

Town of Pennington Gap  
Council Meeting  
July 17, 2023

**Record of attendance:**

**6:00 PM**

Mayor:	Larry Holbrook
Council:	Doug Alsup Jeff Martin Gary McElyea Terry Pope Jimmy Warner
Town Manager:	Keith Harless
Town Treasurer:	Tina Rowe
Town Attorney:	Greg Edwards
Town Clerk:	Karen Maggard
Police Chief:	Jesse Jones
Citizens:	Marie Carson Rev. Bob Ruth

1. Mayor Holbrook called the meeting to order at 6:03 PM.
2. Rev. Ruth introduced himself as the new First Methodist preacher who has just moved here. He then led prayer and the Pledge of Allegiance

3. **Agenda-** Jeff Martin made a Motion to approve the agenda with the addition of Marie Carson under citizens recognition. 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-** Jimmy Warner made a Motion to approve the minutes of June 20, 2023 which were corrected previously to add Jimmy Warner to the votes, it's noted he was present at the meeting. 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

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

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6. **Citizen's Recognitions**-Marie Carson owns property on Robinson Street adjacent to an absentee owner. She is asking the town to mow the property and the right-of-way on it to keep kudzu away from hers. She also asked for potholes in the area to be filled. Keith explained the police will need to write the owner again and attempt to have it cleared before we can. Jesse will start the process.

7. **Unfinished business:** none

8. **New business:**

- a) Garbage rates-Lee County has raised the tipping fee which affects our business garbage. Brian, Tina and Keith will propose a solution to rates to charge for high usage without causing a huge increase to those who only use a trash can. Tina noted we have 107 business customers, 22 have dumpsters. They will try to find a balance.

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, she noted that a check from Virginia Housing that was budgeted in 2022/23 was received today for \$150k. She is looking into investing reserve funds with local banks with higher interest rates now.

b) **Assistant Town Manager Report-** Tina gave Brian's report. A sewer study determined the need to replace critical lines in town. Mattern & Craig can apply for funding which is due July 28. Terry Pope made a Motion to move forward with the application. 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

The Wallens Creek/N. Fork Powell River crossing has been approved at \$46k. Mattern & Craig will reapply for more funding.

c) **Town Manager Report-**Keith is awaiting building plans for Bailey-Robbins building, has spoken with GoVA on the trade center and Choice Hotels visited. He has other meetings this week on the projects. Tammy Jo and Amy Byington have applied for and been awarded \$12k on the outdoor classroom. We have a social media policy and have made some updates. Jeff Martin made a Motion to accept the updates. Jimmy Warner seconded the Motion. Roll call vote as follows:

Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye

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Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

A proposed drawing of the dog park was handed out to show size and some features. A location is not firm.

**11. Projects**

- a. ARC Business Center/ Conference Center funding-included above
- b. Industrial Revitalization Fund ARPA Grant application - above
  - i. Abatement bids
- c. Historic designation – with Hill Studios
- d. Virginia Housing Stabilization Grant-no change
- e. Wastewater Treatment Plant Repair Grants – meeting planned
  - 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

Keith noted a vacancy may occur soon at the water plant due to retirement.

Terry Pope made a Motion to advertise for a new meter reading person. 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

- 12. Town Attorney-**Greg reported a parcel of land behind the Creech building is in question of ownership. He has the treasurer's and commissioner's offices looking into the history. Planning Commission has not met since the last request was withdrawn.

**13. Council Member reports:**

Terry Pope mentioned the Parks & Recs budget is \$100k, the county has offered \$20k toward it. Our citizens' tax rate is the same as all other parts of the county. We would appreciate the county give consideration to the town as all other parts with gravel and other funding.

- 14. Closed session-** At 6:41 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.*

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**§ 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
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

At 7:43 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
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye
Terry Pope	Aye
Jimmy Warner	Aye

15. **Council Action**-none

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

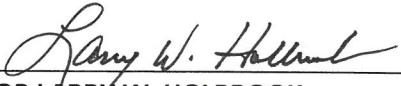
Doug Alsup	Aye
Gary McElyea	Aye
Larry Holbrook	Aye
Jeff Martin	Aye

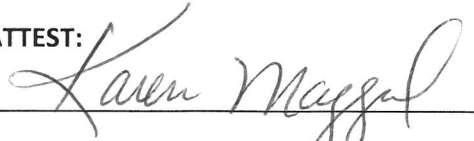
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Terry Pope	Aye
Jimmy Warner	Aye

17. Meeting adjourned at 7:45.

  
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:**

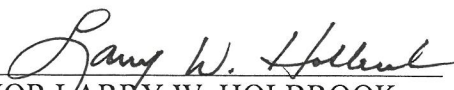
AYES: Mayor Larry W. Holbrook  
Terry K. Pope  
Jeff Martin  
Gary McElyea  
Doug Alsup  
Jimmy Warner

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: July 17, 2023

  
MAYOR LARRY W. HOLBROOK