

**FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
February 7, 2019
6:30 P.M.
MINUTES**

MEETING CALL TO ORDER – Mayor Griffin called the February 7, 2019 meeting of the Floyd Town Council to order.

ROLL CALL –Councilman Turner, Councilman LeMay, Councilman Bond, Mayor Griffin, Town Attorney Shortt and Town Clerk Holfield were present.

PLEDGE OF ALLEGIANCE-

Councilman Bond led those present in the Pledge of Allegiance.

CITIZENS COMMENTS-

Ms. Jean Woods, new property owner of 613 East Main Street and advocate for the Floyd County Humane Society, presented Town Council members with a handout proposing that the Town of Floyd declare the vertebrate animals are sentient beings. This means that they are conscious and capable of feelings, perceiving and suffering, and makes it a crime to violate their welfare. She stated this is a discussion that is happening around the globe and it would be supportive for Floyd to adopt an ordinance implementing these principals. She went on to state that this would be a good business move for Town Council and would attract people to Floyd to come and visit. It is a kind thing to do and would bring good vibes to Floyd.

Mr. David Whitaker read Strategy 1.2.1 and 1.2.5 on page 35 of the Comprehensive Plan.
Strategy 1.2.1: Encourage development and expansion of public parking throughout the Town.
Strategy 1.2.5: The Town will consider the use of parking meters on some of the on-street parking in high demand areas to promote turnover so more vehicles per day could use the on-street spaces.
He asked why the Town needs more parking. There are well over 200 marked public parking spaces in Town, including parking at the Village Square and Village Green. Why is there a need for Parking Meters? If they are installed, where are they going, how is the Town going to pay for them and when are they going to be installed? We had parking meters at one time, and they were removed. Why the need to reinstall new ones. The Town would have to hire at least 2 officers to keep track of the meters. Is this a tourism thing, is it too much to ask a tourist to walk a few blocks from the public parking areas that Floyd already has? Are we going to expect the residents of Town to park to park in their own Town?

CONSENT CALENDAR-

A. January 3rd and January 17th minutes- Council reviewed the minutes provided.

Councilman Bond makes a motion, seconded by Councilman LeMay, to approve the January 3, 2019 and January 17, 2019 minutes.

Vice Mayor Patton-absent
Councilman Turner-aye
Councilman LeMay-aye
Councilman Bond-aye
Mayor Griffin-aye

PRESENTATION-

A. Lynn Chipkin, Anna Simms & Melissa Shaw

Ms. Lynn Chipkin, Dr. Anna Simms and Ms. Melissa Shaw, members of the Floyd County Humane Society asked that the Town of Floyd be a leader in the protection and humane treatment of domestic animals by considering the proposed ordinance that they presented to council members.

The ordinance would address the neglect of an animal and propose the following protection for dogs specifically when tethered or penned outside:

- Time on Chain
- Length of Chain
- Temperature Restrictions on Chaining
- Categories of Dogs Always Restricted from Being Tethered or Penned
- Adequate Shelter/Sustenance/Water

The Society members have researched local ordinances in our area, as well as well written legislation from around the country and professional and expert guidance in the care and well-being of domestic dogs, to develop our proposed ordinance, including research by our own local resident, Dr. Dottie Laflamme, retired veterinary nutritionist.

They believe for the animal control officers to effectively monitor and address issues of neglect and inhumane treatment, that conditions must be defined carefully. This will empower animal control officers to fully satisfy the conditions of their employment. These specific guidelines will protect domestic dogs and better the quality of their lives, their owners' lives, and the lives of fellow citizens.

FCHS will continue partnering with Animal Control to rehome adoptable pets and support Animal Control by:

-Connecting with The Humane Society of the United States (HSUS) which offers training for AC officers on animal cruelty and fighting investigations, which also aids them in interpreting local ordinances

-Assisting owners comply with the ordinance.

Their goal is to empower owners and Animal Control to support the humane treatment of dogs.

Mayor Griffin suggested that the Ms. Chipkin, Dr. Simms and Ms. Shaw present their information to the Floyd County Board of Supervisors. He stated that the Animal Control Officers are County employees and enforcement of the ordinance would fall with these officers. The Town would be happy to work with the County to an ordinance that could be easily enforceable in both the Town and County.

Dr. Simms noted that she had met with Mr. Eric Branscom, the Commonwealth's Attorney and Ms. Linda DeVito, representative of the Board of Supervisors recommended that the society

members introduce the ordinance in the Town before an ordinance is adopted within the County.

Mayor Griffin stated that it is best to stay consistent with the County for ease of enforcement for the Animal Control officers. The Town and the County can collaborate together on the changes to the ordinance.

Ms. Shaw stated that they will present the County with the same version of changes as they presented the Town with and everyone can work together on a cohesive ordinance. The society understands that these changes take time.

