

#### TOWN OF ABINGDON, VIRGINIA TOWN COUNCIL REGULAR MEETING MONDAY, FEBRUARY 7, 2022 – 6:30 pm TOWN HALL - COUNCIL CHAMBERS

#### DRAFT AGENDA

Please note there will be an opportunity during the meeting for citizens to address the Town Council when the Mayor declares public comments open. We request that anyone addressing the Council sign up, approach the podium when called, state your first and last name, and provide your complete mailing address.

- A. WELCOME Mayor Webb
- B. ROLL CALL Kim Kingsley, Clerk
- C. PLEDGE OF ALLEGIANCE Councilmember Mike Owens
- D. PRAYER Dr. Bill Bryan, Pastor at Abingdon Baptist Church
- E. APPROVAL OF AGENDA Mayor Webb
- **F. PUBLIC COMMENTS** Please place your name on the sign-up sheet provided, and comments are limited to three (3) minutes per person.

#### G. APPROVAL OF MINUTES

- January 3, 2022 meeting
- January 31, 2022 meeting

#### H. PROCLAMATIONS

- 1. Proclamation recognizing Black History Month, February 2022
- **I. PUBLIC HEARING** Please place your name on the sign-up sheet provided, and comments are limited to five (5) minutes per person.
  - No Public Hearings Scheduled

#### J. RESOLUTIONS

- 1. Resolution adopting the "Commitment to Excellence" policy for boards, commissions and committees *James Morani, Town Manager*
- K. FIRST READING OF ORDINANCES
- L. SECOND READING OF ORDINANCES
- M. CONSIDERATION OF BIDS
- N. NEW BUSINESS
- O. OLD BUSINESS

#### P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER

- 1. Discussion regarding ARPA Funds Steve Trotman, Director of Finance
- 2. Discussion regarding the Virginia Creeper Trail trestle repairs James Morani, Town Manager
- 3. Memorandum of Understanding between Town of Damascus and Town of Abingdon regarding Virginia Creeper Trail trestles *James Morani, Town Manager*
- 4. Wastewater Operations Report Woodard & Curran
- 5. Town Manager Report James Morani, Town Manager

#### Q. COUNCIL MEMBER REPORTS

#### R. CLOSED SESSION

#### S. APPOINTMENTS TO BOARDS AND COMMITTEES

- 1. Abingdon Redevelopment and Housing Authority
  - Reappointment of Dorothea Frazier, who is eligible to serve an additional term
- 2. Sinking Spring Cemetery Committee
  - Appointment to fill vacancy for funeral home representative
- 3. Abingdon Arts Commission
  - Appointment to fill vacancy for one ex officio Councilmember
  - Appointment by Town Manager to fill vacancy for *ex officio* Town employee designee to serve as staff support and/or as secretary
  - Appointment to fill three vacancies to serve from date of appointment until June 30, 2023
  - Appointment to fill two vacancies to serve from date of appointment until June 30, 2024

#### T. ADJOURNMENT

# TOWN OF ABINGDON REGULAR COUNCIL MEETING MONDAY, JANUARY 3, 2022 – 6:30 PM COUNCIL CHAMBERS – MUNICIPAL BUILDING

The regular meeting of the Abingdon Town Council was held on Monday, January 3, 2022 at 6:30 pm in the Council Chamber of the Municipal Building.

- A. WELCOME Mayor Webb
- **B. ROLL CALL**

Members of Council Present: Mike Owens

Amanda Pillion

Donna Quetsch, Vice Mayor

Derek Webb, Mayor

Member(s) of Council Absent: James Anderson

- C. PLEDGE OF ALLEGIANCE
- D. PRAYER Pastor Paul Seay, Abingdon United Methodist Church and Charles Wesley Methodist Church
- **E. APPROVAL OF AGENDA (VIDEO 27:45 28:10)**

On motion of Mr. Owens, seconded by Mrs. Pillion, approved the agenda as presented.

The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

- **F. PUBLIC COMMENTS (VIDEO 28:11 37:29)** 
  - Michael Henningsen
  - Emmitt Yeary
- G. APPROVAL OF MINUTES (VIDEO 37:30 38:00)
  - December 6, 2021 minutes

On motion of Mr. Owens, seconded by Mrs. Pillion, approved the December 6, 2021 meeting minutes as presented.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

#### **H. PROCLAMATIONS (VIDEO 38:01 – 38:26)**

1. Proclamation to honor and recognize the Abingdon High School Football Team as the VHSL District 3 Champions.

Mayor Webb announced the Proclamation would be presented at the February Council meeting due to inclement weather.

#### I. PUBLIC HEARING - None

#### J. RESOLUTIONS

1. Resolution supporting the application for the Walkabout Mini-grant – *Mayana Rice*, *Director of Community Development* (VIDEO 38:29 – 42:00)

Director of Community Development Mayana Rice advised the Town supports the Walkabout Mini-grant, which, if granted, will provide funding to study the safety for students to bike and walk to the E. B. Stanley Middle School, Abingdon High School, and The Neff Center. Ms. Rice stated that this is an outside organization requesting support, with the Town providing no funding. However, if awarded, the Council would provide staff the day the Walkabout occurs.

Mayor Webb stated that he supported the Resolution to promote the health and well-being of the children by being active.

