

May 17, 2010

MINUTES

**TOWN OF PENNINGTON GAP
COUNCIL MEETING
May 17, 2010
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
Mayor Elect:	D. R. Carter
Council Elect:	Larry W. Holbrook Gary McElyea Terry K. Pope
Town Attorney:	Greg Edwards
Town Manager:	Tina M. Rowe
Town Treasurer:	Karen Maggard - Absent
Town Clerk:	Angela K. O'Dell
Police Chief:	Barry Cottrell
The Lane Group:	Jeff Cochran
Powell Valley News:	Louise Carver
Citizens/Attendees:	None present

1. Mayor Elect D. R. Carter gave the invocation.
2. The Pledge of Allegiance was led by D. R. Carter.
3. Mayor Jimmy V. Smallwood called the meeting to order at 7:00 p.m.
4. Mayor Smallwood stated that Item #14 needed to be deleted from the Agenda. There was an addition of item 6A. D. R. Carter - Presentation to incoming Council members. Connie P. Nunley made a Motion to approve the Agenda with those changes. Mike Reuille seconded the Motion with vote as follows:

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

5. Larry Fish made a Motion to approve the Minutes for the 4/19/2010 Council Meeting and Mike Reuille seconded the Motion. Vote as follows:

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

6. Citizen's Recognition

A. Mayor Elect D. R. Carter presented election certifications to each of the newly elected Council members along with his congratulations. Greg Edwards reminded new members that they need to be sworn in before July 1, 2010. Mr. Carter advised that he is aware of that and is already making plans for the swearing in ceremony.

7. Police Dept. Monthly Report - Chief Barry Cottrell reported that the Police Dept. is currently investigating five larceny cases. There was over \$5,000.00 in Town property stolen and a portion of that property has been recovered. The Town Police have a prime suspect and co-defendant in that case. He also reported that the department has three suspects with two charges pending for the Renee Mullins robbery.

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

A. Project Updates - Jeff Cochran/Tina Rowe

1. Lee Theatre Structural and Auditorium Design - see attached report by The Lane Group. The sixth Pay Request from Quesenberry's in the amount of \$8,182.34 was submitted to Council for approval. C. R. Wynn made a Motion to approve the pay request and Larry Fish seconded that Motion. Vote as follows:

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

2. Regional Sewer Interceptor Extension Project - see attached report from The Lane Group. Additional clean-up will be completed once connections are finished.

3. DCR - Recreational Trails Program Grant - Mr. Cochran advised Council that the Trails Management Team has been meeting more than once per month. See attached report for further information. At the recommendation of The Lane Group that the studies begin, a Motion was made by Mike Reuille approving The Conservation Management Institute for the bat study and Rouse Environmental Studies for the small whorled pogonia study. 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
Mayor Jimmy Smallwood	Aye

4. Pennington Gap Greenway - see attached report from The Lane Group.

5. VDH Waterline Grants - see attached report. The final pay request in the amount of \$37,105.00 and the closeout change order in the amount of \$3,824.50 was submitted for Council approval. A Motion was made to approve the pay request and change order by Larry Fish and seconded by Connie P. Nunley. Vote as follows:

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

6. Completion of Main Street Demolition - Tina M. Rowe informed Council that this project has been completed and all money distributed.

9. Town Attorney - Greg Edwards

A. Ordinance update with State Code - Mr. Edwards is still working on this item.

B. Greenway Easement for County - Mr. Edwards reported that he received the description today and the easement should be ready this week.

10. Administrative Reports - Tina Rowe

A. Southwest Regional Recreational Authority - SRRA

1. Request for Resolution or Letter of Support for TIC Special Projects Application - Tina Rowe informed Council that she has been appointed to the Finance Committee of the Southwest Regional Recreational Authority. She said the authority would like to apply for funding from the Tobacco Indemnification Commission and asked Council to approve a Resolution of support.

2. Request for partnership with County of Lee for TIC Economic Development

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application - Tina Rowe informed Council that the SRRA wishes to partner with the County of Lee and the Town in order to seek this grant funding. The application would be for additional trail miles to compliment the current DCR grant. A Motion was made by Larry Fish to approve a Resolution to apply for TIC Special Projects funding up to the amount of \$300,000.00 and also a Resolution to approve application for the TIC Economic Development funding (\$300,000.00) in partnership with Lee County and SRRA. 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
Mayor Jimmy Smallwood	Aye

B. Leeman Field Events - Tina Rowe informed Council of the following events scheduled at Leeman Field:

Soccer Parade and Picture Day - June 5, 2010

Independence Day Celebration and Softball Tournament - July 4, 2010

Relay for Life - July 16, 2010

Mrs. Rowe also advised that the Independence Day Planning Committee will meet on May 18, 2010 at 3:30 p.m. She also advised Council that Richard Garrett was hired as pool manager.

11. Council Member Reports - No reports were given.

12. C. R. Wynn made a Motion to approve the bills paid and to be paid. 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

13. At 7:24 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 Keith Harless 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
Mayor Jimmy Smallwood	Aye

A Motion to reconvene regular session was made by Connie P. Nunley at 7:29 p.m. and seconded by C. R. Wynn. Vote as follows:

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

Connie P. Nunley made a Motion to make an offer to purchase the property described in closed session at the assessed value with a potential tax deduction. 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

Tina Rowe led a brief discussion of the structural contract for the Lee Theatre project and whether to leave Quesenberry's contract open or not. Keith Harless advised that if a project is bid out, the lowest bidder must be accepted. Jeff Cochran said Council has a right to determine who is a responsible bidder.

Keith Harless made a Motion to advertise for bids for a new roof for the Williams Auto Parts building with the right to refuse all bids. Larry Fish seconded the Motion. Vote as follows:

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

- 14 A Motion to adjourn was made by Larry Fish and seconded by C. R. Wynn. Vote as follows:

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

Time of adjournment: 7:38 p.m.

MAYOR JIMMY V. SMALLWOOD

ATTEST:

ANGELA K. O'DELL, TOWN CLERK

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