

**TOWN OF ABINGDON
REGULAR COUNCIL MEETING
TUESDAY, JULY 1, 2008 – 7:30 A.M.
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

An organizational and regular meeting of the Abingdon Town Council was held on Tuesday, July 1, 2008 at 7:30 a.m. in the Council chambers of the Municipal Building.

A. CALL TO ORDER AND ROLL CALL – TOWN CLERK

Cecile Rosenbaum, Town Clerk, called the meeting to order and called the roll. The following council members and administrative staff were present:

Members of Council Present:

Mrs. Lois H. Humphreys
Dr. French H. Moore, Jr.
Mrs. Cathy Lowe
Mr. Edward B. Morgan
Mr. Jason N. Berry

Administrative Staff:

Gregory W. Kelly, Town Manager
Cecile M. Rosenbaum, Town Clerk
Deborah Icenhour, Assistant Town Attorney
Mark Godbey, Town Treasurer/Dir. Of Finance
Jim Smith, Dir. Of Wastewater Operations/Town Eng.
Tony Sullivan, Chief of Police
Chris Johnson, Dir. Of Parks and Recreation
John McCormick, Assistant Fire Chief

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**B. PLEDGE OF ALLEGIANCE**

Greg Kelly, Town Manager, led the Pledge of Allegiance.

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C. ELECTION OF MAYOR

Cecile Rosenbaum, Town Clerk called for nominations for the position of Mayor of the Town Council.

On nomination of Mr. Morgan, seconded by Mrs. Lowe, Lois H. Humphreys was nominated for the position of Mayor of the Town Council.

Mrs. Rosenbaum asked if there were any other nominations for Mayor and no further nominations or discussion was offered.

The nomination was voted on during roll call as follows:

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

The nomination passed.

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### D. ELECTION OF VICE MAYOR

Upon direction of Mayor Humphreys, Mrs. Rosenbaum, Town Clerk, continued to conduct the meeting and called for nominations for the position of Vice Mayor of the Town Council.

**On nomination of Mrs. Lowe, seconded by Mayor Humphreys, Ed Morgan was nominated for the position of Vice Mayor of the Town Council.**

Mrs. Rosenbaum asked if there were any other nominations for Vice Mayor and no further nominations or discussion was offered.

**The nomination was voted on during roll call as follows:**

|                   |            |
|-------------------|------------|
| <b>Mrs. Lowe</b>  | <b>Aye</b> |
| <b>Mr. Morgan</b> | <b>Aye</b> |
| <b>Dr. Moore</b>  | <b>Nay</b> |
| <b>Mr. Berry</b>  | <b>Nay</b> |

**Mayor Humphreys Aye**

**The nomination passed.**

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E. APPOINTMENT OF TOWN MANAGER

On motion of Dr. Moore, seconded by Mrs. Lowe, Gregory W. Kelly was appointed as the Town Manager for the Town of Abingdon.

The roll call vote was as follows:

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

The motion carried.

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**F. APPOINTMENT OF TOWN CLERK**

**On motion of Mr. Morgan, seconded by Mrs. Lowe, Cecile M. Rosenbaum was appointed as Town Clerk for the Town of Abingdon.**

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

|                        |            |
|------------------------|------------|
| <b>Mrs. Lowe</b>       | <b>Aye</b> |
| <b>Mr. Morgan</b>      | <b>Aye</b> |
| <b>Dr. Moore</b>       | <b>Aye</b> |
| <b>Mr. Berry</b>       | <b>Aye</b> |
| <b>Mayor Humphreys</b> | <b>Aye</b> |

**The motion carried.**

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G. APPOINTMENT OF TOWN TREASURER

On motion of Mr. Berry, seconded by Mrs. Lowe, Mark W. Godbey was appointed as the Town Treasurer for the Town of Abingdon.

The roll call vote was as follows:

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

The motion carried.

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#### **H. APPOINTMENT OF TOWN ATTORNEY**

**On motion of Mr. Morgan, seconded by Mrs. Lowe, Gregory W. Kelly was appointed Town Attorney for the Town of Abingdon.**

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

|                        |            |
|------------------------|------------|
| <b>Mrs. Lowe</b>       | <b>Aye</b> |
| <b>Mr. Morgan</b>      | <b>Aye</b> |
| <b>Dr. Moore</b>       | <b>Aye</b> |
| <b>Mr. Berry</b>       | <b>Aye</b> |
| <b>Mayor Humphreys</b> | <b>Aye</b> |

**The motion carried.**

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I. APPOINTMENT OF OFFICERS (CHIEF and ASSISTANT) OF FIRE DEPARTMENT

On motion of Dr. Moore, seconded by Mr. Berry, Joey Burke was appointed as Fire Chief and John McCormick was appointed Assistant Fire Chief of the Abingdon Fire Department.

The roll call vote was as follows:

Mrs. Lowe	Aye
Mr. Morgan	Aye
Dr. Moore	Aye

Mr. Berry **Aye**
Mayor Humphreys **Aye**

The motion carried.

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**J. APPOINTMENT OF ONE MEMBER OF COUNCIL TO:**

- Abingdon Planning Commission
- Board of Architectural Review

**K. APPOINTMENT OF ONE MEMBER OF COUNCIL TO:**

- Mount Rogers Planning District Commission

At this time Mrs. Lowe asked if the Items J and K on the organizational agenda could be considered in closed session and voted on during the remaining appointments that were part of the regular agenda. By consensus, the Council members agreed to postpone Items J and K until later in the meeting.

