

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

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

ROLL CALL –Vice-Mayor Patton, Councilman Turner, Councilman Bond, Mayor Griffin, Town Attorney Shortt and Town Manager Cox were present. Councilman LeMay and Town Clerk Holfield were absent.

PLEDGE OF ALLEGIANCE-

Vice-Mayor Patton led those present in the Pledge of Allegiance.

CITIZENS COMMENTS-

Ms. Linda Wagner spoke to Town Council members about safety concerns on the Heritage Pathway because the lights were not working properly. Ms. Wagner stated there is no consistency in the pathway lights, one night they were working and the next none of them were working.

CONSENT CALENDAR-

- A. February 7th and February 21st minutes**-Council reviewed the minutes provided. Councilman Bond asked that the date of the February 8th minutes be changed to reflect the actual date of February 7th and that the spelling of Ms. Costello’s name be changed.

Vice-Mayor Patton makes a motion, seconded by Councilman Bond, to approve the February 7th and February 21st minutes with the changes presented.

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

TOWN MANAGERS REPORT-

Town Manager Cox presented a letter from Terri Morris, County Administrator regarding the termination of partial post-closure care for Landfill Gas Monitoring at the Floyd County Landfill. Ms. Cox explained the termination of said permit is part of the post-closure plan from when the Landfill was closed. Town Manager Cox informed the Council of the public comment period and the ways in which to make comment on the notice.

Town Manager Cox asks Council to consider entering into another 30 days agreement with Blue Ridge Wildlife & Pest Management to remove skunks in Town. The 30 days contract would cost \$1150.

Vice-Mayor Patton makes a motion, seconded by Councilman Turner to enter into a contract for 30 days to remove skunks in the Town of Floyd.

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

Town Manager Cox gave an update on the playground in the Warren G. Lineberry Community Park. Contractors started breaking ground today and hope to have the playground completed within a week.

Town Manager Cox presented concept drawings and pictures for bike racks on behalf of Cycle Floyd. Ms. Cox asks that Council consider placement of bike racks at the Town restrooms and across the street in the Town parking lot near the brick alcoves. Council decides to consider the bike racks at their March 21st meeting once they have had time to review the concepts.

Town Manager Cox provided Town Council an update on the Heritage Pathways project. Ms. Cox stated bids were opened on March 5th and prices were lower this time than the first time the project was bid.

Vice-Mayor Patton makes a motion, seconded by Councilman Turner to provide intent to award the contract for the Floyd Heritage Pathways to the apparent low bidder.

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

Town Manager Cox updates the Council on Blue Ridge Café's status. Mr. Eric Branscom filed the missing returns for the months of September, November, December, and January however payment was not made. Mr. Branscom also wished to file for Blue Ridge Café's 2019 business license, however, Town Manager Cox informed him that all delinquent real estate, personal property, and meals tax forms would have to be filed and paid prior to issuance of a business license. Mr. Branscom asked if Council would consider a payment plan similar to that which they are making with the State in order to get their 2019 Town business license. Vice-Mayor Patton asked what happens when a business doesn't have a business license. Town Attorney Shortt stated they can not legally operate their business. Councilman Bond suggested that if we were to issue a plan, we would be able to stop their license with the first delinquency. Town Attorney Shortt believed that the Town would be able to issue a temporary conditional license with stipulations but wanted more time to research the Virginia State Code before making a determination. Councilman Turner referred to articles about Roanoke City going through similar situations right now and they are allowing payment plans to allow the businesses to continue to operate under conditional licenses.

Mayor Griffin briefly discussed the process for the meeting with the Board of Supervisors regarding the Recreation Authority. He stated the floor would be open to allow the Recreation Authority members to talk, then the floor would be open to questions and discussion.

Vice-Mayor Patton makes a motion, seconded by Councilman Turner, to recess the meeting until 7:30 p.m.

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

Vice-Mayor Patton makes a motion, seconded by Councilman Bond, to come out of recess.

