

July 1, 2011

MINUTES

**TOWN OF PENNINGTON GAP
RECESSED MEETING &
ORGANIZATIONAL MEETING**

**JULY 1, 2011
MUNICIPAL BUILDING**

RECORD OF ATTENDANCE:

10:00 A.M.

Mayor: D. R. Carter
Council: Keith Harless
Larry W. Holbrook
Gary McElyea
Terry K. Pope
Jimmy V. Smallwood

Town Treasurer: Karen Maggard – Absent
Town Consultant: Paul Spangler
Town Attorney: Charles Slemph, III
Laura Zuber, Assistant
Town Clerk: Angela K. O'Dell

Powell Valley News: Louise Carver

1. At 10:03 a.m., Mayor D. R. Carter reconvened the meeting which was recessed on June 20, 2011 and called the Organizational Meeting to order.

2. Larry Holbrook made a Motion to approve the agenda with the addition of item 3E. Purchase of Garbage Truck Liner. The Motion was seconded by Terry Pope with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

3. Items for discussion

A. Task Order No. PG11-02 – Mayor D. R. Carter advised Council that he has

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included this item in their packets for review to be voted on at the July meeting.

B. Avery liability release – After a brief discussion, Mayor Carter said this item would be approved or disapproved at the July 18, 2011 Council meeting.

C. Review Leeman Field Caretaker Agreement – Mayor D. R. Carter advised that Paul Wilson was supposed to vacate the premises on June 30, 2011, but has not moved yet. The water meter was pulled and legal action will be taken if necessary. He requested

Council review the revised Caretaker Agreement before the July meeting.

D. Vendor Ordinance – The scheduled public hearing will be advertised in the Powell Valley News.

E. Garbage truck packer liner – A Motion was made by Larry Holbrook and seconded

by Gary McElyea to purchase the liner for the garbage truck packer at a cost of \$750.00.

Vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

3. Council Motions:

A. Date and time of Council meetings – a Motion was made by Keith Harless to hold the regular council meetings on the third Monday of each month at 6:00 p.m. Vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

B. A Motion was made by Keith Harless to adopt Roberts’ Rules of Order and Parliamentary Procedures, Latest Edition. Larry Holbrook seconded the Motion with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

3. At 10:15 a.m., a Motion was made by Gary McElyea to go into closed session pursuant to

Va. Code Section 2.2-3711A1 for assignment, appointment, promotion, performance, demotions, salaries, disciplining, or resignation of employees. Terry Pope seconded the

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Motion with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

3. Terry Pope made a Motion to reconvene regular session at 11:50 a.m. and Jimmy Smallwood

seconded that Motion. Vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

- Roll call was taken to verify that nothing was discussed during closed session other than the issue stated:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

3. Council appointments:

Terry Pope made a Motion to appoint Jimmy Smallwood as Vice-Mayor. The Motion was seconded by Larry Holbrook with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Abstain

- Jimmy Smallwood made a Motion to appoint Charles Slem, III, as Town Attorney

to serve a one year term or at the will and pleasure of the Town Council, whichever comes first. The Motion was seconded by Terry Pope. Vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

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A Motion was made by Jimmy Smallwood to appoint Angela O'Dell as Town Clerk to serve a one year term or at the will and pleasure of the Town Council, whichever comes

first. Larry Holbrook seconded the Motion with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

A Motion was made by Larry Holbrook to appoint Karen Maggard as Town Treasurer to serve a one year term or at the will and pleasure of the Town Council, whichever comes first. The Motion was seconded by Gary McElyea. Vote as follows:

Mayor D. R. Carter	Abstain
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

3. Council members reports

Mayor D. R. Carter reminded Council of the July 4th celebration at Leeman Field on July 2nd, beginning at 10:00 a.m.

Terry Pope made a Motion to advertise for applications for the position of Town Manager. The Motion was seconded by Jimmy Smallwood with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

Larry Holbrook made a Motion to table adoption of the Flea Market Ordinance until the Council Meeting to be held July 18th at 6:00 p.m. Gary McElyea seconded the Motion with vote as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye

Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

Mayor D. R. Carter said the Town Attorney was going to check into the requirements for joining the Local Government Attorney's Association and report back to the Council.

3. A Motion to adjourn was made by Larry Holbrook and seconded by Gary McElyea. Vote

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as follows:

Mayor D. R. Carter	Aye
Keith Harless	Aye
Larry W. Holbrook	Aye
Gary McElyea	Aye
Terry K. Pope	Aye
Jimmy V. Smallwood	Aye

Time of adjournment: 11:53 a.m.

MAYOR D. R. CARTER

ATTEST:

ANGELA K. O'DELL, TOWN CLERK

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