

Town of Pennington Gap
Council Meeting
November 15, 2021

Record of attendance:

6:00 PM

Mayor:	Larry Holbrook
Council:	Jill Carson Gary McElyea Jeff Martin Terry Pope Jimmy Warner
Town Manager:	Keith Harless-Absent
Assistant Town Manager:	Brian Skidmore
Treasurer/Deputy Clerk:	Tina Rowe
Clerk	Karen Maggard
Town Attorney:	Greg Edwards
Police Chief:	Jesse Jones
Citizens:	Robert Spalding

1. Larry Holbrook called the meeting to order at 6:00 PM.
2. **Agenda**-Gary McElyea made a Motion to accept the agenda. Jill Carson 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. **Approval of Minutes**-Jill Carson made a Motion to accept the minutes from October 27, 2021 Council meeting. 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

4. **Pay bills**-Larry Holbrook made a Motion to pay the bills as presented. Jill Carson 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

5. **Citizen's recognition**

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Robert Spalding spoke on behalf of keeping the dirt track open and he has also built one in Kentucky. He wants to be involved in operation with the potential for monster trucks and rodeos within Leeman Field. The track draws a lot of people, which we can lose to Evarts if not open. Jeff Martin will help him in start-up.

6. **Unfinished business:**

- A. **ARC Business Center for the Trades** – Keith submitted a report of the meeting in the packet.
- B. **Historical Designation** – Keith and Jeannie are working on the application.
- C. **Dump truck purchase** – Brian is still working on specs
- D. **Parks & Rec Employee** – Terry and Jill met with others on personnel last week to determine a job description.
- E. **Personnel Policy** – Tina explained that new employees under 6 months are not paid holidays. Terry Pope made a Motion to take out the introductory wording and allow benefits such as holidays during the probationary period. 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

7. **New Business:** none

8. **Monthly Reports:**

Reports in packets-

Jesse Jones noted that Officer Eads was injured during a foot chase and would be off 4-6 weeks while healing. New cars arrived at the office today and will be street ready soon. Gary McElyea is concerned, after the news of a recent loss of an officer in Big Stone Gap, as to what can be done differently considering the circumstances. Jesse elaborated on the need for full time officers.

9. **Administrative Reports**

- a. **Treasurer**-Tina Rowe requested scheduling a public hearing for a budget amendment and a Finance Committee meeting to include the ARPA funding and determine the best use. Terry Pope made the Motion to have the public hearing December 20 at 6:00 PM in conjunction with the next council meeting, with the Finance Committee meeting on the prior Thursday, December 16. 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

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Jeff Martin made a Motion to give the regular employee bonus again this year. 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

Jeff Martin made a Motion to also give the gift card as usual for employees. 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

- b. **Assistant Manager**-Brian Skidmore reported town employees very busy with events, looking to the Christmas parade now, lights are up and fireworks ordered for New Year's eve. Manual reading of every meter on the routes in November was conducted. I&I work begins soon with smoke testing. Two employees will work with Mattern & Craig on this.
 - c. Keith's report in the packet.
10. **Sidewalk Safety Project**-Brian reported tie-in of a new line was finished on November 17 around mid-night. Concrete work starts soon. Elk Knob Construction has turned in the first drawdown request for the project. Terry Pope made a Motion to pay the request. 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

11. **Town Attorney**-Greg noted the Planning Commission had met and will meet again November 22, 2021 to continue to update the comprehensive plan for the town, which hasn't been officially done since 2006. It must be every 5 years. They will update the plan and send to council for approval. New zoning regulations now encourage manufactured homes.

12. **Council Reports:**

Jill Carson would like an article in the paper on who VML is, what they do and provide, their mission, and how they train elected officials. The community needs to know what they do for every town in Virginia.

Terry Pope-Powell Valley News recently reported Spearhead trails had completed a MOU on Stone Mountain and we had provided 50% funding on the trail. Terry made a Motion to submit a formal request to Spearhead to keep us in the loop on concerns of Stone Mountain trail. Jeff Martin seconded the Motion. Roll call vote as follows:

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

13. **Closed session-** At 7:30 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)(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:

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

At 8:30 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. Roll call vote as follows:

Jill Carson	Aye
Gary McElyea	Aye
Jeff Martin	Aye

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Terry Pope	Aye
Jimmy Warner	Aye
Larry Holbrook	Aye

14. Jeff Martin made a Motion to rescind a previous motion awarding a regular bonus to employees.


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

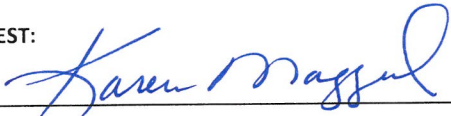
Gary McElyea made a Motion to award each full time employee a \$1,000 bonus and each part time employee a \$500 bonus. Jeff Martin seconded the Motion. Roll call vote as follows:

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

15. Jeff Martin made a Motion to adjourn, seconded by Gary McElyea. Meeting was adjourned at 8:32 PM.


MAYOR LARRY W. HOLBROOK

ATTEST:


KAREN MAGGARD, TOWN CLERK

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:

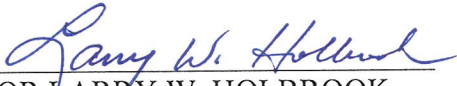
AYES: Mayor Larry W. Holbrook
Jill Carson
Terry K. Pope
Gary McElyea
Jeff Martin
Jimmy Warner

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: November 15, 2021


MAYOR LARRY W. HOLBROOK