

Town of Pennington Gap
Council Meeting and Public Hearing – Budget Amendments
March 15, 2021

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:	Matt Johnson – by phone

1. Larry Holbrook called the meeting to order at 6:00 PM and the public hearing was opened by reading this statement concerning COVID-19 pandemic: *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. **Agenda**-Larry Holbrook made a Motion to accept the agenda, 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

3. **Minutes prior meeting**-Larry Holbrook made a Motion to accept the minutes from February 16, 2021 Council meeting, Jimmy Warner 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

4. **Pay bills**-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

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Jeff Martin	Aye
Terry Pope	Abstain
Jimmy Warner	Aye
Larry Holbrook	Aye

5. **Citizen's recognition**-none

6. **Unfinished business:**

Personnel policy-Keith requested it be discussed in closed session

7. **New Business:**

A. **2020 Audit Report**- Tamara was not present, to be rescheduled.

B. **COVID restrictions: i.e. Leeman Field, campground, swimming pool, ball parks, drag race, farmers' market, block parties-**

In relation to ball, Jill has checked the Little League sight which asks each affiliate to follow the locality/CDC/governors orders, which for us is 250 maximum and 10 foot social distancing. Keith noted that new leases are due for organizations and will require they fulfill guidelines set forth by organizations they are affiliated with. Keith will monitor current CDC/Governors' orders and keep Council apprised of any change between meetings. Jeff Martin made a Motion for Keith to canvas Council with any necessary changes once orders are lifted, should these allow for significant changes in any of these areas. 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

Jill also spoke with representatives from Americorps, who would like to help with any projects.

C. **Scouts in the River:** Event was canceled last year. Current guidelines allow for it with masks and social distancing and Rick Watson requests it be April 24 along the greenway. Jeff Martin made the Motion to allow river clean-up on April 24. 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

8. **Monthly Reports-**

Jesse Jones reported that issuance of notices for trash violations on properties in have begun and the list should be complete by the end of the week. The clean-up committee met last week

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with a mission to attack blight. Conversations with Big Stone Gap's town manager about burnt structure removal led to BSG wanting to team up with Pennington on an ordinance.

Brian Skidmore-Dumpsters and trash cans for all town households have arrived. A notice to each household will go out soon with instructions. Surplus equipment has been listed for sale of www.govdeals.com. Would like to set spring clean-up for the town for the week of May 3-7.

Treasurer-Tina Rowe has mailed late notices for taxes and created a report of delinquent tax to be sent to collections. The new go-live date for Cloud Invoicing is March 31. A question of how old taxes are to be delinquent was answered as one year. It was determined that April 15th @ 2:00, the finance committee regular meeting, can also serve as a budget workshop and to receive audit detail from Tamara.

9. **Sidewalk Project**-Keith reported VDOT approved and awaiting bid date

10. **Town Attorney**-Greg has closed session info.

11. **Council Reports:**

- Jill Carson met with clean-up committee on blight removal in town. She also attended the walk-thru with the Hospital Authority of the new hospital with telemedicine, EMS, and six patient beds. Opening will be prior to July 2021.
- Terry Pope asked that someone coordinate with the county on the clean-up of roadways as to the pick-up schedule in town. Keith will follow up. Ford Street still needs attention from VDOT on the issue at the railroad crossing. Terry made a Motion to advertise for a pool manager for the 2021 season. 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

12. **Closed session**- At 6:46 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. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

§ 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)(7) for consultation with legal counsel.

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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 7:35 PM, Terry Pope made a Motion to reconvene to regular session, 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


Terry Pope made a Motion to attest that nothing was discussed during closed session other than the issues stated.

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

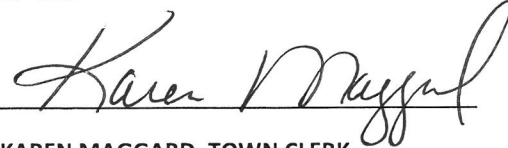
Larry Holbrook made a Motion to adjourn. Terry Pope seconded the Motion. Roll call vote as follows:

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

Time of Adjournment: 7:36 PM


MAYOR LARRY W. HOLBROOK

ATTEST:


KAREN MAGGARD, TOWN CLERK

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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: March 15, 2021



MAYOR LARRY W. HOLBROOK