

FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
January 5, 2023
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 SILENT PRAYER
6:30 PM	6:30 PM	PLEDGE OF ALLEGIANCE
6:30 PM	6:45 PM	CITIZENS COMMENT PERIOD*
6:45 PM	7:00PM	PUBLIC HEARING A. Zoning Ordinance Amendments
7:00 PM	7:15 PM	CONSENT CALENDAR A. December 1, 2022 B. December 15, 2022
7:15 PM	7:30 PM	ITEMS FOR DISCUSSION/ACTION A. 2021 Reorganization a. Appointment of Vice-Mayor for 2023 b. Setting of Date & Time for 2023 regular Council meetings c. Setting of 2023 Holiday Calendar
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, January 4th, 2023. 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, January 4th, 2023, 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.

Commonwealth of Virginia 2023 Pay and Holiday Calendar

State Holidays

January 2
New Year's Day (Observed)

January 16
Martin Luther King, Jr. Day

February 20
George Washington Day

May 29

Memorial Day

June 19

Juneteenth

July 4

Independence Day

September 4

Labor Day

October 9

Columbus Day & Yorktown Victory Day

November 7

Election Day

November 10

Veterans Day (Observed)

November 22

4 hours additional holiday time

November 23

Thanksgiving

November 24

Day After Thanksgiving

December 22

4 hours additional holiday time

December 25

Christmas

Please note: In some agencies, the holiday and payday schedule may vary from what is shown here. If you have questions, see your agency human resources officer.

Denotes Payday

Denotes Holiday

Denotes Additional Time Off 8 hrs 4 hrs

Denotes Payday on Holiday or Time Off

Published by the Virginia Department of Human Resource Management.
An equal opportunity employer.

Published by
Commonwealth of Virginia
September 2022



Virginia Department of
HUMAN RESOURCE
MANAGEMENT

January

S	M	T	W	T	F	S
1	(2)	3	4	5	6	7
8	9	10	11	12	(13)	14
15	(16)	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

S	M	T	W	T	F	S
				(1)	2	3
5	6	7	8	9	10	11
12	13	14	15	(16)	17	18
19	(20)	21	22	23	24	25
26	27	28				

March

S	M	T	W	T	F	S
				(1)	2	3
5	6	7	8	9	10	11
12	13	14	15	(16)	17	18
19	20	21	22	23	24	25
26	27	28	29	30	(31)	

April

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	(14)	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

S	M	T	W	T	F	S
				(1)	2	3
7	8	9	10	11	12	13
14	15	(16)	17	18	19	20
21	22	23	24	25	26	27
28	(29)	30	31			

June

S	M	T	W	T	F	S
						(1)
4	5	6	7	8	9	10
11	12	13	14	15	(16)	17
18	(19)	20	21	22	23	24
25	26	27	28	29	30	

July

S	M	T	W	T	F	S
						1
2	(3)	(4)	5	6	7	8
9	10	11	12	13	(14)	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

S	M	T	W	T	F	S
				(1)	2	3
6	7	8	9	10	11	12
13	14	15	(16)	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

S	M	T	W	T	F	S
						(1)
3	(4)	5	6	7	8	9
10	11	12	13	14	(15)	16
17	18	19	20	21	(22)	23
24	(25)	26	27	28	(29)	30

October

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	(9)	10	11	12	13	14
15	(16)	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

S	M	T	W	T	F	S
				(1)	2	3
5	(6)	(7)	8	9	(10)	11
12	13	14	15	(16)	17	18
19	20	21	(22)	(23)	(24)	25
26	27	28	29	30		

December

S	M	T	W	T	F	S
						(1)
3	4	5	6	7	8	9
10	11	12	13	14	(15)	16
17	18	19	20	21	(22)	23
24	(25)	26	27	28	(29)	30
31						

Virginia Department of
HUMAN RESOURCE
MANAGEMENT

**FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
December 1, 2022
6:30 P.M.
MINUTES**

MEETING CALL TO ORDER – Mayor Griffin called the December 1, 2022, meeting of the Floyd Town Council to order at 6:30 p.m.

Town Council ROLL CALL – Councilman Mike Patton, Vice Mayor Bruce Turner, Councilman David Whitaker, Councilman Bond, Mayor Will Griffin, Town Attorney Janet Murrell, Town Manager Andrew Morris, and Town Clerk Lynn Gregory were present.

MOMENT OF SILENT PRAYER -

Mayor Griffin called for a moment of silent prayer.

PLEDGE OF ALLEGIANCE-

Councilman Bond led those present in the Pledge of Allegiance.

CITIZENS COMMENT –

Ms. Elizabeth Warriner said she presented to Floyd Town Council 4 years ago and was there to talk about Story Walk. She said she was back again because she heard there was a lot of interest in the Story Walk project. She said Story Walk was a national campaign that a lot of cities and counties have done. It was a combination of walking and reading a book and it was geared towards young children, ages 5 to 7.

Ms. Warriner said when she went before Town Council several years ago, they came up with plans to put the Story Walk trail in Warren G. Lineberry Park, hereinafter referred to as “Lineberry Park”. She said trail plans were to go around the edge of the Lineberry Park and they had configured “stations”. She said she approached members of the local Rotary Club to help get the stations funded and volunteers to build them. She said the Floyd Library was the ultimate customer. She said the library supplied the books and paired the books for the Story Walk stations. She said the stations were designed so the books could be swapped; she said most trails swap books out monthly or quarterly. She said Story Walk was designed to encourage children to get outside, walk, and read books.

Ms. Warriner said she wanted to make the Story Walk trail a reality. She said the last she heard the main cost to the town would be the cost to level part of Lineberry Park so Partnership for Floyd could make the trail appropriate for baby carriages. She said the last she heard the town was getting proposal for the work.

Councilman Whitaker asked Ms. Warriner for status on the Story Walk project.

Ms. Warriner said she still needed a quote. She was told of more people interested in the Story Walk project, which included Councilman Patton and people from Blue Mountain School. As she mentioned previously, the library was the ultimate customer. She said there was another group in Christiansburg that had met to try to get more children to read.

When asked by Councilman Whitaker if anything already existed on the Story Walk project, Ms. Warriner said it was only on paper.

