

Town of Pennington Gap
Recessed Council Meeting
April 22, 2021

Record of attendance:

1:00 PM

Mayor:	Larry Holbrook
Council:	Jill Carson Terry Pope – by phone Jimmy Warner –by phone Gary McElyea-Absent Jeff Martin-Absent
Town Manager:	Keith Harless
Assistant Town Manager:	Brian Skidmore
Treasurer	Tina Rowe
Clerk	Karen Maggard
Rodefer Moss & Co. PLLC	Tamara Greear

1. Larry Holbrook reconvened the meeting from April 19 at 1:20. *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. **Unfinished business:**
 - a. 2020 Audit Report-Tamara Greear presented the 2020 Audit Report as of 6/30/2020, including the IDA report with an *unmodified* or clean opinion. Terry Pope noted that we had forgiven debt on page 10 and we will research the date of that motion. Tamara finished at 1:40 PM.
3. **Closed session-** 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)(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:

Jill Carson	Aye
Gary McElyea	Absent

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

At 2:35 PM, Terry Pope made a Motion to reconvene to regular session, Larry Holbrook seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Absent
Jeff Martin	Absent
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. Roll call vote as follows:

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

Terry Pope made a Motion to appoint Bernadette Huff to Zoning Appeals Board. Larry Holbrook seconded the Motion. Roll call vote as follows:

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

Jill Carson made a Motion to appoint Hillary Hamilton to Zoning Appeals Board. Terry Pope seconded the Motion. Roll call vote as follows:

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

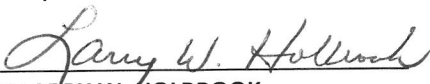
At 2:38, Jill Carson made a Motion to adjourn the meeting, Larry Holbrook seconded the Motion. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Absent
Jeff Martin	Absent
Terry Pope	Aye

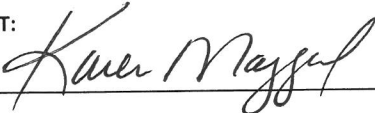
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Jimmy Warner Aye
Larry Holbrook Aye


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
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: Gary McElyea, Jeff Martin

ABSENT DURING CLOSED SESSION: Gary McElyea, Jeff Martin

MEETING DATE: April 22, 2021



MAYOR LARRY W. HOLBROOK