

March 16, 2009

MINUTES

**TOWN OF PENNINGTON GAP
COUNCIL MEETING
March 16, 2009
MUNICIPAL BUILDING**

RECORD OF ATTENDANCE:

7:00 P.M.

Mayor: Jimmy V. Smallwood
Council: Larry Fish
Keith Harless - arrived at 7:12 p.m.
Connie P. Nunley
Mike Reuille
C. R. Wynn

Town Attorney: Greg Edwards
Town Manager: Tina M. Rowe
Town Treasurer: Karen Maggard
Town Clerk: Angela K. O'Dell
Police Chief: Barry Cottrell - arrived at 7:18 p.m.

The Lane Group: Jeff Cochran
Powell Valley News: Louise Carver

Citizens/Attendees: Lynn Rhoton

1. Invocation was given by Larry Fish.
2. Larry Fish led the Pledge of Allegiance.
3. Mayor Jimmy V. Smallwood called the meeting to order at 7:00 p.m.
4. Mayor Smallwood said that Tamara Greer was not present for the audit report (7) and Tina
5. Rowe would not be addressing the water tank maintenance agreements (8B). C. R. Wynn made a Motion to approve the Agenda with those changes. The Motion was seconded by Larry Fish 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

5. C. R. Wynn made a Motion to approve the Minutes for the 2/17/09 Council Meeting. 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

6. Citizen's Recognition

A. Pro-Art - Tina Rowe informed Council that the Pro-Art Association is again requesting a donation. Last year the Town agreed to a \$2,000.00 donation with matching grant funds. The deadline for the matching grant is April 1, 2009. Larry Fish made a Motion to donate \$2,000.00 to the Pro-Art Association and Connie P. Nunley seconded the Motion. Vote as follows:

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

7. Audit Report - Tamara Greer was not present for the report.

8. Water Plant & Distribution System/Sewer Plant & Collection System/Engineering Projects

A. Lane Engineering project(s) update - Jeff Cochran and Tina Rowe

1. Lee Theater Structural Design - see attached report by The Lane Group.
2. Livesay & Burchette Buildings - see attached report by The Lane Group.

Larry Fish asked if the property was renovated, who would collect the rent money and was told the Town would. Jeff Cochran reminded him that renovation is not a viable option.

3. Sewer Treatment Plant Sludge Disposal Plan Amendment - see attached report by The Lane Group.

4. Pennington Gap Greenway - see attached report. C. R. Wynn asked when the prospective start date for Phase I would be and Jeff Cochran said that depends on when VDOT will approve the plans.

5. VDH Waterline Grants - see attached report.

6. Regional Sewer Interceptor Extension Project - see attached report by The Lane Group.

7. DCR - Recreational Trails Program Grant - see attached report.

8. Drying Beds for Water Plant - see attached report.

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B. Water Tank Maintenance Agreements - Tina Rowe - This item was tabled.

C. Economic Stimulus Package - Tina Rowe attended a meeting at Lenowisco on March 11th to discuss an overview of the stimulus. Becky, from Rick Boucher's office, was not present. She informed Council that she plans to attend a meeting on April 20, 2009 which Becky has said will be a "nuts and bolts" meeting. Rick Boucher is expected to attend this meeting and there should be more information available. She said she has entered all of the Town projects on the stimulus website. Monies will be available for Law Enforcement, Homeland Security, etc. Mrs. Rowe asked if Council had any questions about any of the stimulus programs and there were none.

9. Town Attorney/Treasurer Reports

A. Quarterly Grant Report - Karen Maggard said this report has been distributed to Council. Council had no further questions.

B. Debt Set Off Collections & DMV Stops - Karen Maggard reported that to date the Town has claimed approximately \$3,500.00 in state tax money to be used on water and sewer debts. Not very much work has been done on the DMV stops at this point. She needs to generate a report with VIN numbers before she can progress with this.

C. Employee Health Insurance Plan - Council was informed that the Town's health insurance cost will increase 6.3% as of July 1, 2009. She said the Town has had more claims this year, but that is probably not the only reason for the increase. C. R. Wynn made a Motion to purchase health insurance from Anthem Blue Cross/Blue Shield for the next year. 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

10. Public Works/Leeman Field/Misc.

A. Spring Clean-Up Week - Tina Rowe advised Council that she discussed the possible Spring Clean-Up dates with Tim Dye and he recommended April 20th-24th. Council advised her to go ahead and publish the dates.

B. Leeman Field & Civic Club Events - Tina Rowe said the National Guard lease is ready, except they had asked for a third amendment. The National Guard has requested the lease be renewable in 5 year increments through 2024. Larry Fish made a Motion to approve the lease with the requested change. The Motion was seconded by C. R. Wynn with vote as follows:

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

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Mrs. Rowe reminded Council of the following events at Leeman Field:
Oddfellows Easter Egg Hunt - April 12, 2009 – 2:00 p.m. - 3:00 p.m.
Jesus Jam - June 13, Relay for Life - June 26, April 25 & 26th - Circus
She recommended Council visit the Town's website to see the new calendar and civic section that she has been working on to get the community involved.

C. Comcast Franchise Agreement - Greg Edwards suggested Section 4.6 be deleted from the agreement. He also said all references to the "Town of Galax" need to be changed to "Town of Pennington Gap". C. R. Wynn made a Motion to approve the contract with the recommended changes and Connie P. Nunley seconded the Motion. Vote as follows:

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

11. Police Department

A. Monthly Report - Chief Barry Cottrell advised Council that Jessee Jones had resigned effective March 5, 2009. A new officer, Brian Young, was hired and began work on that date. He said Dustin Lane is in his 10th week at the Police Academy and doing well so the Town only has 4 active officers now. He reported that Jason Peters is doing fine now. He has visited at the police department and will resume light duty as soon as the doctor allows.

12. Council Member Reports - No reports were given.

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

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

14, 15. At 7:30 p.m., C. R. Wynn made a Motion to go into closed session pursuant to Va. Code Section 2.2-3711A7 to discuss potential litigation within the locality and pursuant to Va. Code Section 2.2-3711A1 for 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

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

At 8:15 p.m., a Motion was made by Connie P. Nunley to come out of closed session. 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

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

A Motion to approve the policy to allow donation of sick time was made by Keith Harless 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

A Motion was made by Connie P. Nunley to hire a part-time employee for the Mayor's Office to work two days per week with no benefits. Mike Reuille 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. A Motion to adjourn was made by Connie P. Nunley 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

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Time of adjournment: 8:18 p.m.

MAYOR JIMMY V. SMALLWOOD

ATTEST:

ANGELA K. O'DELL, TOWN CLERK

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