

**FLOYD TOWN COUNCIL MEETING  
W. SKIP BISHOP JR., TOWN HALL  
May 20, 2021  
5:30 P.M.  
MINUTES**

**MEETING CALL TO ORDER** – Mayor Griffin called the May 20, 2021 meeting of the Floyd Town Council to order.

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

**MOMENT OF SILENT PRAYER-**

Mayor Griffin called for a moment of silent prayer.

**PLEDGE OF ALLEGIANCE-**

Councilman Whitaker led those present in the Pledge of Allegiance.

**CITIZENS COMMENTS-**

None

**PRESENTATION**

**A. Tourism Director**

Ms. Pat Sharkey, Tourism Director shared a report with council members on past, current and upcoming projects for the tourism office.

She continued by updated council members on progress for the department throughout COVID. She stated that she was very proud of Floyd and how everyone stepped in to help during the pandemic. Town Manager Cox, Ms. Lydeana Martin, Economic Development Director and Mr. John McEnhill, Chamber Executive Director stepped up to help the Tourism Department in many ways to support our local businesses.

Ms. Sharkey continued by recapping the projects and programs that had happened in 2020 and the beginning of 2021.

- ShopFloydVA.org website was created to help businesses with online e-commerce sales during the pandemic.
- The Tourism office received a \$10,000 Recovery Marketing Grant from Virginia Tourism Corporation to help cover marketing expenses during the pandemic. Some funds from this grant were used for the e-commerce fall and winter 2020 marketing campaign.
- Floyd County partnered with Giles, Montgomery and Pulaski County and received a DHCD Community Development Block grant for \$1.7 million from CDBG. The funds will be use for small business support focused on reimbursement of rent and mortgage for up to 6 months. The program was named NRV Small Business Resiliency grant/NRV Small Business Relief Program.

- VA Welcome Center on 1-77N (Lambsburg) month Display Blitz for May and June 2021. Floyd has the main display at the window of the center.
- Information Kiosk at Tuggles Gap Restaurant near Blue Ridge Parkway is now being used by the Tourism office for maps and business brochures.

Ms. Sharkey closed by stating that she will be leaving the tourism position at the end of July after 8 years and she will plan to stay on to help with the transition until the new tourism agreement complete and a new replacement is hired. Mayor Griffin state that he is grateful for all the work Ms. Sharkey has completed in her time as the Tourism Director.

#### **B. Literacy Volunteers of the NRV**

Ms. Linda Jilk, Executive Director of the Literacy Volunteers of the NRV opened her presentation by thanking council members for their continued support of \$200. She stated that her heart is full up hope for the new heights their organization can bring to literacy in the New River Valley. She noted that despite the pandemic, literacy instruction continued thanks to their dedicated tutors and students using distance education strategies. Programs offered by the Literacy Volunteers include:

- Skill Up NRV: Helps adults achieve skills for success at work.
- Family Literacy: Helps parents learn skills to read with children and help children succeed in school.
- Bridge to Digital Learning: Provides learner with access to technology, internet and training/support to facilitate remote instruction.

During the pandemic, front porch delivery of technology, internet access and training/support for digital tutoring. Even during the pandemic, the Literacy Volunteers of the NRV increased the number of learners served by 22% from the previous year. Because the adults served by these programs know that literacy can change everything, the adult learners work with their tutors to achieve literacy and language-related goals for increased independence and family self-sufficiency.

She closed her presentation by stating that the support from council would help local adults achieve college and career goals for economic self-sufficiency, give parents the skills to help their children succeed in school and ensure that their organization has the capacity to build funding sources to support the growth needed to meet the community's increased need for literacy services.

#### **C. Floyd Center for the Arts**

Ms. Becky Lattuca, Executive Director of Floyd Center for the Arts stated that she is new to her position after the retirement of Mr. Jeff Leverman. She stated that during the pandemic the center closed for several months and cancelled all the scheduled events. Once the center was able to reopen, they were able to carry out the Winter Fest with modifications.

To adopt to the pandemic requirements, the center purchased three large tents so some programs could be held outside. Six new exhibits were able to be held in 2020 and one event hosted 80 artist's work from 16 different states. To accommodate the youth programs, the center created art classes to go and online classes. Ms. Lattuca stated that the center could not do it without the council support. It allows the center to provide youth activities at little to no charge and reduce rates on classes.