When Councilman Whitaker asked if any of the path was accessible or steps to the library path, Mayor Griffin responded no, the paths to which the councilman referred were existing paths. Mayor Griffin said the earlier Story Walk plan was to create proposed path inside Lineberry Park.

Ms. Warriner confirmed the planned Story Walk trail was inside Lineberry Park. She said the proposed path would go behind the stage, then around the playground, around the back edge of Lineberry Park, and join the path to the library.

Ms. Warriner said when the Partnership for Floyd originally planned the Story Walk trail, they hired a someone at Virginia Tech to provide drawings of the proposed trail. She said the lady included several varieties of the proposed Story Walk Trail. Ms. Warriner said she confirmed with Town Manager Morris that he had copies of the drawings and plans the lady provided. She said she also had copies if she needed to make them available. Ms. Warriner said she could also provide examples she found of Story Walk trails in other areas, which was part of her research.

Ms. Warriner said Christiansburg had Story Walk trail. She said the library staff decides which books would be used for the trail. Floyd and Christiansburg were part of the same library system – Montgomery-Floyd Regional Library. She said she understood when Christiansburg finished with their books in about a month, they would send to Floyd. In terms of funding, she said Friends of the Library had adequate money to fund the books and perhaps some of the Story Walk trail.

When asked by Councilman Whitaker of the location for the Christiansburg Story Walk trail, Ms. Warriner responded it was close to the fire station (on Depot Street) and went to the library. She said Story Walk trails tended to be near libraries. She said she understood it got a lot of use.

Mayor Griffin thanked Ms. Warriner for her comments and said they would revisit the Story Walk Trail project.

PRESENTATIONS – None

CONSENT CALENDAR-

- A. October 6, 2022**
- B. October 20, 2022**

Mayor Griffin said the Town Council had a consent calendar with 2 sets of minutes submitted for approval. He said if everyone had chance to review the minutes, he would entertain a motion to approve.

Councilman Whitaker motioned, seconded by Councilman Bond, to approve October 6, 2022 minutes and the October 20, 2022 minutes.

Mayor Griffin asked if there were any other discussion regarding the minutes to which Councilman Patton said he had a number of things to discuss about the minutes.

Councilman Patton expressed the following concerns and requested changes:

October 6:

- Page 3 – The statement is made in second paragraph of the Town Manager’s report that “...he would like to stick to planning items and would like to work on various things over the next few months” He said he did not remember that conversation in that light, what did that mean, “stick to planning items”?
 - Councilman Bond did not have the current version of the minutes. Several of the Town Council members discussed the minutes they had. Councilman Bond was told to look at the minutes on the members’ online site.

- Town Clerk Gregory said she should have made it much clearer.
 - Councilman Patton expressed concern that the mix-up could happen.
 - Councilman Patton asked the Town Manager what he meant.
 - Town Manager Morris said that section of his report was when he asked the Town Council if time set aside at the second meeting of each month to work on some planning for the upcoming year. He said they started with updating the Lineberry Park Use Policy and Application.
 - Mayor Griffin agreed and said he was there and did not understand what was written in the minutes. He would like that section worded differently so it was clearer.
- Councilman Patton said his next item was in the third paragraph of the Town Manager's Report, page 3. This is a question about how the minutes were written. He said the minutes references "Town Manager Morris said a citizen on Pine Street" but never names the citizen. Why was the citizen not named; it is written that way several times in the minutes.
 - Councilman Bond said he did not think the citizen was named that night.
 - Councilman Patton agreed but added the members or Town Manager may not remember the citizen's identity in a year. Maybe there was a legal reason, like confidentiality, why the person was not named but he was unsure.
 - Mayor Griffin said in that case, he felt like the issue was more important than the who.
 - Councilman Patton said there was two people mentioned so how would someone know who was who? He said on the next page it mentioned "a church", but which church, that was not mentioned either.
 - Mayor Griffin responded it was the Methodist Church. He said that was the church that had stormwater issues several years ago.
 - Councilman Bond said the transcription software seemed to be just typing what was said without editing. He asked if it was acceptable to include someone's name in meeting minutes if that person's name was never mentioned in the minutes.
 - Both Mayor Griffin and Ms. Murrell said they did not think it was appropriate.
 - Councilman Bond said it may be a good idea for council members to provide more details in discussions.
 - When Mayor Griffin asked if the town clerk edited the minutes by the transcription software, Town Clerk Gregory said she did but obviously did not edit the October minutes well.
 - Councilman Bond commented the citizen referenced in the October 6th minutes was not named during that meeting.
 - Mayor Griffin responded Elwood Holden contacted Town Manager Morris about the stormwater issue because he owned the property with the culvert issue. They referred to the street and everyone knew who was the individual.
 - Councilman Patton said he did not know who they were talking about in the meeting and asked Vice Mayor Turner. He asked if someone had asked for the citizen's name, would that be appropriate to include the name provided in the Town Council meeting minutes? He said if the citizen's name was provided, they would probably know which property.
 - Mayor Griffin said in his opinion, if Town Council members want a name included in the minutes, they stated it during the Town Council meeting that name should be reflected in the Town Council meeting minutes. He said it would not be appropriate to add a name after the fact.

