

Town of Pennington Gap  
Council Meeting  
October 16, 2023

**Record of attendance:**

6:00 PM

Mayor: Larry Holbrook  
Council: Doug Alsup  
Jeff Martin-absent  
Gary McElyea  
Terry Pope  
Jimmy Warner-absent  
Keith Harless  
Brian Skidmore  
Tina Rowe  
Karen Maggard  
Greg Edwards  
Matt Lawson  
Rick Watson  
Citizens: none

Town Manager:  
Assistant Manager:  
Town Treasurer:  
Town Clerk:  
Town Attorney:  
Interim Police Chief:  
Powell Valley News:  
Citizens:

1. Mayor Holbrook called the meeting to order at 6:00 PM.
2. Pledge of Allegiance
3. **Agenda-** Terry Pope made a Motion to approve the agenda. Doug Alsup seconded the Motion.  
Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye

4. **Approval of Minutes-** Doug Alsup made a Motion to approve the minutes of September 18, 2023. Gary McElyea seconded the Motion. Roll call vote as follows:  

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	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
Terry Pope	Aye
6. **Citizen's Recognitions-**none
7. **Unfinished business:** none
8. **New business:** none

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9. **Monthly Reports:** Monthly Reports – Water, Sewer, Treasurer, Public Works, Police Dept., Fire Dept. Lee Theatre, Parks & Recreation (reports in council packets).  
Matt Lawson, interim Chief, reported for the Police Department that he has hired two officers. He has sent letters for property maintenance, and all have complied. Spending ARPA funds on digital signage, laptops and document software, all received. Samantha is in a patrol car now. Terry Pope reminded that the new property ordinance needs only one notice on clean-up.

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

**A) Treasurer-** Tina reported that all tax tickets have been mailed. Tina also presented a PTO time handout and requested to use it to make clarification to the employee handbook. Terry Pope made a Motion to allow the clarification. Gary McElyea seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye

**B) Assistant Town Manager Report-** There are two employees retiring. Employees are being moved around at the water plant for shift coverage. The St. Charles sewer line upgrade is still in progress. The meter grant is awaiting last few items and then we will order the meters.

**C) Town Manager Report-** Bailey Robbins IRF project is out for bids until November 13, 2023 with pre-bids on October 23, 2023. The waterline is completed out back, along with the retaining wall in the back lot. We are putting leftover stock from inside on gov deals for sale.

Our IDA was given the buildings and they need to be the Town's for the grant funding. The IDA has received \$64,786 for the property at the corner of Herndon and W. Morgan. Doug Alsup made a Motion to accept the property back and the funds received. Larry Holbrook seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye

Doug Alsup made a Motion to reimburse the IDA \$15,000 from the funds received. Larry Holbrook seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye

11. **Projects**

- a. ARC Business Center/ Conference Center funding-we decided we do not have enough time and resources for this grant round. We will try again in the Spring. Keith spoke with Dineen West and she is excited about the project.

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b. Industrial Revitalization Fund ARPA Grant application

- i. Abatement bids
- c. Historic designation – with Hill Studios (November)
- d. Virginia Housing Stabilization Grant—we have potential to partner with a developer. Creech building brownfield grant-will pursue after public meeting is held.
- e. Wastewater Treatment Plant Repair Grants –
  - i. DEQ/Lane
  - ii. SSES Grant-DEQ / Mattern & Craig-
  - 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** is going to check on business signage pop-ups related to the September minutes since he was absent last month.

13. **Council Member reports:**

Gary McElyea elaborated on the VML meeting.

Terry questioned expansion of the RV park and discussed ideas.

14. **Closed session-** At 6:59 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.*

Larry Holbrook seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Terry Pope	Aye

At 7:12 PM, Terry Pope made a Motion to reconvene to regular session. Gary McElyea seconded the Motion Roll call vote as follows:

Doug Alsup	Aye
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Gary McElyea      Aye  
Larry Holbrook    Aye  
Terry Pope        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 Alsop        Aye  
Gary McElyea    Aye  
Larry Holbrook   Aye  
Terry Pope        Aye

**15. Council Action-none**

**16.** Larry Holbrook made Motion to adjourn. Terry Pope seconded the Motion Roll call vote as follows:

Doug Alsop        Aye  
Gary McElyea    Aye  
Larry Holbrook   Aye  
Terry Pope        Aye

Meeting adjourned at 7:13 PM.

ATTEST:

  
KAREN MAGGARD, CLERK

  
MAYOR LARRY W. HOLBROOK

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  
Doug Alsup

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

**ABSENT DURING VOTE:** Jeff Martin, Jimmy Warner  
**ABSENT DURING CLOSED SESSION:** Jeff Martin, Jimmy Warner  
**MEETING DATE:** October 16, 2023

  
MAYOR LARRY W. HOLBROOK