Vice Mayor Patton asked about how many youth participated in the art to go program. Ms. Lattuca stated that about 50 students participated. The center reached out to students from past events, advertised in the Floyd Press, on their website and sent out emails. Councilman Whitaker asked if the center was able to keep all the staff employed during the pandemic. Ms. Lattuca noted that one staff member was furloughed for a short period of time. Councilman Bond asked if the town's contribution was set aside for a direct use. Ms. Lattuca stated that the center does not restrict the use of the funds contributed by the Town however most of the funds are used for the youth programs. Councilman Whitaker asked if the rental space at the center generates any income. Ms. Lattuca stated that at this time center staff are using all the rental space for offices. Once regulations are lifted staff may merge their offices spaces again to create rental space.

Council members thanked Ms. Lattuca for her time and wished her luck in her new position.

#### **D. The Crooked Road & Friends of SWVA**

Ms. Jenna Wagner, Deputy Director of Friends of Southwest Virginia stated that 2020 allowed Friends of SWVA the opportunity to look at their programs and create a pathway to rebuild them after the pandemic. The organization serves 19 counties, 4 cities and 53 towns by offering programs for crafts, artisans, outdoor recreation, and music. The overall mission of the organization is to reinvent the economy of Southwest Virginia through creative economy initiatives that inspire entrepreneurship, increase visitation and attract new residents. The focus of the organization is creative economy, innovative business development techniques finding success based on novel imaginative qualities that no longer rely on the limited resources of land, labor and capital. The Friends of Southwest Virginia host the websites [VisitSWVA.org](http://VisitSWVA.org), [SWVAculturalcenter.com](http://SWVAculturalcenter.com) and [RoundtheMountain.org](http://RoundtheMountain.org) and creates content production using weekly blog post promoting various locations in the region, YouTube videos, podcast episodes and social media post.

Ms. Carrie Beck, Executive Director of the Crooked Road stated that she come on with the organization full time in April of 2020. One of the first projects she was focused on was strategic planning and identifying the next steps for the organization. New Programs for 2021-2022 include the Musicians Advisory Board, Artist-In-Residence, Crooked Road Cares, Heritage Music Fund and Music Industry Development.

Council members had questions about the Southwest Virginia Cultural Center in Abingdon. They wondered how many artisans from Floyd participate and what commission percentage is kept by the center. Ms. Wagner stated that about 15 to 20 artisans from Floyd participate and the commission is split 60/40. With 40% going to the center.

Council members thanked Ms. Wagner and Ms. Beck for their time.

## **ITEMS FOR DISCUSSION-**

### **A. Masks**

Mayor Griffin stated that regulations regarding masks are being loosened by the state and CDC guidelines. Town Manager Cox added that in her weekly managers call, most localities are removing regulatory signage for their buildings and expecting those who are not vaccinated to continue to wear a mask according to state regulations. Staff members within these localities are not asking for proof of vaccinations if someone comes in without a mask. Mayor Griffin asked if council members would like to remove the mask requirements implemented in October 2020 requiring anyone entering the town buildings to wear a mask. Action on the matter was taken later in the meeting.

### **B. Financials**

Council members took a moment to review the April financials. Town Manager Cox stated that she is still awaiting guidance from the state regarding the American Rescue Plan Act (ARPA) funds that the Town should be receiving. It is still unclear on the exact amount of funds the Town will receive and how the Town will certify for the funds.

Town Manager Cox stated that lodging seems to be rebounding now that state regulations are being lifted. Hotel Floyd reported that they are now open at full capacity and seeing an increase in stays.

### **C. Tourism Program Draft Agreement**

Member reviewed the draft Tourism agreement prepared by Town Manager Cox and County Administrator Dr. Linda Millsaps. Town Manager Cox stated that the agreement has been sent to Town Attorney Shortt's office for review and she has received recommended changes. Those have not been incorporated into the draft that council members received. Town Manager Cox continued by giving council members highlights of the changes from the old agreement to the new agreement and stated that it is still the hope that the new agreement can be approved by the Floyd County Board of Supervisors and Town Council by the end of June.

Town Manager Cox stated that the agreement would be an equal partnership between the County of Floyd and the Town of Floyd and equal allocations of \$40,000 would be contributed to by the County and the Town. Town Manager Cox and Dr. Linda Millsaps, County Administrator would be the operations team. She continued by stating that council members need to decide if the fiscal agent listed in the agreement would be the Town or the County. The fiscal agent would be responsible for the accounting, human resources, and grant management reporting. They would also be responsible for providing office space for the tourism director's position.