- Councilman Patton agreed a name should not be in the minutes after the fact and will adhere to that in future meetings.
- Councilman Patton questioned the wording of Town Manager's Report, page 4, the paragraph which began with "Councilman Whitaker said he looked...." Then sentence, "He said the pipe was 2-foot but should not be four foot or no less than three feet. He asked who was responsible for replacing the culverts. None of the councilmen knew but agreed it was not the Public Service Authority's (PSA) responsibility."
 - Councilman Patton said he objected to the last sentence, "None of the councilmen knew but agreed it was not the Public Service Authority's (PSA) responsibility." He said it was not a true statement. Councilman Patton said he never said it was "not the Public Service Authority's responsibility." He said he was one of the council members that did not know it was not their responsibility.
 - Mayor Griffin said as it turned out, it was the Town of Floyd's responsibility.
 - Councilman Patton said he pointed out the statement said "None of the councilmen" which was not true. He said they have to be careful to make sure the minutes were accurate.
- Councilman Patton said in the next paragraph, "One commented the rains seemed to have intensified the last several years which had caused more flooding in areas."
 - Councilman Patton asked, "Who"?
 - Mayor Griffin responded he said that.
 - Councilman Bond said the point was the minutes should have stated who said it.
 - Councilman Patton said he thought the points he made were legitimate.
- Councilman Patton said the next section for which he was concerned was the section on feral cats, page 5, first paragraph.
 - Councilman Patton read parts of the paragraph aloud, "He (Mr. Morris) said he was also told the town had no ordinance." Who told Town Manager Morris that? He said he did not think it was the town attorney.
 - Town of Floyd Attorney Murrell said she did say that. ("...the town had no ordinance against feeding feral cats...")
 - Councilman Whitaker pointed out the sentence above the one questioned references consultation with the town attorney.
- Councilman Patton said page 5, paragraph 5, the councilman referenced was him, "The town councilman..."
 - Councilman Patton told the Town Clerk Gregory to feel free to change the minutes to include his name. He said he made it clear at the October 6th meeting that he wanted his name included because he wanted out in the open. He said he did not want the minutes to hide anything.
 - Councilman Patton read the sentence, "The town councilman named in the complaint indicated he and his wife were unwilling to let any animal starve." In addition to his name, he said "as the complaint stated" should be added to the sentence.
 - Councilman Patton read the sentence, "The councilman said he wanted it brought up because he and his wife needed to be treated like any other." Councilman Patton said

what better described what he meant was he wanted it openly discussed because they needed to be treated like anybody else.

- Mayor Griffin told Town Clerk Gregory they realized she had not been doing minutes very long. He would send her some minutes from a Joint Commission meeting taken by Cindy Ryan. He said when you read the minutes, you felt like you were there.
- Councilman Patton read the last sentence of paragraph, “His response would also include what steps the people named in the complaint would take to make sure the cat and kittens were spayed and neutered.” The sentence should be changed to, “His response would also include what steps *the Pattons* would try to make sure the cat and kittens were spayed and neutered.”
- Councilman Patton said on page 6, in section on discussion about the iPads, he read part of the section, “Mayor Griffin suggested the iPads be purchased from ARPA funds. Town Manager Morris said Councilman Whitaker’s iPad was old and had issues. Council members discussed another who may need new iPads.”
 - Councilman Patton asked if they discussed “another” or did they discuss “others”? He said he did not know; was it a reference to him? If to him, then put his name in the minutes.
- Councilman Patton said in previous meetings’ minutes, there was reference to “Warren G. Lineberry Park, hereinafter referred to as Lineberry Park.” In October 6, 2022 minutes, page 2, paragraph 2 item #5, it references, *Warren G. Lineberry Park, hereinafter referred to as “the park”*.
 - Councilman Patton said it was a great way to show references but why did most minutes state “referred to as Lineberry Park”. Why was it stated as “referred to as the park” in the October 6th minutes?
 - Councilman Patton said the minutes established it was officially known as Warren G. Lineberry, then for brevity, it was switched, which was fine. He said he would think the town clerk would want to refer to it the same way in all minutes, either “the park” or “Lineberry Park”.

Mayor Griffin asked Councilman Whitaker if he wanted to amend his motion to approve the minutes based on Councilman Whitaker’s comments. Or would he like to offer a new motion or rescind his motion?

Councilman Whitaker said he would like to rescind his motion to approve the October minutes. He asked if he should request to review changes before the next meeting, he did not know how to proceed.

Attorney Murrell, Mayor Griffin, and Councilman Bond each commented the minutes should be revised and agreed they should review approval again at the next meeting.

Councilman Whitaker motioned, seconded by Vice Mayor Turner, they table the approval of October minutes until the next Town Council meeting.

Vice Mayor Turner added if town council members wanted names included in future minutes, the names must be referenced during the meeting and not added after the fact. Vice Mayor Turner said after the last

meeting that he chaired, a lady told him she appreciated when Councilman Whitaker made a motion, he repeated “Councilman Whitaker made a motion, seconded by Councilman Bond.” He said when a citizen heard the meeting, it could help them know who said what because they may not recognize the voice.

Mayor Griffin said Councilman Whitaker motioned, seconded by Vice Mayor Turner, they table the approval of October minutes until the next Town Council meeting. He asked if there were any comments, if not, Town Clerk Gregory could call roll.

ROLL CALL:

Councilman Patton – yes	Vice Mayor Turner – yes
Councilman Whitaker – yes	Councilman Bond – yes
Mayor Griffin – yes	

ITEMS FOR DISCUSSION/ACTION- none

After Mayor Griffin said he could take the lead on anything for discussion, Town Manager Morris said he did not have anything.

TOWN MANAGER’S REPORT -

Town Manager Morris said he had one thing for Town Council. He said he met with Dylan Locke about upcoming season of Small Town Summer series. Mr. Locke provided a list of potential dates, which the Town Manager shared with Town Council members.

Town Manager Morris said Mr. Locke would like the Town Council review and approve the proposed dates. Mr. Locke would like to begin booking bands for the next year. Town Manager Morris said the proposed dates fit the same schedule as previous years and coincides with FloydFest.

When asked by Mayor Griffin, Town Manager Morris confirmed when he said “coincides with FloydFest” he meant neither of the July dates would be the same week as FloydFest. The Small Town Summer series proposed dates were June 8 and 22, July 6 and 20, and August 3, 17, and 31, 2023.

Mayor Griffin said those dates were a good idea. He asked Town Council members if they had any concerns with those dates listed.

Councilman Bond motioned, seconded by Vice Mayor Turner, to approve the dates as proposed for the 2023 Small Town Summer series.

ROLL CALL:

Councilman Patton – yes	Vice Mayor Turner – yes
Councilman Whitaker – yes	Councilman Bond – yes
Mayor Griffin – yes	

Town Manager Morris said the current contract with Mr. Locke will end this coming year. The Town Manager and Mr. Locke will meet but were trying to get through the Christmas event first. He said they will review then Mr. Locke will let the Town Manager know if he saw anything that needed to be changed.

Mayor Griffin said the Town Council normally would try, in the final year's agreement, to approve the next three years. That way it would remove the uncertainty whether or not the event would continue. Mayor Griffin said if Town Council agreed, they should go ahead and approve as soon as possible.

