

Town of Pennington Gap
Public Hearing-Budget Amendments
Council Meeting
September 20, 2021

Record of attendance:

6:00 PM

Mayor:	Larry Holbrook
Council:	Jill Carson Gary McElyea – by phone Jeff Martin – by phone Terry Pope Jimmy Warner-by phone
Town Manager:	Keith Harless
Assistant Town Manager:	Brian Skidmore
Treasurer/Deputy Clerk:	Tina Rowe
Clerk	Karen Maggard
Town Attorney:	Greg Edwards
Police Chief:	Jesse Jones
Powell Valley News:	Rick Watson
Citizens:	Monica Middleton Faye Bocock Mary Ruth Gilliam

1. Larry Holbrook called the meeting to order at 6:00 PM.
2. **Agenda**-Larry Holbrook made a Motion to accept the agenda. Jimmy Warner seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye
3. **Approval of Minutes**-Larry Holbrook made a Motion to accept the minutes from August 16, 2021 Council meeting with the correction of spelling "eminent" in #10. Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye
4. **Pay bills**-Larry Holbrook made a Motion to pay the bills as presented. Terry Pope seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye

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Jimmy Warner Aye
Larry Holbrook Aye

5. **Citizen's recognition**-none

6. **Unfinished business:**

- A. No one was present for the Public Hearing, Terry Pope made a Motion to close the hearing and approve the amendments. Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

7. **New Business:**

- A. Monica Buchanan – Lee/Scott County WIOA Adult Dislocated Worker Program spoke on the services provided by her office. Retraining, youth programs for ages 14-24, help in overcoming barriers such as having been in jail, tuition for Vo-Tech programs, MECC welding, HVAC, power lineman classes, mileage, vehicles, up to 500 hrs. paid for youth workers, business services/training, resume/interview skills. Lee County is underserved.
- B. **DBSW Kids in the Creek**- October 1st request to use Leeman Field and the river area again. Terry Pope made the Motion to allow this project. Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

- C. **Wreaths Across America, PG Woman's Club**-Ruth Gilliam detailed the project undertaken by the Club which is sponsoring Mountain Home Cemetery in TN, finding a list of 43 Lee County veterans buried there. Further study shows more could be from Lee County having used addresses such as Duffield and Big Stone Gap as the county lies in those areas. The program began with a donation of leftover wreaths from a wreath company to the National Cemetery and now exceeds what can be donated. A 501C3 organization was formed with the mission of Remember, Honor, Teach. PGWC is trying to raise enough to place a wreath on every Lee Countian's grave at Mountain Home. Donations for one wreath are \$15
- D. **Bridge Naming**-Faye Bocock, PG Woman's Club followed by stating that the Club has been asked to adopt Cecil Frye Cemetery to further the veteran recognition. She requested that the bridge at Leeman Field over the river be named in memory of Lonnie Evans and Scott

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Delph who lost their lives in Vietnam. Terry Pope asked if they knew of a Goforth from Ewing area and Greg invited them to look at some history contained at the Lee County Genealogy Society about some war casualties. Jill suggested using WCYB to recognize some.

- E. **Outdoor Classroom grant**-Keith explained that he had partnered with Amy Byington from Virginia Tech's Extension Office on an outdoor classroom grant in which \$10k was awarded. He included pictures of what it could look like on the greenway near the river.
- F. **Virginia Department of Historic Resources**-Keith shared his meeting with this department on establishing an historic district in town, which would include 50+ year old buildings potentially from the First Baptist Church down to the community center, across W Morgan to the stores there, down N Kentucky to Pullin Ink, across that street to Davis Transmission on N Main and across W Morgan to Dr. Robinson (old bus station) and up to PV News and on up to Edward-Jones office. Tax incentives for businesses locating in those buildings can be 25%. There is a \$6-8K application fee. Cost share may pay 50% of fee. The town would mneed a Historic Commission as an advisory board and the participant has to follow their advice for 5 years. Jill added that the Cultural Center application process is nearly complete. Terry added it is a good marketing tool to have and made a Motion to apply for the designation. Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

- G. **Approve Code of Conduct and loan resolution for police vehicles**-Brian explained the \$64,200 grant leaves \$21,400 in a loan for 2 police vehicles which was accepted at the last meeting. Terry Pope made a Motion to approve the code and resolution. Jeff Martin seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

8. **Monthly Reports:**

Reports in packets, Brian handed out his Assistant Manager report.