On motion of Mrs. Pillion, seconded by Mr. Owens, approved the Resolution supporting the application for the Walkabout Mini-grant as presented.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

#### K. FIRST READING OF ORDINANCES

#### L. SECOND READING OF ORDINANCES

1. Ordinance regarding proposed Veterans Advisory Board – *James Morani*, *Town Manager* (VIDEO 42:02 – 43:19)

Town Manager James Morani stated this Ordinance was discussed at the last meeting. The Council desired to move to a second reading similar to the Abingdon Arts Commission regarding structure and terms.

On motion of Mrs. Quetsch, seconded by Mr. Owens, approved the Ordinance establishing the Veterans Advisory Board as presented.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

#### M. CONSIDERATION OF BIDS

- N. NEW BUSINESS
- O. OLD BUSINESS
- P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER
  - 1. Presentation of 2020/2021 Financial Audit for the Town of Abingdon *Jordan Owens, Brown, Edwards & Company* (VIDEO 43:20 50:27)

Jordan Owens with Brown, Edwards & Company presented to Council an unmodified opinion on the financial statements for the year ending June 30, 2021 and discussed various findings.

2. Abingdon Police Department Update – *APD Chief Holbrook* (VIDEO 50:34 – 1:09:08)

Chief Holbrook provided Council with a brief update for August 2021 through December 2021.

#### (VIDEO 1:09:10 – 1:12:46)

Town Manager James Morani shared that the Park Street Project public information meeting is scheduled for Thursday, January 6, 2022 from 5 to 7 pm at the Abingdon Fire Department. He announced that the Virginia Department of Transportation Central Office received approval and will soon receive authorization to begin the right-of-way acquisition process for temporary construction easements and permanent right-of-ways. He further stated that Town staff and consulting engineers would be at the meeting to answer questions.

Town Manager Morani advised that the Arthur Campbell Room is being renovated by removing the dais to accommodate more guests.

Town Manager Morani reminded Council that the Statement of Economic Interests was delivered and/or mailed with a February 1, 2022 due date.

Town Manager Morani announced the staff has moved into the Fields Penn House in hopes to open in March.

#### Q. COUNCIL MEMBER REPORTS (VIDEO 1:12:46 – 1:13:36)

Vice Mayor Quetsch thanked the Finance Department and Treasurer's offices for the excellent work during the audit, which involved a lot of work.

Mayor Webb requested that Mr. Anderson be in everyone's thoughts and prayers and hopes to welcome him back to the Council meetings soon.

#### R. CLOSED SESSION

#### S. APPOINTMENTS TO BOARDS AND COMMITTEES (VIDEO 1:13:36 – 1:16:51)

- 1. Sinking Spring Cemetery Committee
  - Appointment to fill the vacancy of Martha Keys, who is ineligible to serve an additional term

On motion by Mr. Owens, seconded by Mrs. Pillion, appointed Donnamarie Emmert to the Sink Spring Cemetery Commission.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

- 2. Board of Zoning Appeals
  - Appointment to fill the vacancy
- 3. Tourism Advisory Committee
  - Appointment to fill vacancy for representative for a B&B establishment
  - Appointment to fill vacancy for representative for a hotel/motel
  - Appointment to fill vacancy for representative for a retail or downtown business owner

Regular meeting minutes

On motion by Mr. Owens, seconded by Mrs. Quetsch, appointed Jamie Arnold to fill vacancy for representative for a hotel/motel on the Tourism Advisory Committee.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

- 4. **Abingdon Arts Commission** 
  - Appointment to fill vacancy for one ex officio Councilmember
  - Appointment by Town Manager to fill vacancy for ex officio Town employee designee to serve as staff support and/or as secretary
  - Appointment to fill three vacancies to serve from date of appointment until June 30, 2023
  - Appointment to fill two vacancies to serve from date of appointment until June 30, 2024

On motion by Mrs. Quetsch, seconded by Mrs. Pillion, to table appointments to the Board of Zoning Appeals, B&B establishment and retail or downtown business owner for the Tourism Advisory Committee; and Abingdon Arts Commission.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

Mayor Webb requested that the vacancies for Board of Zoning Appeals; B&B establishment and retail or downtown business owner for the Tourism Advisory Committee, and Abingdon Arts Commission to re-advertised.

Mayor Webb declared the meeting ad	journed.
	Mayor Derek Webb
Kimberly Kingsley, Clerk	

# TOWN OF ABINGDON CALLED COUNCIL MEETING MONDAY, JANUARY 31, 2022 – 5:45 PM COUNCIL CHAMBERS – MUNICIPAL BUILDING

The Abingdon Town Council called meeting was held on Monday, January 31, 2022 at 5:45 pm in the Council Chamber of the Municipal Building.

#### A. WELCOME - Mayor Webb

Mayor Webb stated that there appears to be some confusion as provisions were not made for public comments as this meeting was called for a closed session for an assessment. Mayor Webb invited comments at the next regularly scheduled meeting on February 7, 2022.

#### B. ROLL CALL

Members of Council Present: Mike Owens

Amanda Pillion

Donna Quetsch, Vice Mayor

Derek Webb, Mayor

Member(s) of Council Absent: James Anderson

#### C. APPROVAL OF AGENDA (VIDEO 7:28 – 8:22)

On motion of Mrs. Quetsch, seconded by Mrs. Pillion, approved the agenda and added that the language regarding the public comments is included on every agenda and not intended to be an agenda item.

The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

#### **R.** CLOSED SESSION (VIDEO 8:24 – 31:15)

On motion of Mr. Owens, seconded by Mrs. Quetsch, to discuss the performance of the Town Manager pursuant to the Code of Virginia, 1950, Section 2.2-3711(A)(1).

