

**TOWN OF ABINGDON
COUNCIL WORK SESSION
MONDAY, AUGUST 1, 2011 – 5:30 P.M.
DOWNSTAIRS MEETING ROOM – MUNICIPAL BUILDING**

A Work session meeting of the Abingdon Town Council was held on Monday, August 1, 2011 at 5:30 p.m. in the downstairs meeting room of the Municipal Building.

A. ROLL CALL

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

Administrative Staff: Gregory W. Kelly, Town Manager
Cecile M. Rosenbaum, Town Clerk
Debbie Icenhour, Town Attorney
Jim Smith, Town Engineer/Dir. of Wastewater Operations
John Dew, Dir. of Public Services/Construction
Garrett Jackson, Dir. of Planning
Mark Godbey, Town Treasurer/Dir. Finance
Floyd Bailey, Dir. of Information Technology

Visitors: Richard Macbeth

The following items were discussed by Council:

1. Garrett Jackson, Director of Planning reported on the status of the Arthur Campbell award and noted that request for designs had gone out but only one submission had been received. Mayor Morgan provided a copy of the Campbell family crest and discussion ensued about the design. Council members agreed that Mr. Humphreys, Mrs. Lowe and Mr. Jackson would review the design options and provide a recommendation to Council at the regular September meeting. Mayor Morgan commented that the first recipients of the awards could be selected by the Council and town staff.
2. Mayor Morgan provided an update on the King College Medical School project and reported that he has been asked to serve on their steering committee. Mr. Kelly commented that the Town, County and King College could be in a position to make an announcement about the project around the third week in August but nothing had been confirmed.

3. Ms. Icenhour, Town Attorney reported that FEMA was supposed to be in town on August 16th to review the Country Club Estates project. Mayor Morgan noted that the Tree Commission was working with the Town Arborist to assist in developing a tree replacement plan for the Country Club estates area. Mrs. Icenhour reported that a home in Country Club, determined as blighted, had been sold during a foreclosure process.
4. Mayor Morgan commented that he would like for the Council members to consider establishing an oversight committee for the Fields Penn House property. Mr. Kelly complimented Tourism employee, Donna Marie Emmert, on the work she was doing at Fields Penn. Discussion ensued and it was agreed that there was a need for the committee and it could be established at the regular September meeting.
5. Mr. Jackson, Director of Planning reported on the Muster Grounds property and the easement project with John Beverly.
6. Mr. Howard reported that he had spoken with a representative of Pal's Restaurant and learned that they had decided not to locate additional eateries in Virginia because of a franchise issue under Virginia tax law. Mrs. Lowe suggested that the matter be referred to the town's Industrial Development Authority for review and determination.
7. Mrs. Lowe inquired about security measures for the patrons of the Creeper Trail. Discussion ensued regarding emergency call boxes on the trail. It was agreed that Chief Sullivan would provide an update at the September meeting on security on the Creeper Trail.
8. At this time, on motion of Mr. Berry, seconded by Mrs. Lowe, **the Council went into closed session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(7) for consultation with legal counsel pertaining to actual or probable litigation.**

The roll call vote was as follows:

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

The motion carried.

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

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mr. 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:

Mr. Howard	I so certify
Mr. Humphreys	I so certify
Mr. Berry	I so certify
Mrs. Lowe	I so certify
Mayor Morgan	I so certify



- 9. On motion of Mr. Berry, seconded by Mrs. Lowe, the Council went into 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:

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

The motion carried.

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

The roll call vote was as follows:

Mr. Howard	Aye
Mr. Humphreys	Aye
Mr. Berry	Aye
Mrs. Lowe	Aye
Mr. 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:

Mr. Howard	I so certify
Mr. Humphreys	I so certify
Mr. Berry	I so certify
Mrs. Lowe	I so certify
Mayor Morgan	I so certify

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Mayor Morgan declared a 5 minute recess for Council and Town staff to reconvene in the Council Chambers for the regular 7:30 meeting.

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Edward B. Morgan, Mayor

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Cecile M. Rosenbaum, Town Clerk