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L. APPROVAL OF MINUTES

- June 2, 2008 Work Session Meeting
- June 2, 2008 Regular Meeting
- June 17, 2008 Special Called Meeting

On motion of Mr. Morgan, seconded by Mrs. Lowe, the Council approved the minutes of the June 2, 2008 work session meeting, the minutes of the June 2, 2008 regular meeting and the June 17, 2008 special called meeting.

The roll call vote was as follows:

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

The motion carried.

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**M. PETITIONS AND PUBLIC HEARINGS – NONE**

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N. CONSIDERATION OF ANY BIDS – NONE

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**O. REPORTS FROM THE TOWN MANAGER – NONE**

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P. PASSAGE OF RESOLUTIONS – NONE

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**Q. FIRST READING OF ORDINANCES**

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R. SECOND READING OF ORDINANCES

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**S. MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

This item was postponed until after the Council discussed items T, U, V, and W of the agenda.

**T. OLD BUSINESS**

**U. MATTERS NOT ON THE AGENDA**

**V. ANNOUNCEMENTS**

**W. COUNCIL MEMBER REPORTS**

- Mrs. Lowe asked that a watershed meeting date be set by the August Council meeting date. She further requested that Jim Hicks provide an update on the health insurance bids and asked that the disposition of the Summers Law Office be placed for consideration on the August 08 council agenda. Mrs. Lowe also asked if Chris Johnson could begin searching for appropriate land to be designated for use as a dog park.
- Dr. Moore reported on lots at Alvarado that belong to Dr. Mann and indicated that Dr. Mann would like to donate those lots to the Town in exchange for a tax credit. Dr.

- Moore also reported that The Mustering Grounds Committee has discussed the location of the dog park at the grounds and their wish was that it not be located there.
- Mr. Kelly reported that the 1<sup>st</sup> annual Abingdon Blues Festival was a great success and thanked all the Town staff that worked on the event.

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At this time, on motion of Mrs. Lowe, seconded by Mr. Berry, the Council voted to go into executive session pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(1) to consider appointments to the Abingdon Planning Commission, the Board of Architectural Review, the Mount Rogers Planning District Commission, the Southwest Virginia Cultural Heritage Commission, the Recreation Advisory Commission and District Three Governmental Cooperative and further pursuant to the Code of Virginia, 1950, as amended, Section 2.2-3711(A)(2) to consider the acquisition of real property for a public purpose, namely a joint Town/County sports complex.

The roll call vote was:

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

The motion carried.

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**On motion of Dr. Moore, seconded by Mrs. Lowe, the Council reconvened in regular session.**

**The roll call vote was:**

|                        |            |
|------------------------|------------|
| <b>Mrs. Lowe</b>       | <b>Aye</b> |
| <b>Mr. Berry</b>       | <b>Aye</b> |
| <b>Dr. Moore</b>       | <b>Aye</b> |
| <b>Mr. Morgan</b>      | <b>Aye</b> |
| <b>Mayor Humphreys</b> | <b>Aye</b> |

**The motion carried.**

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After Council reconvened into regular session, the following certification was adopted:

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:

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

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**On motion of Dr. Moore, seconded Mrs. Lowe, the following appointments were made by the Council:**

- |                                          |                                          |
|------------------------------------------|------------------------------------------|
| • <b>Planning Commission</b>             | <b>Cathy Lowe</b>                        |
| • <b>Board of Architectural Review</b>   | <b>Jason Berry</b>                       |
| • <b>Mt. Rogers Planning Dist. Comm.</b> | <b>Dr. Moore</b>                         |
| • <b>Cultural Heritage Commission</b>    | <b>Dr. Moore</b>                         |
| • <b>Recreation Advisory Commission</b>  | <b>Bill Eberhardt</b>                    |
| • <b>District 3 Govt. Cooperative</b>    | <b>Ed Morgan/Cathy Lowe as alternate</b> |

**The roll call vote was:**

|                        |            |
|------------------------|------------|
| <b>Mrs. Lowe</b>       | <b>Aye</b> |
| <b>Mr. Morgan</b>      | <b>Aye</b> |
| <b>Dr. Moore</b>       | <b>Aye</b> |
| <b>Mr. Berry</b>       | <b>Aye</b> |
| <b>Mayor Humphreys</b> | <b>Aye</b> |

**The motion carried.**

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On motion of Mr. Morgan, seconded by Mrs. Lowe, the Abingdon Town Council recommends to the Washington County Board of Supervisors that a seven (7) member Board of Directors be appointed to manage the proposed Abingdon/Washington County Sports Complex with three (3) directors being appointed by the Abingdon Town Council and three (3) directors being appointed by the Washington County Board of Supervisors with the 7th director to be appointed as a member at large by the other six (6) directors and further requests that Washington County formally respond to this recommendation by July 31, 2008.

The roll call vote was:

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

The motion carried.

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At this time, Mr. Kelly, Town Manager, asked Floyd Bailey, Director of Information Services, to address the Council with an update on the wireless mesh being installed in Town. He reported that the first phase of the mesh installation was almost complete and indicated that he would like to have a ribbon cutting ceremony sometime in the next few months. Dr. Moore commented briefly on a meeting he attended with Bristol Virginia Utilities to discuss the status of EVA.

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At this time, Mr. Kelly informed the Council members that Andy Hargroves had requested time to speak to the Council about his insurance claim against the Town involving property he owns on Summer Street. Mrs. Lowe requested that Mr. Hargroves be informed that he can come and

speak to the Council but she would prefer it be at the regular meeting instead of a work session meeting.

On motion of Dr. Moore, seconded by Mrs. Lowe, the meeting was adjourned.

The roll call vote was:

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

The motion carried.

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Lois H. Humphreys, Mayor

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Cecile M. Rosenbaum, Town Clerk