

Minutes- August 19, 2019  
Town of Pennington Gap  
Council Meeting

6:00 PM

**Record of Attendance:**

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

Town Manager: Keith Harless  
Assistant Town Manager: Brian Skidmore  
Town Treasurer: Tina Rowe  
Town Attorney: Greg Edwards-absent  
Town Clerk: Karen Maggard  
Leeman Field RV Park: David Williams  
Powell Valley News: Rick Watson  
Lee Daily Register: Woodrow Grizzle III  
Sigora Solar: Tom Brooks-Pilling

Citizens: Tony Witt  
Josh Terry

1. Call to order: Mayor Larry Holbrook called the meeting to order at 6:00 PM.
2. Invocation was given by Tony Witt.
3. Tony Witt led the Pledge of Allegiance.
4. Jeff Martin made a motion to approve the agenda with addition of G. Dog Park plans- David Williams. Mayor Holbrook seconded the Motion. Vote as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
5. Terry Pope made a Motion to approve the minutes from July 15<sup>th</sup> Council Meeting with change on page 3, 9B, "truck, a lease to own of \$35,000...", on page 5, 14. "a letter of support on the Cumberland Trail from Cumberland Gap to Appalachia via Stone Mountain." and page 6, under Council Action, "Motion to raise the garbage tax beginning on the July billing at \$1.50 per month for 3 years for residential trash collection....". Jeff Martin seconded the Motion with vote as follows:

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

6. Jill Carson made a Motion for approval of bills to be paid as presented, Jimmy Warner seconded the Motion. Vote as follows:

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

7. Citizens' Recognition:

- A. Tom Brooks-Pilling, Sigora Solar or Charlottesville, VA asked for any questions on the solar contract proposed in the Council packet. The project is now on the Town Hall and Lee Theatre buildings only, on the PPA agreement, we will buy power from a third party not ODP. Changes include on PPA attachment B, contract length will be 25 years and on C. rates at about 9.5 cents KW hour currently will go down to 8.4 cents KW hour. The original four locations are now down to two and with more panels since they will be located on the roof. Savings on the 25 years should be at least \$250,000. Sigora is leasing the roof space of which a structural analysis will be done first. On hours we are not using the available electricity, reverse metering will take place, sending a credit to our account for future electrical use. They will monitor all this from Charlottesville. Otherwise, we could purchase all the necessary equipment at about \$300,000 on a 15 year return and maintain ourselves. The PPA does provide insurance for any damages.
- B. Patricia Crabtree and Brenda Burgan were not present to discuss increasing weekend availability of the Farmer's Market for trade days selling anything.
- C. Bill Wireman with Pennington Partners was not present to report on the Main Street Conference. Keith Harless also attended and has on his report.
- D. Woodrow Grizzle III has handouts in the Council packet showing Virginia's ArtMobile. He would like to connect the Origin Project, the Town's upcoming Artisan Center and the ArtMobile in an event downtown. Jill Carson suggested it be a part of the Tobacco Festival. He also discussed the Keene, NH pumpkin event as they now have 30,000 entries each year. He would also like to see a carving event possibly with the Tobacco Festival. He will report back after some more research on each event.
- E. Daniel Boone Soil & Conservation-Kids in the Creek would like to use Leeman Field again as they do each year for their event on September 19. Terry Pope made the

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Motion to allow use of Leeman Field, Gary McElyea seconded the Motion. Vote as follows:

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

- F. Josh Terry, Moving Forward Physical Therapy spoke about combining three bike riding events that take place each summer locally into a challenge event where everyone participates in all three. Norton and Big Stone have donated \$200 each. This year the Sleepy Hollow Ride will benefit a Healthcare Scholarship for one of the high schools. Any action was deferred to executive session.
- G. David Williams has included plans in Council packet for a dog park grant application to be ready when the grant window opens next year. He spoke of the importance to those who travel with pets and stay at the RV park. He also reported the campground was full on the Fourth of July weekend, Karaoke is every Wednesday evening at the Welcome center and he uses the scavenger hunts to bring people into businesses. Terry Pope made a Motion to fund the dog park through grants and donations. Jeff Martin seconded the Motion. Vote as follows:

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

8. Unfinished Business

- A. Frisbee golf- Keith has priced the 18 holes at \$11,200 for cages and tee boxes. Gary McElyea is concerned about having the Frisbees flying on the greenway around those who walk. Project is tabled for more information and possibly visiting a course.

9. New Business

- A. Mission Statement-Keith has created the mission statement in the Council pack which is necessary for a lot of applications. Gary McElyea made a Motion to adopt the mission statement as written, Jill Carson seconded the Motion. Vote as follows:

