

Minutes- January 21, 2020
Town of Pennington Gap
Council Meeting

Record of Attendance:

6:00 PM

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

Town Manager: Keith Harless - Absent
Assistant Town Manager: Brian Skidmore
Town Treasurer: Tina Rowe
Town Attorney: Greg Edwards
Town Clerk: Karen Maggard
Police Dept.: Taylor Scott
The Lane Group: Jeff Cochran

Citizens: None

1. Call to order: Mayor Larry Holbrook called the meeting to order at 6:03 PM.
2. Invocation given by Tina Rowe.
3. Tina led the Pledge of Allegiance.
4. Terry Pope made a motion to approve the agenda with Taylor Scott added to closed session. Gary McElyea seconded the Motion. Vote as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Absent
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Absent
5. Jeff Martin made a Motion to approve the minutes from December 16, 2019. Gary McElyea seconded the Motion. Vote as follows:

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

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6. Mayor Holbrook made the Motion to approve the bills to be paid. Terry Pope seconded the Motion. Vote as follows:

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

7. Citizens' Recognition-None

8. Unfinished Business-None

9. New Business-None

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-Jeff Cochran with The Lane Group has received comments back. There are not many, however, construction will be delayed until April 2021 as VDOT plans to repair the culvert nearby.
- B. Phase I water meters still being installed. Phase II was awarded last summer, typically, a kick off meter takes place. There has not been a meeting scheduled, once it is, the rest of the meters will be installed.

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

- A. Treasurer's Report – Tina requested approval of budget amendment #2, a net effect of 0, with \$24,000 increases to revenue and expenses. Jeff Martin made the Motion to approve the budget amendment. Gary McElyea seconded the Motion. Vote as follows:

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

Some instructions received through training will benefit the town in that we can ask for HB599 funding, there is \$100 million in the governor's fund that may be requested for items such as street maintenance and economic development in distressed areas, which the town is considered. Tina also attended the Local

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Government Financial Officers Association meeting and learned there is no requirement for a town of our size to have an audit therefore no deadline, however, funding agencies require the audits, which is why we do have them. We can also ask to participate in distressed area monitoring. She ask if there has been any consideration of changing the tax due date back to October 30 as the county has. No motions were made. Also, would a budget retreat be considered this year with a participant from LGFOA? No motions followed. Tina suggested budget workshops for each fund in the following finance meetings, which are the Thursday before each council meeting at 3 PM.

- B. Assistant Town Manager, Brian Skidmore – Fire department held officer elections with no changes. Jeff Martin made the Motion to accept the member/officer list. Gary McElyea seconded the Motion. Vote as follows:

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

Brian would like to move forward with an application process for two new police cars with Rural Development grant/loan funding. Jeff Martin made the Motion to apply and Mayor Holbrook seconded the Motion. Vote as follows:

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

VACORP had an OSHA inspector go over the town's properties and suggest upgrades prior to the new ruling that municipalities can be fined for violations. We will now work on these upgrades.

An employee was injured in a fall on the ice today, he has a concussion and will be off for a week to recover.

- C. Town Manager, Keith Harless is out of town on business.

13. Attorney, Greg Edwards – No comments.

14. Council Member Reports –

Gary McElyea made a Motion the town be a 2A Sanctuary. Terry Pope asked if that meant we would ignore the law. Gary answered, we don't ignore the law, we choose not to enforce some of the stipulations. Jeff Martin seconded the Motion. Vote as follows:

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

Gary McElyea also requested the Christmas street light soldiers be given extra attention in that the lights are hidden in the garland making them hard to see or replace the display altogether. Complaints have been heard of lack of lights/help at Leeman Fantasy and we need to consider a solution.

15. At 6:34 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	Absent
Gary McElyea	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Absent

At 7:25 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:

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

16. Council Action-

Terry Pope made the Motion if an existing restaurant renovates, once an average of 12 months meals tax receipts has been reached, everything over that may go to the IDA.

Gary McElyea seconded the Motion. Vote as follows:

Mayor Larry Holbrook	Aye
Jill Carson	Absent
Gary McElyea	Aye

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Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Absent

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

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

17. Time of adjournment: 7:27 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;

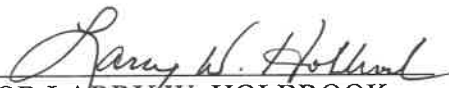
NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Pennington Gap, Virginia hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in closed session to which this certification 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
Gary McElyea
Jeff Martin
Terry K. Pope

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

ABSENT DURING VOTE: Jill Carson, Jim Warner
ABSENT DURING CLOSED SESSION: Jill Carson, Jimmy Warner
MEETING DATE: January 21, 2020


MAYOR LARRY W. HOLBROOK