

**FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
September 2, 2021
5:30 P.M.
MINUTES**

MEETING CALL TO ORDER – Mayor Griffin called the September 2, 2021, meeting of the Floyd Town Council to order.

ROLL CALL – Vice Mayor Patton, Councilman Turner, Councilman Whitaker, Mayor Griffin, Town Attorney Murrell, and Town Clerk Holfield were present. Town Manager Cox was present via Zoom. Councilman Bond was absent.

MOMENT OF SILENT PRAYER-

Mayor Griffin called for a moment of silent prayer.

Councilman Whitaker asked that the moment of silent prayer be used to honor the lives of the service men and women that lost their lives in Afghanistan.

PLEDGE OF ALLEGIANCE-

Councilman Whitaker led those present in the Pledge of Allegiance.

PUBLIC COMMENT-

None

PUBLIC HEARING-

A. Conditional Use Permit—Boddie Noell Enterprises, Inc. (Hardee’s)-

TOWN PLANNING COMMISSION ROLL CALL—Commissioner Verostko, Commissioner Parrish, Vice Chairman Horney and Chairman Maslaney were present. Commissioner Bond, Commissioner Gillespie, and Commissioner Morris were absent.

Mayor Griffin read the notice of Joint Public Hearing of the Floyd Town Council and the Town of Floyd Planning Commission on the conditional use permit for Boddie Noell Enterprises, Inc. (Hardee’s).

**Notice of Joint Public Hearing of
The Floyd Town Council and
The Town of Floyd Planning Commission**

The Floyd Town Council will hold a joint public hearing with The Town of Floyd Planning Commission on Thursday, September 2, 2021, at 5:30 p.m. or as soon thereafter in the W. Skip Bishop Jr., Town Hall located at 134 Wilson Street, Floyd, VA 24091.

The joint public hearing is for public comment on the conditional use permit request by Boddie Noell Enterprises, Inc. (Hardee's) (owner), LMHT (agent) for a Conditional Use Permit for signage at the property located at 402 East Main Street, Floyd, VA 24091, plat #55A2-1-W-8A.

The proposed request is pursuant to §18.802.04 of the Town of Floyd Land Use Regulations and §15.2-2204 of the Code of Virginia.

A copy of this proposal is available for public inspection at the Floyd Town Office, 138 Wilson Street, Floyd, VA. All parties in interest and citizens may appear on the above date and be heard on this request.

Kayla Cox
Zoning Administrator
Town of Floyd

Michael Maslaney
Chairman, Town of Floyd
Planning Commission

Chairman Maslaney opened the floor for public comment on the Joint Public Hearing of the Floyd Town Council and the Town of Floyd Planning Commission on the conditional use permit for Boddie Noell Enterprises, Inc. (Hardee's).

Mr. Tom McClanahan with Boddie Noell, Inc. was present to answer any question that council and commission members have pertaining to the proposed sign at Hardee's. Mr. McClanahan stated that Boddie Noell is working to update all their Hardee's locations with the corporation's new color and facade updates. He noted the digital menu board is at the back of the property that is bordered by an old garage. He stated that there will be little to no movement on the digital menu board. He shared current photos of the Floyd Hardee's signage and the new signage that was installed at the Burlington, NC location.

Mr. Billy Weitzenfeld stated that he lives at 309 E. Oxford Street. His property is directly behind the Hardees on E. Main Street and has a direct view of the current menu board and proposed digital sign upgrade. He is concerned about the additional lighting and the potential negative impact of a digital menu board on his residence will create an unwanted visual nuisance. It would be his hope that the Town of Floyd will consider his concerns in any decision that they make regarding the upgrade request from Hardees.

Mayor Griffin closed the public comment period of the Joint Public Hearing of the Floyd Town Council and the Town of Floyd Planning Commission on the conditional use permit for Boddie Noell Enterprises, Inc. (Hardee's).

Commissioner Parrish makes a motion, seconded by Commissioner Horney, to table any action on the conditional use permit for Boddie Noell Enterprises, Inc. (Hardee's) until the September 22, 2021, Town of Floyd Planning Commission meeting at 5:30pm.

Commissioner Verostko-aye
Commissioner Parrish-aye
Commissioner Bond-absent
Commissioner Gillespie-absent
Commissioner Morris-absent
Vice Chairman Horney-aye
Chairman Maslaney-aye

Mayor Griffin asked Mr. McClanahan about the brightness of the digital screens and if there would be a light under the underpass. Mr. McClanahan stated the led light of the digital screens is no brighter than back light from the existing menu board. He went on to state that underpass would have a light under the bottom and that all the lights would only be on from 5:00am to 10:00pm during the store hours.

