

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

A Work session meeting of the Abingdon Town Council was held on Tuesday, July 5, 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  
Rob Case, Dir. of Information Technology

Visitors:

None

The following items were discussed by Council:

1. John Dew, Director of Public Services and Construction, provided a list of items that had been determined surplus. Mr. Dew indicated that these items would be placed online for sale in the next few weeks. Mr. Humphreys inquired if the Housing Authority might be able to use the mower that had been determined surplus.
2. Mr. Kelly reported on the plans for the upcoming Council Retreat in Staunton, Virginia on July 8<sup>th</sup> through 10<sup>th</sup>. Mr. Kelly indicated that the main purpose for the retreat was for Council to review and discuss the Capital Improvement Plan and make any necessary changes and/or adjustments to the plan.
3. Ms. Icenhour reported on the draft of the horse waste ordinance that she had prepared for Council to review. Mrs. Lowe inquired if the Ordinance also covered the Creeper Trail or was it just Town

streets and roadways. Ms. Icenhour indicated that the Ordinance did not include the Creeper Trail and she would amend the draft, before publication, to exclude the Creeper Trail.

4. Ms. Icenhour reported on the Country Club stormwater management project and noted that she had spoken with the Virginia Department of Emergency Management (VDEM) and confirmed that Mount Rogers Planning District Commission would have to comply with an updated hazard mitigation plan before the FEMA monies for the project could be awarded. Ms. Icenhour commented that she had learned that the town was very highly ranked to receive the FEMA funding. Mr. Kelly reported on a conversation he had with a resident of Country Club who expressed his satisfaction with the manner in which the project was progressing. Mayor Morgan commented on the tree replacement plan for the Country Club neighborhood after the area sustained significant damage during the late April tornado. Mr. Berry inquired about the timing of the FEMA funding and the adoption of the federal budget.
5. Mr. Howard inquired if the tornado debris was still be hauled to the wastewater facility and discussion ensued about concerns for air quality during and after the burning of the debris. Mr. Dew reported on the schedule with regard to the removal of debris from the Creeper Trail/Glenrochie Country Club area. Mr. Humphreys suggested a notice be provided to citizens before debris is to be burned.
6. Mr. Kelly commented on the agenda item carried over from the June meeting regarding the Commonwealth Attorney's request for funding for a proposed drug court. Discussion ensued and council members agreed they needed additional time to research the issue before deciding on the funding request. Council members asked that the item be placed on the upcoming Council Retreat agenda for further discussion.
7. Mr. Kelly reported on the recent decision by Washington County, Virginia Emergency Services Department not to relocate the town's radio equipment to their new facility. Discussion ensued and Council members agreed to consider a resolution at the August meeting requesting Washington County reconsider relocating the town's radio equipment.
8. Mr. Berry inquired about the Tourism Advisory Committee meeting for July.
9. Mrs. Lowe inquired about the second reading of the Ordinance regarding obstructions on town sidewalks and streets. Ms. Icenhour indicated that a separate Ordinance addressed residents leaving tree limbs on the sidewalks for pickup by the Public Works Department.
10. At this time, on motion of Mr. Berry, seconded by Mr. Howard, **the Council went into closed session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(5) for the consideration and discussion of a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made.**

**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 Mrs. Lowe, seconded by Mr. Berry, 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:**

**Mr. Howard**            **I so certify**

<b>Mr. Humphreys</b>	<b>I so certify</b>
<b>Mr. Berry</b>	<b>I so certify</b>
<b>Mrs. Lowe</b>	<b>I so certify</b>
<b>Mayor Morgan</b>	<b>I so certify</b>



11. **On motion of Mr. Humphreys, 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:**

<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>
<b>Mrs. Lowe</b>	<b>I so certify</b>
<b>Mayor Morgan</b>	<b>I so certify</b>

~~~~~

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

---

Edward B. Morgan, Mayor

---

Cecile M. Rosenbaum, Town Clerk