The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

On motion by Mr. Owens, seconded by Mrs. Quetsch, reconvened in open session.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

Mr. Owens moved that the Town Council certify that, in closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in the motion.

#### The certification was as follows:

Mr. Owens	I so certify
Mr. Anderson	Absent
Mrs. Pillion	I so certify
Mrs. Quetsch	I so certify
Mayor Webb	I so certify

On motion by Mr. Owens, seconded by Mrs. Pillion, that pursuant to Section 4.2 of the Town Charter that Council accepted the resignation of James Morani as Town Manager effective February 28, 2022, and further move that Council authorized the Mayor to endorse appropriate agreements with Mr. Morani to that effect.

#### The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Absent
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

Mayor Webb declared the meeting	adjourned.
	Mayor Derek Webb
Kimberly Kingsley, Clerk	



## RESOLUTION OF THE COUNCIL FOR THE TOWN OF ABINGDON TO ESTABLISH COMMITMENT TO EXCELLENCE FOR BOARDS, COMMISSIONS, AND COMMITTEES

*WHEREAS*, according to The Code of the Town of Abingdon Virginia, Article VII Boards, Commissions and Committees, Section 2-383. – Appointment and qualifications of members, adopt the attached Commitment to Excellence for Boards, Commissions, and Committees; and

**WHEREAS**, the Council strive to improve the Town citizens' lives and support business and economic growth; and

**WHEREAS**, the Commitment to Excellence includes a Code of Ethics, Scope of Duties, Standards of Conduct, and Best Practices for Communicating with the Media and Citizens; and

**NOW, THEREFORE, BE IT RESOLVED** that the Council adopts the attached *Commitment of Excellence for Boards, Commissions, and Committees*.

*NOW*, *THEREFORE*, *BE IT FURTHER RESOLVED*, this Resolution shall take full force and effect upon its passage and approval.

<b>BY</b> : _		
	Mayor Derek Webb	

The undersigned Clerk of the Town of Abingdon, Virginia (the "Town") hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Council held on February 7, 2022. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing resolution was as follows:

Member	Attendance	Vote
Derek Webb, Mayor		
Donna Quetsch, Vice Mayor		
James Anderson		
Amanda Pillion		
Mike Owens		

WITNESS my hand and seal of the	Town of Abingdon as of February 7, 2022.
Kimberly Kingsley, Clerk	

## COMMITMENT TO EXCELLENCE



Town of Abingdon
Boards, Commissions, and
Committees

#### **Message from the Abingdon Town Council:**

Thank you for serving on a board, commission, or committee, and welcome! Every day we strive to improve our citizens' lives, and we are grateful for your assistance in making that happen. Our vision is:

"Working together, we will be a progressive community shaped by new ideas and solutions, a skilled and innovative workforce, and citizen leadership-all distinguished by responsible and traditional values, involvement, new technology, and quality citizen services."

In your capacity as an appointee, it is essential to remember you have a duty to act in the best interest of the people of Abingdon. Transparency and accountability are crucial, so we have adopted by resolution this Commitment to Excellence for boards, commissions, and committees to formally recognize certain principles and standards that every member should follow to ensure that Abingdon continues to thrive for future generations.

This Commitment to Excellence includes a Code of Ethics, Scope of Duties, Standards of Conduct, and Best Practices for Communicating with the Media and Citizens. The Council expects appointees to adhere to the policies set forth. Many of these items are requirements pursuant to the Virginia Conflict of Interests Act and the Virginia Freedom of Information Act. You will also receive in-person or virtual training from a member of Town staff and/or Town Attorney. Please note that in the event provisions in this Commitment to Excellence are not adhered to - for example, posting racially insensitive statements on social media or accepting gifts in your official capacity for personal gain - the Council reserves the right to end your appointment.

We appreciate that you have chosen to devote your time by making a difference in our Town. We cannot serve the people of Abingdon to the best of our ability without your continued collaboration and support.

Sincerely,

Mayor

#### Message from the Town Manager, Clerk of Council, and Town Attorney:

We are Abingdon, a vibrant historic community celebrating and embracing years of innovation to create an even more dynamic future.

We honor Council's vision statement for our great Town every day through our collective efforts. As a board, commission, or committee member, you too play a critical role in realizing an even more dynamic future. Thank you for agreeing to be a significant player in our work!

This Commitment to Excellence outlines the operational norms that guide us, some of which are legal and Abingdon-centric – to ensure expectations during our service. While training will be provided to newly appointed members, we expect you to periodically review and remain knowledgeable of these norms. We thus ask that you take time to review this Commitment to Excellence as you embark on or continue your service to our community. By signing your declaration of commitment, you agree to adhere to our communal standards each year of your service.

We are so glad to have you join Team Abingdon! If any of us - or staff - can help to enrich your volunteer service, please do not hesitate to contact us!