He reported that due to a rescue squad shortage, the fire department is receiving calls for assistance such as falls, heavy lifts etc. Five members of the fire department participated in the 911 Memorial Stair Climb in Bristol, saying this was one of the toughest things they had participated in. Each wore a name of a casualty of 911 and after completing the climb, rang a bell and read the name.

9. **Administrative Reports**

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- A. Tina Rowe reported the audit contract RFP date was extended but the additional quote received was \$4k more than others. She would like to extend the current contract one more year to allow for earlier advertising. Terry Pope made a Motion to extend the contract. Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

- B. Brian Skidmore – reported the Main Street parking lot work is complete and turned out well. Mattern & Craig will start I & I work near the end of October/early November for 30 days. VDOT 2021 snow season paperwork is done and inspection complete. A VDOT request for work on the light at the hospital will change the turn lane from the west to a flashing yellow light and hospital signs will be installed that were removed when it closed.
- C. Keith reported the Small Business Recovery Act has awarded an additional \$150k to help with rent/mortgages up to \$15k for those who have not received prior funding. The business must have been open before March 2020.
- Marshall Tucker tickets are on sale at a steady pace. He always thanked Karen for reservations at Leeman Field saying it was nearly full during the Fair weekend.
10. **Sidewalk Safety Project**-VDOT drainage work is starting for the sidewalk installation near Cecil Street.
11. **Town Attorney**-Greg met with several offices concerning the recent suspension of the Pennington Gap Rescue Squad and will discuss further in executive session.
12. **Council Reports:**
- Terry Pope suggested reinstating the Police Action Committee so the chief can share details of department training and discussion. Public has asked about how our police are to be contacted and the word needs out to dispatch them through the county sheriff's office by dialing 911.

13. **Closed session**- At 6:57 PM, Terry Pope made a Motion to go into executive session pursuant to:

§ 2.2-3711(A)(1): Personnel. Provides an exemption for:

Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

§ 2.2-3711(A)(3): Acquisition & disposition of property. Provides an exemption for:

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Virginia Code Section 2.2-3711(A)(6) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

Virginia Code Section 2.2-3711(A)(7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a

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known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

At 8:10 PM, Terry Pope made a Motion to reconvene to regular session, Gary McElyea seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

Terry Pope made a Motion to attest that nothing was discussed during closed session other than the issues stated. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

14. Terry Pope made a Motion to purchase Property A up to \$65,000. Jill Carson seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Nay
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

Terry Pope made a Motion for Council to allow the IDA to utilize business license fees as we have meals tax as incentives for business. Jimmy Warner seconded the Motion. Roll call vote as follows:


Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

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15. At 8:15 PM, Gary McElyea made a Motion to adjourn. Jeff Martin seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye


MAYOR LARRY W. HOLBROOK

ATTEST:


KAREN MAGGARD, TOWN CLERK

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Council of the Town of Pennington Gap, Virginia has convened closed session meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.2-3711 of the Code of Virginia requires a certification by this Council of the Town of Pennington Gap, Virginia that such closed session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Pennington Gap, Virginia hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in closed session to which this certification resolution applies, and (ii) only such public business matters as were identified in the Motion convening the closed session were heard, discussed or considered by the Council of the Town of Pennington Gap, Virginia.

VOTE:

AYES: Mayor Larry W. Holbrook
Jill Carson
Terry K. Pope
Gary McElyea
Jeff Martin
Jimmy Warner

NAYS: (for each Nay vote the substance of the departure from the requirements of the Act should be described)

ABSENT DURING VOTE:

ABSENT DURING CLOSED SESSION:

MEETING DATE: September 20, 2021


MAYOR LARRY W. HOLBROOK