

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 7, 2009
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on Monday, December 7, 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
Floyd Bailey, IT Department
Tony Sullivan, Chief of Police

Visitors: Bob Howard, Rick/Susan Humphreys, LB Atkins,
Charles Seaver, and others

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**B. PLEDGE OF ALLEGIANCE**

The members of the Highlands Veteran Honor Guard led the Pledge of Allegiance and the posting of the colors. Honor Guard members are Bill Meade, David Reynolds, Butch Neal, Dorlis Cook, Charlie Coleman, and Paul Baker.

Mayor Morgan asked that everyone observe a moment of silence to honor the attack on Pearl Harbor, Decemeber 7, 1941.



### **C. APPROVAL OF MINUTES**

- October 27, 2009 Work Session Meeting
- November 2, 2009 Work Session Meeting
- November 2, 2009 Regular Meeting

**On motion of Dr. Moore, seconded by Mr. Berry, the Council approved the minutes of the October 27, 2009 Work Session Meeting, the November 2, 2009 Work Session Meeting, and the November 2, 2009 Regular Meeting 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.**



### **D. SPECIAL ACKNOWLEDGEMENT OF VOLUNTEERS**

- **Recognition and acknowledgement of volunteers who worked on the restoration of the Norfolk Western Caboose located in Depot Square.**

Greg Kelly, Town Manager, commended all the volunteers, Town staff and businesses who worked on the restoration of the caboose located in Depot Square. Mr. Kelly commented that Charles Seaver and Pete Montague were the primary coordinators of the restoration effort and thanked them for their dedication. Mr. Kelly asked that the volunteers who were in attendance come forward and he presented each person with a 2009 Washington County Chamber of Commerce Christmas ornament which is a depiction of the Caboose located in Depot Square, and a Town pin. Mr. Kelly also thanked John Dew, Director of Public Services and Construction for his efforts in having the caboose moved and placed in Depot Square.

Mr. Kelly indicated that a Resolution regarding the preservation of the caboose was before Council for consideration and asked that Town Clerk, Cecile Rosenbaum, read the Resolution which is as follows:

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA  
REGARDING THE PRESERVATION OF THE  
NORFOLK AND WESTERN RAILWAY C-32P CABOOSE #555091 AT DEPOT SQUARE**

**WHEREAS**, the preservation of the former Norfolk and Western Railway C-32P caboose number 555091 now featured as a major focal point at Depot Square in the Town of Abingdon, has been substantially completed, as a direct result of certain dedicated individuals and organizations whose community service efforts have been a tremendous benefit to the Town of Abingdon; and

**WHEREAS**, the Town of Abingdon and the Norfolk Southern Railway and its predecessors have had a long association with each other to their mutual benefit, beginning with the Virginia and Tennessee Railroad, which connected Abingdon with the cities of Bristol and Lynchburg as of 1 October 1856; and

**WHEREAS**, the Town of Abingdon would like to gratefully acknowledge the donation of the aforesaid caboose to the Town of Abingdon by the Norfolk Southern Railway and the Norfolk Southern Corporation; and

**WHEREAS**, this caboose was built in August of 1976 by the International Railway Car Company of Kenton, Ohio as part of the last caboose order that the Norfolk and Western Railway would ever place, and part of the last order of cabooses built by the International Railway Car Company, and served the N&W and its successors until its retirement and subsequent donation to the Town of Abingdon; and

**WHEREAS**, the preservation of this caboose was coordinated and supervised by two local area residents, Mr. John "Pete" Montague and Mr. Charles W. Seaver whose knowledge, expertise and guidance has lead to the impeccable restoration of the caboose to its original historic specifications; and

**WHEREAS**, Mr. Montague and Mr. Seaver were assisted by a number of dedicated individuals and organizations, including Carmen Blevins, Charles Dolpp, Robert Horsch, Robert Howard, Gregory Kelly, Nancy Leasure and the Town's Public Works, Building and Fire departments; and

**WHEREAS**, Abingdon Glass & Mirror, Jerry's Signs and the Ratcliff Auto Body Shop also assisted in the preservation efforts through replacing windows, lettering the car body and the painting of the undercarriage, respectively; and

**WHEREAS**, the materials for the painting of the caboose were provided by Dr. Susan B. Humphreys, Rick Humphreys and former Town of Abingdon Mayor and current Council member Lois Humphreys, in memory of George H. Humphreys, five of his sons and one son-in-law, who had a collective one hundred and ninety-one years' service with the Norfolk and Western Railway and the Norfolk Southern Railway; and

**WHEREAS**, a marker light for the caboose was provided by Kenneth Fannon; and

**WHEREAS**, the builder's stencil and other similar materials were provided by Kenneth L. Miller; and

**WHEREAS**, the restoration of this caboose contributes to the aesthetic appeal and historic significance of the Town's Depot Square project, thereby serving as a benefit to all those who visit the Arts Depot and the Historical Society of Washington County; and

**THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA** that it recognizes and commends the efforts of the aforementioned individuals and organizations in their efforts to acquire and restore Norfolk and Western Railway C-32P caboose #555091 for public display as a visible symbol of our railway heritage and municipal history.