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

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10. Monthly Reports-Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept., Lee Theatre (written Reports in Council packets). Jill Carson stated she would still like more information on the Police report.
11. Water Plant & Distribution System/Sewer Plant & Collection System/Engineering Projects-Brian Skidmore reported on the following:
  - A. Zone Meter, Telemetry and Plant-has been closed out
  - B. Water Treatment Plant Intake & Generator Upgrades-also closed out
  - C. Water Meter Replacements-Phase I is 90% complete, can buy more meters with some of the funds and installing a new one at the water plant as well.
  - D. West Morgan Ave. Sidewalk Project- received an email today from VDOT, project approved, Cynthia Waymack is now the project manager. Lane Engineering will draw Phase I.
12. Administrative Reports and Council Action – Mayor Larry Holbrook/Keith Harless/Tina Rowe
  - A. Treasurer’s Report – Tina’s written reports are in the packet, she would like Council to consider the transient tax (motel, overnight stays) is the lowest around at 2%. She would like to consider raising it in the future to 4%. VRS will have a long term care insurance rollout in October according to their webinar. Employees can then participate at employee cost.
  - B. Assistant Town Manager, Brian Skidmore – New fire truck is on order with a lower interest rate. Public Works will replace an old sewer line on Harrell Street this week, closing the street for 2 days. Halloween is on Thursday night this year, Gary McElyea made a Motion to allow Trick or Treat on Halloween, October 31 from 5-8 PM in town. Jeff Martin seconded the Motion. vote as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye
  - C. Town Manager, Keith Harless-Virginia Tech continues to work on the Overnight Stay solution and their group will be applying for a small grant for us to use while we continue the efforts. He and Scott Napier, Lee County Housing Authority are working on a community impact grant. He and Terry will attend a revolving fund loan seminar to learn about how the town can administer loans for business startup. Notices for yard cleanup continue to go out. The second Rally SWVA meeting is Thursday, August 22, 6 PM. The mural on the Artisan Center has been started. Rural Development money is available for funding to us due to the poverty level, which includes funding a new garbage truck at a low interest rate. Grant money for the wastewater treatment plant is available. Taylor Ray Holbrook donated over \$1,000 to the No Boundaries Park Project from his July 19 concert. Keith attended the DHCD

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Main Street Project meeting with Bill Wireman. WCYB weather camera is online at Lee Theatre. Zoning Appeals Board had a hearing about a mobile home request in town and denied the request. The Lions Club Lee County Fair lost the mid-way this year without enough notice to get another one. August 31 will be a one day fair with several groups coming together to make it happen. Ballard Health is donating to the exhibit barn to help with prizes.

13. Attorney, Greg Edwards did not attend.

14. Council Member Reports –

Jill Carson would like Council to schedule regular meetings with Pennington Partners as a coordinated effort to keep them informed. Keith said Ballard Health wants to help with the new playground and Pennington Partners needs to finalize the 501c3 status. Virginia Tech will help with the status. Keith will present a schedule to the Partners with the possibility of them attending committee nights with council on the Thursday before Council meeting. Jill also noted that at the VML Conference this year, Dr. Art Vanzee and Sister Beth will be on a panel on opioid addiction. She is attending the Ft. Monroe 400 year anniversary of the first African Americans this week with Sunday being a Day of Healing, all church bells will ring. Senator Warner will be in town August 29 at 1:15 for a non-partisan gathering at the Community Center.

Gary McElyea reported seeing more patrols on the greenway, some are plain clothed officers and still a few dogs running at large there.

Terry Pope asked about the review of vendors and lease renewals at Leeman Field. Keith has spoken with some and re-writes are in progress. We need a commitment by October for vendors for December 31, New Year's Eve events. We need limits on sign postings in town, Keith referred to Zoning as there are no words on record now to control the issue. An update on the new lawnmower is that it was not in the budget but could be leased monthly and include maintenance, which could be a better deal and we can wait until spring. Some dark areas need to be identified if police would note and either have street lights repaired or installed.

15. At 8:44 PM, Terry Pope made a Motion to go into Closed Session pursuant to Virginia Code Section 2.2-3711A1 for assignment, appointment, promotion, salaries, disciplining, or resignation of employees.

Virginia Code Section 2.2-3711A3 for discussion of acquisition of real property for a public purpose.

Virginia Code Section 2.2-3711A6 for discussion of the investment of public funds.

Virginia Code Section 2.2-3711A7 for consultation with legal counsel.

Jeff Martin seconded the Motion with vote as follows:

Mayor Larry Holbrook Aye

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

At 9:22 PM, Terry Pope made a Motion to reconvene regular session and certify that nothing was discussed during closed session other than the issues stated. Jeff Martin seconded the Motion. Certification as follows:

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

16. Council Action-

Jeff Martin made a motion to donate \$200 to Moving Forward/Sleepy Hollow Bike Race. Mayor Holbrook seconded the Motion. Vote as follows:

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

Terry Pope made a Motion to bill a voluntary \$1.50 fire protection fee on all out of town utility bills. Jimmy Warner seconded the Motion. Vote as follows:

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

Jeff Martin made a Motion to advertise for a garbage truck and apply for Rural Development funds. Gary McElyea seconded the Motion. Vote as follows:

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


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Council will table discussion on long-term campground rentals.

17. Jeff Martin made a Motion to adjourn the meeting.

Time of adjournment: 9:28 PM

ATTEST:

  
\_\_\_\_\_  
KAREN MAGGARD, TOWN CLERK

  
\_\_\_\_\_  
MAYOR LARRY W. HOLBROOK

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  
                              Jeff Martin  
                              Gary McElyea  
                              Terry K. Pope  
                              Jimmy Warner

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

ABSENT DURING VOTE: 0

ABSENT DURING CLOSED SESSION:

MEETING DATE: August 19, 2019

  
MAYOR LARRY W. HOLBROOK