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

ITEMS FOR DISCUSSION-

A. Joint Meeting with Floyd County Board of Supervisors & Floyd County Parks and Recreation Authority-

PRESENT for Board of Supervisors: Lauren D. Yoder, Chairman; Joe D. Turman, Vice-Chairman; Jerry W. Boothe, W. Justin Coleman, Board Members; Terri W. Morris, County Administrator; Cynthia Ryan, Assistant County Administrator; Steve Durbin, County Attorney. ABSENT: Linda DeVito Kuchenbuch, Board Member.

PRESENT for Floyd-Floyd County Recreational Authority: Andy Mabe, Director; Jonie Brennan and Kendra Edgell, Authority Members. ABSENT: Tracy Ann Costello, Chairman; Richard G. Clinger II, Richie Leonard, Linda Kuchenbuch and Michael Wade, Authority Members.

Mayor Griffin began the discussion by thanking the members of the Board of Supervisors and the Recreational Authority for coming. Mayor Griffin stated he had spoken with Lauren briefly about the structure of tonight's meeting. Mayor Griffin asked Director Mabe to give his perspective and tell us how you got to where you are and then we'll field questions from both Boards here, and for Jonie and Kendra to jump in where needed.

Director Mabe stated this thing has always been tight. I've been here 5 months and have looked at all the previous budgets and it seems its always been tight to get through the year. We're relying heavily on sponsorships and donations. When I started the audit process had already started. In years past a baseline audit had been done, when a full in-depth audit was supposed to be done. We have roughly \$3,000 budgeted, and this year's audit was \$7,000+. We see that numbers are declining in almost every sport, and we rely heavily on registration fees. Youth basketball was down by 30-40

participants. Youth volleyball is still down by 30 or so participants. We are just 1 or 2 registration seasons away from it being a bad time for Parks and Recreation. I do know they brought in probably \$12,000 from sponsorships and concessions last year, which it looks like they used on normal expenses. There was nothing out of the realm of ordinary. I think now we are to a point where with the audit, with expenses for equipment, I mean you name it we need money for basically every category now. It's just not working out. We're competing with other AAU travel teams. There are other organizations seeking the same sponsorships we have secured in the past. Dick's Sporting Goods has donated roughly \$1,200 of equipment for baseball/softball. We're trying to implement new programs to get creative. Adult basketball was introduced, and registrations from that should help cover the cost of audits and equipment and all the above. We introduced the program guide, and basically everything in there is a revenue generator. Our CPR/First Aid class, we got \$100 from that. We are offering trips. We are getting a small percentage of anyone we sign up for trips. I think we've had 10 or so that have signed up through us. We've tried to start that kite festival, which is going to be next week and we're getting a couple of hundred dollars from vendors for that. We're doing everything we can. We sent a sponsorship packet to basically every single one of our participants in Parks and Rec. as well as local businesses. I've had probably 10 or so meetings with local businesses trying to secure some kind of funding sponsorships. I've got a few donations from private individuals for a couple of hundred dollars apiece. All that work and it is still not really what we need to keep this thing up to par for the citizens. That's the bottom line. We're trying our best. I feel we're in a hole that is difficult to come out of.

Ms. Edgell added when Andy was hired, we knew that the business and money was not particularly handled well in the past and we knew that when he came on it was going to be a struggle. The Authority told Andy they would do what they could to support him. We knew it was not good, but I don't think we knew that it was quite as bad as what it had turned out to be. But I don't think that it couldn't be repaired in this situation. I am concerned that this whole conversation was brought up very, very quickly. No thought or conversation was really held with the current Board so that bothers me a little bit. At the last meeting we had, basically it was brought up the day of. My concern is that there has not been a lot of research and not enough questions asked by our Board members to think about what would happen if we were to dissolve. No plan is set in place as to what would happen next. A major concern for me is Andy. He makes more money than most County people do so I don't know if they are aware of that and what happens if his salary gets lowered. I don't know if he is aware of it or thought about it. It was just kind of pushed through very, very quickly. Other Board members said it had been talked about the year previous, but we are pretty much a brand-new Board. That night at the vote we had 2 brand new Board members who had never been there before. I'm just concerned that there wasn't enough thought. But I just don't think there has been enough conversation between us obviously. I'm glad we're here but I'm very disappointed there are only 2 of our Board here and no input from the community whatsoever. I know that it has been in *The Floyd Press*. It showed up on Facebook a little bit. I don't know if many community members are aware of what is happening so that is my concern.