**On motion of Mr. Berry, seconded by Mrs. Lowe, the Council approved the Resolution regarding the preservation of the Norfolk and Western Railway C-32p Caboose #555091 at Depot Square 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.**

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E. PETITIONS AND PUBLIC HEARINGS

- 1. Consideration of Final Plat for Subdivision - Proposed subdivision of property owned by Sanford E. and Frances M. Pippin, located on the south side of Wyndale Road Hills between Woodland Road and Repass Street. The proposed subdivision will divide one existing lot containing about 1.88 acres and three (3) duplex structure into four (4) lots, ranging in size from 0.22 acres (9,268 sq. ft.) to 0.79 acres (34,554 sq.ft.) Tax Map #104(A)32.**

Garrett Jackson, Director of Planning, came before the Council to report that Mr. and Mrs. Pippin had submitted a plat for subdivision for parcel identified as tax map #104(A)32. Mr. Jackson indicated that the matter had been considered by the Planning Commission at their November 16th meeting and it was approved unanimously as presented, with the waiver of sidewalks.

On motion of Mrs. Lowe, seconded by Mrs. Humphreys, the Council approved the final plat for subdivision of property owned by Sanford E. and Frances M. Pippin, with the sidewalk waiver recommended by the Planning Commission, which subdivision, identified as Tax Map #104(A)32, will divide one existing lot containing about 1.88 acres and three (3) duplex structure into four (4) lots, ranging in size from 0.22 acres (9,268 sq. ft.) to 0.79 acres (34,554 sq.ft.)

The roll call vote was as follows:

Mr. Berry	Aye
Mrs. Lowe	Aye
Mrs. Humphreys	Aye
Dr. Moore	Aye
Mayor Morgan	Aye

The motion carried.

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## **F. CONSIDERATION OF ANY BIDS**

### **1. Consideration of bids submitted for the Town's property and casualty insurance.**

Mr. Kelly, Town Manager, commented that the Council had expressed interest in putting the Town's property and casualty insurance coverage out for bid. Mr. Kelly reported that that the Town had received excellent service from CSE Insurance, the local provider, for many years but given the unfortunate economic times, he too felt it was necessary to obtain bids. Mr. Kelly indicated that the Town had contracted with Rosenthal Insurance Consulting to assist with the insurance bid process. Mr. Kelly reported that Rosenthal Consulting recommended that the Town consider awarding the bid to the low bidder, VML Insurance Programs, with an annual premium of \$111,047.00. Mr. Kelly recommended that the Council authorize him to work with the consultant in negotiating the addition of a \$10M umbrella to the policy at an additional cost of \$3,738.

Mayor Morgan inquired if there was a significant difference in the cost of the VML bid and what the Town is currently paying for property and casualty insurance. Mr. Kelly commented that VML bid was \$64,000 less than the current providers cost and confirmed that the insurance proposal from VML is tailored to fit the needs of a municipality. Mr. Kelly commented that he was disappointed to lose the comfort of having a local provider and if Council chose to go with VML and they did not deliver the level of service he felt was appropriate, he would be back to ask Council for consideration of switching back to the local provider if a reasonable premium could be procured.

Dr. Moore commented that the VML insurance proposal did include coverage for the Virginia Creeper Trail with regard to the trestles if they are damaged or in need of repair.

**On motion of Dr. Moore, seconded by Mrs. Humphreys, the Council authorized the Town Manager, Greg Kelly, to enter into a contract with VML Insurance to provide property and casualty insurance for the Town at an annual cost of \$111,047 and further authorized Mr. Kelly to work with the consultant to negotiate the addition of a \$10M umbrella policy at an additional cost of \$3,738.**

**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.**



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

- 1. Consideration of sponsorship request by Community Christmas, Inc. for the 16<sup>th</sup> Annual Community Christmas Program at Barter Theatre.**

**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council authorized a contribution of \$500.00 from their contingency fund for the Community Christmas, Inc. program and requested that this be added to the upcoming non-departmental budget request for consideration.**