ITEMS FOR DISCUSSION-

A. FY2019-2020 Budget

Council members received handout in their packets that Town Manager Cox created with FY2019-2020 Budget Suggestions and Projects. Mayor Griffin asked members to add additional projects to the list and Council will begin budget discussion at the 2nd meeting in March.

Councilman Turner asked for additional information on the possible grant for the trash truck. Clerk Holfield will gather additional information and have it to present during the 2nd meeting in March.

TOWN MANAGER'S REPORT-

Mayor Griffin reviewed the current project list that was provided in Council Members packets.

OTHER BUSINESS-

Council Members addressed Mr. Whitaker's statements that were voiced during Public Comment Period. Members stated that Strategy 1.2.5 states the Town will "consider" the use of parking meters. This does not state the Town is going to install parking meters. The Comprehensive Plan is used to guide the Town toward the future and layout projects and ideas that the Town may take under consideration in no way are these strategies definite.

In Town, most business owners park directly in front of their businesses, parking meters would promote turnover in these spaces, as stated in the strategy.

Ms. Jean Wood asked if Council could post signs to limit the time someone could use a parking space?

Mayor Griffin stated that it becomes an enforcement issue. We are a small rural area with limited staff. We do not need to set more rules and laws that we have zero enforceability over.

CLOSED SESSION-

Councilman LeMay makes a motion, seconded by Councilman Bond, to go into closed session under Section 2.2-3711, Paragraph A. Section 7, Consultation with legal counsel and briefing by staff members or consultations pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

Vice Mayor Patton-absent

Councilman Turner—aye

Vice Mayor LeMay—aye

Councilman Bond—aye

Mayor Griffin—aye

Councilman Turner makes a motion, seconded by Councilman Bond, and unanimously carried, it was resolved to come out of closed session.

Vice Mayor Patton-absent

Councilman Turner—aye

Vice Mayor LeMay—aye

Councilman Bond—aye

Mayor Griffin—aye

CERTIFICATION RESOLUTION

WHEREAS, this Council convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Consultation with legal counsel and briefing by staff members or consultations pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body in accordance with Section 2.2-3711, Paragraph A.7 of the Virginia Freedom of Information Act; WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Vice Mayor Patton-absent

Councilman Turner—aye

Vice Mayor LeMay—aye

Councilman Bond—aye

Mayor Griffin—aye

This Certification Resolution was adopted.

Mayor Griffin welcome Ms. Kendra Edgell and Ms. Jonie Brennan, Town appointed representative of the Floyd Parks and Recreation Board. Ms. Edgell and Ms. Brennan were asked to come and update Town Council on the Resolution Request to Dissolution of Authority that the Parks and Recreation Board adopted on January 14, 2019.

Ms. Edgell stated that on the morning of January 14 she received a call from Ms. Tracy Ann Costello, the Chairman of the Parks and Recreation Authority. Ms. Costello gave Ms. Edgell a brief update on the authorities request to dissolve and noted that it would be discussed at the meeting that evening. Ms. Edgell stated the authority completed all their normal business as listed on the agenda and then went into closed session to discuss the request to dissolution. Ms. Edgell stated that she felt it was premature to vote. She asked that the authority wait to vote at the next meeting to give members a change to research the information. Ms. Edgell said she felt like she didn't have enough information to vote on the resolution and she wanted to speak with Town Council before voting. Therefore, when the authority requested a vote. Ms. Edgell abstained.

Ms. Brennen stated that she voted “Yes” to the resolution. She was told by Ms. Costello before the meeting there are only three authority within the State of Virginia. Upon researching the information, Ms. Brennen found that all of the authorities have means of additional funding such as backing from private foundations or companies. The Floyd Parks and Recreation Authority does not. It is clear that our authority has an extreme lack of funding and I felt by dissolving the Authority and having it added as a department of the County it would relieve some of the financial stress on the staff and the board which would be better for the staff, coaches and the kids.

Town Attorney Shortt asked if the authority discussed what would happen to the authority’s assets. Ms. Edgell stated the assets where not discussed and Ms. Costello did not state what the future plans would be for the Park and Recreation programs. There was not enough information given to the members to make a decision. It was not fair for authority members to ask Ms. Brennen and Mr. Michael Wade to vote being that it was their first meeting. The members were led to believe that the County and Town had a plan of action once this resolution was adopted and that was not the case.

Mayor Griffin stated that the Board of Supervisors, Town Council and the Parks and Recreation Authority need to meet to discuss the future for the Parks and Recreation Authority. Councilman Turner stated that he feels like the authority is working toward the right goals, working toward the best interests of the kids and the programs, they are just going about it the wrong way.

Mayor Griffin and Councilman Paul LeMay plan to attend the next Parks and Recreation Authority meeting on Monday night at 6:00pm.

ADJOURNMENT-

Councilman LeMay makes a motion, seconded by Councilman Bond, and unanimously carried, to adjourn until February 21, 2019 at 6:30 pm at the Floyd Town Hall.

William R. Griffin, Mayor

Katie Holfield, Town Clerk