

**TOWN OF ABINGDON
COUNCIL WORK SESSION
MONDAY, SEPTEMBER 4, 2012 – 5:30 P.M.
DOWNSTAIRS MEETING ROOM – MUNICIPAL BUILDING**

A Work session meeting of the Abingdon Town Council was held on Monday, September 4, 2012 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
Mr. Jason N. Berry
Mr. Richard E. Humphreys
Mr. Robert M. Howard

Absent: Mrs. Cathy Lowe – Mrs. Lowe monitored the meeting via Facetime on the Ipad

Administrative Staff: Gregory W. Kelly, Town Manager
Cecile M. Rosenbaum, Town Clerk
Debbie Icenhour, Town Attorney
Garrett Jackson, Asst. Town Manager/Dir. of Planning
Jim Smith, Town Engineer
John Dew, Dir. of Construction/Public Services
Floyd Bailey, Dir. of IT Department
John Phelps, IT Department
C.J. McGlothlin, Code Enforcement Officer

Visitors: Debra Mcown

The following items were discussed by Council:

1. Mike Maiden, Superintendent at the Wolf Creek Wastewater Plant presented the Council with a power point presentation regarding an update on the plant. Mr. Maiden commented that the facility had been online for five (5) years now and was quickly becoming well known in the region as a DEQ training facility as well as a heavily visited facility for the local schools. Mayor Morgan inquired about the 201 Service Area as it related to Washington County and the needs in the area for increased capacity to handle sewer.
2. John Dew, Director of Construction/Public Services commented on the list he provided to Council with several items to be listed as surplus. The items will be placed on the surplus website for bid and disposition.

3. Mr. Kelly, Town Manager reported on the renovation project between the Town Hall building and the Barter Theatre building. Mr. Kelly commented that a discrepancy does exist between what the Barter has determined should be paid by the town and what the contractor informed the Council would be done to both buildings and the costs associated with the construction work. Mr. Kelly noted that Council authorized him to pay up to \$60,000 for the renovation costs and the Barter had reported that the town owed in excess of \$139,000. Mr. Kelly commented that he had asked for a detailed breakdown of the charges and would report back to Council once a determination could be made about the charges. Mr. Kelly noted that the town was supposed to get two (2) additional office spaces and only got one; he noted that the doorways leading to the stairwells were off center; and Mr. Jackson's office was much smaller than originally planned. Mr. Kelly further noted that the amount the town was originally apportioned by the contractor and approved by Council was an amount up to \$60,000. Mr. Kelly indicated he would update Council after he received the detailed breakdown of the charges. Mrs. Lowe asked that the minutes from the meeting authorizing the amount up to \$60,000 be pulled and copied to the Council members.
4. Ms. Icenhour, Town Attorney reported on the status of the easements needed for the Country Club Stormwater Management project. Mr. Kelly commented that he was in the process of meeting one on one with the affected property owners who were reluctant to sign their easements. Discussion ensued relative to eminent domain and the steps that would have to be taken if that was the approved action to move the project forward. Mr. Kelly further noted that eminent domain is not a fast nor simple process.
5. Ms. Icenhour reported on the proposed Ordinance she expected to have on the upcoming October meeting agenda with regard to the regulations of concessions and compliance with the Health Department official.
6. Mr. Humphreys inquired about the flow chart that Mr. Jackson had provided to Council at their August 15th work session meeting. Mr. Jackson noted that he was awaiting the report from Cooper Planning before putting the flow chart in place.
7. Mr. Berry commented on the Tourism Advisory Committee relative to their discussion about the relocation of Chamber of Commerce offices. Mr. Howard commented that maybe Abingdon should consider establishing The Abingdon Chamber of Commerce.
8. Mr. Kelly commented about the Resolution on the agenda with regard to a grant application to the Virginia Department of Housing and Community Development. Mr. Kelly noted that the town is only in the application phase at this time and should the town be awarded the grant, the Council would have to approve the project before any funding was committed.
9. Mayor Morgan commented on an event he attended at Capo's Music Store where they became the areas first venue to be named a Crooked Road destination.
10. At this time, **on motion of Mr. Humphreys, seconded by Mr. Howard, the Council went into closed session pursuant to Section 2.2-3711(A)(3) for the consideration and discussion of the acquisition of publicly held property.**

The roll call vote was as follows:

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

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	Absent
Mr. Morgan	Aye

The motion carried.

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**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>Absent</b>       |
| <b>Mayor Morgan</b>  | <b>I so certify</b> |

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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.

Edward B. Morgan, Mayor

Cecile M. Rosenbaum, Town Clerk