

FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
August 4, 2022
6:30 P.M.
AGENDA

| <u>FROM</u> | <u>TO</u> | <u>ITEM</u> |
|-------------|-----------|--|
| 6:30 PM | 6:30 PM | MEETING CALL TO ORDER |
| 6:30 PM | 6:30 PM | ROLL CALL |
| 6:30 PM | 6:30 PM | MOMENT OF SILENCE |
| 6:30 PM | 6:30 PM | PLEDGE OF ALLEGIANCE |
| 6:30 PM | 6:45 PM | CITIZENS COMMENT PERIOD* |
| 6:45 PM | 7:00 PM | CONSENT CALENDAR A. July 7, 2022 B. July 21, 2022 |
| 7:00 PM | 7:30 PM | ITEMS FOR DISCUSSION/ACTION A. Park Use Application- Reggae in the Park |
| 7:30 PM | 7:45 PM | TOWN MANAGER'S REPORT |
| 7:45 PM | 8:00 PM | OTHER BUSINESS |
| 8:00 PM | 8:15 PM | CLOSED SESSION (If needed) |
| 8:15 PM | 8:15 PM | ADJOURNMENT |

Any resident wishing to submit comments may do so via email or request to speak via phone during the public comment period and their comments will be entered into the official minutes of the Floyd Town Council and read by the Mayor or designee at the Council meeting.

VIA EMAIL: Email comments should be sent to andrew@townoffloyd.org by 4:00pm Wednesday, August 4th, 2022. Emails must include your name, phone number and any comments. If you do not have access to email, please call the Town office at 540-745-6073 to leave a message with your comments.

VIA PHONE: Residents requesting to speak via phone during the public comment period should call the Town of Floyd office at 540-745-2565 by 4:00pm Wednesday, August 4th, 2022, and provide your name and telephone number. The resident will be called during the public comment period of the meeting.

Any comments received will be shared with Town Council and will be added to the meeting minutes, making them a matter of public record.

PARK USE APPLICATION

TOWN OF FLOYD

WARREN G. LINEBERRY COMMUNITY PARK

SECTION I: APPLICANT INFORMATION

Group/Organization Name: Sky High Reggae Promotions & Dogtown Roadhouse
 Applicant Name (Event Contact): Liz Stallings Cell Phone Number: 336.529.7685
 Mailing Address: 6936 Conner Rd Copper Hill VA 24079
 Email: skyhighreggae@gmail.com

SECTION II: EVENT INFORMATION

Event Name: Reggae in the Park Date of Event: October 1, 2022
 Time of Event: from 5 to 10 Time for Set-up: 2 Time for Clean-up: 12

**Events may only be held between 8:00am and 11:00pm. (This includes setup & take down)

Event Description and Purpose of the Event (please provide a brief description of the event):

See attached file

Number of Expected Guests: 200 **Max. Capacity of the park SHALL NOT EXCEED: 550

Will an admission fee be charged? Yes No

Will you need access to electrical? Yes No

Will you need access to water? Yes No

Do you plan to have temporary signage for the event? Yes No (If yes, a signage permit application must accompany this application)

SECTION III: VENDOR INFORMATION (IF APPLICABLE)

Types of Vendors: Food Arts & Crafts Merchandise Entertainment (Music, games, bouncy house, etc...)

Total number of vendors: _____ Total number of vendors MAY NOT EXCEED 24 (Twenty-four).

-- A vendor list including the business name, business contact information, mailing address and email address as well as an event site plan including the location of vendors, entertainment (games, bouncy houses, etc...), portable restrooms, electrical & water usage, etc must accompany this application.

Please check off the information you have submitted:

- Park Use Application
- Sign Permit Application (needed for any temporary signs, banners, etc...)
- Event Site Plan (location of vendors, entertainment, portable restrooms, electrical & water usage, etc...)
- Vendor List (business name, business contact information, mailing address and email address)
- Commercial food vendors--provide copy of insurance and copy of Virginia Department of Health permit
- Copy of Certificate of general liability insurance with \$1,000,000.00 combined single limit, with the Town of Floyd named as an additional insured
- Damage Deposit (\$100 without water & electric; \$250 with water & electric)

Stagem/ Electricity

Sending in mail Mon!

non profit Park Use Fee (\$100; \$0-Tax-exempt Non-Profit) *Thank you*
 Water & Electric Fee (\$50) *do we pay this if non-profit?*

We need electric @ Stage

notice of acceptance IRS

Please submit all completed application and documentation to:
Andrew C Morris
Town of Floyd
138 Wilson Street
Floyd, VA 24091

Completed application and documentation must be submitted 45 days prior to the event.

| | |
|---|---------------|
| This request was approved/disapproved by a vote of the Floyd Town Council on _____ . Any conditions attached shall be considered requirements on the above request. | |
| _____ Andrew C Morris | _____ Date |

