

September 3, 2008

**MINUTES**

**TOWN OF PENNINGTON GAP  
PUBLIC HEARING  
INCREASE OF DECAL FEE TO \$30.00 PER VEHICLE  
AND  
RECESSED COUNCIL MEETING  
September 3, 2008  
MUNICIPAL BUILDING**

**RECORD OF ATTENDANCE:**

**12:00 P.M.**

Mayor: Jimmy V. Smallwood  
Council: Larry Fish  
Keith Harless  
Connie P. Nunley  
Mike Reuille  
C. R. Wynn

Town Attorney: Greg Edwards  
Town Manager: Tina M. Rowe  
Town Clerk: Angela K. O'Dell - Absent  
Town Treasurer: Karen Maggard

Powell Valley News: Louise Carver  
Kingsport Times News: Walter Littrell

Citizens: D. R. Carter  
R. C. "Snook" Shelton  
Martina Shelton

1. Mayor Smallwood called the meeting to order at 12:00 p.m. and opened the hearing for public comment.
2. D. R. Carter requested a copy of the proposed ordinance. Greg Edwards, Town Attorney, informed all present that, according to the Dillon rule, \$30.00 would be required for a decal fee whether it was received by the Town or the County. There is simply no choice in the matter.

Mr. Carter stated that prior collection of delinquent taxes should continue as addressed when he served on Town Council. He reminded Council of the ordinance to collect 5 years of personal property taxes before a decal can be issued. He said the Town

Police Dept. does not enforce this policy as it should. If the number of decals sold is 1,000, it is evident that not all citizens are purchasing them. The ordinance does need to be enforced. Mr. Carter asked Council to completely eliminate the decal ordinance, but was advised by Mayor Smallwood and Greg Edwards that the County would receive the decal fees if the Town eliminated the ordinance.

Mr. Carter spoke of the past history of the decal ordinance. He said in 1987/1988, an auto tag tax of \$8.00 was proposed. With no comment (and a vote of 4-1), the ordinance passed. Everyone has been overcharged \$2.00 since then. Mayor Smallwood said that on two occasions the Town has passed to collect the same decal fee as the County.

Connie P. Nunley stated that Council tried to keep the fee at \$10.00 per vehicle, but the County would collect the difference according to the State Code. R. C. Shelton said it sounds like this is cut and dried; the Town has no choice. The DMV will be able to issue a stop on tag renewals if all fees and taxes are not paid. D. R. Carter asked if the stop would pertain to all tagable vehicles and trailers.

Mr. Carter also asked the Town Attorney to purge the voter registration roster before the next election. Greg Edwards said that would be the duty of the Commonwealth Attorney and Registrar, but he would look into it. Mayor Smallwood reminded that this should be discussed at the September Council Meeting since it is not on the agenda.

3. Mayor Smallwood closed the Public Hearing at 12:30 p.m.

4. A Motion was made by C. R. Wynn and seconded by Larry Fish to raise the Town decal fee to \$30.00 per vehicle. Vote as follows:

Larry Fish	Aye
Keith Harless	Aye
Connie P. Nunley	Aye
Mike Reuille	Aye
C. R. Wynn	Aye
Mayor Jimmy Smallwood	Aye

5. A Motion to adjourn was made by C. R. Wynn. The Motion was seconded by Larry Fish with vote as follows:

Larry Fish	Aye
Keith Harless	Aye
Connie P. Nunley	Aye
Mike Reuille	Aye
C. R. Wynn	Aye
Mayor Jimmy Smallwood	Aye

September 3, 2008

Time of adjournment: 12:32 p.m.

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MAYOR JIMMY V. SMALLWOOD

ATTEST:

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KAREN MAGGARD, TREASURER

September 3, 2008

2. With no public comment, Mayor Smallwood closed the Public Hearing.

Time of adjournment: 7:00 p.m.

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MAYOR JIMMY V. SMALLWOOD

ATTEST:

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ANGELA K. O'DELL, TOWN CLERK

September 3, 2008