

**TOWN OF PENNINGTON GAP  
AGENDA AND COUNCIL MEETING**

September 16, 2019  
6:00 PM

1. Call Meeting to order– Mayor Larry Holbrook
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes for August 19, 2019 Council Meeting
6. Approval of Bills to be Paid
7. Citizen’s Recognition
8. Unfinished Business
  - A. Frisbee golf
9. New Business
10. Monthly Reports – Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept. Lee Theatre (written reports in council packets)
11. Water Plant & Distribution system/Sewer Plant & collection System/Engineering Projects
  - A. West Morgan Ave. Sidewalk Project
12. Administrative Reports– Mayor Larry Holbrook/Keith Harless/Tina Rowe/Brian Skidmore
  - A. Treasurer’s Report
  - B. Assistant Town Manager’s Report
  - C. Town Manager’s Report
13. Town Attorney Report-Greg Edwards
14. Council Member Reports
15. Closed Session pursuant to Virginia Code Section 2.2-3711A1 for assignment, appointment, promotion, salaries, disciplining, or resignation of employees.

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

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Pennington Gap, VA 24277

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Closed Session pursuant to Virginia Code Section 2.2-3711A6 for discussion of the investment of public funds.

Closed Session pursuant to Virginia Code Section 2.2-3711A7 for consultation with legal counsel.

16. Council Action

17. Adjourn

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Town of Pennington Gap  
Council Meeting

**Record of Attendance:**

**6:00 PM**

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  
Town Clerk: Karen Maggard  
Powell Valley News: Rick Watson  
Lee Daily Register: Woodrow Grizzle III  
Lee County Sheriff's Office: Taylor Scott  
Lane Engineering: Jeff Cochran  
Pennington Partners: Bill Wireman  
Citizens: Kyle Burnette

1. Call to order: Mayor Larry Holbrook called the meeting to order at 6:00 PM.
2. Invocation was given by Kyle Burnette.
3. Kyle Burnette led the Pledge of Allegiance.
4. Terry Pope made a motion to approve the agenda with addition of Bill Wireman to Citizen's Recognition, 7A. 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
5. Terry Pope made a Motion to approve the minutes from August 19, 2019. Jeff Martin seconded the Motion with vote as follows:

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

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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. Bill Wireman spoke on the Main Street Conference he attended with Keith Harless, stating the available resources for both town and private industry make Pennington Partners an ideal vehicle to implement these. They each attended separate workshops and he feels we need to become a Main Street Community to help current and new business owners using the program. Also, Rally SWVA has returned and attended in town. Pennington Partners will receive \$3,000 grant for cleaning windows, painting prospective business designs on them and installing two monitors on the front of the theater for community updates. Rally will continue workshops. Jill Carson had ask last month for Pennington Partners to have a member attend the Committee meeting Thursday prior to each council meeting to keep each other informed and in sync. Bill reminded everyone, the third Thursday of each month is the Pennington Partners meeting at the Community Center and will be in conjunction with Rally the 19<sup>th</sup>.

8. Unfinished Business

A. Disc golf- Keith, along with Jimmy Warner and Mayor Holbrook visited the town of Big Stone's and Lenowisco's disc golf courses to learn more. These courses use a special disc, not the traditional Frisbee brand and are located along-side both area's green way. Jimmy Warner made a Motion to install an 18-hole disc golf course near our green way, Jeff Martin seconded the Motion, Vote as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Aye
Gary McElyea	No
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

9. New Business

A. Keith reported that WCYB TV contacted him about camera footage from the theater weather camera on the recent police chase through Lee County. He noted that upgrading equipment there would allow additional storage capacity and monitor the back of the theatre and parking area for \$1,100. Terry Pope made a Motion to add additional equipment, Jeff Martin seconded the Motion. Vote as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Aye

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

10. Monthly Reports-Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept., Lee Theatre (written Reports in Council packets). No questions or comments.

11. Water Plant & Distribution System/Sewer Plant & Collection System/Engineering Projects-Jeff Cochran reported:

A. West Morgan Ave. Sidewalk Project- specs have been modified per VDOT and will be submitted in the next week.

B. Keith received a letter today offering a 50/50 grant from VDH with a loan at 2% interest. We need to respond in 30 days to accept and qualify for more meter replacements. Terry Pope made a Motion to have Keith follow through on this offer and 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

12. Administrative Reports and Council Action – Mayor Larry Holbrook/Keith Harless/Tina Rowe

A. Treasurer’s Report – Tina reported the pre-audit is in progress and will be done by the end of the month and Terry Pope added the IDA audit will be done soon. Larry Holbrook made a Motion to adopt the yearly PPTRA resolution, the 93.12% tax relief will be on all non-business vehicles under \$20,000 value. 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

Tax information has been received from the COR to be converted into our billing system.

