

Town of Pennington Gap
Council Meeting
June 20, 2023

Record of attendance:

6:00 PM

Mayor: Larry Holbrook
Council: Doug Alsup
Jeff Martin – by phone
Gary McElyea
Terry Pope
Jimmy Warner
Town Manager: Keith Harless
Assistant Town Manager: Brian Skidmore
Town Attorney: Greg Edwards
Town Clerk: Karen Maggard
Police Chief: Jesse Jones

1. Mayor Holbrook called the meeting to order and opened the public hearing at 6:02 PM.
2. Mayor Holbrook led the Pledge of Allegiance
3. **Agenda-** Terry Pope stated that the Budget for 2023/24 needs to be added to the agenda. Gary McElyea made a Motion to approve the budget as presented in the Public Hearing and the agenda. Jimmy Warner seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

4. **Approval of Minutes-** Jeff Martin made a Motion to approve the minutes of May 15, 2023 and May 23, 2023. Gary McElyea seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

5. **Pay bills-**Larry Holbrook made a Motion to pay the bills as presented. Terry Pope seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Town of Pennington Gap
Council Meeting
June 20, 2023

6. **Citizen's Recognitions**-none

7. **Unfinished business**: none

8. **New business**:

- a) MECC/Lee County Endowed Scholarship golf tournament/hole sponsorship request- Gary McElyea made a Motion to do as we have before with sponsoring a hole for \$50. Jimmy Warner seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

9. **Monthly Reports**: Monthly Reports – Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept. Lee Theatre, Parks & Recreation (reports in council packets).

10. **Administrative Reports**- Mayor Larry Holbrook/Keith Harless/Tina Rowe/Brian Skidmore.

a) Tina's report in packet

- b) **Assistant Town Manager Report**- Brian reported he has sold some of our older vehicles and is working to clear the lot. Some extra claims have been made to insurance after the initial storm in May. Two river pumps and the chlorine scale quotes have been turned in. Additionally, one main pump at the water plant will cost \$11K-25k. We ordered the \$11k with additional cost for parts to install. At the sewer plant, the press pump wore out and we have it apart with parts ordered to rebuild about \$10k. Terry Pope made a Motion to purchase both the pump and parts. Doug Alsup seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Red Hill guardrail request was turned over to VDOT with no answer and VDOT has not done the mowing as expected in town yet.

- c) **Town Manager Report**-Keith reported the Bailey-Robbins structural issues and blueprints should be addressed within the month. New water meters are needed to provide separate spaces inside. A 6" line would be the closest and best choice from Stanberry St to use for extending to the buildings. A \$50k bank stabilization grant exists and Keith has asked if we can use for the parking behind and repairing an asphalt curb up on the building by using concrete otherwise we will need to find/fund these repairs. Keith has requested USDA Revolving Fund for IDA usage. In the storm of May 16, an employee's truck was crushed by

Town of Pennington Gap
Council Meeting
June 20, 2023

trees at his workplace. His insurance paid for the truck. Keith would like to consider paying his \$500 deductible since he was on the job. Jeff Martin made a Motion to pay the employee \$500. Doug Alsup seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

He has had a request for an impound lot on the corner of East Morgan and Industrial Dr which would have to go before the Planning Commission. He will reach out to the owner to ascertain whether he wishes to do so.

The Lee County Board of Supervisors has recently raised the tipping fee for the landfill by \$10/ton on business garbage. We will need to determine what effect that has on our fees in the next few months.

11. Projects

- a. ARC Business Center/ Conference Center funding-Go Virginia funding will be open in July
- b. Industrial Revitalization Fund ARPA Grant application - Downtown Buildings
 - i. Abatement bids
- c. Historic designation - Hill Studios
- d. Virginia Housing Stabilization Grant
- e. Wastewater Treatment Plant Repair Grants
 - i. DEQ/Lane
 - ii. SSES Grant-DEQ / Mattern & Craig- DEQ has for final approval and M&C suggest we work on Phase II sewer request.
 - iii. WW Pump Station Upgrade Grant-DEQ/Lane
 - iv. N. Fork Powell River Sewer Crossing-DEQ/Mattern & Craig
- f. Water Treatment Plant Structural Repair Grants
 - i. USDA/Mattern & Craig
 - ii. WTP Telemetry Upgrade-VDH/Mattern & Craig

12. **Town Attorney**-Greg reported a request for a crematorium with a Public Hearing required by the Planning Commission which has been scheduled for June 28. He also noted there was no allowance for medical health facilities listed in the C1 Commercial District so it will be added in with the same Public Hearing. Terry Pope made a Motion to schedule a Public Hearing at the next council meeting in July if the Planning Commission approves the request at their Public Hearing. Gary McElyea seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Town of Pennington Gap
Council Meeting
June 20, 2023

13. **Council Member reports:**

Gary McElyea asked about the Pickleball court progress-they were graveled today and may concrete this week if weather permits.

Terry Pope mentioned the habitual offenders of lawn and outdoor maintenance to which Greg replied a July statute may take effect that will need close attention to decide future direction.

Terry took a complaint on the number of chairs at the pool. He would like to commend employees on working with some of the issues presented at our public spaces.

14. **Closed session-** At 7:00 PM, Terry Pope made a Motion to go into executive session pursuant to;

§ 2.2-3711(A)(1): Personnel. Provides an exemption for:

Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals.

§ 2.2-3711(A)(3): Acquisition & disposition of property. Provides an exemption for:

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Virginia Code Section 2.2-3711(A)(5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Virginia Code Section 2.2-3711(A)(6) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

Jeff Martin seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

At 7:45 PM, Terry Pope made a Motion to reconvene to regular session. Jeff Martin seconded the Motion Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

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

Doug Alsup	Aye
------------	-----

Town of Pennington Gap
Council Meeting
June 20, 2023

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

15. Gary McElyea made a Motion to allow the Police Dept. to start a new account for project Shop with a Cop use. Jeff Martin seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Jeff Martin made a Motion to allow the chief of police to buy equipment as grant funds become available. Gary McElyea seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Jimmy Warner made a Motion to purchase three new vehicles with ARPA funding. Doug Alsup seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

Jeff Martin made a Motion for managers to compensate an employee. Larry Holbrook seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

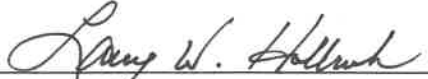
16. Larry Holbrook made Motion to adjourn. Gary McElyea seconded the Motion Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye

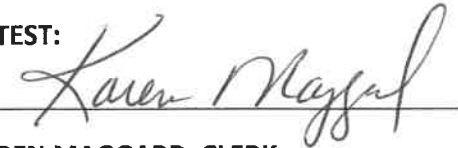
Town of Pennington Gap
Council Meeting
June 20, 2023

Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

17. Meeting adjourned at 7:50.


MAYOR LARRY W. HOLBROOK

ATTEST:


KAREN MAGGARD, 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:

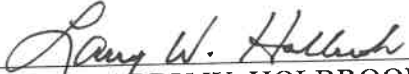
AYES: Mayor Larry W. Holbrook
Terry K. Pope
Jeff Martin
Gary McElyea
Doug Alsup
Jimmy Warner

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: June 20, 2023



MAYOR LARRY W. HOLBROOK