#### **CODE OF ETHICS**

Recognizing that the community sees Town Council appointees as influencers, they should display the highest levels of moral and ethical conduct, and any person serving on a Town board, commission, or committee shall comply with the following Code of Ethics:

- 1. Uphold the Commonwealth of Virginia and the Town of Abingdon laws and regulations, including the Code of Virginia, Town Code, Charter, and never intentionally violate them.
- 2. Give a full measure of service and effort to the position of trust for granted guardianship, giving best thought and sincere attempt to perform your duties.
- 3. Avoid adopting policies, engaging in activities, or supporting programs that discriminate against individuals based on race, color, religion or creed, sex,national origin, age, or other protected characteristic.
- 4. Comply with all provisions of the state and local Conflict of Interests Act and Ethics in Public Procurement Act, including, but not limited to, those sections that regulate the solicitation and acceptance of money, gifts, or other things of value for services completed during the performance of your official duties.
- 5. Attend all Virginia Conflict of Interests Act, Freedom of Information Act, and Ethics in Public Procurement Act training sessions, if required by your appointment.
- 6. Seek out the Town Attorney for legal counsel if you have any questions about a potential conflict of interest.
- 7. Ensure the integrity of actions performed by boards, commissions, or committees by avoiding the disbursement of unfair privileges or special favors to anyone. You should never receive favors of benefits or gifts for family members or yourself; under the circumstances, a reasonable person influences the performance of your governmental duties.

#### **SCOPE OF DUTIES**

- 1. Make no promises binding upon the duties of any office.
- 2. Do not use information learned confidentially during the performance of governmental duties to make a private profit for your family, employees, close family relations, yourself, or any business where you have a personal financial interest.
- 3. Report to the Town Attorney's Office any misconduct, neglect of duty, or corruption when discovered.
- 4. Comply with the provisions of the Virginia Freedom of Information Act, including, but not limited to:
- Not discussing public business outside of an open meeting in a group of three or more members of your body or such a number that would constitute a "meeting" under the law.
- Complying with the principle that the public's business should be conducted openly by following and observing the spirit and letter of the Virginia Freedom of Information Act, using closed sessions only to deal with matters adequately exempted under the law.
- Maintaining confidentiality of all matters discussed during a closed session and personnel matters.
- Using Town of Abingdon email for official Town business purposes to correspond with our citizens in the course of normal operations.
- 5. When presenting individual positions and opinions, you shall purposefully state that you are not representing the Town or your body, nor will you convey an inference that you do. When speaking in your official capacity, you shall also not use the media or social media to criticize, question the integrity of, or vilify the personal beliefs of citizens, Town employees, or colleagues.
- 6. When responding to the media, you must make a clear distinction between personal belief or opinion and a decision made by your body.
- 7. Be an active listener, carefully considering all points of view and opinions.
- 8. If appropriate, work in partnership with other political subdivisions, organizations, and governmental agencies to further the interest of the Town of Abingdon.

#### STANDARDS OF CONDUCT

Recognizing that individuals holding public office are under continuous observation by interested Town residents and the media, and realizing that maintaining the dignity and integrity of public office is vital for maintaining high levels of public confidence in governmental institutions. Each member of a board, commission, or committee shall adhere to the following Standards of Conduct:

- 1. Avoid the use of intimidating, abusive, or threatening gestures or language directed at citizens, colleagues, or Town employees during the performance of public duties and public meetings.
- 2. Stay current on all tax obligations.
- 3. Adhere to the following Social Media Policy:

Members who use social media shall <u>not</u> do the following:

- · Post any materials of a sexually graphic nature;
- Promote violence or suppression;
- Post any materials that encourage or show illegal activity;
- Use any speech containing obscene or sexually explicit language, images, acts, statements, or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any other protected class; or
- Use speech that could reasonably be considered reckless.
- 4. Attend all scheduled meetings of your board, commission, or committee, resigning whenever personal circumstances preclude regular attendance. Refer to the Council Ordinance and/or bylaws of your particular board, commission, or committee for specific attendance requirements.
- 5. Make a diligent effort to be well prepared for every meeting.
- 6. Avoid criticism or personal attacks on Town employees or colleagues unrelated to the public business before your board, commission, or committee. Maintain an attitude of consideration and courtesy toward all Town employees and colleagues during every deliberation and discussion.
- 7. Refrain from the use of personal devices during meetings.
- 8. During board, commission, and committee meetings, all members should dress appropriately for the business environment.

### BEST PRACTICES FOR COMMUNICATING WITH THE MEDIA AND CITIZENS

- 1. When responding to questions from citizens or the media, you should:
  - Remind the listener that you do not speak for the entire board, commission, or committee;
  - Clarify your position on a specific item; and
  - Not comment on closed session matters unless and until discussed in an open session meeting.
- 2. Every member shall acknowledge that personnel matters must remain confidential, and the board, commission, or committee shouldprotect individual privacy.
- 3. Members will concentrate on issues and avoid making public comments about Town employees, individuals, fellow board, commission, or committee members, media representatives, or community residents. The Town Manager should be the primary contact for Town matters. When requested to give an interview, the member asked should contact the Town Manager's Office, and they will, in turn, contact the Mayor and Town Council to inform them of the interview's subject matter. In addition, the staff liaison to that particular board, commission, or committee shall update the other members regarding the circumstances and substance of the interview as soon as practicable.
- 4. This procedure does not prevent any member from responding to questions from the media.

