

**TOWN OF PENNINGTON GAP
COUNCIL MEETING**

August 17, 2020
6:00 PM

1. Call Meeting to order- Because of COVID-19, social distancing in State of VA and the following codes of Virginia, the Town of Pennington electronic council meeting will proceed in reference to § 2.2-3708.2, Meetings held through electronic communication means and when the Governor has declared a state of emergency in accordance with § 44-146.17– Mayor Larry Holbrook
2. Approval of Agenda
3. Approval of Minutes for July 20 Council Meeting, July 30, Special Called Meeting.
4. Approval of Bills to be Paid
5. Citizen’s Recognition
6. Unfinished Business
 - a. Personnel Policy
7. New Business
 - a. Personal Property Tax Relief Act (PPTRA)-Tina
8. Monthly Reports – Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept. Lee Theatre (reports in council packets)
9. Town Attorney Report-Greg Edwards
10. Council Member Reports
11. Closed session
12. Council Action
13. Adjourn

528 Industrial Dr.
Pennington Gap, VA 24277

Town of Pennington Gap
Council Meeting
August 17, 2020

Record of attendance:

6:00 PM

Mayor:	Larry Holbrook
Council:	Jill Carson Gary McElyea – by phone Jeff Martin – by phone Terry Pope – by phone Jimmy Warner – by phone
Town Manager:	Keith Harless
Assistant Town Manager:	Brian Skidmore
Treasurer:	Tina Rowe-by phone
Clerk:	Karen Maggard
Town Attorney:	Greg Edwards
Police Chief:	Jesse Jones
Powell Valley News:	Rick Watson
Citizens:	Ty Harber-by phone
Martina Daugherty	Connie Daugherty-Combs
A.J. Hatmaker	Brenda Parkey
Mathew Johnson	Annette Tomlinson
Debbie Artrip	Larry Carter
Hannah Artrip	Golden Green

1. Mayor Holbrook called the meeting to order at 6:02 PM by reading this statement concerning COVID-19 pandemic as follows: *Because of COVID-19, social distancing in State of VA and the following codes of Virginia, the Town of Pennington electronic council meeting will proceed in reference to § 2.2-3708.2, Meetings held through electronic communication means and when the Governor has declared a state of emergency in accordance with § 44-146.17.*
2. Gary McElyea made a Motion to accept the agenda, Terry Pope seconded the Motion. Roll call vote as follows:

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

3. Jeff Martin made a Motion to accept the minutes from July 20, 2020 Council Meeting and July 30, 2020 Special Called meeting. 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

Council Room
528 Industrial Drive

Town of Pennington Gap
Council Meeting
August 17, 2020

4. Jill Carson made a Motion to pay the bills as presented, Larry Holbrook 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

5. Citizens recognition:

Citizen, A.J. Hatmaker, Constitution Road, pointed out several locations he has to pass or see every day near his home, in need of clean-up or other attention from the town. The Old Mill apartments, the house below on Harrell St., Taymont , the old Taylor Clinic on Constitution as well as the old town hall property. *Neighbors all mow, clean trash, have presentable view, but what are those owners doing, including the town?*

Connie Daugherty-Combs reiterated those locations and the fact that the owner of the clinic had been sent letters from the town manager since 2017 and asked how long the town allowed for results. She has also found the tax to still be in her name and has made an agreement with the owner. Should the town need to clean up and assess to taxes, she is ok with that. Keith explained he has been in contact with the owner on several occasions and was in agreement with the process that was to be taking place. Each time a deadline came, the owner indicated he was working on it. Old Mill has been turned over to the county who has said it is in compliance by being boarded. We have lost all inmate labor during the virus shutdown, having recently hired help for 2 on trash truck, mowers and to fill in for an illness. Keith will turn to the county again for help on Taymont and the new owner of the home on Harrell has begun clean-up there. We have re-started brush pick-up as of last week.

Jill Carson added that Pennington Partners was to take on Spring Clean-up this year but we didn't have it, also due to the virus. Keith also noted that once clean-up expense exceeds \$1,000 assessed on the taxes, the town can sell the property. Connie asked if we could then sell Old Mill, Greg Edwards stated that we could not without first cleaning and assessing the cost to them. Old town hall property was being looked at and on the board for clean-up but a succession of water leaks required all the men to be pulled from the job. Jill also relayed that Appalachian Service Project was to come into town and work on properties with Pennington Partners. We don't have help and would love the community to help as we try to enhance the look of the town.

Connie also stated that in daily walks through the park and greenway there are inconsistencies with the council on some things. In the park, no tables, no ball goals, no signage as to why. Some events continue, tennis and Frisbee golf are there. There are no rules posted. Are violators misinformed or uninformed? Also, someone came out early one morning on the greenway, presumably from sleeping there and was a very scary experience in the dark. Chief Jesse Jones was present and will step up some patrols on the greenway at earlier hours as several are using it to walk then.

Jill reminded everyone of the rise in COVID-19 cases in Lee and the possibility of going back to Phase II guidelines. The management of the guidelines, sanitizing every 2 hours in those public places as the CDC recommends, isn't possible and we don't want to see the park closed.