Steve Durbin asked the question, it sounds like you are saying that you thought it was a rushed process, if you had to do again, would you support the resolution for dissolution?

Ms. Edgell stated at this point I don't think there is enough information. I don't think there has been enough conversation. I'm not saying I wouldn't support it in the future, but I just don't know at this point.

Director Mabe specified if anyone has questions about specifics in the budget or what was spent, come to me and I will show you exactly what it is going towards. I jumped into this position to improve it, that was my sole purpose. I have kids that will grow up in this program. I want to see this thing as good as it can be. If we stay in the same setup as we are doing and with the same process, it's going to be a struggle. It seems like it has always been a struggle. I don't see it improving unless we make some kind of change for the sake of everyone. The money situation is too close, and I will show you whatever you want to see.

Ms. Edgell asked if the County or Town was willing to take over? Supervisor Boothe responded that it was never asked prior to the rushed vote. Supervisor Boothe asked setting aside the financing, how do you see the County or Town taking it over changing that as far as numbers in participation? Director Mabe answered we will have to continue down the creative route. Supervisor Boothe said if projected numbers are going to go down and it is going to take more financing for participation? Director Mabe stated I think it is going to take a little more backing, you will always have participation. There is more the Parks and Rec than athletics, we're starting adult basketball, it's not just youth athletics.

Supervisor Boothe asked of the Authority members, since finding out your financial situation, what has the Rec Board discussed as far as trying to raise money? Ms. Edgell responded that there really has not been much discussion. Andy and I and a previous Board member have worked really hard to try and be creative and come up with other ideas.

Supervisor Boothe asked if a bike and walking path at the Rec Department had been discussed at a recent meeting. Ms. Edgell responded yes, but it was discussed as part of the problem, that community members want to donate money but with the unsteadiness, they are not sure they want to donate the money to do it. Director Mabe stated the donations were going to be 100% donations to create the trail. And the Rec wanted to start bike races as a revenue generator. Conversations continued on fundraising efforts of the Board.

Supervisor Boothe pointed out that the Rec Board has always been a working board. The Board was never set up to rely solely on County or Town tax dollars. The fundraising part was always understood by Board members to actively raise funds. I've tried to figure out where this thing went off the rails. Did the Board suddenly decide it didn't have to do anything to draw in additional funds? Apparently, it has been some time since the Board did that. Ms. Edgell asked if any of the past Board members present actively participated in fundraising? Vice-Mayor Patton stated he did not, but it was made clear when I went on the Board, he was not able.

Councilman Bond asked if there was a Board of Directors handbook or policy? Ms. Edgell stated that a previous Board member was trying to implement brand new policies and procedures. When she left it went to the wayside. Chairman Yoder stated each person was supposed to have a role, I get the impression that recently this hasn't happened. There hasn't been a lot of support. Supervisor Boothe

reiterated it must be an active, hands-on Board and not just for fundraising by actually functioning as an Authority.

Vice-Mayor Patton stated Jerry, I think you have illustrated really well what it has been. Lauren, I think you have illustrated that it has evolved into something different in more recent times. I don't think it really matters what it was. What matters is where do we go from here? It's important to know where we've been, but we've got to decide where we are going to go forward. I really appreciate the presence of the Town's representatives here tonight and Andy, thank you for being here too.

Vice-Mayor Patton asks Ms. Edgell to clarify an earlier comment about the finances being left in shambles, and that some of the money couldn't be accounted for. Ms. Edgell stated not necessarily that it couldn't be accounted for, but that we found that money was spent that wasn't planned to be spent. Director Mabe noted that we had a \$5000 donation that was thought was going to be \$5,000 each year for the course of 5 years, when it was actually a \$5,000 one-time donation for 5 years. The Director continued that the two largest expenditures were towards a UTV side-by-side vehicle and dugouts.