### TOWN OF ABINGDON BOARDS, COMMISSIONS, AND COMMITTEES

#### COMMITMENT TO EXCELLENCE

#### ACKNOWLEDGMENT FORM

As a member of a Town of Abingdon board, commission, or committee, I agree to uphold and affirm the Town of Abingdon Boards, Commissions, and Committees Commitment to Excellence as articulated in the Code of Ethics, Scope of Duties, Standards of Conduct, and Best Practices for Communication with the Media and Citizens. In furtherance of that pledge, I will:

- Appreciate the individual contributions, perspectives, and talents of individual members;
- Help create an environment of civility and respect where individual members, the public, and Town employees are free to work to their full potential and express their ideas;
- Conduct my public and private affairs with integrity, fairness, honesty, and respect for others;
- Respect the privacy and dignity of organizations and individuals;
- Focus on achieving meaningful solutions for the public benefit and strive to uphold the common good;
- Avoid and discourage actions that are harmful or divisive to the best interest of the Town; and
- Treat everyone I meet the same way I wish to be treated.

I affirm that I have read and comprehend the Town of Abingdon Boards, Commissions, and Committees Commitment to Excellence. Failure to adhere to the policies articulated in this document may result in removal from the board, commission, or committee by the Town Council.

Signature	Printed Name
Date	Board/Commission/Committee

#### Memorandum of Understanding between Town of Damascus ("Damascus") and the Town of Abingdon

This Memorandum of Understanding ("MOU") is made and entered into this \_\_\_ day of January, 2022, between Damascus and Abingdon.

WHEREAS, by deed from Norfolk and Western Railway recorded at Deed Book 652, Page 74 in the Clerk's Office for Washington County, Damascus and Abingdon were granted certain property rights in what is commonly referred to as the Virginia Creeper Trail; and

WHEREAS, the parties wish to conduct engineering studies for certain trestles along the Virginia Creeper Trail; and

WHEREAS, Abingdon is agreeable to issue a request for proposals for professional services, evaluate candidates, enter into an agreement and fund the engineering studies; and

WHEREAS, Damascus is agreeable to permit Abingdon to do so, subject to the conditions of this MOU;

NOW THEREFORE, for and in consideration of the terms, conditions and mutual promises set forth, the Parties agree as follows:

#### 1. <u>Term.</u>

The Term of this MOU shall be from January 15, 2022 to December 31, 2026, at which time it will expire.

#### 2. Abingdon Responsibilities:

Abingdon agrees to draft and issue a request for proposals for professional services to study trestles along the Creeper Trail from the trailhead to Drowning Ford, consisting of Trestles numbered 1-15, evaluate candidates, enter into an agreement, fund the engineering studies, undertake or assign to contractors the actions associated with the engineering studies, and to keep Damascus reasonably informed about the RFP, studies, progress and results.

#### 3. <u>Damascus Responsibilities.</u>

Damascus by signing this MOU authorizes Abingdon to undertake the tasks listed in Paragraph 2 above.

#### 4. Miscellaneous.

Abingdon: 1172597-1

- 4.1 <u>Entire Agreement</u>. This Agreement sets forth the entire agreement and understanding of the Parties with respect to its subject matter and any prior agreements regarding the subject matter are no longer in force. No terms, provisions or representations not set forth in this MOU shall be of any force or effect.
- 4.2 <u>Amendments</u>. This Agreement may not be amended or modified other than by a written instrument executed by all signatories.
- 4.3 <u>Binding Nature</u>. This Agreement shall be binding on the heirs, successors and assigns of the parties.
- 4.4 <u>Governing Law</u>. This MOU shall be governed by and construed in accordance with the internal laws of the Commonwealth of Virginia.
- 4.5 <u>Independent Contractor Status</u>. The relationship of the signatories under this MOU is strictly that of independent contractors, and not that of joint venturers, partners, or agents. No signatory shall have any authority to bind any other signatory unless such authority is specifically granted to the signatory in writing by the other signatory.
- 4.6 <u>Assignment</u>. This MOU and the obligations under it are not assignable or transferrable without the written consent of all signatories.
- 4.7 <u>Notice</u>. All notices relating to this MOU shall be in writing and delivered personally or mailed by email to the addresses stated above.

Abingdon: 1172597-1

WITNESS, the following signatures and seals as of the date first above written:

TOWN OF ABINGDON
By:
By: James Morani, Town Manager
COMMONWEALTH OF VIRGINIA
County of Washington to wit:
The foregoing instrument was acknowledged before me this day of, 2022.
My Commission Expires
Notary Public
TOWN OF DAMASCUS
By:
Gavin Blevins, Town Manager
COMMONWEALTH OF VIRGINIA
County of Washington, to wit:
The foregoing instrument was acknowledged before me this day of, 2022.
My Commission Expires
Notary Public



### PUBLIC DOCUMENT – SUBJECT TO FREEDOM OF INFORMATION ACT

#### **APPLICATION EXPIRES DECEMBER 31, 2022**

#### **Board and Commission Application**

The Abingdon Town Council has adopted this application for use by individuals interested in appointment to any of the Town's advisory boards and commissions. To ensure your application will receive full consideration, please answer all questions completely. Questions? Call 276-492-2149

#### Please return this application either:

- In person (3rd floor of the Town Hall), 133 West Main Street, Abingdon, VA;
- By mail, Boards and Commissions, Town of Abingdon, P.O. Box 789, Abingdon, VA 24212; or
- kkingsley@abingdon-va.gov

Name Kimberly Farsis-Luke (Kim) Date: 1-26-22
Address 18276 Westwood Dr. City/State Abington, V4 Zip 24211
Do you live inside the Town limits of Abingdon? Yes No_X
Telephone: <u>276-356-344</u>
Email Address: (required) Kfarcis/Welagmail.com
Place of Employment: Farcis Funeral Service
Address: 427 E. Main Street, Abingdon, VA 24210
Description of job duties: Owner President and CEO
Educational background: B.S. Psychology- University of Richmond
MBH - University of South Carolina

