

Minutes- February 18, 2020  
Town of Pennington Gap  
Council Meeting & Public Hearing on Police Car Purchase

**Record of Attendance:**

**6:00 PM**

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

Town Manager: Keith Harless  
Assistant Town Manager: Brian Skidmore  
Town Treasurer: Tina Rowe  
Town Attorney: Greg Edwards  
Town Clerk: Karen Maggard  
Police Dept.: Taylor Scott  
Virginia Tech Institute for Policy for Governance:  
Prof. Max Stephenson, Neda Moayerian, Courtney  
Surmanek, Lara Nagle, via internet-Dr. Maria Saxton

Rodefer, Moss & Co. PLLC: Tamara Greear  
Powell Valley News: Lori Watson

Citizens: None

1. Call to order: Mayor Larry Holbrook called the meeting to order at 6:01 PM. The public hearing was opened for a resolution on the purchase and financing of two police cars.

2. Invocation given by Tony Witt

3. Tony led the Pledge of Allegiance

4. Terry Pope made a motion to approve the agenda with Tamara Greear from Rodefer, Moss & Co., auditors added to New Business. 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	Absent

5. Jeff Martin made a Motion to approve the minutes from January 21, 2019. Gary McElyea seconded the Motion. 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	Absent

6. Jill Carson made the Motion to approve the bills to be paid. Larry 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	Absent

7. Citizens' Recognition- No one present, public hearing was closed.

8. Unfinished Business

A. Virginia Tech's Institute for Policy and Governance representatives were present. Lara Nagle and Dr. Maria Saxton via internet presented a Tiny Home Lodging solution for stays in Pennington. Dr. Saxton reported that some rules are being changed in the code which will now allow tiny homes on permanent foundations and she will be in Richmond to speak for more attention to code allowances. The intention of the presentation and recent study is that the Town could allow a tiny home village within the campground area, owned by private investors with little cost to the town.

9. New Business-Tamara Greear with Rodefer, Moss & Co. PLLC, presented the financial statements and audit findings for the year ended June 30, 2019. There were no deficiencies in Internal Controls, we are improved from last year in all areas, we continue to work on "housekeeping issues" as needed, the town has an asset in our Pension plan and very little long term debt.
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- There have been no changes since last meeting
12. Administrative Reports and Council Action – Mayor Larry Holbrook/Keith Harless/Tina Rowe
- A. Treasurer's Report – Tina distributed additional information as requested at the finance meeting, with a fund snapshot from 2/13/20 incorporating bond

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payments, cash flow and PSA accounts receivables. The budget is at 58% completion. Hazardous duty benefits, the county and state offer, are also eligible through the town. After a \$1,250 actuarial study, the rate would be known.

- B. Assistant Town Manager, Brian Skidmore – The application for two new police SUVs is going to be \$85K totally outfitted with a finance of \$35K and \$50K forgiven. Financing will be at a 3% rate for 5 years. We now have ~~one~~ 4 car on the road and two spare and one retired. He will meet with Health Dept. by the end of March to close Phase 1 meters grant which covered 700 meters. Phase 2 kickoff in April will be 50% forgiven cost.
- C. Town Manager, Keith Harless highlighted his report. In the community center, the overhead projector project will have added speakers so that anyone can plug in and show a presentation. The added \$2,200 will be from the Walmart grant. Met Mattern & Craig on the geo service at water treatment plant. Terry Pope made a Motion to submit a RFP for general engineering, civil/structural services. 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	Absent

13. Attorney, Greg Edwards – Reported he has looked over the Dryden Water agreement, made some changes. Some issues related to burned out buildings fall under the County Building Inspector's office. Questions arose on the extended use of shopping carts from stores in town, technically stealing. Some have been picked up and returned.

14. Council Member Reports –

Jill Carson met with Pennington Partners to ascertain the current status, membership needs to increase. She asked that they attend our monthly committee meetings prior to each council meeting. They intend to sponsor a triathlon again this year. A discussion of how to install the cigarette containers throughout town to prevent them from being stolen continues.

She and Keith also went back to Richmond for Lobby Day which coincided with VML Executive committee meeting and attended VML/VACO during the session. They met with Todd Pillion and Terry Kilgore at the same time and asked how Pennington could help them. They are very proud of Lee Theatre and use it as an example throughout the state.

Jill would like to bring back the town Beautification Award, once sponsored by Powell Valley News and asked Lori Watson if that might be possible. Also, could we tie in Appalachian Service Project and make a grand prize a house painting project?

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She also announced that she and Ron Carson have been recognized at both House and Senate for work on the Appalachian African American Cultural Center.

Terry Pope made a Motion to obtain an economic impact study as it is now reported near 20% of coalfield residents may be lost to other areas. We need to look to the future. 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	Absent

Terry would like to look into flood control at Leeman Field in conjunction with controlling water downstream for kayaks.

Jeff Martin made a Motion for a resolution to purchase two police cars, 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	Absent

15. At 7:54 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	Absent

At 9:26 PM, Terry Pope made a Motion to reconvene regular session and certify that nothing was discussed during closed session other than the issues stated. Larry Holbrook seconded the Motion. Certification as follows:

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

16. Council Action-

Larry Holbrook made the Motion to allow Town Manager to raise pay as necessary. Jeff Martin seconded the Motion. Vote as follows:

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

Terry Pope made a Motion to allow the treasurer to execute hazardous duty benefits plan. 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	Absent

Larry Holbrook made a Motion to apply for an SRO grant at Pennington Middle, Jeff Martin seconded the Motion. Vote as follows:

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

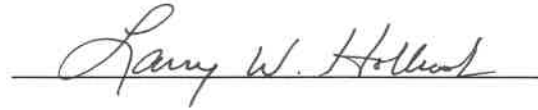
Larry Holbrook made a Motion to adjourn the meeting, Jeff Martin seconded the Motion. Vote as follows:

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

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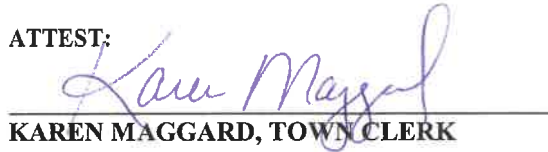
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17. Time of adjournment: 9:29 PM



**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

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

ABSENT DURING VOTE: Jimmy Warner

ABSENT DURING CLOSED SESSION: Jimmy Warner

MEETING DATE: February 18, 2020

  
MAYOR LARRY W. HOLBROOK