Mayor Griffin stated you give \$55,000 now as the County contribution, the Town gives \$5,000. Chairman Yoder added that the County provides office space, a dumpster and maintenance staff. Mayor Griffin asked if the Board has spent much time thinking that in addition to the \$55,000 what it would cost to actually take the Rec Department in? Chairman Yoder responded that the County Administrator, Ms. Morris has sat down with Andy to come up with a draft budget. Chairman Yoder stated he didn't see that if it becomes a department that it changes much, it is basically doing what we are already doing. Chairman Yoder noted that no matter which direction we go I think you've got to build your reputation back. Otherwise you are not going to see the numbers change.

Mayor Griffin asked if the County was to bring it in as a department, does that hinder your ability to fund raise? Chairman Yoder stated they would look to what other counties have done. Mayor Griffin asked if they had considered that you are going to have people say, "I'm paying my taxes so my kids should play for free now." If that is the case obviously your commitment is going to have to go up. What if instead of dissolving we had a 2- or 3-year plan where you would agree to give them a little bit more and we were to give them a little bit more to at least give it some stability and see if it would fail. That would give you the years to plan into your budget if you had to take it on. Chairman Yoder stated the struggle to find people to put on the Authority is increasing. Mayor Griffin said I think we both somewhat failed in holding the people appointed accountable to us as a group. Supervisor Boothe added and instructing them on what is expected as a Board member. Ms. Brennan expressed that nobody told her what was to be expected. I don't mind doing this, but I don't think anybody knows what you need to do, what is expected. If you are going to be on the Board, then you need to be doing the roles you said you would do. Vice-Mayor Patton stated he felt the Rec Board have an impossible job, there are not enough of you for everything that must be done. I personally don't think that it is your place to run the program. I think in a way it is better if it becomes a County department. And hopefully there will still be citizens' contributions in terms of support. We don't ask any of the other Boards that I can think of to run the program. Ms. Edgell noted that was why the Rec Board hired Andy as the Director to run the programs. Vice-Mayor Patton assumed that the department idea would

address the need for manpower. County Administrator Morris answered some, and Chairman Yoder noted a small portion would be on the financial side through help of the County staff.

Councilman Turner, referencing the bylaws from 1984, stated somewhere this thing went off the track a long time ago. Everything the members need to know is right here in this document. Ms. Edgell and Ms. Brennan said they had never seen the by-laws and requested copies. Chairman Yoder stated part of his concern is that until I have a Board I can trust, I don't want to put a lot more taxpayers' money into the Board because you are throwing good money after bad in a sense. Both the Council and Board of Supervisors are entrusted to safeguard the taxpayers' money and people worked hard for that money. I trust Andy, but I don't know that a 7-person Board that isn't involved, it is hard for me to put more money into that. Director Mabe stated something needs to be done to fix this thing. Discussion followed about that possibilities of adding more funding, additional staff, and resources if that would alleviate any of the pressures of the Board members.

Mayor Griffin asked the Board of Supervisors how fast they could bring it in. Is it feasible to do it your next fiscal year starting July 1? Supervisor Boothe stated he didn't think so. Councilman Turner said he didn't believe we needed to go that route, I think if we provide the bylaws, get it straightened out, we may have to put more money into it to help them out, but I think it could continue as they are already doing. At least we can try it and if it doesn't work, then we can go back and take another look. Mayor Griffin agreed with Councilman Turner. Supervisor Coleman stated that as a parent and a coach, and being in the community, where are you going to find these people to volunteer? I agree with what Councilman Turner is saying, but I'm concerned that with a delay, what will it look like next time we have this conversation? It is for the kids.

Ms. Edgell asks if parents will care if it is run by the County or an Authority? Chairman Yoder stated he thinks the changes are the way it is run, if it is professional and communication and fields look nice. Ms. Edgell said communication has already been addressed and the Rec Board is hearing positive feedback. Director Mabe stated Parks and Rec is has many more opportunities that we haven't gotten into yet. Ms. Edgell addresses the decline of participants in all Counties. Councilman Bond stated that even high school sports are showing a decline, they could not fill a soccer team this year because of lack of participation. Chairman Yoder restated his concern of finding good Board members. It is getting harder to find people to commit to just spending time investing in the community. Councilman Turner made the argument that if all you are doing is coming to the meetings and not required to help with the fields it will make a big difference. If they want to get out and help that is a plus, if not, they would not be required to get out in the ditch so to speak, but they are there to help the Rec things I think it will make a difference. Chairman Yoder asks what the advantage is to having an Authority if there isn't any activity for the Authority's Board. Supervisor Boothe states there are some financial advantages. The Authority can incur loans and go after grant monies, some that we may not be able to do as a department. Mayor Griffin adds he still believes they have an easier time fundraising if they stay an Authority.