Are you currently serving on a board or commission of the Town of Abingdon? Yes NoX
If so, which Board(s) or Commission(s)?
When do(es) your present term(s) expire? (mm/yy)
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?  Yes X No _ Cure-thy: Board of United Way SWVA (2rd term); Board of
If so, name and date(s) of service? Abinophrisotory. Formerly: Board of Selected Trough Funeral Horres, an international association
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that
you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful?
As a funeral professional, we sometimes serve families who have property at
Sinking Spring Cempery. I appreciate the rich his tory and bounts of the cemeters and
would enjoy contributing to efforts to Sustain and promote the cemeters and Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No _X_
To the best of my ability, all information on this application is true and correct.
SIGNATURE JUMYUH JAMYUM
Thank you for your interest in appointment to the Town's Advisory Roards and Commissions **

Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

Board of Building Code Appeals **	Planning Commission */**	
Board of Zoning Appeals	Recreation Advisory Commission	
Economic Development Authority	Sinking Spring Cemetery Committee **	
Infrastructure Advisory Committee	Sustain Abingdon Committee	
Historic Preservation Review Board */**	Tourism Advisory Committee **	
Housing and Redevelopment Authority	Tree Commission	
Abingdon Arts Commission	Virginia Highlands Small Business Incubator	
Veterans Advisory Board		

<sup>\*</sup>May be required to attend training and/or obtain certification during term

Note: All applicants are subject to background verification.

<sup>\*\*</sup>Appointment contingent upon residency, qualified voter, or other qualifications as set forth in Ordinance and/or bylaws



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#### **APPLICATION EXPIRES DECEMBER 31, 2022**

#### **Board and Commission Application**

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#### Please return this application either:

- In person (3<sup>rd</sup> floor of the Town Hall), 133 West Main Street, Abingdon, VA;
- By mail, Boards and Commissions, Town of Abingdon, P.O. Box 789, Abingdon, VA 24212; or
- kkingsley@abingdon-va.gov

#### \*\*\*PLEASE PRINT OR TYPE\*\*\*

Sun Name	nmer Apostol	Date:	01/31/2022 
Address355 Rode	fer St SW Apt #6City/St	tate Abingdon, VA Zip 24	4210
Do you live inside the To	own limits of Abingdon? Yes  5 - 3628	No	
Email Address: (required	0	apostol@gmail.com	
Place of Employment: _	The Reece Mus	eum at ETSU and Salt o	of the Earth
Address:	363 Stout Dr, Johnson City,	TN // 321 W Main St, Ab	ingdon, VA
Description of job duties	: Assista	nt Curator and Spa Man	ager
Educational background:	International Baccalaurea	ite Degree - Paxon Scho	ool for Advanced Studies
	History & Sociology BA - E	Emory & Henry College	

Revised 2021.01.04

Ruc. 1/31/2022

Are you currently serving on a board or commission of the Town of Abingdon? YesNo
If so, which Board(s) or Commission(s)?
When do(es) your present term(s) expire? (mm/yy) $\nearrow$
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?  Yes No
If so, name and date(s) of service? Arts Alliance of the Mountain Empire 07/20 - 08/21
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful?
See Word Document Attached to Email
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No
To the best of my ability, all information on this application is true and correct.  SIGNATURE

#### Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. \*\*

Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

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- kkingsley@abingdon-va.gov

Name		D	Date:	
Address	City/State		Zip	
Do you live inside the Town limits of Abingdo	on? Yes	_ No		
Telephone:				
Email Address: (required)				
Place of Employment:				
Address:				
Description of job duties:				
Educational background:				

Are you currently serving on a board or commission of the Town of Abingdon? Yes No
If so, which Board(s) or Commission(s)?
When do(es) your present term(s) expire? (mm/yy)
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities? Yes No
If so, name and date(s) of service?
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background tha you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful?
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No
To the best of my ability, all information on this application is true and correct.
SIGNATURE

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- kkingsley@abingdon-va.gov

Name_Matthew Frederick	Date: _12/13/21
Address 790 Wingedfoot Ct.	City/State Abingdon Zip 24211
Do you live inside the Town limits of Abin	agdon? Yes Vo No
Telephone: 276-608-5269	
Email Address: (required) mfrederick@	@ehc.edu
Place of Employment: Emory & Henry	y College
Address: 1 Garnand Drive, Emory,	VA 24211
Description of job duties:	n of Academics as well as the Director of Bands. In addition I am the music director at Pleasant View United Methodist Church.
Educational background:  B.S. in Music Education, West Chester University:	; Masters in Music. in Trumpet Performance, Auburn Universtiy; Doctorate
of Musical Arts in Trumpet Performan	ce, The University of Texas

Are you currently serving on a board or commission of the Town of Abingdon? Yes No		
If so, which Board(s) or Commission(s)?		
When do(es) your present term(s) expire? (mm	n/yy)	
Have you ever served on any boards or commission Yes No 🗹	s in the past, either Abingdon or in other localities?	
If so, name and date(s) of service?		
	7? Do you have an area of interest or background that pacity? If so, what is it and how would it behelpful? It town community I would like to serve our community more. My	
family and I have lived in this area for 19 years and have enjoyed the variety of arts that are available. I would like the opportunity to be a part of that continued effort.		
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No		
To the best of my ability, all information on this application is true and correct.		
SIGNATURE Molling Include		
Thank you for your interest in appointment to th	e Town's Advisory Boards and Commissions. **	
Housing and Redevelopment Authority, and Historic	c Development Authority, Board of Zoning Appeals, c Preservation Review Board are required to complete conomic Interest.	
Please circle any other committees you are willing to		
Board of Building Code Appeals **	Planning Commission */**	
Board of Zoning Appeals	Recreation Advisory Commission	
Economic Development Authority	Sinking Spring Cemetery Committee **	
Infrastructure Advisory Committee	Sustain Abingdon Committee	
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- kkingsley@abingdon-va.gov