B. Assistant Town Manager, Brian Skidmore – Brian has no comments outside of closed session.

C. Town Manager, Keith Harless-Virginia Tech has given us financial support for the Tiny Home study. The VML conference is October 6. Terry and Keith attended the revolving loan fund workshop with much positive response.

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13. Attorney, Greg Edwards is looking over the Sigora Solar agreement and has earmarked some important topics in the code book to be re-written.

14. Council Member Reports –

Jill Carson was contacted by Ballad Health to form a focus group of senior citizens at the community center and asks for attendance on October 21 at 5:30 PM, the subject of which is to improve health and well-being. Lights in the Park has asked for help with the project this year. Maybe Pennington Partners could consider as well as anyone who would volunteer. It was suggested the PGWC advertise for help in the coming weeks. Central Appalachia Folk & Traditional Arts Survey & Planning Project has asked for information on any projects of artistic nature as they have some funding. VML Conference opening session focus is on Opioid Addiction and will include a panel with Dr. Vanzee participating. Sister Beth is unable to attend.

Terry Pope stated the hospital meeting is Tuesday, September 17, 2019 to hear information on the opening of the hospital, final paperwork on the agreement. Numbers of employable individuals shows a need for workforce development. Greg needs to meet with Jill and Keith on some of the ordinances identified as pressing. Keith also said that some trail development surrounding Pennington is being looked at as some land owners have changed. Leases for Leeman Field will need to be discussed in closed session.

15. At 7:13 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
Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

At 8:21 PM, Terry Pope made a Motion to reconvene regular session and certify that nothing was discussed during closed session other than the issues stated. Gary McElyea seconded the Motion. Certification as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Aye

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

16. Council Action-

Terry Pope made a motion to take bids on 204 Constitution Rd, the former Town Hall site, 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

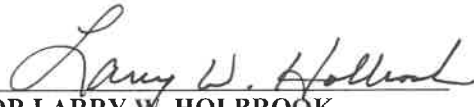
Jeff Martin made a Motion to cap the amount of money owed to the town by an individual on property cleanup at \$1000, after which the council could direct the sale of the property. Jill Carson seconded the Motion. Vote as follows:

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


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

Time of adjournment: 8:24 PM

  
MAYOR LARRY W. HOLBROOK

ATTEST:

  
KAREN MAGGARD, TOWN CLERK

Council Room  
528 Industrial Drive

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;

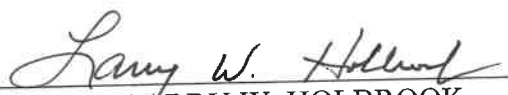
**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Town of Pennington Gap, Virginia hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in closed session to which this certification 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  
Gary McElyea  
Jeff Martin  
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:  
ABSENT DURING CLOSED SESSION:  
MEETING DATE: September 16, 2019

  
MAYOR LARRY W. HOLBROOK



## RESOLUTION

**WHEREAS**, the Personal Property Tax Relief Act of 1998, Va. Code 58.1-3523 et seq. (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2005-06 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

**WHEREAS**, these legislative enactments require the Town to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

**WHEREAS**, these legislative enactments provide for the appropriation to the Town of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles;

**NOW, THEREFORE, BE IT RESOLVED**, by the Pennington Gap Town Council that qualifying vehicles obtaining situs within the Town during tax year 2018, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$100 to \$20,000 will be eligible for 93.12% tax relief
- Personal use vehicles valued at \$20,001 or more shall only receive 93.12% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

Adopted this 16<sup>th</sup> day of September, 2019

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

ATTEST:

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

**Town Manager Report  
September 16, 2019**

- Dr. Saxton with Virginia Tech will be in town at the end of the month to start work on the marketing study for tiny homes. We were able to secure a grant to cover the expenses.
- I am still working with Scott Napier on the Community Impact Grant for downtown revitalization. We are working with VHDA.
- Greg and I have been looking over the agreement for solar with Sigora Solar out of Charlottesville, Virginia.
- Yard clean-ups, we are still sending out notices.
- We had a great day for the Fair day held by the Lions Club.
- Have been working with Rally of SWVA and the group have decided to move toward an information board for the Theatre and doing business uplifts for the storefronts.
- Michelle Honeycutt is still working on the mural on the artesian center. I spoke with Mr. Cobb, and he informed me that he thinks he has solved the roof leak. We will use town labor and volunteers to start working on the inside when the weather turns to where we cannot work outside.
- We were able to apply for the planning grant thru Rural Development for water plant repairs. We are also getting our application put together for another Rural Development grant for a new garbage truck.
- We had our Music on Main Friday the 6<sup>th</sup> it was well attended. The last one will be on October 4<sup>th</sup>.
- Met with Ballad Health, they will be able to help donate to a couple of events.
- We are getting ready for the VML conference which will be in Roanoke in October.
- Mr. Pope and I attended a forum for Implementing Revolving Loan Funds. Gap funding for a business that wants to locate in Town. Mrs. Stidham and I will be working with Marion on using their formats to the projects.