Councilman Whitaker asked where the closest location is to Floyd that has already been renovated. Mr. McClanahan stated that it would be the location in the Reidsville/Burlington, NC area. He went on to state that video that was shared via email to Town Manager Cox is a great resource that illustrates that new menu board.

Vice Mayor Patton makes a motion, seconded by Councilman Turner, to close the joint public hearing on the conditional use permit for Boddie Noell Enterprises, Inc. (Hardee's)

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

Commissioner Parrish makes a motion, seconded by Vice Chairman Horney and carried, to adjourn the Planning Commission meeting to the regular meeting on September 22, 2021, at 5:30pm in the W. Skip Bishop Town Hall.

PRESENTATION-

A. Proclamation to Honor Floyd County Angels Ministries, dba Angels in the Attic

Mayor Griffin read the proclamation in honor of Floyd County Angels Ministries, dba Angels in the Attic.

CONSENT CALENDAR-

- A. August 5th and August 19th minutes-** Council reviewed the minutes provided in their packets. Councilman Whitaker makes a motion, seconded by Councilman Turner, to approve the August 5, 2021, and August 19, 2021, minutes.
 - Councilman Turner-aye
 - Councilman Whitaker-aye
 - Councilman Bond-absent
 - Vice Mayor Patton-aye
 - Mayor Griffin-aye

ITEMS FOR DISCUSSION-

- A. Memorandum of Understanding with Floyd County Public Schools for the Floyd Arts and Crafts Festival**

Mayor Griffin stated that the Floyd Arts and Crafts Festival for 2021 has been cancelled.

- B. Warren G. Lineberry Park Use Permit—Floyd CARE**

Councilmembers discussed the \$500 sponsorship request from Mr. Dave Werner for the Hispanic Heritage event. It was consensus of council members that requests for funding for non-profits should be submitted during the budget session in February each year.

On a motion by Vice Mayor Patton, seconded by Councilman Turner, and passed, it was resolved to approve the Warren G. Lineberry Park use application for Mr. Dave Werner, Floyd CARE Hispanic Heritage event to be held on Saturday, October 9, 2021, from 1:00pm to 4:00pm.

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

- C. New River Community Action—Proclamation honoring Terry Smusz**

On a motion by Vice Mayor Patton, seconded by Councilman Whitaker, and passed, to adopt the proclamation honoring Terry Smusz.

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

Mayor Griffin read the proclamation honoring Terry Smusz.

TOWN MANAGER’S REPORT-

Town Manager Cox stated that council will have several park use permits to review at the next meeting, the Floyd Rotary Club event for the chili cookoff and the Floyd Humane Society event for the Pet Costume Contest.

Council member discussed Safety Street Halloween. It was consensus of council members to work with Sheriff Craig and Virginia Department of Transportation to closed down East Oxford Street for Halloween on Sunday, October 31. Members would also like to offer parking spaces along Oxford Street just as they did last year. Town Manager Cox will work on the VDOT paperwork with Sheriff Craig and Clerk Holfield will work on the advertisement for the event.

Town Manager Cox stated that the public works crew have taken a look at the camera post at the corner of Rick Lewis Way and the Heritage Trail. Electric is still running to the pole, if council members would like the pole removed an electrician would need to cut off power to the pole and cap any of electrical wires. Council members discussed the possibility of installing a new camera to the pole. At this time the pole will not be removed.

Town Manager Cox stated that she has spoken with Mr. Barry Collier with Thompson and Litton. He should have a scope of work to her within the next week. She stated that pricing on extending the walkway/hallway between the buildings would bring the pricing more in line with option 3 of the designs and will add significant cost to the plan. Town Manager Cox will email the scope of work to council members as soon as she receives it.

Town Manager Cox stated that the panic buttons will be installed next week in town hall and the town office.

OTHER BUSINESS-

Mayor Griffin thanked Councilman Whitaker and Vice Mayor Patton for coming out last Thursday when Senator Kaine visited Floyd. It was great to spend the day walking around and visiting with the businesses. Floyd is very fortunate for what is has to offer.

CLOSED SESSION-

None

ADJOURNMENT-

Councilman Whitaker makes a motion, seconded by Councilman Turner, and unanimously carried, to adjourn until September 16, 2021, at 5:30 pm at the Floyd Town Hall.

Will Griffin, Mayor

Katie Holfield, Town Clerk