^^^PLEASE PRINT OR TYPE***
Name ROBERT REVORROW Date: D1.5.22
Address 148 S70 NEWOU HEGHTS, NEITY/State 13/N/DON Zip 2/210
Do you live inside the Town limits of Abingdon? Yes No
Telephone: 276/602.7957
Email Address: (required)
Place of Employment: ABINGDON RETIRED
Address:
Description of job duties:
Educational background: DEGNES-BA-ECONOMICS AS MBA-JINANCE
JD; Numerons Amongs Conreses No herrers

Revised 2021.12.07

cec. 1/6/22



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- kkingsley@abingdon-va.gov

Name_ Ben Jennings	Date: 12/24/21
Address 160 Country Club Dr. City/State Abingd	on VAZip_ 24211
Do you live inside the Town limits of Abingdon? Yes No_	
Telephone:	
Email Address: (required) ben.h.jennings & gm	ril.com
Place of Employment: Retired	
Address:	
Description of job duties:	
Educational background:  B.A. Emory + Henry College	
m.A UNC-Chapel Hill	

Are you currently serving on a board or commission of the Town of Abingdon? Yes No _X
If so, which Board(s) or Commission(s)?
When do(es) your present term(s) expire? (mm/yy)
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?  Yes No ×
If so, name and date(s) of service?
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful?
See atlached statement
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No _<
To the best of my ability, all information on this application is true and correct.  SIGNATURE

#### Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. \*\*

Members of the Planning Commission. Economic Development Authority. Board of Zoning Appeals. Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

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Board of Zoning Appeals	Recreation Advisory Commission
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Infrastructure Advisory Committee	Sustain Abingdon Committee
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#### Ben Jennings's involvement in the arts in Abingdon

I would be honored to serve on the Abingdon Arts Commission. As you can see, I would bring to the Commission wide-ranging knowledge of many of the arts organizations in Abingdon and in the area.

Virginia Highlands Festival Board--1973 to the present

Served as President several times; Publicity Chair about 15 times;

Performing Arts Committee Chair; Local History Committee Chair currently

William King Museum of Art--on and off Board from 1980s to the present

Served as President and other offices on the Board; Currently a Board member emeritus

Virginia Highlands Community College--1993-2013

Organizer of the Arts Array Cultural Heritage Series (a comprehensive arts and culture series, including monthly concerts, film series at the Abingdon Cinemall, lectures, performances, etc.)

Arts Alliance Mountain Empire--1994-present

One of the organizers and currently the co-chair of "A! Magazine for the Arts"--the Tri-Cities only arts magazine

Organizer of the AAME Arts Achievement Awards--2015 to present

Recognizes 5 area artists, arts educators, arts administrators, or arts advocates each year at a gala celebration

Friends of the Washington County Public Library--1997-present

Organizer of the "Sunday with Friends" writers' series at the Washington
County Public Library for 25 years--brings 8-10 regional or nationally
known writers each year to Abingdon

McGlothlin Center for the Arts at Emory & Henry College--currently on the Arts Advisory B Board

Virginia Commission for the Arts--on and off VCA Regional Panels from 1980s to the present

Awards--Campbell Award winner from the Town of Abingdon; Stone marker in Barter Theatre's Walk of Fame for contribution to the arts; Pinnacle Award for the Volunteer of the Year in the Greater Tri-Cities region; Distinguished Service Award from Emory & Henry College for volunteer activities



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- kkingslev@abingdon-va.gov

Name_James A. Kroll	Date: 12/17/2021
Address 20112 Avondale Rd. City/State Abingingdon	n, VA _Zip_24211
Do you live inside the Town limits of Abingdon? Yes No_	
Telephone: 276 525-8977	
Email Address: (required) phajk8@gmail.com	
Place of Employment: Recently Retired: Screen Actors Guild/American Fede	ration of Television & Radio Artists
Address: 1900 Broadway, 5th Floor New York, NY 100	)23
Description of job duties: Director, National Signatory	
Educational background:	
BA - National Labor College/Cornel School of Labor, Assoc American	Musical & Dramatic Academy

Are you currently serving on a board or commission of the Town of Abingdon? Yes No		
If so, which Board(s) or Commission(s)?		
When do(es) your present term(s) expire? (m	m/yy)	
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?  Yes  No		
If so, name and date(s) of service? SAG-AFTRA C	ultural Transformation Team 12/2017 - 08/2018	
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it be helpful?		
My 22 years as a performer under Actors Equity and my 22 plus years with AFTRA and SAG-AFTRA gives me an insite to the Arts.		
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No		
To the best of my ability, all information on this application is true and correct.  SIGNATURE		
	the Town's Advisory Boards and Commissions. **	
Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.		
Please circle any other committees you are willing Board of Building Code Appeals **		
Board of Zoning Appeals	Recreation Advisory Commission	
Economic Development Authority Sinking Spring Cemetery Committee **		
Infrastructure Advisory Committee	Sustain Abingdon Committee	
Historic Preservation Review Board */**	Tourism Advisory Committee **	
Housing and Redevelopment Authority	Tree Commission	
Muster Grounds Steering Committee	Virginia Highlands Small Business Incubator	
*May be required to attend training and/or obta  **Appointment contingent upon residency, qua	nin certification during term lified voter, or other qualifications as set forth in	