Councilman Bond asked if Town Manager Cox felt that she would have time to take on the new position and department. Town Manager Cox stated that the grant reporting and reconciliation could take quite a bit of time. Vice Mayor Patton questioned the impact that the position would have on the office staff. It was understood that the Town and County would have equal decision-making power and that Town Manager Cox would be comfortable dealing with both the County Administrator and the Economic Development director when making decisions related to the Tourism position.

Councilman Bond asked what the contract labor line item within the draft budget would cover. Town Manager Cox stated that Tourism Director, Pat Sharkey has submitted her resignation effective August 1<sup>st</sup>. The contract labor line item could cover the cost of retaining her services for an additional amount of time until her replacement is hired after which point the line item could cover contracted services for graphic design, etc....

Members briefly discussed the term of the new agreement and the early termination requirements. Town Manager Cox stated that the early termination language was not included in the draft agreement that council members received. The County Attorney is working on the language, but she did not receive it before tonight's meeting. Town Manager Cox will make sure she has the recommended language by the June 3<sup>rd</sup> Town Council meeting. It was suggested that the term of the agreement be two years. Council members felt that changes could be made to agreement at that point and then the term could be extended or shortened as needed.

Council members continued by discussing who would be listed as the fiscal agent in the agreement, the County or the Town. Vice Mayor Patton stated that he did not want the Town to take on the responsibility. Town Manager Cox added that a considerable amount of time would be needed for grant management, that could take away time from other projects and commitments that are already being set aside just from the day-to-day tasks. Councilman Turner stated that being the fiscal agent should be no different than the Chambers current responsibilities and then asked Ms. Pat Sharkey how the grant management is handled now. Ms. Sharkey stated that she handles the grant management and then turns the reporting and numbers over to their accountant for disbursements. Councilman Turner stated that the original suggestion was for the County to serve as the fiscal agent for 2 years and then the Town for 2 years however

the human resources reporting would be a nightmare for staff. Council members questioned if the County wanted the responsibilities of being the fiscal agents. Members of council had differing options on where the county stands on the matter.

Vice Mayor Patton made a motion that the Town of Floyd not be considered as the fiscal agent under the Tourism Agreement. Motion died for lack of a second.

Vice Mayor Patton stated that it is in the best interest of the Town not serve as the fiscal agent since there are several large projects in front of us, Town Hall improvements, etc.

Town Attorney Shortt suggested waiting to see if the County had an option on the matter at their next Board of Supervisors meeting. Councilman Turner begged the question, what happens if County and Town both do not want the responsibly. He continued by stating that he understands the reservations however one of the parties must step up and take on the responsibilities.

On a motion by Councilman Turner, seconded by Vice Mayor Patton, and passed, it was resolved that the Town of Floyd would serve as the fiscal agent under the Tourism agreement.

Vice Mayor Patton-aye  
Councilman Turner-aye  
Councilman Whitaker-aye  
Councilman Bond-aye  
Mayor Griffin-aye

Town Manager Cox voice concerns about capacity of staff and time of existing projects for Town staff. Mayor Griffin stated that if it become a problem then Town Manager Cox should report concerns to council.

Councilman Turner asked what council members would like to see when it comes to the termination language within the agreement. Mayor Griffin stated that he would like to see the County and Town work together and have conversations before allowing for termination of the agreement. Town Manager Cox read the termination language that was existing in the old agreement. Mayor Griffin questioned why changes needed to be made to the termination language from the old agreement. The language seemed to be fine. Council members discuss the notice that must be given before terminating the agreement. Council members were in consensus that a 90-day termination as listed in the old agreement would be sufficient.

#### **D. FY2021-2022 Budget**

Mayor Griffin stated that the FY 2021-2022 budget public hearing will be held at the next town council meeting on June the 3rd at 5:30 PM. He suggested that council members take a look at the draft budget and be ready to discuss donation request amounts as well as personnel salaries.

Town Manager Cox stated that Clerk Holfield had reached out to local businesses that sell cigarettes within the town limits. A summary of the estimated cigarette sales from each business was provided to council members. The estimated amount of revenue that could be generated from a \$0.40 per pack tax on cigarettes would generate a little less than \$70,000 per year. One of the businesses asked that council members become aware of the State tax increase on cigarettes that took effect on July 1, 2020. The information on Sate tax increase was included in the summary given to council members.