Town Manager Morris said there were more Small Town Summer series they thought about. The town and Mr. Locke had several vendors who reached out to participate. He mentioned to Mr. Locke that he would like to work together to design that aspect, including a section where vendors could set-up.

Town Manager Morris reminded the Town Council members the Christmas Tree lighting would be the following Saturday, December 3, 2022 from 5-7 p.m.

After Mayor Griffin requested a rundown of activities, Town Manager Morris said Linda DeVito would DJ from approximately 5-6 pm. At 6 p.m., Mayor Griffin will speak, followed by the state champion Floyd County High School Golf Team and the Floyd County High School state champion in individual cross country running, Mason Erchull, would light the Tree. The choir from the high school will sing for approximately 20 minutes, followed by the hand bell ringers from Floyd Baptist Church. He said the festivities should end around 7. He said the event would take place that evening, there was no rain date.

Mayor Griffin and Councilman Bond commented on the good job Town Manager Morris and everyone had done decorating. Town Manager Morris said he had received a lot of good feedback regarding how the town looked.

OTHER –

Mayor Griffin asked if any of the Town Council Members if they had anything they would like to discuss.

Councilman Patton said he would like to discuss the Town Council's tradition of giving Town of Floyd employees something for the holidays. He said over the years it evolved into a gift certificate from Food Lion and they had a dinner after the holidays. He said last year they only got a \$50 gift certificate. He said the thought this year it would be nice to give employees a \$50 gift certificate like they always had plus a bonus of \$50x2 for a total of \$150 each. It would be a Christmas bonus since they did not have the holiday party the past year. He said he spoke with Town Manager Morris and was told the public works employees would prefer money more than a gift certificate. Councilman Patton suggested Town Council give employees a one-time only, for this holiday, a bonus of \$150. He said he was added one employee, so the bonus would be for the Town Manager, the Town Clerk, the Tourism Director, and the Town's Public Works employees. He said they had always given the same to the Town Attorney.

After Councilman Patton motioned to approve the \$150 bonus, Vice Mayor Turner, Councilman Whitaker, and Mayor Griffin asked questions for clarification. Councilman Patton clarified the bonus would replace gift certificate, the missed 2022 holiday dinner, and the one that would normally be held in January 2023. He said it was a one-time deal. Maybe they could resume gift certificates and holiday dinner as in the past, in 2023. Councilman Patton said the \$150 Christmas bonus would be for the 2022 Christmas holiday season.

Councilman Patton said he spoke with Town Manager Morris regarding the employees' preference. He said the Town Manager told him if Town Council did a meal, the public works guys would prefer for it to only be for employees, such as a lunch.

Town Manager Morris added his opinion, as a father of four, and Mr. Hale's two children, it would be hard to keep them calm and have them act like adults. He said the children are young so he could understand the public works employees' reluctance.

Vice Mayor Turner asked if there would still be a meal, to which Councilman Patton responded, "No, that is just thinking ahead to the next year."

Councilman Bond added, so it would be \$150 bonus and Christmas would be done. Councilman Patton said yes, they would be finished with Christmas 2022. Councilman Patton motioned, seconded by Councilman Bond, to give Town of Floyd employees, the Tourism Director, and Town Attorney Murrell each a \$150 one-time bonus.

ROLL CALL:

Councilman Patton – yes
Councilman Whitaker – yes

Vice Mayor Turner – yes
Councilman Bond – yes
Mayor Griffin – yes

Councilman Patton said he appreciated a recent email the Council members received from the Town Attorney, Ms. Murrell. He said Attorney Murrell's email reflected what they said and asked if that could be made part of the minutes.

Ms. Murrell said it would not be appropriate to include in the minutes at this time because it was part of a closed session discussion. Town Council was not ready for a decision or action so the email would be considered closed session item and confidential. Once Town Council had made a decision and it was time to make it public, then the email could be made public.

Mayor Griffin said he had a few things he would like to mention. First, he congratulated Town Manager Morris for the Floyd County Chamber of Commerce award for Leadership in the Floyd business community.

Mayor Griffin said regarding the Story Walk Trail, he received an email with a suggestion from a lady at Blue Mountain School that he thought was good. He said one of the hang-up they had was manipulating land in the park for a new trail. The last quote they had was over \$50,000. He said Ms. Sarver from Blue Mountain School suggested they put the Story Walk Trail on the existing Heritage Trail. He said they would not have to put in a new trail and would not have a new trail to maintain. He said it also save construction work that would be needed in the Lineberry Park. He said he did not think the Heritage Trail was used very much.

Councilman Bond asked a reminder of where Heritage Trail was located.

Mayor Griffin responded it was from Dogtown Roadhouse to Main Street.

Councilman Patton said he did not know about Ms. Warriner and her continued interest until earlier that afternoon in his telephone conversation with Jane Cundiff regarding the Story Walk Trail. He said Ms. Warriner was very enthusiastic. He said he and Ms. Cundiff were going to meet on Thursday, December 8th at 11 am. He said he invited Ms. Warriner to join them. He said when they met, he would share with them in detail what he had shared with Mayor Griffin in the past. He said he did not anticipate anyone else coming forward to help but was delighted. Councilman Patton said Ms. Cundiff spoke to him that it was something Partnership for Floyd had spearheaded. He said that could sometimes lead to conflict over concept because it was a public park. He said he would speak to Ms. Cundiff about what Town Council members had discussed.

Councilman Patton said Ms. Cundiff shared with him, which he was unaware, that some Partnership for Floyd members had been meeting about the Story Walk Trail. He said Ms. Cundiff mentioned in an interim using "real estate type" signs to create the Story Walk Trail.

In response to Mayor Griffin's question about which location, Councilman Patton responded Lineberry Park. Councilman Patton said the Town Council had never funded the project. He said it was a project he had expressed interest since the beginning. He may be the only Town Council member interested in the Story Walk Trail project and there may not be interest among the entire Council. He volunteered to pursue the project and the proposed December 8th meeting would be a continuation of that.

Mayor Griffin said all the Town Council members were aware of the infrastructure issues with the Floyd-Floyd County Public Service Authority (PSA). He said someone from PSA told him they plan to have East Oxford Street open the following week. He said he was not sure if that was true but they still need to pave the area they had to repair and once completed, they would open the street to traffic.