Ordinance and/or bylaws
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- kkingsley@abingdon-va.gov

Name_ Greg Lilly	Date: 1/4/2022
Address 244 Valley St. NECity/State	Abingdon, VA Zip 24210
Do you live inside the Town limits of Abingdon? Yes <a href="Yes">Yes</a>	No
Telephone: <u>276-698-6360</u>	
Email Address: (required)Greg@GregLilly.com	
Place of Employment: self-employed	
Address: <u>244 Valley Street NE, Abingdon, VA 242</u>	210
Description of job duties: <u>writer/editor/project manag</u>	er
Educational background: Certificate of Project Management - George Washington Univesity/ES	I
Information Technology, Bachelor of Science in Busi	ness, Virginia Tech, Blacksburg, Virginia

Are you currently serving on a board or commission of the Town of Abingdon? Yes No		
If so, which Board(s) or Commission(s)?		
When do(es) your present term(s) expire? (mm/yy)		
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?  Yes No		
Williamsburg Area Arts Commission (2012 - 2017)		
If so, name and date(s) of service? Sedona Arts & Culture Commission (2007)		
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it be helpful?		
I am the former chair of Williamsburg & James City County Arts Commission and commissioner for Sedona (Arizona) Arts & Culture Commission		
I also serve as a Virginia Commission for the Arts regional review panel member. As an arts commissioner for other municipalities, I have experience leading commissions		
through their tasks in arts funding requests, arts policies, and special community projects.		
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No		
To the best of my ability, all information on this application is true and correct.		
SIGNATURE SIGNATURE		

Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. \*\*

Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Please circle any other committees you are willing to serve on:

Board of Building Code Appeals **	Planning Commission */**
Board of Zoning Appeals	Recreation Advisory Commission
Economic Development Authority	Sinking Spring Cemetery Committee **
Infrastructure Advisory Committee	Sustain Abingdon Committee
Historic Preservation Review Board *	** Tourism Advisory Committee **
Housing and Redevelopment Authori	Tree Commission
Abingdon Arts Commission	Virginia Highlands Small Business Incubator

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- kkingsley@abingdon-va.gov

Name Dirk Moore	Date: 12/08/2021
Address 738 Blue Hills DriveCity/Sta	tte_Glae Spring, VA _Zip_24340
Do you live inside the Town limits of Abingdon? Yes	No V
Telephone: 276 698-4751	
Email Address: (required) _dsmoore@ehc.edu	
Place of Employment: Emory & Henry College	
Address: PO Box 947, Emory, VA 24327	
Description of job duties: Executive Director, Mc	Glothlin Center for the Arts
Educational background: _Master's degree, mass communications, University of Florida	
Bachelor's degree, government affairs, Augustana College;	bachelor's degree, journalism, Augustana College

Are you currently serving on a board or commission of the Town of Abingdon? Yes No		
If so, which Board(s) or Commission(s)?		
When do(es) your present term(s) expire? (mm/yy)		
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?  Yes No		
If so, name and date(s) of service? Glade Spring Town Council, 2016-2020; Glade Spring Planning Commission, 2000-2016		
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it behelpful?  Currently highly engaged in arts and economic development organizations and initiatives in Abingdon and Washington County.		
Professionally involved in regional arts programming as executivfe director of the McGlothlin Center for the Arts at Emory & Henry College. Owner of a business in Abingdon.		
Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No		
To the best of my ability, all information on this application is true and correct.  SIGNATURE		
Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.  Please circle any other committees you are willing to serve on: Atta Commissions.**		
Board of Buriding Code Appears ""	Planning Commission */**	
Board of Zoning Appeals	Recreation Advisory Commission	
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Infrastructure Advisory Committee	Sustain Abingdon Committee	
Historic Preservation Review Board */**	Tourism Advisory Committee **	
Housing and Redevelopment Authority	Tree Commission	
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May be required to attend training and/or obtain certification during term		

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- kkingsley@abingdon-va.gov

Caroline Tester	12/9/2022 Date:
AddressCity/S	Bristol, VA 24202 Zip
Do you live inside the Town limits of Abingdon? Yes  Telephone:	NoX
Email Address: (required)ctester28@gmail.com	n 
Place of Employment: Abingdon, VA and Bristol, VA	
Address:	
server and host Description of job duties:	
Educational background: B.A. of Psychology, Univer	sity of Tennessee

Are you currently serving on a board or commission of the Town of Abingdon? Yes No No
If so, which Board(s) or Commission(s)?
When do(es) your present term(s) expire? (mm/yy)
Have you ever served on any boards or commissions in the past, either Abingdon or in other localities? Yes No
If so, name and date(s) of service?
Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it be helpful? I am a emerging local artist and wish to provide resources and connection to other people like
me. I feel that art is an important creative outlet to both partake in & connect with; I'd like to see more
in the community.  Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes No x
To the best of my ability, all information on this application is true and correct.
SIGNATURE Caroline Tester

Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. \*\*

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Historic Preservation Review Board */**	Tourism Advisory Committee **
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