Councilman Turner stated that if the town imposed the new cigarette tax, the tax dollars generated from the tax should be allocated for a specific use that would benefit all town residents and businesses.

Town Manager Cox stated that there is still about \$5000 within the town's public works budget this year. She suggested that the money be used to replace the aging trash cans throughout town. She noted that the rock trash cans could be repurposed to be used as planters. Clerk Holfield requested a quote to replace the trash cans. It would cost about \$10,000 to replace all existing trash cans throughout town. This amount would be over the threshold for office approval. No action was taken on this matter.

#### **TOWN MANAGER'S REPORT-**

Town Manager Cox stated that there is a grant of available through Virginia Tourism Corporation called the Recovery Marketing Leverage Program. These grant marketing funds could be used to help reopen music venues throughout Floyd. The grant funds could be used to help pay for marketing of the Small Town Summer events, events at the Floyd Country Store, and Dogtown Roadhouse. The grant would need to be written by town staff and the application would be due on June the 22<sup>nd</sup>. Council members felt that the owner of the Floyd Country Store and Dogtown Roadhouse would be interested in helping write the grant to receive these grant funds.

#### **OTHER BUSINESS-**

Councilman Turner stated that he had been approached about speeding throughout town. He had been asked if the Sheriff's Office could set up a speed awareness monitor throughout town to detour speeding. Would the town be willing to contribute funding for this monitor?

Councilman Turner stated that the Floyd-Floyd County Public Service Authority has been using Town Hall for their meetings the past few months. He asked if the PSA could continue to meet in Town Hall until restrictions ease. Councilman Bond stated that the Jacksonville Cemetery

Board also used Town Hall for their meeting last month. He stated that Town Hall is set up very well for meeting space and that he did not see a problem in the space being used for these types of meetings. Town Manager Cox stated that she didn't feel that this would be a problem until building modifications begin.

Councilman Whitaker made the following motion regarding the mask policy in town facilities.

On a motion by Councilman Whitaker, seconded by Vice Mayor Patton, and passed, it was resolved repeal the adopted mask policy affective the 1<sup>st</sup> Town Council meeting in and resume normal practices and procedures.

Vice Mayor Patton-aye  
Councilman Turner-aye  
Councilman Whitaker-aye  
Councilman Bond-aye  
Mayor Griffin-aye

Individuals entering Town Hall and the Town office will not be asked to provide documentation of COVID vaccination.

Councilman Whitaker asked if council members would consider recognizing Angels Ministries as part of the Town's recognition program. Angels Ministries continues to do a lot of good work and provide a lot of assistance for Town and County residents.

On a motion by Councilman Whitaker, seconded by Vice Mayor Patton, and passed, it was resolved recognize Angels Ministries as part of the Town's recognition program.

Vice Mayor Patton-aye  
Councilman Turner-aye  
Councilman Whitaker-aye  
Councilman Bond-aye  
Mayor Griffin-aye

**CLOSED SESSION-**

Councilman Bond makes a motion, seconded by Councilman Whitaker, to go into closed session for discussion with legal counsel regarding matters concerning the Warren G. Lineberry Park Use Policy to discuss probable litigation under section 2.2-3711, Paragraph A. Section 7, Consultation with legal counsel and briefings by staff members or consultants 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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter and section 2.2-3711, Paragraph A. Section 8, 8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the

provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Vice Mayor Patton—aye  
Councilman Turner—aye  
Councilman Whitaker—aye  
Councilman Bond—aye  
Mayor Griffin—aye

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

Vice Mayor Patton—aye  
Councilman Turner—aye  
Councilman Whitaker—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 discussion with legal counsel regarding matters concerning the Warren G. Lineberry Park Use Policy to discuss probable litigation under section 2.2-3711, Paragraph A. Section 7, Consultation with legal counsel and briefings by staff members or consultants 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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter and section 2.2-3711, Paragraph A. Section 8, 8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter in accordance with Section 2.2-3711, Paragraph A.1 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—aye  
Councilman Turner—aye  
Councilman Whitaker—aye  
Councilman Bond—aye  
Mayor Griffin—aye

This Certification Resolution was adopted.

**ADJOURNMENT-**

Councilman Whitaker makes a motion, seconded by Vice Mayor Patton, and unanimously carried, to adjourn until June 3, 2021 at 5:30 pm at the Floyd Town Hall.

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**William R. Griffin, Mayor**

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**Katie Holfield, Town Clerk**