Councilman Patton asked who was now in charge of the PSA.

Vice Mayor Turner asked if they should discuss that because he felt it was a PSA issue and asked Attorney Murrell for her opinion.

Ms. Murrell said it would be okay for the Mayor to announce to Town Council the name of the new superintendent but should not discuss other matters.

Mayor Griffin said the PSA had hired Mr. Patrick Nicola of Wythe County as the new PSA superintendent. The only other PSA matter he wanted to mention was the opening of East Oxford Street.

Mayor Griffin said, in response to Councilman Patton's question about the opening of East Oxford Street, the street had been repaired and paving would be dependent on the weather. Once paving had been done, East Oxford Street would be open to traffic.

Councilman Whitaker said he received a warning about the traffic light that something bad would happen when drivers think there was a turning lane. He said the person who spoke to him said it was not only people from out of town who go around cars at the light but also local people. They knew there were not two lanes but took advantage of it anyway. He said it was an accident waiting to happen.

Councilman Patton said he did that earlier that afternoon. He said he was parked on East Main Street in front of the courthouse and there was a long line of cars. He backed out and the light was red in the other direction – facing Locust Street – and the lead car was going to turn left. He said there was a line of cars on the other side of the light on West Main Street backed up to Food Lion. He said all the cars coming towards him were either going straight or turning. He said he was going to the library so he drove past the car turning left and drove straight.

Councilman Patton asked if he made an illegal driving maneuver, to which Mayor Griffin and Councilman Bond said, "Yes".

Councilman Bond told Councilman Patton how he drove at the traffic light in similar situations.

Vice Mayor Turner said he still thought a simple solution would be for Virginia Department of Transportation (VDOT) to set the light to turn green towards one side at a time. It would allow one side of traffic through at a time and reduce the chance of a driver treating the intersection as if it had two lanes per direction. He said it could be set like that during high traffic periods. He said he had been through intersections in larger towns where traffic lights were set that way.

Mayor Griffin suggested citizens and Town Council members could contact the Floyd County Courthouse Supervisor, Jerry Boothe, with complaints or suggestions. He said he thought Mr. Boothe had a better chance with VDOT.

Councilman Bond said he liked Vice Mayor Turner's idea of allowing one direction of vehicles through the light at a time. He said certain times, someone going straight may not get through the light because of long line of incoming traffic and the car in front was turning left.

Mayor Griffin, Vice Mayor Turner, and Councilman Bond discussed that VDOT could set a timer for the light to control how it changed. They agreed it would be helpful for peak traffic times to regulate traffic flow by direction, like a four-way stop sign. Overall the traffic should run more smoothly and should not cause

vehicles to wait at the traffic light more than they normally would during high traffic times. This system should make the intersection safer.

CLOSED SESSION-

Mayor Griffin said the Floyd Town Council needed to go into a closed session for real estate discussion. He asked for a motion, and read the Code of Virginia:

§ 2.2-3711, Paragraph A, Section 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Councilman Bond made a motion, seconded by Councilman Patton, to go into closed session in accordance with Code of Virginia § 2.2-3711, Paragraph A, Subsection 3, as read by Mayor Griffin.

ROLL CALL:

Councilman Patton – yes
Councilman Whitaker – yes

Vice Mayor Turner – yes
Councilman Bond – yes
Mayor Griffin – yes

Councilman Whitaker motioned, seconded by Councilman Patton, and unanimously carried; it was resolved to come out of closed session.

ROLL CALL:

Councilman Patton – yes
Councilman Whitaker – yes

Vice Mayor Turner – yes
Councilman Bond – yes
Mayor Griffin – yes

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 of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body and in compliance with Section 2.2-3711, Paragraph A.3 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.

ROLL CALL:

Councilman Patton – yes
Councilman Whitaker – yes

Vice Mayor Turner – yes
Councilman Bond – yes
Mayor Griffin – yes

This Certification Resolution was adopted.

Mayor Griffin said the Floyd Town Council needed to go into a closed session for legal discussion. He asked for a motion, and read the Code of Virginia:

§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.

Councilman Patton made a motion, seconded by Vice Mayor Turner, to go into closed session in accordance with Code of Virginia § 2.2-3711, Paragraph A, Subsection 7, as read by Mayor Griffin

Councilman Whitaker motioned, seconded by Councilman Bond, and unanimously carried; it was resolved to come out of closed session.

ROLL CALL:

Councilman Patton – yes
Councilman Whitaker – yes

Vice Mayor Turner – yes
Councilman Bond – yes
Mayor Griffin – yes

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 of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body and in compliance with Section 2.2-3711, Paragraph A.3 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.

ROLL CALL:

Councilman Patton – yes
Councilman Whitaker – yes

Vice Mayor Turner – yes
Councilman Bond – yes
Mayor Griffin – yes

This Certification Resolution was adopted.

ADJOURNMENT-

Councilman Whitaker motioned, seconded by Councilman Bond, and unanimously carried, to adjourn until Thursday, December 15, 2022, at 5:30 pm at the W. Skip Bishop Town Hall.

William R. Griffin, Mayor

Lynn Gregory, Town Clerk

**FLOYD TOWN COUNCIL MEETING
W. SKIP BISHOP JR., TOWN HALL
December 15, 2022
5:30 P.M.
MINUTES**

MEETING CALL TO ORDER – Mayor Griffin called the December 15, 2022, meeting of the Floyd Town Council to order at 5:30 p.m.

ROLL CALL – Councilman Mike Patton, Vice Mayor Bruce Turner, Councilman David Whitaker, Councilman Chris Bond, Mayor Will Griffin, and Town Manager Andrew Morris were present. Town Attorney Janet Murrell, and Town Clerk Lynn Gregory were absent.

MOMENT OF SILENT PRAYER -

Mayor Griffin called for a moment of silent prayer.

PLEDGE OF ALLEGIANCE-

Vice Mayor Turner led those present in the Pledge of Allegiance.

CITIZENS COMMENTS – none

PUBLIC HEARING –

Mayor Griffin said the Town Council was supposed to hold a Public Hearing that night. He said when he spoke with Councilman Patton earlier, the councilman suggested, due to bad weather, the Town Council reschedule the Public Hearing for the next meeting. There may be someone interested in attending but would not be willing to go out in the bad weather.

