

September 17, 2007

**MINUTES**

**TOWN OF PENNINGTON GAP  
COUNCIL MEETING  
September 17, 2007  
MUNICIPAL BUILDING**

**RECORD OF ATTENDANCE:**

**7:00 P.M.**

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

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

Lane Engineering: Jeff Cochran

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

Citizens: None present

1. Invocation was given by Donnie Williams.
2. Donnie Williams 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	Absent
Connie P. Nunley	Aye
Mike Reuille	Aye
C. R. Wynn	Aye

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5. Larry Fish made a Motion to approve the Council Meeting Minutes of 8/20/07 and C. R. Wynn seconded the Motion with vote as follows:

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

6. Citizen's Recognition

There were no citizens present.

7. Water Plant & Distribution System/Sewer Plant Collection System/Engineering Projects  
A. Lane Engineering project(s) update - Jeff Cochran

1. Lee Theater Project - ARC Grant - see attached report. Tina Rowe advised

Council that she was asked to serve on a local government committee for the Crooked Road. The first meeting was Friday and Bill Smith, Executive Director, was present. Jeff Cochran is working with Warren Electric to have the lobby of Lee Theater completed by the Tobacco Festival on October 27, 2007. At that time, a banner will be presented to the Town from the Crooked Road for making a contribution. Larry Fish said the Lee Theater Committee is interested in placing a fund raising tree in the lobby of the Lee Theater building. The cost of the tree is \$3,000.00 and donations would be taken to purchase leaves. Larry Fish made a Motion to advance the Lee Theater Committee \$3,000.00 to purchase the tree with money to be refunded once the funds are raised. The Motion was seconded by C. R. Wynn with vote as follows:

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

2. Livesay & Burchette Buildings - see attached report. Tina Rowe advised that she will be attending a Main St. training course in Radford, Va. on Wednesday. This is a workshop required for DHCD/CDBG grantees.

3. Transportation Enhancement Program - Sidewalk Project - see attached report

4. Pennington Gap Greenway - see attached report. Mike Reuille made a Motion to allow Lane Engineering to proceed with the \$800.00 task order for additional services for Phases IV through X of the Leeman Field Greenway. The Motion was seconded by C. R. Wynn with vote as follows:

Larry Fish	Aye
Keith Harless	Absent
Connie P. Nunley	Aye

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Mike Reuille Aye

C. R. Wynn Aye

5. Leeman Field DCR-VOF grant status - see attached report

6. Regional Sewer Interceptor Extension Project - see attached report

8. Town Attorney/Treasurer Reports

A. Tax Tickets - Tina Rowe told Council that Karen Maggard, Treasurer, reports that she is in the process of verifying information to the printers and the tickets should be mailed out by the end of the month.

B. VDOT Easement Language - Donnie Williams advised that this should be ready for Lane Engineering to review by the end of the week.

11. Public Works/Leeman Field/Misc

A. Monthly report was distributed for review.

B. Code of Conduct - Tina Rowe stated that, after reviewing the Town's current personnel policy and contacting VML's personnel hotline, she feels that the Town needs to state what kind of conduct is acceptable for employees while working. Donnie Williams has reviewed the policy and made a few suggestions also. Larry Fish made a Motion to

adopt

the Code of Conduct as presented and C. R. Wynn seconded the Motion. Vote as follows:

Larry Fish Aye

Keith Harless Absent

Connie P. Nunley Aye

Mike Reuille Aye

C. R. Wynn Aye

C. Zoning - Mrs. Rowe advised that the Planning Commission is in the process of amending the Comprehensive Plan in order to present the "Proposed Zoning" to Council. A meeting has been scheduled for September 25<sup>th</sup> and then a date will be set for a public hearing to include all of Morgan Avenue as a future commercial zone on the Comprehensive Land Use map. C. R. Wynn stated that the maps needs to be redone and presented to Council before the public hearing can be scheduled.

D. ATV Trail - Tina Rowe informed Council that the Community Design Assistance Center (with VT) had asked if the project could wait until the spring session. She explained that the Town was hoping to submit a DCR application in Feb. 2008 for the proposed motorized trail and the conceptual plan needs to be completed before that date. CDAC has scheduled a meeting with her on September 20, 2007 to do a site visit and see if the project will work for them.

10. Council Committee Reports

Mike Reuille reported that the new fire truck will be here by Friday afternoon.

Larry Fish stated that he had received notice of a meeting in Wytheville in October which Rick Boucher will be attending. He recommended that Tina Rowe attend the

meeting on behalf of the Town and Council agreed.

- 11. 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	Absent
Connie P. Nunley	Aye
Mike Reuille	Aye
C. R. Wynn	Aye

- 12. At 7:30 p.m., Larry Fish made a Motion to go into closed session pursuant to Va. Code Section 2.203711.A.1 for discussion, consideration, or interviews of prospective candidates for employment and assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of employees. C. R. Wynn seconded the Motion with vote as follows:

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

A Motion was made to reconvene regular session at 7:34 p.m. by Larry Fish. The Motion was seconded by C. R. Wynn with vote as follows:

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

Larry Fish made a Motion to hire Greg Edwards as Town Attorney and C. R. Wynn seconded the Motion. Vote as follows:

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

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13. At 7:35 p.m., Larry Fish made a Motion to go into closed session pursuant to Va. Code Section 2.2-3711.A.7 to discuss potential litigation within the locality. The Motion was seconded by C. R. Wynn with vote as follows:

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

At 7:40 p.m., a Motion was made by Larry Fish to go out of closed session, and the Motion was seconded by C. R. Wynn. Vote as follows:

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

14. A Motion to go into closed session pursuant to Va. Code Section 2.2-3711.A.6 for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected was made by Larry Fish at 7:41 p.m. C. R. Wynn seconded the Motion with vote as follows:

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

At 7:55 p.m., a Motion was made by Larry Fish to reconvene regular session. The Motion was seconded by C. R. Wynn with vote as follows:

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

15. At 7:58 p.m., Larry Fish made a Motion to go into closed session pursuant to Va. Code Section 2.2-3711.A.1 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 C. R. Wynn with vote as follows:

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

At 8:10 p.m., Larry Fish made a Motion to reconvene regular session and C. R. Wynn seconded the Motion. Vote as follows:

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

C. R. Wynn made a Motion to set a salary range of \$30,000.00 per year to \$38,000.00 per year for the Police Chief position and call all out-of-state applicants to see if they are still interested. The Motion was seconded by Larry Fish with vote as follows:

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

Interviews were set by Council for October 9, 2007 beginning at 1:00 p.m.

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16. C. R. Wynn made a Motion to recess the meeting and reconvene on October 9, 2007 at 1:00 p.m. for interviews to be held in closed session. The Motion was seconded by Larry Fish with vote as follows:

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

Time of adjournment: 8:23 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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