* lynn@townofloyd.org
temp sign permit
Andrew

FINAL—Adopted March 20, 2020

PARK USE POLICY

TOWN OF FLOYD

WARREN G. LINEBERRY COMMUNITY PARK

Use of the Park:

- Application is to be made within at least 45 days prior to the event with the Town Manager and presented at a Council meeting.
- A site inspection will be conducted before and after each event.
- No alcoholic beverage or controlled substances are allowed on the property.
- Clean up of the WARREN G. LINEBERRY PARK shall immediately follow each activity or event. The Permit Applicant will be responsible for cleanup and reporting any issues of concern to the Town Manager immediately. Clean up includes removal of all trash and litter, cigarette butts and removal of any items used for the event or activity.
- Animals are to be under control of the owner at all times and any animal waste must be removed and properly disposed of.
- Electric and water is available for event use with application approval.
- Park rules prohibit on park grounds: alcoholic beverages, illegal substances, fire or fireworks, camping, skates, rollerblades, bicycles, motorized vehicles except those in ADA Compliance, littering, solicitation or pandering.

Vending and Admission to Events:

- If the intent is to charge a fee for an activity or event, approval must be granted by the Town Council with an explanation of why a fee is necessary and how it will be used. Must accompany an application for usage.
- Maximum number of vendors allowed is 24 (Twenty-four).
- A vendor list including the business name, business contact information, mailing address and email address as well as an event site plan including the location of vendors, entertainment (games, bouncy houses, etc...), portable restrooms, electrical & water usage, etc. must accompany this application.
- All vendors must obtain a business license for the Town of Floyd.

Fees, Permits and Licensing:

- Park Use Fee- \$100.00, per day for organizations.
- No charge for tax-exempt Non-Profit organizations.
- Water & Electric Use Fee - \$50.00, per day.
- All vendors must have a Town of Floyd Business License. A food vendor license with the Town of Floyd must also be obtained. Food vendors are subject to Town of Floyd Meals Tax.
- Commercial food vendors are required to provide evidence of license, insurance and a copy of Virginia Department of Health permit.
- A sign permit is required for all signage, if any, placed throughout the Town or at the WARREN G. LINEBERRY PARK advertising the event. The permit must be approved by the Town Manager prior to any sign placement. All signage must be removed by the applicant immediately after the event.

Parking & Safety:

- Vehicles must park in designate parking area only and must not block any private drives, entrances or roadways. No vehicles will be allowed to be driven or parked on the grass unless granted authorization by the Town Manager.
- While the intent is for general public usage, all children must be properly supervised to protect their safety and Town property.

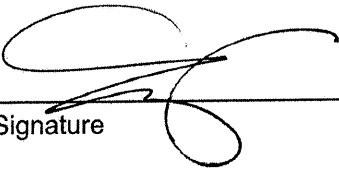
Insurance and Damage Policy:

- A Damage Deposit has been established to help preserve our WARREN G. LINEBERRY PARK. Following an event, if all conditions of usage are met and cleanup meets approval and no damage has occurred to grass or property, including the restrooms, the deposit will be refunded.
- A damage deposit of \$500 (Five Hundred Dollars) must be paid with this application. The damage deposit is not limited to those items possibly damaged by the event or by persons participating in the event, but also by spectators and non-participants.
- A copy of general liability insurance with \$1,000,000.00 combined single limit, with the Town of Floyd named as an additional insured, shall accompany this application.

General Terms and Conditions:

- A completed Park Use Application must be submitted forty-five (45) days prior to the event. Once the application has been submitted to the Town Manager it will be presented to Town Council for approval.
- The Town reserves the rights to deny the use of WARREN G. LINEBERRY PARK to any person or organization for the protection of the health, safety and welfare of the citizens of Floyd County.
- Users agree to adhere to these policies and understand that a violation of any portion of the policy will result in cancellation/termination of the event and forfeiture of all payments and fees.
- All Users of the Facilities shall comply with all applicable federal, state, and local laws, regulations, rules, and ordinances including, but not limited to, all ordinances of the Town of Floyd and all rules and regulations which may be adopted from time to time by the Floyd Town Council. Such rules and regulations may include any and all changes that might be imposed on the operational hours and utilization policies.
- Anti-Discrimination by User, its agents or employees, on account of age, race, color, religion, sex or national origin, in the use of or admission to the premises is prohibited.

By signing this form, I acknowledge that I am the person named above and/or can sign on behalf of the organization listed above. I have read and understand the WARREN G. LINEBERRY PARK USE POLICY and by signing below I acknowledge that I will abide by the policy.



Signature

7/19/2022

Date

HOLD HARMLESS AND INDEMNITY AGREEMENT

TOWN OF FLOYD

WARREN G. LINEBERRY COMMUNITY PARK

This indemnity agreement, made and entered into this 19 day of July, 2022, by Elizabeth Stallings (named party applying for use of the WARREN G. LINEBERRY PARK) to be held on Oct 2022 between the hours of 5-10 pm in the Town of Floyd.