Councilman Patton motioned, seconded Councilman Whitaker, to reschedule the Public Hearing until January 5, 2023.

Mayor Griffin asked Town Council members if they should discuss.

Town Council members, Mayor Griffin, Vice Mayor Turner, Councilman Bond, and Councilman Whitaker discussed whether the meeting must be advertised for two more weeks and if they had time to do so. During the discussion, it was determined they must advertise for another 2 weeks and they had time before the January 5, 2023 meeting.

Roll Call:

Councilman Patton— yes

Councilman Whitaker—yes

Mayor Griffin—yes

Vice Mayor Turner—yes

Councilman Bond—yes

Mayor Griffin told Town Council members that he spoke with Mike Maslaney, Chairman of the Floyd Planning Commission about rescheduling. Mr. Maslaney agreed to come back to the January 5th meeting. In the meantime, if any of them have questions, they may contact him. Or they may talk amongst themselves, or ask questions the night of the public hearing.

Councilman Whitaker said he had a question. Under Requirements for Murals, number 2, he read, “If the mural is in a highly visible area, a letter of support from neighbors is encouraged”. Councilman Whitaker said that does not seem to have much teeth to it.

Mr. Maslaney agreed and said if they wanted to put more teeth into it, the Town Council certainly could.

Councilman Whitaker said he was just trying to put himself into the place of a business owner. He said what if the neighbors objected to it? Anyone who had a business within the site of the proposed mural would have to see it every day.

Mr. Maslaney said if the Town Council would like to require letters they could. When it came down to the final approval decision, it would be up to Town Council members whether or not they wanted to allow it.

Discussion between Mr. Maslaney, Councilman Bond, Councilman Whitaker, and Mayor Griffin ensued. Councilman Bond noted the neighbors of proposed mural would be notified. Also, prior to approval, the Town Council would hold a Public Hearing. Neighbors would have a chance to attend and voice their support or displeasure for Town Council members to consider when they made a decision whether or not to approve. There are policies and procedures in place to ensure neighbors are notified of request to put a mural and citizens are informed by advertisements of the Public Hearing.

Mayor Griffin asked for a motion to advertise the rescheduled Public Hearing for new Subdivision and Zoning ordinance.

Councilman Bond motioned, seconded Councilman Whitaker, to advertise the rescheduled January 5, 2023 Public Hearing.

Roll Call:

Councilman Patton—yes
Councilman Whitaker—yes

Mayor Griffin—yes

Vice Mayor Turner—yes
Councilman Bond—yes

Town Manager Morris said he would request the advertisements be published in on December 22 and December 29, 2022 newspaper.

PRESENTATIONS - none

CONSENT CALENDAR-

- A. October 6, 2022
- B. October 20, 2022
- C. November 3, 2022
- D. November 17, 2022

Mayor Griffin Councilman said they had four sets of minutes to approve and asked if everyone had reviewed them.

Whitaker asked Councilman Patton if the minutes were revised to his satisfaction?

Councilman Patton responded, “Yes”.

Councilman Whitaker motioned, seconded Councilman Bond, to approve the minutes for October 6, October 20, November 3, and November 17, as written.

Roll Call:

Councilman Patton—yes
Councilman Whitaker—yes
Mayor Griffin—yes

Vice Mayor Turner—yes
Councilman Bond—yes

PRESENTATIONS – none

ITEMS FOR DISCUSSION/ACTION-

A. Financials –

Councilman Bond asked if Food Lion was caught up on taxes.

Town Manager Morris said Town Clerk Gregory had been in contact with staff at Food Lion. He said the outstanding balance was due to discounts taken which Food Lion was ineligible to get.

Mayor Griffin asked Town Manager Morris to put the remaining months of the fiscal year on the meals and lodging tax report. Mayor Griffin said he did not remember a \$40k month in the past.

Town Manager Morris said October was one of the highest months since June for reported meals Tax. He said all the businesses in town seemed to have a good month. He said he thought it was from leaf season and the nice weather. He said when Town Council members looked at the report, October meals and lodging gross receipts were reported and paid in November.

Vice Mayor Turner commented the increase in meals tax revenue appeared Floyd had become more of a destination than a town people just passed through. It was a good thing but it did bring extra traffic.

Mayor Griffin and Councilman Whitaker commented the traffic on the main streets in downtown Floyd had eased since East Oxford Street was reopened to traffic. That should also help Virginia Department of Transportation (VDOT) understand the need to pave Oxford Street.

B. Small Town Summer Series Contract –

Mayor Griffin asked Town Manager Morris to highlight the major changes for the new contract.

Town Manager Morris said he provided Town Council members a copy of last year's contract. (Reference attachment to minutes.) Other than dates, the payment schedule, listed on the second page, was the only thing that changed. He said Mr. Locke requested the first payment be 40% and the rest of the payments decreased. The Town Manager said Mr. Locke books the bands during the months leading up to Small Town Summer series and has to make payments in advance. It can make his budget tight.

Mayor Griffin said he did not have a problem with the proposed changes. The only issue was the first payment would be in the 2022-2023 fiscal year. He said it would have an effect on the budget.

Councilman Bond commented the second payment would also be in current fiscal year but the rate would drop to 15%.

Town Manager Morris said he also spoke to Mr. Locke about vendors to participate in Small Town Summer. He said he believed the Town should map out where vendors could set up during the event rather than Mr. Locke. He said he did not receive complaints but did notice there were vendors setup on private property.

Town Manager said Mr. Locke asked if the Town of Floyd could also contribute more for social media and websites to help market the event.

Councilman Whitaker asked if they needed to take action to which Mayor Griffin responded, "Yes."

Councilman Whitaker motioned, seconded by Councilman Bond, to approve the new contract, including revisions, for three more years of Small Town Summer.

Roll Call:

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

TOWN MANAGER'S REPORT-

Town Manager Morris said Town Clerk Gregory asked Town Council to be sure to cash any checks they may still have.

Mayor Griffin asked the Town Manager to run a report to reflect any outstanding checks.

Town Manager Morris said the town's tree lighting event was very successful. He said the Public Works employees counted 300 in attendance.

