

Town of Pennington Gap
Council Meeting
November 20, 2023

Record of attendance:

6:00 PM

Mayor:	Larry Holbrook
Council:	Doug Alsup Jeff Martin-absent Gary McElyea Terry Pope Jimmy Warner
Town Manager:	Keith Harless
Assistant Manager:	Brian Skidmore
Town Treasurer:	Tina Rowe
Town Clerk:	Karen Maggard
Town Attorney:	Greg Edwards-absent
Interim Police Chief:	Matt Lawson
Powell Valley News:	Rick Watson
Citizens:	none

1. Mayor Holbrook called the meeting to order at 6:00 PM.
2. Pledge of Allegiance – Tina Rowe led prayer and the pledge
3. **Agenda-** Larry Holbrook made a Motion to approve the agenda with the addition of 8a, Zoning appointments and 8b, Christmas tree lighting. Gary McElyea seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

4. **Approval of Minutes-** Jimmy Warner made a Motion to approve the minutes of October 23, 2023. Doug Alsup seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

5. **Pay bills-**Larry Holbrook made a Motion to pay the bills as presented. Doug Alsup seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

6. **Citizen's Recognitions-**none

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7. **Unfinished business:** none

8. **New business:**

- a. Keith notified Council that the current Zoning Board has six members, and the by-laws allow for no more than 7 or less than 5 but it must be an odd number. He would like Council to consider whether to add one or remove one. Discussion was in favor of adding one and to consider a nominee in the future.
- b. Christmas Tree Lighting, December 1 with parade-Doug Alsup nominated Jimmy Smallwood, former Mayor. Larry Holbrook seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

9. **Monthly Reports:** Monthly Reports – Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept. Lee Theatre, Parks & Recreation (reports in council packets).
Matt Lawson, interim Chief, reported for the Police Department that all new hires are now on patrol. One previous will go to the academy in January with a pre-run scheduled for December. Another has agreed to some extra patrol when available, which has helped slow some vandalism at the park. Shop-with-a-Cop will be December 7 with the town helping 8 children from Pennington Middle School at \$200 each through charitable contributions. Matt has made a decision to attend the Professional Leadership Academy at MECC at no cost to the town.

10. **Administrative Reports-** Mayor Larry Holbrook/Keith Harless/Tina Rowe/Brian Skidmore.

A) Treasurer- Tina reported that after a very busy October, she has compiled a budget amendment, with a proposal handout, that does not require a public hearing. She briefly went over some items and answered questions. Doug Alsup made a Motion to amend the budget per the handout. Jimmy Warner seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

B) Assistant Town Manager Report-Brian reported Phase I of the grant has been awarded at around 1.4 million, we will replace waterline from the western town limit to about Ford Street. The meter grant closes on December 7th and we will order the meters then. Public Works has had a lot of leaks as the weather changes. EMS has about 4-5 calls/day. Water plant is transitioning well with new schedules and duties. The sewer plant has been ordering parts and taking care of issues. He expressed how proud he is of all of these departments, stepping up in very busy times. When asked about some road repairs, more repairs will be taken care of when the

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contractor returns to this area. Terry Pope expressed the need to make the county aware that some roads in town need paving as well.

C) Town Manager Report- Keith reported that the consultant working on an application for the Brownfield grant for the Creech Building cleanup missed the deadline. He attended the Governor's Housing Conference last week. Scott Napier went along and introduced him to another person who may be able to help with funding sources. We greatly appreciate Scott volunteering to help. A housing shortage report on SWVA will appear in The Cardinal News and mentions Pennington's work to move property to owners that will create housing.

The pre-bid meeting for Bailey-Robbins had only 3 contractors. None are looking to bid so we are extending the deadline to 12/21/23. With a shortage of contractors, one may be interested in it later.

Met with Dineen West, CainRashWest about the convention center.

11. Projects

- a. ARC Business Center/ Conference Center funding-applications are in for funding
- b. Industrial Revitalization Fund ARPA Grant application
 - i. Abatement bids
- c. Historic designation – Public hearing was held. Application moves to the state level in December.
- d. Virginia Housing Stabilization Grant-met director about the possibility of co-sponsoring with another property owner but they no longer allow the process
- e. Creech building brownfield grant-held public meeting
- f. Wastewater Treatment Plant Repair Grants –
 - i. DEQ/Lane
 - ii. SSES Grant-DEQ / Mattern & Craig-
 - iii. WW Pump Station Upgrade Grant-DEQ/Lane
 - iv. N. Fork Powell River Sewer Crossing-DEQ/Mattern & Craig
- g. Water Treatment Plant Structural Repair Grants
 - i. USDA/Mattern & Craig
 - ii. WTP Telemetry Upgrade-VDH/Mattern & Craig

12. Town Attorney-absent

13. Council Member reports:

Terry had asked Loretta See, Toys for Tots but she said the back room (where toys are prepared for distribution) speaks for itself. He commended her work and the number of children served. Council is very appreciative.

14. Closed session- At 6:40 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

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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.

§ 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)(5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

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.

Gary McElyea seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

At 7:08 PM, Terry Pope made a Motion to reconvene to regular session. Gary McElyea seconded the Motion Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

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

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

15. Council Action-Terry Pope made a Motions to pen a Letter of Support for Magnolia Health.

Jimmy Warner seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

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16. Terry Pope made Motion to adjourn. Jimmy Warner seconded the Motion Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Meeting adjourned at 7:09 PM.

MAYOR LARRY W. HOLBROOK

ATTEST:

KAREN MAGGARD, CLERK