# Town of Pennington Gap Treasurer's Report SEPT 2019

(Aug 14- Sept 11)

Continue Pre Audit Reports & Scanning  
Prepare Compensated Absences Report  
Updated Info for OPEB (Other Post Employment Benefits)  
Requested OPEB Report from Milliman  
Began Year End Close Process  
Met with Pre Auditors 8/21

Adopt Resolution to Set PPTRA Rate at 93.12% \*

Submitted Creditable Coverage Report to CMS

Negotiated Better Rate for Renewal of CD

Delinquent Meals Tax Installment Letter Response

Met w/ 1 Employee @ Retirement x 2  
Certified Retirement on VRS Navigator

Met w/ Insurance Rep

Process SRO Grant Funds Request  
Submit SRO Financial Report

Met w/ Shawn Lindsey & David Jesse @ Trails

Review Personnel Policy w/ KH & JMS

Reports for Robert Hilt/Rural Development  
For Water Plant Grant

New Copier Set Up

Prepare and Pay Sales Tax

Process Theatre & Online Sales Income Paperwork

Record Office & Credit Card Daily Receipts to Bank Rec Module

Process Dirt Drags Deposits

Bank Statement Reconciliations

Processed all Retirement Benefits and Payments (VRS, ICMARC & LBT)

Monthly Utility Deposits Work Up & Corresponding Entries

Print Utility & Community Center Deposit Refund Checks

\* Requires Council Attention

**UPCOMING ITEMS:**

Continue Pre Audit

FY19 Audit Oct 14-18

Tax Billing in October

Tax Collections Thru Dec 5

**Lee Theatre**  
**Council Report**  
**September 2019**

- Sept. 14 – Pro Art – WannaBeatles
- Sept. 17 – Frontier Health Sponsor Free Movie and Popcorn – (Flight)
- Sept. 21 – Beauty Pageant -Queen Of Hearts- Bootiful Boys and Girls
- Sept. 21 – Lee County Head-Start Field Trip
- Sept. 27 -NighTrain – Guns and Roses Tribute
- Oct. 3 and 5 – Lee Players in Legend of Sleepy Hollow
- Oct. 4 – Town of Pennington – Music on Main
- Oct 12 – Tobacco Festival Beauty Pageant
- Oct. 15 – Lee County School Board Forum
- Oct. 18- 19 -Lee Players’ Steel Magnolias
- Oct. 25 – Pre-Celebration Tobacco Festival
- Oct. 26 – Friends of the Tobacco Festival Parade and Concert
- Oct.31 – Halloween Movie tba Sponsor WSWV 8pm.
- Nov. 1-2 – Break A Leg Group- Steel Magnolias
- Nov- 9 – Ronnie Dale And the Lee Opry Band along with the Little Opry  
Dancers
- Nov. 11 – Sargent York – Pro Art
- Nov. 15 – Frosty -Pro Art
- Nov. 23 – Departure- Journey Tribute Band

Dec 6 – Town of Pennington Christmas Parade and Movie

Dec. 7- Lee Players Christmas Play

Dec. 13- 14 – Break a Leg Group – Christmas Play

Dec. 31 – Town of Pennington New Year’s Eve Celebration

Dec. 16 – Long Hollow Pre School Christmas Program

Jan. 3 – Winterfest at the Theatre -Band to be named

Feb. 7 – Winterfest at the Theatre – Band to be named

March 6-7 – Lee Players in Junie B. Jones

March 10 – School Trip for Junie B. Jones

March 13 – Last of Winterfest at the Theatre – Band to be named

March 20 – Peter Pan -Pro Art

May 18 – Long Hollow Preschool Graduation

I’m looking to book some local acts in the winter. I’m currently talking with a few that we may can work together on a percentage

I have been working on the Love sign fabricating the steel for the letters and it is near completion.

We are also painting the back-bathroom room area and hall way and sprucing up a little to keep it looking great.

I have also met up and talked to a few guys that are going to be great to work with booking some great entertainment and I hope to save us some money

**Tony Lawson**