Town of Pennington Gap
Council Meeting
August 17, 2020

Connie stated we need signs on the greenway, markings and please reconsider opening pavilions and ball goals. Form committees to help. Terry Pope commented that we do need better communications on the issues. Gary McElyea would like the rules to be mandatory and posted, whatever they are. A.J. finished with the thought, *if we work to clean up these areas, others in town will do so as well.*

Larry Carter, who is outside of town adjacent the park, has lost several goats and sheep to dogs over the years and now a particular pack from the Red Hill area are crossing over every day and chasing calves. Jeff Martin recognized the dogs' description and knows the owner, will contact the county dog warden on this.

Golden Green, Church Ave. requests the neighbor behind her who dumps trash from her car to an un-mowed yard, along with furniture be asked to clean up. Also, tree limbs have been left behind her.

Mathew Johnson, owner of the clinic waited to speak last on his efforts to clean up properties in town, while being told the town would not pick up the trash unless the account at the home was active. He was offered a dumpster pick up as the town has to pay to dump it to the landfill. He apologized to those present with complaints of the clinic as he had been taking the trash there to sort instead of paying for a dumpster. He's trying to make these homes better, although the town is shorthanded, they should help him in doing so. Keith reminded him the dumpster was offered at cost to the town. Also, there are skunks on the greenway that may need attention. He then complained that officers for the town do not have the necessary gloves and finger print kits to gather evidence when he's been broken into. Jesse responded, that although he had only been chief a few weeks, he does have gloves and kits available now and that a recent need for officers to switch and share cars may have made some supplies short.

Keith noted that garbage collection is an issue, a new truck has been ordered and will have a swing arm attached to grab cans and he would like to eventually provide each household a can for such use.

6. Unfinished business:

- a. Personnel Policy-Keith still needs a meeting with Jill and Terry to discuss

7. New Business:

- a. Tina presented the 2020 Personal Property Tax Relief Act (PPTRA) resolution, the rate of relief will be 89.83%. Jeff Martin made a Motion to accept the resolution on the PPTRA for 2020. Larry Holbrook 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. Keith Harless received two bids on archiving social media. Terry Pope made a Motion to accept the lowest bid, Jeff Martin seconded the Motion. Roll call vote as follows:

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

Council Room
528 Industrial Drive

Town of Pennington Gap

Council Meeting

August 17, 2020

Jimmy Warner Aye

Larry Holbrook Aye

- Josh Terry has asked the Town to co- sponsor the Sleepy Hollow bike ride again this year. The proceeds go to one Lee High and one Thomas Walker student scholarship each year. No motion.

A town truck has a broken body spring and will need extensive repair. An original plan to replace the truck was forfeited earlier this year to two police cars. He would like to check on surplus sales for a \$25-30K truck with sales of some surplus vehicles to help offset the cost. Tina mentioned a low interest loan for 2-3 years to spread the cost. Jeff Martin made a Motion for Keith and Jason to look at surplus sales for a truck. 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

David Williams would like to work in the campground office in lieu of lot rent at the campground. No motion.

9. Greg Edwards reported that the Lee EDA may ask permission to help a business in town. Terry Pope made a Motion to give Lee EDA permission to invest in corporate limits of town at any time. 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

10. Council Reports:

- Jill Carson has concerns of allowable events and after some discussion made a Motion to offer a standard movie in the park with all rules observed. Jeff Martin seconded the Motion. Roll call vote as follows:

Jill Carson Aye

Gary McElyea Nay

Jeff Martin Aye

Terry Pope Nay

Jimmy Warner Aye

Larry Holbrook Aye

She reported that the VML conference will be virtual this year and rates less. The mayor's conference will begin September 24, 2020.

Town of Pennington Gap
Council Meeting
August 17, 2020

- Terry Pope made a Motion to allow Keith and Brian to hire necessary seasonal help at their discretion. 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

- No others had a report.
- Keith noted the General Assembly will meet in special session tomorrow and we await information on town liability. Door locks will be installed soon in order to re-open the front office. We would only have one customer at a time due to social distancing guidelines.

11. At 8:31PM, Terry Pope made a Motion to go into executive session pursuant to Virginia Code Section 2.2-3711A1 for assignment, appointment, promotion, salaries, disciplining, or resignation of employees. 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

At 8:47PM, Terry Pope made a Motion to reconvene to regular session, Jeff Martin seconded the Motion. Roll call vote as follows:

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

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

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

12. Terry Pope made a Motion to pay Employee A a one- time bonus of \$1,000. Jeff Martin seconded the Motion. Roll call vote as follows:

Council Room
528 Industrial Drive


Town of Pennington Gap
Council Meeting
August 17, 2020

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

13. Larry Holbrook made the 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

Time of Adjournment: 8:50 PM



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:

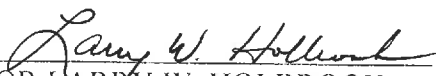
AYES: Mayor Larry W. Holbrook
Terry K. Pope
Gary McElyea
Jeff Martin
Jill Carson
Jimmy Warner

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: August 17, 2020


MAYOR LARRY W. HOLBROOK