Mayor Griffin added it did not just go good, it was great. Town Manager Morris said everyone who helped did a good job.

Town Manager Morris asked the Town Council if they would approve \$500 - \$1,000 advancement towards next year. He said there were a lot of items going on sale and he would like to take advantage of lower pricing.

Councilman Patton said he would like for the Town Council to approve an allotment for Town Manager Morris to purchase more decorations or supplies while prices were lower.

Councilman Patton motioned, seconded by Councilman Bond, to approve \$1000 allotment for Christmas lighting for 2023.

Roll Call:

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

Councilman Bond commented it was not just the decorations in Warren G. Lineberry Park, hereinafter referred to as "Lineberry Park", but it was also the involvement of businesses with their hanging lights. He said when he rode through town at nights, it looks really good.

Mayor Griffin, Councilman Whitaker, Councilman Bond, and Town Manager Morris each spoke of people telling them how good town looked. It was nice how business owners chose to decorate on their own.

Councilman Patton pointed out the all of that did not start with Town Manager Morris. He said it started many years ago when Vice Mayor Turner spearheaded getting the lights for the poles. He said Vice Mayor Turner gets a lot of credit. He also said the thought the “Small Town” tag worked well for Floyd.

Town Manager Morris said he was very happy with the way businesses stepped up and planned different events through most of the month. Many held events, which would continue through next weekend. He said the decoration contest would end December 22nd.

Town Manager Morris said he provided Town Council members a copy of the Town of Floyd’s sick leave policy. He said in the second paragraph that sick time had to be taken in increments of one half days. He asked if anyone knew the purpose of the half day increments or if they wanted to continue that policy. He asked if it could be changed to be the time the employee is out.

Councilman Patton said there was a reason and it was brought to the Town Council’s attention. He said it was an issue keeping up with time. He said employees were taking more time than was needed and it became an issue. The policy was made to discourage the abuse by requiring employees to take a half a day rather than an hour here and there. He said it does not mean they cannot change it back.

Mayor Griffin said he remembered the same thing as Councilman Patton. He said the Town of Floyd used the same payroll system as he did and tracking time was much easier. He said he did not see the need to require someone take a half a day if they needed less time for appointments.

Town Manager Morris said each employee received a time sheet each pay period. If an employee needed time off, they would talk to him first. He would sign off on their time sheet and the Town Clerk would enter it into the payroll system.

Councilman Bond said personally, if he had an appointment that only took an hour, he would not like to have to take a half a day. He said he thought it could hurt the Town for the employee to take four hours if they only needed an hour.

Vice Mayor Turner said another option would be to allow someone to make up the time by working later or something.

Mayor Griffin, Councilman Bond, and Town Manager Morris discussed revising the policy and suggested flex time could be left up to the Town Manager to determine flex time. The Town Manager could try flex time for a month or so to see how it went. Mayor Griffin and Councilman Bond mentioned the Floyd County School system required staff to take a half a day if they needed to be out. They were not exactly sure of the reason but it may be because of scheduling substitute teachers.

Vice Mayor Turner suggested the policy include the option of a “sick time” account. If someone had an illness or injury that required them to be out longer than they had saved sick time, other employees could donate some of their excess sick leave.

Councilman Patton suggested Town Manager Morris return to the Town Council in approximately one – two months with a proposed revision to the Sick Time policy. He said there many good suggestions.

Town Manager Morris said he would reach out to the New River Valley Regional Commission and see if they could share other towns' sick leave policy. He also asked, if in the meantime, he should let employees just use the time they need for appointments rather than making them take a half day.

Mayor Griffin said Town Manager Morris should use his discretion. He just needed to treat everyone equally.

OTHER BUSINESS –

Councilman Patton asked Town Manager Morris if the bonuses had been distributed.

Town Manager Morris responded, “No”, he had gone back and forth whether to give gift certificates or checks.

Councilman Patton said that was not his motion, his motion was to give cash.

Vice Mayor Turner said he heard at a meeting that it was an issue to give cash because the employer was supposed to take out taxes.

Councilman Bond agreed that the Town would need to take out taxes on bonuses.

Mayor Griffin said if Town Council wanted employees to net \$150, the town would have to pay each approximately \$170 to cover Social Security and Medicare taxes.

Councilman Patton said he would be fine with that, as long as staff got \$150.00.

Mayor Griffin told Town Manager Morris to make out the checks, withholding Social Security and Medicare taxes with a net payment of \$150.00.

Vice Mayor Turner read the section of the sick policy “A detailed Physician’s statement may be required if more than three (3) consecutive work days are missed or if a consistent pattern of sick time is established.” He asked if “may be required” should be changed to “shall be required”? He said with so much going around, such as COVID or the flu, some may not go to a doctor. He then said perhaps they should leave it in the policy and let the Town Manager decide if a note was needed.

Councilman Bond said a town resident approached him about something and that person said they would try to go to the meeting. Councilman Bond told the resident if he was unable to attend the meeting, he would bring the situation to Town Council. The resident wanted to know if there was anything Town Council could do about the guy who rode the one-wheel skateboard in town. The resident asked if there was anything the town could do to make the skateboarder wear a helmet. Councilman Bond said he did not think so but just wondered because one evening, he had to stop abruptly so that he did not hit him with his car. He said the skateboarder did not slow down. He said he knew people on bicycles were required to wear a helmet but that may be because they were riding on the road.

Vice Mayor Turner said skateboarders were not supposed to ride on the sidewalk. He said he knew they did but he was unsure if skateboarders were required to wear a helmet. He said the one-wheeler skateboards were very fast and there were several in town. He said one evening when he was walking, had he not looked up, they would have been in a collision. Vice Mayor Turner said he was unsure if the skateboarders had the right-of-ways they took and was worried they would be hit by a car.

Councilman Bond said the one-wheeled skateboards were motorized. He said Also, right-of-way or not, he felt like eventually there would be an accident with a skateboarder.

Mayor Griffin said he would like Town Council members opinion because he thought he would change his opening for citizens' comments portion of Town Council meetings. He said he considered adding for the person to state their name and whether or not they were a resident of the town. He said they had not done that in the past but he felt like it was important to know if those addressing Town Council lived in town or if it was up to the Council to figure that out. He said he knew when someone spoke at the Floyd County Board of Supervisors' meeting, the speaker was required to state in what district they lived. He said he thought it was important and he did not know everyone who spoke at meetings or where they lived. He said they were elected to represent the residents of the Town of Floyd. He asked for Town Council to share their opinion because if the majority was against it, he would not make the change.

