

April 16, 2007

**MINUTES**

**TOWN OF PENNINGTON GAP  
COUNCIL MEETING  
April 16, 2007  
MUNICIPAL BUILDING**

**RECORD OF ATTENDANCE:**

**7:00 P.M.**

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

Town Attorney: Donnie Williams  
Town Manager: Tina M. Rowe  
Town Clerk: Angela K. O'Dell

Pennington Gap Police  
Dept.: Acting Chief Barry Cottrell  
Lane Engineering: Jeff Cochran

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

Citizens: None present

1. Mayor Smallwood asked for a Moment of Silence for the victims of the campus shootings at Virginia Tech.
2. Walter Littrell led the Pledge of Allegiance.
3. Mayor Jimmy V. Smallwood called the meeting to order at 7:00 p.m.
4. C. R. Wynn made a Motion to approve the Agenda. The Motion was seconded by Larry Fish with vote as follows:

Larry Fish	Aye
Keith Harless	Aye
Connie P. Nunley	Aye
Mike Reuille	Aye



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

9. Town Attorney/Treasurer Reports

A. Donnie Williams discussed the monument at Leeman Field in 10G.

10. Public Works/Leeman Field/Misc

A. Monthly Report was distributed for review.

B. Broadband grant - Tina Rowe advised Council that there is a meeting scheduled for April 19, 2007.

C. Dept. of Conservation & Recreation(DCR) - ATV/Recreational Trails Fund - Tina Rowe informed Council that there is a copy of a letter from an interested party to the governor in their packets. The trail is drawing recognition and support from several directions.

D. Planning Grant for Main Street buildings - Mrs. Rowe advised that Jeff Cochran has already addressed this subject.

E. Zoning - Tina Rowe said she hoped to have the Clerk prepare the information so the Town of Pennington Gap's proposed zoning plan can be presented at the May Council Meeting.

F. Leeman Field Happenings/Lease Agreements - Tina Rowe informed Council that today she received a request to use the stage at Leeman Field for a fund-raising event to help a cancer patient who works at McDonalds in Town. C. R. Wynn made a Motion to allow

the

use of the stage with the fees to be paid and then donated back to the cause. Larry Fish seconded the Motion with vote as follows:

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

Mrs. Rowe also informed Council that she has received applications for the positions of pool manager and lifeguards. She asked if Council would like for her to go ahead and have the caretaker's lease signed by the police officer currently residing at the caretaker house. The final decision was that the lessee be required to work 10 hours per week at the park. A Motion was made by C. R. Wynn to direct Mrs. Rowe to get the necessary

signatures

on the caretaker lease. Larry Fish seconded the Motion with vote as follows:

Larry Fish	Aye
Keith Harless	Aye

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Connie P. Nunley	Aye
Mike Reuille	Aye
C. R. Wynn	Aye

G. Monument at Leeman Field to honor Lee Athletic Association - Donnie Williams said that he has talked with Judge Birg Sergent. Judge Sergent has a list of those who donated stock.. They will check on the cost of monuments and the list of names and have that information available for the May Council meeting.

H. Lenowisco Water Supply Plan Resolution - Tina Rowe stated that DEQ requires another Resolution with the proper wording. Larry Fish made a Motion to approve the Resolution as required by DEQ and C. R. Wynn seconded the Motion. Vote as follows:

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

Mayor Smallwood asked if the Town has a representative at the meetings. Tina Rowe advised that she attends the meetings and would be happy to have a Council member attend with her. C. R. Wynn made a Motion for Connie Nunley to attend and represent the Town at the Lenowisco Water Supply Plan meetings. Larry Fish seconded the Motion with vote as follows:

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

After a brief discussion, Larry Fish made a Motion to rescind his Motion to approve the Resolution required by DEQ. C. R. Wynn seconded that Motion with vote as follows:

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

I. Business Appreciation Week May 13-19 - A Motion was made by Larry Fish to approve the Proclamation of May 13-19, 2007 as Business Appreciation Week. The Motion was seconded by Connie P. Nunley with vote as follows:

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

J. Assign-A-Highway Litter Program - Tina Rowe advised that she was contacted by Blaine Delaney regarding this program using probationers to pick up litter along the

highways. The probationers are responsible for a 2 mile stretch of highway and are required to monitor it bi-weekly. If they do not, their probation is revoked. The Town would have the right to choose who they did or did not want working their streets. Mrs. Rowe talked with Claude Ray and he said they did not show up sometimes. She said that Mr. Delaney's presentation pointed out that Pennington Gap could be the first town to implement the program which may some day go nationwide. Connie P. Nunley made a Motion to table this subject until more information could be obtained. 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

K. Property Maintenance - Mrs. Rowe informed Council that copies of letters sent were in their packets. Donnie Williams said that he is working on letters to be sent to those property owners who have not complied.

L. Blight Elimination - According to Tina Rowe DHCD required a program income plan during the downtown revitalization and any remaining funds can be used for blight. Mrs. Rowe asked Council if they wanted her to try to eliminate some of the blight in Town. She has checked and the Town can waive back taxes in order to be given blighted property by the owners. Larry Fish asked about the cost of upkeep if the Town retains such property. C. R. Wynn suggested Mrs. Rowe look into this and report back next month.

11. Council Committee Reports

Mike Reuille informed Council that the Fire Dept. has received grant funds in the amount of \$4,000.00 from Lee Co. Community Foundation Board.

Mayor Smallwood asked Mr. Reuille and each of the other Council members if there is anything we can do to protect the citizens of Pennington Gap from this investigation in which we are now involved. Council members said they were not aware of anything they could do, and C. R. Wynn said the investigation will be done as the State sees fit.

Connie P. Nunley asked about the Motion last month to donate \$1,000.00 to the Pro-Art Association. Tina Rowe stated that Mr. Fish made the Motion to donate funds if the association continued to offer programs in Lee County. The programs will not be held in Lee County this year, so the donation will not be made. Mrs. Rowe said there was a letter in the packet regarding a conversation she had with the Pro-Art Association. When the programs come back, the donation can be made and will be good for the Lee Theater project.

Keith Harless stated he would like the Town Manager to take notice that he is very upset with damage done to his yard when Town crews picked up brush there recently. He said the backhoe was used and messed up his property. If he had known such a mess was going to be made, he would have hauled off the brush himself. He told the Town Manager he would like to see someone reprimanded for that job.

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12. Larry Fish made a Motion to approve the bills paid and to be paid. C. R. Wynn seconded the Motion with vote as follows:

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

13. At 8:00 p.m., Keith Harless made a Motion to go into closed session pursuant to Va. Code Section 2.2-3711A1 for discussion, consideration, or interviews of prospective candidates for employment and assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of employees. 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

A Motion to come out of closed session was made at 8:22 p.m. by C. R. Wynn and seconded by Larry Fish. Vote as follows:

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

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

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

14. At 8:23 p.m., Connie P. Nunley made a Motion to go into closed session pursuant to Va. Code Section 2.2-3711A3 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. The Motion was seconded by Larry Fish with vote as follows:

Larry Fish	Aye
Keith Harless	Aye
Connie P. Nunley	Aye
Mike Reuille	Aye

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C. R. Wynn Aye

A Motion to come out of closed session was made at 8:40 p.m. by C. R. Wynn and seconded by Larry Fish. Vote as follows:

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

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

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

15. Connie P. Nunley made a Motion to adjourn. 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

Time of adjournment: 8:43 p.m.

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MAYOR JIMMY V. SMALLWOOD

ATTEST:

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ANGELA K. O'DELL, TOWN CLERK

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