**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.**



- 2. Consideration of pre-authorization to award the bid for the Virginia Creeper Trail Enhancement Project.**

Mr. Kelly reported that the Virginia Creeper Tail Enhancement Project affecting the Alvarado area had been in the works for several years even prior to his becoming Town Manager. Mr. Kelly indicated that Congressman Rick Boucher had secured funding for

this project that would provide for a depot, restroom facilities and additional parking at the Alvarado section of the Trail. Mr. Kelly indicated that he had had a phone conversation in the past week with Congressman Boucher about the project and that the Congressman commented that the project, if at all possible, needed to get underway by the end of the year in order to avoid the possible loss of the state funding for the project. Mr. Kelly reported that \$275,000 had been appropriated for the Alvarado section of the project and all indications were that the project bids would come in much lower than that figure.

Dr. Moore commented that he had been involved in the Creeper Trail project since it began and that the Alvarado section of the project would be a great asset to the Trail. Dr. Moore reported that the project called for the construction of a restroom facility, restoration of the depot and increase the parking near Alvarado and this in turn would assist a business owner who wants to open a restaurant near the site. Dr. Moore commented that this would benefit the users of the trail and offered his support for the approval of proceeding with the project.

Mr. Kelly commented that the bids for the project would not come in until December 22<sup>nd</sup> and as such he recommended that the Council members authorize him to approve and award the lowest and most responsible bidder so that the project can be awarded before the year's end.

Mr. Berry inquired about the cost of the project and Mr. Kelly confirmed that the estimated cost of the Alvarado section was \$275,000.

**On motion of Dr. Moore, seconded by Mrs. Lowe, the Council authorized the Town Manager to approve and award the bid for the Virginia Creeper Trail Enhancement Project to the lowest and most responsible bidder once the bids are received and before the year's end.**

**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.**



## **H. PASSAGE OF RESOLUTIONS**

1. **Resolution of the Council of the Town of Abingdon regarding the preservation of the Norfolk and Western Railway C32P Caboose #55091 for the Town of Abingdon, Virginia and located in Depot Square.**

***\*\* Note – This matter was addressed earlier in the meeting under Item D. No further action was required by Council.***

2. **Resolution of the Council of the Town of Abingdon, Virginia to amend the inter-municipal agreement with Washington County, Virginia Board of Supervisors and the Washington County Service Authority.**

Mr. Kelly, Town Manager commented that the County, the Town and the Washington County Service Authority had been working on the 201 Service Agreement for several years and had finally gotten the document in a form that was agreeable to all parties. Mr. Kelly commented that the Spring Creek, Exit 13 area of Washington County was also included in the agreement so that residents in that area would have the ability to tap into the Town's sewer system. Mr. Kelly indicated that the Town has agreed per this contract to provide the County with a guaranteed 1M gallons per day of sewer service. Mr. Kelly further commented that the agreement is to become effective in February, 2010 and he accordingly recommended that the Council consider approving the following Resolution as presented.

Mayor Morgan commented that the capacity at the Town's Wastewater Treatment Facility was more than adequate to handle the need for the present and the future.

**On motion of Mr. Berry, seconded by Mrs. Humphreys, the Council adopted the following resolution as presented:**

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA TO AMEND THE INTER-MUNICIPAL AGREEMENT WITH WASHINGTON COUNTY, VIRGINIA AND WASHINGTON COUNTY SERVICE AUTHORITY**

**WHEREAS**, the Council of the Town of Abingdon, Virginia desires to amend the inter-municipal agreement with Washington County, Virginia and the Washington County Service Authority for the purpose of acquisition and treatment of wastewater for the residents within a certain defined geographic location of Washington County; and

**WHEREAS**, the respective staffs and legal counsels of the Town of Abingdon, the Washington County Service Authority and Washington County have met, reviewed negotiated and agreed to equitable terms which have been incorporated into an agreement to supersede the prevailing wastewater agreement; and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Town of Abingdon, Virginia has reviewed said agreement and hereby authorizes Town Manager, Gregory W. Kelly, to execute the final agreement provided that there are no material changes to the agreement after this date and provided that similar resolutions have been adopted by the Washington County Service Authority and Washington County, Virginia.



**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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I. FIRST READING OF ORDINANCES – None.

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**J. SECOND READING OF ORDINANCES – None.**

**K. UNFINISHED BUSINESS**

- 1. Update on findings and recommendations from the Town Manager regarding property determined to be blighted located at 268 Leonard Street, Abingdon, Virginia after owners failed to carry out a plan to cure or eliminate the blight within the time period acceptable by the Town Manager.**

Mr. Kelly, Town Manager, reported that this matter was tabled at the Council's November 2, 2009 meeting to allow additional time for the property owners to correct the blight situation with their property. Mr. Kelly commented that Town staff had visited the property and it did appear that the blight had been significantly reduced. Mr. Kelly did not recommend that the Council pursue this matter any further at this time.