WHEREAS, the undersigned having made application for a permit to sponsor or hold an activity or event in the WARREN G. LINEBERRY PARK in consideration of permission does hereby agree to the Rules established for the usage and hereby agrees to the following:

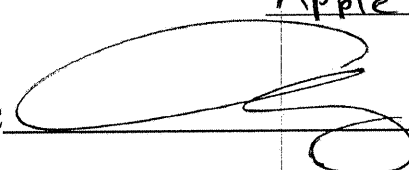
The undersigned, jointly and severally (if more than one) does hereby agree to indemnify and hold harmless the Corporation, Town of Floyd, against any and all liability, loss, cause of action, damages or injuries to persons or property, including death, which may occur by reason of the use of the WARREN G. LINEBERRY PARK.

The undersigned, jointly and severally, (if more than one), agrees to indemnify and hold harmless the Corporation, Town of Floyd against any expenses incurred by the Town of Floyd with regards to cleaning the premises, setting up on behalf of the undersigned, and restoring the premises to its normal condition after the permit period.

The undersigned, jointly and severally (if more than one), does agree to indemnify and hold harmless the Corporation, Town of Floyd, it's officers, employees and agents, against any expenses incurred by the Town with regard to the use of the WARREN G. LINEBERRY PARK property as set forth in correspondence to the below party.

The undersigned further agrees to pay, to the complete exoneration of the Corporation, Town of Floyd, it's officers, employees and agents, for any court costs, negotiation fees or attorney fees incurred by the Corporation, Town of Floyd, or any of their offices, employees or agents, with respect to the defense of any such claims set forth above.

Name Elizabeth Stallings
Organization Name Sky High Reggae Promotions
Address 6936 Conner Rd NE
Copper Hill VA 24079
Daytime Phone Number 336 529 7685
Dates of Usage Oct 1, 2022
Hours of Usage 2pm set up - 11:59pm tear down
Purpose benefit concert
for
Apple Ridge Farm

SIGNATURE  DATE 3/19/2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/22/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER Insureon (BIN Insurance Holdings LLC.) 30 N. LaSalle, 25th Floor, Chicago, IL 60602 | CONTACT NAME: PHONE (A/C, No, Ext): (800) 688-1984 FAX (A/C, No): 312-690-4123 E-MAIL ADDRESS: | | | | | | | | | | | | | |
|---|--|-------------------------------|--------|---|-------|---|-------|-------------------|--|-------------------|--|-------------------|--|-------------------|
| | <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width:20%;">NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: United States Liability Insurance Company</td> <td>25895</td> </tr> <tr> <td>INSURER B: United States Liability Insurance Group</td> <td>25895</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table> | INSURER(S) AFFORDING COVERAGE | NAIC # | INSURER A: United States Liability Insurance Company | 25895 | INSURER B: United States Liability Insurance Group | 25895 | INSURER C: | | INSURER D: | | INSURER E: | | INSURER F: |
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| INSURER D: | | | | | | | | | | | | | | |
| INSURER E: | | | | | | | | | | | | | | |
| INSURER F: | | | | | | | | | | | | | | |
| INSURED D.T. Roadhouse, LLC dba Dogtown Roadhouse 302 S Locust St, Floyd, VA, 24091 | | | | | | | | | | | | | | |

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|---------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | Yes | | CP1592895H | 4/24/2022 | 4/24/2023 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | | | | PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is named as Additional Insured as their interests may appear in regards to general liability.

| | |
|---|--|
| CERTIFICATE HOLDER THE TOWN OF FLOYD 138 WILSON STREET ALUM RIDGE, VA 24091 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE |
|---|--|



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508, Room 4024
Cincinnati, OH 45021

Date: May 03, 2022
Person to Contact: Customer Services
Contact telephone number: 877-829-5500

Sky High Reggae Promotions LLC
6936 Conner Road
Copper Hill, Virginia 24079

We received your Form 8976, *Notice of Intent to Operate Under 501(c)(4)*, you filed on April 20, 2022. This acknowledgement is not a determination by the IRS that you qualify as tax-exempt under Internal Revenue Code (Code) Section 501(a) as an organization described in Code Section 501(c)(4).

For important information about your responsibilities, including recordkeeping, reporting, and disclosure requirements, go to www.irs.gov/charities.

If you have questions, you can call Customer Services at 1-877-829-5500.

October 1, 2022

Sky High Reggae and Dogtown Roadhouse Present :

Reggae in the Park

A benefit event for Apple Ridge Farm

The intention is for community connection, raising awareness around Apple Ridge Farm's programming and amenities and highlighting our rich local businesses and the lovely Town of Floyd.

Music from 5 - 10

Admission is free

Donations are gladly accepted

All ages

Apple Ridge will receive all proceeds from donations.

The event will be funded by our local sponsors.