Chairman Yoder asked do we want to go forward with this? Mayor Griffin said we have heard a lot here tonight, and obviously at the end of the day, I feel like the Town will support whatever you want to do. It is predominately funded by the County, and we just want to make sure it's not going to be too much of a burden in the future. Chairman Yoder said I'm really passionate about it. And I feel like this

whole Board is passionate about having recreation for kids, and more opportunities for kids. We have talked about ways to make it more affordable. I think we definitely want to find a way to make this work, it is just figuring out a way to make it work. Mayor Griffin added the main thing is not to burn Andy out.

Supervisor Boothe stated that until the Town and County make a decision the Authority Board should continue to function as it is supposed to. Supervisor Boothe asked the County Attorney, Steve Durbin, if according to the by-laws we can't just go in and replace a Board member mid-term. Ms. Durbin answered that you could ask for resignations if you feel, but they wouldn't have to give them. There is a procedure under the Code for removal from an appointed office. Supervisor Boothe restated that until the Board and the Towns accepts the resolution that dissolves it, you are still functioning. The Board has the same authority as it did before legally.

Chairman Yoder came back to the question of what is our next step? Mayor Griffin stated the Town is not going to take it on. The Town is not in a spot, we can't do it. If anything is going to change, it will have to come to the County. If that is what your Board wants to do it is kind of the timeframe of how much time do you need to figure out when you can do it, if you want to do it. We'll try to support you in it, or we're committed to trying to rebuild this if we need to. Chairman Yoder stated essentially, we need to decide if we are willing to put money into an Authority and rebuild the Authority Board or are we willing to put money into a department that we know we control. Mayor Griffin stated there is the issue of the division of assets. If you dissolve the authority, it is a joint authority between the Town and the County. There has to be some kind of agreement for what this is.

County Administrator Morris asked if the Board was to take it into the County, would there be other things the Town could do besides monetarily? We don't have a public works department, so we don't have any kind of equipment to help him. Would there be other things you might be able to do? Mayor Griffin stated we used to help with trash down there. Town Manager Cox asked if the dump truck or skid steer would be needed. Ms. Morris asked about helping with the fields and that type of thing. Ms. Cox stated that we have 1 day a week where we don't have a scheduled service in Town. We could look to see if there were ways to reallocate time.

Chairman Yoder stated I will give all the credit in the world to the people here tonight sitting on the hot seat and being there all the times, we don't see. Supervisor Boothe added and being willing to answer our questions and the time you put into it. We are grateful. I am and I think everybody is. Chairman Yoder stated there are a lot of kids out there who benefit. Supervisor Boothe said that is what it was started on, for the children of this community to have a fun, safe activity. That was the main goal. Councilman Patton stated I think one of the things I heard here tonight is that we are not unwilling to do our part, but our part in terms of looking at the whole picture is very small. Your part is very big. It is really unfair of us to expect, certainly not to dictate what comes forward, but Andy the one thing I hope you leave here tonight is that everyone I think in this room at least the people at these two tables are grateful that you are here. And we appreciate the job that you are doing. We hear what you are saying. We're willing to help these fellows do what we need to do. Director Mabe said I appreciate that. Thanks for taking the time to listen to us and invite us in, all three of us. Mayor Griffin said we want support you guys and however we have to work together to make a decision. We'll support and help in any way we can.

ADJOURNMENT-

Vice-Mayor Patton makes a motion, seconded by Councilman Bond, and unanimously carried, to adjourn until March 21, 2019 at 6:30 pm at the Floyd Town Hall.

William R. Griffin, Mayor

Kayla W. Cox, Town Manager