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

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L. MATTERS NOT ON THE AGENDA

- Rick Humphreys, member of The Muster Grounds Oversight Committee came before the Council to report on the construction of the Visitor's Center at the site. Mr. Humphreys commented that 75% of the construction was complete and that the project is expected to be completed by the first of the year. Mr. Humphreys reported that the Committee had received confirmation that they would receive a grant in the amount of \$10,000 from Coca Cola to replace the footbridge on the

property. Mr. Humphreys also reported that the National Park Service had pledged \$30,000 for signage on site. Mr. Humphreys and Garrett Jackson, Dir. of Planning reported that the donation of the Edmiston cabin was on hold until the owner could finalize some financial details.

Mayor Morgan commented on the receipt of the \$200,000 grant from the Virginia Department of Conservation and Recreation.

Mrs. Lowe asked Mr. Humphreys to comment on the hearing held recently regarding the location of the National Park Service headquarters. Mr. Humphreys noted that there is a form online where citizens can complete in support of the location of the headquarters.

- Mayor Morgan asked Mr. Jackson to comment on the Fairview project. Mr. Jackson reported that significant progress had been made on the cabin. Mr. Jackson commented that the roof sustained damage during the December 9th wind storm but that it would be repaired as soon as the contractor could take care of it.

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## **M. COUNCIL MEMBER REPORTS**

- Mrs. Lowe commented that she would be running for reelection to the Council in the spring of 2010. Mrs. Lowe also indicated that the Christmas Parade was a good event and she was pleased with the positive publicity.
- Mrs. Humphreys commented that she would not be seeking reelection to the Council and thanked everyone for their support for the past years she has been a member of the Town Council.
- Dr. Moore commented that he would be running for reelection to the Council in the spring of 2010. Dr. Moore also commented that he had heard from additional North Carolina residents who wanted to come up to ride the Creeper Trail.
- Mr. Berry commented that the Tourism Advisory Committee had discussed the location of the Arts and Crafts section of the 2010 Highlands Festival. Mr. Berry reported that the group suggested that the Town Manager enter into discussions with the Highlands Festival Committee and recommend that either Remsburg Drive or Plum Alley be considered as alternate locations for the Arts and Crafts. Mr. Kelly commented that he had had several meetings with the Festival Committee representatives and all indications at this time were that Remsburg Drive, the Fields Penn back yard and the Market Pavilion areas would be the most desirable location for the Arts and Crafts. Mr. Kelly commented that he had not had a chance to meet with Town staff to discuss it and would be doing that in the next few weeks.
- At this time, Mr. Kelly asked that everyone join him in congratulating Jim and Janice Cowan for their recent receipt of the Virginia Highlands Festival's French Moore, Jr. Award.

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N. MISCELLANEOUS BUSINESS AND COMMUNICATIONS

At this time, on motion of Mrs. Lowe, seconded by Mr. Berry, the Council went into closed session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A) (1) for discussion and consideration of appointments to the Industrial Development Authority and the Tourism Advisory Board.

The roll call vote was as follows:

Mr. Berry	Aye
Mrs. Lowe	Aye
Mrs. Humphreys	Aye
Dr. Moore	Aye
Mayor Morgan	Aye

The motion carried.

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**On motion of Mr. Berry, seconded by Mrs. Lowe, 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> |

**1. Appointments to the Tourism Advisory Board (2)**

**On motion of Mrs. Lowe, seconded by Dr. Moore, the Council appointed Christine Webb and Susie Buckner to the Tourism Advisory Board for three (3) year terms.**

**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.**



**2. Appointment to the Industrial Development Authority (1)**

**On motion of Mrs. Humphreys, seconded by Mrs. Lowe, the Council appointed Kyle Macione to the Industrial Development Authority to fill the unexpired term of Tammy Colangelo.**

**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. **On motion of Mrs. Lowe, seconded Mrs. Humphreys, the Council went into closed session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(3) for the consideration of acquisition, use, or disposition of public 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.**

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

The roll call vote was as follows:

Mr. Berry	Aye
Mrs. Lowe	Aye
Mrs. Humphreys	Aye
Dr. Moore	Aye
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:

Mr. Berry	I so certify
Mrs. Lowe	I so certify
Mrs. Humphreys	I so certify
Dr. Moore	I so certify
Mayor Morgan	I so certify

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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