

**TOWN OF ABINGDON  
COUNCIL WORK SESSION  
MONDAY, DECEMBER 7, 2009 – 5:30 P.M.  
DOWNSTAIRS MEETING ROOM – MUNICIPAL BUILDING**

A work session of the Abingdon Town Council was held on Monday, December 7, 2009 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  
Dr. French H. Moore, Jr., Vice Mayor  
Mrs. Lois H. Humphreys  
Mrs. Cathy Lowe  
Mr. Jason N. Berry

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  
Mark Godbey, Town Treasurer/Dir. Finance  
Floyd Bailey, Director of Information Technology  
Rob Case, IT Department

Visitors: Doug Hudgins and Sam Rosenthal

Mayor Morgan called the meeting to order and Cecile Rosenbaum, Town Clerk called the roll.

The following items were discussed by Council:

1. Sam Rosenthal, consultant with Rosenthal Insurance Consulting, provided the Council members with an update on the bids the Town solicited for the property and casualty insurance. Mr. Rosenthal indicated that Virginia Municipal League provided the best proposal for services at an annual cost of \$111,047.00. Discussion ensued among the Council members regarding the bids provided. Greg Kelly, Town Manager questioned the cost of the defense actions, uninsured motorist coverage, and gap coverage. Dr. Moore inquired if the coverage took into account the Creeper Trail and Mr. Rosenthal confirmed that coverage. Mr. Kelly commented on the excellent level of service provided by the Town's current provider, CSE, and indicated that if the bid was awarded to VML, he would expect that same level of service. Mr. Kelly commented

further that if the Town was not satisfied with the service provided by VML for the next 6 months, another provider could be considered at that time.

2. At this time, on motion of Dr. Moore, seconded by Mrs. Humphreys, **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 contract negotiation.**

**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 Mr. Berry, seconded by Dr. Moore, 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>

3. At this time, Town Attorney, Deb Icenhour commented that she had drafted an amendment to an Ordinance affecting the Creeper Trail that would appear on January 4<sup>th</sup> 2010 Council agenda for consideration. Ms. Icenhour explained that §§54-53(3)(b) of the Code of the Town of Abingdon will be amended with regard to the prohibition of carrying firearms on the Creeper Trail.
4. Mrs. Lowe commented that she would like for Council members to consider establishing rules for seasonal decorations that staff places throughout Town during the holidays. Mrs. Lowe suggested that decorations be approved by the Planning Commission or the Board of Architectural Review. Mrs. Humphreys, Dr. Moore and Mr. Berry commented that they had received positive comments about the decorations. Mayor Morgan commented that he did not think the seasonal decorations should have to be approved by the Planning Commission or the BAR. Mr. Kelly commented that there is a Town complaint form on the Town's website and encouraged Council members to have citizens fill that form out and send it in if they wish to express their views.
5. Dr. Moore commented that Joella Barbour's proposed marker for Dunn's Meadow, which had been brought before Council at the November meeting, was not approved by the Board of Architectural Review.

At this time, Mr. Morgan declared the meeting recessed so that Council could reconvene in the Council chambers for the regular meeting.

---

Edward B. Morgan, Mayor

---

Cecile M. Rosenbaum, Town Clerk