

FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
September 15, 2022
5:30 P.M.
AGENDA

<u>FROM</u>	<u>TO</u>	<u>ITEM</u>
5:30 PM	5:30 PM	MEETING CALL TO ORDER
5:30 PM	5:30 PM	ROLL CALL
5:30 PM	5:30 PM	MOMENT OF SILENT PRAYER
5:30 PM	5:30 PM	PLEDGE OF ALLEGIANCE
5:30 PM	5:45 PM	CITIZENS COMMENT PERIOD*
5:45 PM	6:00 PM	PRESENTATIONS A. Sarah Kelly- Ruritan Club
5:45 PM	6:00 PM	ITEMS FOR DISCUSSION/ACTION A. Financials B. Warren G. Lineberry Park- Unity in the Community C. Warren G. Lineberry Park- Chili Cook Off
6:00 PM	6:15 PM	TOWN MANAGER'S REPORT
6:15 PM	6:30 PM	OTHER BUSINESS
6:30 PM	7:00 PM	CLOSED SESSION A. §2.2-3711 A.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.
7:00 PM	7:00 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, September 14, 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, September 14, 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: FLOYD MINISTERIAL ASSOC
Applicant Name (Event Contact): Rev. Jim McCuire Cell Phone Number: 336.688.7044
Mailing Address: 1074 Beaver Creek Rd Floyd
Email: PAULA SWR@yahoo.com

SECTION II: EVENT INFORMATION

Event Name: "UNITY in the Community" Date of Event: OCT. 7, 2022
Time of Event: from 4pm to 9pm Time for Set-up: SAME Time for Clean-up: SAME

**Events may only be held between 8:00am and 11:00pm. (This includes setup & take down) [ALL DONE IN SET TIMES]
Event Description and Purpose of the Event (please provide a brief description of the event):
"UNITY in the Community" = A GATHERING OF FLOYD AREA CHURCHES TO ENCOURAGE OUR COMMUNITY, MUSIC, SPEAKERS.

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: None * 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.

* WANT TO SUPPORT FLOYD BUSINESSES ALREADY PRESENT

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)
- Park Use Fee (\$100; \$0-Tax-exempt Non-Profit)
- Water & Electric Fee (\$50)

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

HOLD HARMLESS AND INDEMNITY AGREEMENT

TOWN OF FLOYD

WARREN G. LINEBERRY COMMUNITY PARK

This indemnity agreement, made and entered into this 8th day of AUG, 2022, by
* Rev Jim McClure (named party applying for use of the WARREN G.
LINEBERRY PARK) to be held on Oct. 7, 2022, between the hours of 4-9 pm in the
Town of Floyd.

* FOR FLOYD COUNTY MINISTERIAL ASSOC.

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 Rev. Jim McClure
Organization Name FLOYD COUNTY MINISTERIAL ASSOC.
Address (OFF) 1074 Beaver Creek Rd
Floyd, VA 24091
Daytime Phone Number 336.688.7044 / 540.763.3383
Dates of Usage _____
Hours of Usage 4-9 pm
Purpose "UNITY IN THE COMMUNITY GATHERING"

SIGNATURE Rev. J McClure

DATE 8.8.22

PARK USE APPLICATION
TOWN OF FLOYD
WARREN G. LINEBERRY COMMUNITY PARK

SECTION I: APPLICANT INFORMATION

Group/Organization Name: Floyd Rotary Club
Applicant Name (Event Contact): Gary Stone Cell Phone Number: 540-553-6379
Mailing Address: 349 Vest Tannery Rd NE Check, VA 24072
Email: gtrout24in@swva.net

SECTION II: EVENT INFORMATION

Event Name: Chili Cookoff Date of Event: 10-7-2022
Time of Event: from 5:00PM to 8:00PM Time for Set-up: 4:00 PM Time for Clean-up: 8:00 PM

**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): Competition for fastest chili between Floyd County Volunteer Fire and Rescue Squads. All proceeds divided equally between the two.

Number of Expected Guests: 100 **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: 0 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)
- Park Use Fee (\$100; \$0-Tax-exempt Non-Profit)
- Water & Electric Fee (\$50)

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

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.

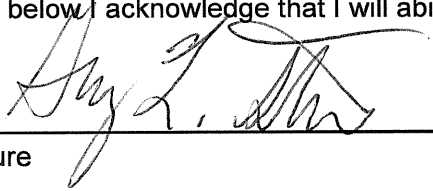
Insurance and Damage Policy:

- 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

9-8-2022

Date

HOLD HARMLESS AND INDEMNITY AGREEMENT

TOWN OF FLOYD

WARREN G. LINEBERRY COMMUNITY PARK

This indemnity agreement, made and entered into this 8th day of Sep, 2022, by Gary Stone (named party applying for use of the WARREN G. LINEBERRY PARK) to be held on Oct. 7, between the hours of 4:00-8:00PM 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:

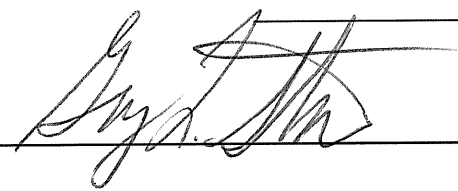
The undersigned, jointly and severally (if more than one) does hereby agree to indemnify and hold harmless the Corporation, Town of Floyd, against any and all liability, loss, cause of action, damages or injuries to persons or property, including death, which may occur by reason of the use of the WARREN 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 Gary Stone
Organization Name Floyd Rotary Club
Address 349 Vest Tannery Rd NE
Chick, VA 24072
Daytime Phone Number 540-553-6379
Dates of Usage 10-7-2022 - 10-21-2022 (Backup date)
Hours of Usage 4:00 PM - 8:00 PM
Purpose Chili Cookoff

SIGNATURE  DATE 9-8-2022



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/09/2022

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 Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita	
	PHONE (A/C, No, Ext): 1-833-3ROTARY FAX (A/C, No): 630-285-4062 E-MAIL ADDRESS: rotary@ajg.com	
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED All Active US Rotary Clubs & Districts Rotary Club of Floyd #72971 ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER A : Westchester Surplus Lines Insurance Company	10172
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 899307648 **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 <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		G73578917 001	7/1/2022	7/1/2023	EACH OCCURRENCE	\$2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$500,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$2,000,000
							GENERAL AGGREGATE	\$4,000,000
							PRODUCTS - COMP/OP AGG	\$4,000,000
								\$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			G73578917 001	7/1/2022	7/1/2023	COMBINED SINGLE LIMIT (Ea accident)	\$2,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			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	NOT APPLICABLE			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)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

Karin Grosshans
303 Lumber Ln NE
Floyd, VA 24091
Rotary Club of Floyd, Club #72971, District #7570
Annual Chili Cook-off, October 7, 2022 (rain date October 21, 2022)

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

Cynthia L. DeMonte

