had presented a Resolution honoring the Queen's upcoming Diamond Jubilee.
- Mayor Morgan encouraged everyone to attend an upcoming show at William King Museum featuring artists from the Abingdon area and noted that his son, Peter Morgan, will be of the three (3) featured artists.

- Mr. Kelly reported on the upcoming Shamrock Race which is coinciding with the opening of the new Bonfire Restaurant downtown.



## **M. MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

### **1. Consideration of one (1) appointments to the Industrial Development Authority Board**

**On motion of Mrs. Lowe, seconded by Mr. Howard, the Council appointed John Legard to serve the unexpired term of David Neal on the Industrial Development Authority Board.**

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

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



### **2. Consideration of two (2) appointments to the Board of Building Code Appeals**

**On motion of Mr. Howard, seconded by Mr. Humphreys, the Council appointed Tandy Rasnake to serve on the Board of Building Code Appeals.**

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

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



**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council appointed Michael Scott to serve on the Board of Building Code Appeals.**

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

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

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3. Consideration of addition of one (1) person to the Fields-Penn Oversight Committee Board

On motion of Mr. Humphreys, seconded by Mr. Berry, the Council appointed Betsy White to serve on the Fields Penn Oversight Committee.

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mayor Morgan	Aye

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**At this time, On motion of Mrs. Lowe, seconded by Mr. Howard the Council convened in Closed Session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(3) for the consideration and discussion of the acquisition or disposition of publicly held property.**

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

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

**The motion carried.**

**On motion of Mr. Berry, seconded by Mrs. Lowe, the Council reconvened in regular session.**

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

|                      |            |
|----------------------|------------|
| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mr. 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. Howard</b>    | <b>I so certify</b> |
| <b>Mr. Humphreys</b> | <b>I so certify</b> |
| <b>Mr. Berry</b>     | <b>I so certify</b> |

**Mrs. Lowe**            **I so certify**  
**Mayor Morgan**    **I so certify**

Mayor Morgan declared the meeting adjourned.

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Edward B. Morgan, Mayor

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Cecile M. Rosenbaum, Town Clerk