Councilman Bond said he thought it would be good to know. It did not mean others could not speak; for example, the speaker could say they were not a town resident but lived in the county.

Vice Mayor Turner said he thought it saw it somewhere as a policy but not sure if he saw it Town of Floyd policy or elsewhere.

Councilman Whitaker said he noticed many who spoke would say they were not a town resident but... and that was fine and he appreciated it. He said he did not see anything wrong with it.

Mayor Griffin asked Town Council members if anyone else had thoughts on revision of opening for citizens comments and no one responded.

Vice Mayor Turner said they had a Loan Pool but have not had anyone inquire about a loan or for information. He would like to take it off the table and use it as seed money for some projects. He said they spoke about some projects and wondered if they could use some of that money for some projects discussed in closed sessions. He said they should keep some money available for anyone interested in a loan.

Mayor Griffin asked Town Manager Morris how much in loans were outstanding?

Town Manager said \$102,000.00 was outstanding.

Mayor Griffin suggested just removing the designation but not availability of loan funds. Mayor Griffin asked Vice Mayor Turner if he meant to change the designation of the funds but keep funds available for loans?

Vice Mayor Turner agreed and said it could be used for business incentives for a business that expressed interest in opening a location in the town.

Mayor Griffin said the Town of Floyd had met the requirements of the grants a long time ago. He said the town could use the money as they pleased because there were no longer limitations. He said the Town Council had agreed at one point to continue with the Loan program for economic development.

ADJOURNMENT-

Councilman Whitaker motioned, seconded by Councilman Patton, and unanimously carried, to adjourn until January 5, 2023, at 6:30 pm at the Floyd Town Hall.

FLOYD SMALL TOWN SUMMER EVENT MANAGEMENT AGREEMENT

**Contract between
Town of Floyd, Inc.
and
DLP Concerts, Inc.**

Purpose of the Agreement:

This agreement is for event management and production services involving Floyd Small Town Summer, a series of events for the Town of Floyd in The Warren G Lineberry Park from early June to end of August each year. This agreement is for the next three years. (2023 – 2025) The Town of Floyd, hereby contracts with DLP Concerts Inc. to act as Event Coordinator for The Floyd Small Town Series. This agreement lists the responsibilities of the Event Coordinator and those of the Town of Floyd, Inc.

The Event Coordinator (DLP Concerts) will:

- Schedule and contract for all artists and entertainment; and organize/oversee other details associated with the production of the events. The Event Coordinator and/or staff will be present and overseeing all events during event days.
- Arrange marketing for the full series of events, including website promotion, posters, interviews, and press releases.
- Supervise the work of hired production services, ensuring adequate sound, and stage assistance.
- Develop operating budget for performances in coordination with the Town Manager. DLP Concerts will stay within budgeted parameters to the extent possible. Any and all expenses that exceed budgeted amounts must be approved by the Town Manager, or they become the responsibility of DLP Concerts.
- Provide a performance schedule eight (8) weeks prior to first event in the series. Have poster and website complete with the entire performance schedule, six (6) weeks prior to the first event in the series.
- Issue signed, W-9 forms to all artists who are paid over \$600.
- Pay all expenses incurred in the ordinary business of coordinating performances: stage needs or rental; rental of chairs, tents, tables, etc. These expenses will be paid by the Event Coordinator through the coordinator's own commercial account with sub-contractors and rental agencies of the coordinator's choosing.

- Provide to The Town of Floyd a complete accounting of all expenses at the end of the season or as requested.

Town of Floyd, Inc. will:

- TOF will make full compensation of approved expenses to DLP Concerts. The payment will be made to DLP Concerts in (5) five installments each year.
 - a. The 1st payment will be twenty percent (20%) (40%) of the agreed upon budget will be paid in the form of a check to DLP Concerts no later than April 1 each year.
 - b. The 2nd payment will be twenty percent (20%) (15%) of the budgeted amount and will be paid in the form of a check to DLP Concerts no later than June 1 each year.
 - c. The 3rd payment will be twenty percent (20%) (15%) of the budgeted amount and will be paid in the form of a check to DLP Concerts no later than July 1 each year.
 - d. The 4th payment will be twenty percent (20%) (15%) of the budgeted amount and will be paid in the form of a check to DLP Concerts no later than August 1 each year
 - e. The 5th and remaining twenty percent (20%) (15%) of the remaining budget (based on actual expenses) will be paid in the form of a check to DLP Concerts no later than September 15 each year.
 - i. The final payout will be based on a final report delivered to TOF within 10 days after the final event.

*If fees exceed the agreed-upon total and are agreed upon and approved in writing by TOF, they will be included in the final payment. If total expenses are less than the amount approved in Addendum A, the Event Coordinator receives the total approved amount, nonetheless. A full accounting provided by DLP Concerts Inc. will determine the final amount of payment, as outlined above.

- Obtain any and all permits, agreements or permissions that are necessary through the municipality; the Commonwealth or other permitting organizations.
- Contract for any police officers; festival security; and clean-up services as needed.
- Issue a 1099 form to DLP Concerts no later than January 31, of each year.
- TOF will renew contract automatically unless both parties agree to discontinue. The decision will be made prior to the beginning of the 9th season (between September 1, 2024 and April 1, 2025)
- TOF will consider budget adjustments throughout the terms of this agreement based on need and/or growth of the events.

Compensation for the duties mentioned above:

The budget for Floyd Small Town Summer will be a minimum of \$45,000 a year from 2023 through the 2025 season.

DLP Concerts Inc. will manage the budget each year and will be allowed to be compensated not more than \$7,500 for services rendered subtracted from the budget amount.

DLP Concerts Inc. will be considered as an independent contractor and not an employee of the Town of Floyd

This agreement will be in effect for a period of three years from the date of signing, unless amended by mutual agreement.

This agreement made this _____ day of _____, 2022.

Town of Floyd, Inc.

By _____

DLP Concerts, Inc.

By _____