

**BOARD OF SUPERVISORS
REGULAR MEETING
AUGUST 27, 2013**

At the regular meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, August 27, 2013 at 7:00 p.m. in the Board Room of the County Administration Building, thereof;

PRESENT: Case C. Clinger, Chairman; Virgel H. Allen, Vice Chairman; J. Fred Gerald, Joe D. Turman, Lauren D. Yoder, Board Members; Terri W. Morris, Assistant County Administrator.

The Chairman called the meeting to order at 7:00 p.m. with the reading of the handicapping statement.

Agenda Item 2 – Public Comment Period. The Chairman called for the Public Comment Period.

After no comments from the audience, the Chairman declared the Public Comment Period closed.

Agenda Item 3 – Approval of month-end disbursements.

On a motion of Supervisor Allen, seconded by Supervisor Yoder, and unanimously carried, it was resolved to approve the month-end disbursements as presented.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

Agenda Item 4 – Consideration/approval of E911 road name request. Ms. Morris presented a road name request for the Board's review. She noted that with the addition of another dwelling on the road, that it meets the Board's policy for naming. The road sign costs would be the County's since it falls under our policy.

On a motion of Supervisor Gerald, seconded by Supervisor Turman, and unanimously carried, it was resolved to approve the road name of Meadows Farm Road as requested by all property owners on the road.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

On a motion of Supervisor Gerald, seconded by Supervisor Allen, and unanimously carried, it was resolved to amend the agenda to include a closed session.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

On a motion of Supervisor Gerald, seconded by Supervisor Turman, and unanimously carried, it was resolved to go into closed session under Section 2.2-3711, Paragraph A.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.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

On a motion of Supervisor Yoder, seconded by Supervisor Gerald, and unanimously carried, it was resolved to come out of closed session.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to adopt the following certification resolution:

**CERTIFICATION RESOLUTION
CLOSED MEETING**

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss real property in accordance with Section 2.2-3711, Paragraph A.1 of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board 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 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.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of Number (1) or Number (2)? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure.

Hearing no statement, I call the question.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

This Certification Resolution was adopted.

Ms. Erica Johnson, representing Across the Way Productions, next appeared before the Board to report on Floyd Fest.

Chairman Clinger noted that two letters had been sent to Across the Way Productions requesting discussion on an amicable resolution to the parking situation from Floyd Fest activities.

Ms. Johnson – We appreciate the opportunity to be here tonight and represent ourselves as Erica Johnson and partner Kris Hodges as community members, Across the Way Productions, a local business entity and as Floyd Fest, a music festival. It is refreshing to simply be in the same room having this real time face to face discourse. We hope this will put any continuation of media or person speculation to rest. For the record, we were on our annual family vacation when the Board held its first meeting when Floyd Fest was discussed so we actually did not receive the details of your interest in us until after the fact. I would like to thank you for your persistence in terms of continuing the dialog and for deferring your conclusions and the subsequent printed version of them in The Floyd Press to an evening meeting when we can all meet in person, and in some cases of even meeting each other for the first time. Handily, your picture was in the recent version of The Floyd Press so I had my cheat sheet, I feel like I know you. I've never been to one of these meetings and am not entirely up to speed on the format of the proceedings. I did call and RSVP and have been told that we have a small allotment of time and that I am allowed to state, correct me if I'm wrong, that this be a non-interactive portion of the agenda and q/a be deferred to the end of our time allotment. Is that true?

Chairman Clinger – we are very informal at this point so please continue.

Ms. Johnson – I do believe I've collected all the questions and points of confusion and contention from their various sources. I have the letter you sent, I have the newspaper articles and I will try to be consistent in addressing them one by one. To begin with, in order of the chronology, with regards to recent media attention. On July 30, I met with Doug Thompson for an interview regarding some speculative remarks that had been made on recent changes to Floyd Fest parking. These may or may not have started the initial controversy but I would like to reiterate the facts surrounding the 2013 changes to Floyd Fest parking. The decision to move from the Floyd County based Chateau Morrisette's parking area was not ours. Changes in Chateau Morrisette management led to a termination of the existing lease agreement despite our

two month lobbying to keep the existing arrangement which was donations to local charities in exchange for assistance with the parking effort. Moreover, the decision to retire from the oversight of the coordination of the volunteer parking effort was Sheriff Shannon Zeman's and Chief Investigator Jeff Dalton's own decision. We don't blame them a bit for that decision, it was a thankless job and we did lobby for them and any charitable groups that they could rally to continue to find new avenues of involvement with Floyd Fest. When we could not engage non-profits in a timely way, we hired it out. Our exact words in the on the record e-mail exchange were reprinted in the Floyd Press. Anyone from this room or beyond that has questions regarding the parking changes should take them up with George Weldon or Chateau Morrisette generally. Personally, we have no issue whatsoever with the new and are very happy with the arrangement with local landowners in where we are now. I'm simply setting the record straight. I do want to be clear in reiterating the point that the past monies generated to charities as they have been referenced by this group in the context of parking, were generated in large part due to the fact that members of these organizations provided labor to the Floyd Fest parking effort. Using paid labor as we were forced to do this year significantly impacted our ability to generate revenue above and beyond the costs associated with parking. Taking the weather into consideration, we took a significant overall financial hit on Floyd Fest parking. Nonetheless, and to continue chronological countering of allegations, Floyd Fest has always made, of its own accord and outside of the parking effort even, charitable contributions to the local communities of both Floyd and Patrick. And here I would like to state for the record, that we personally as Across the Way Productions draw very little distinction between the two Counties and feel it is our prerogative to do so. Well before any of this debate or dialog over this past season, Floyd Fest has pledged, given, or through its non-profit partnerships generated, \$1600 to local fire and rescue squads, \$2000 to the Lady Buffs, \$2500 to the Floyd County Band Boosters, \$3000 to the Jacksonville Center, \$3000 to Friends of the Parkway, \$3000 total to individual persons in need for emergency medical care, \$4500 to Safety Rope, \$4000 to the local Chamber of Commerce, that was a recent one because we hosted the Chamber's social and did not realize that they needed it, \$4000 to local landowners to offset to encourage responsible forest storage, \$4000 to the Song Project, \$5000 to the Artisans Trail, \$6000 to Sustain Floyd and donated tickets to various organizations for their personal funding or resale of over \$12,500 for a grand total of \$54,600 with another \$17,000 still slated for give-away in the local community by non-profit partners, totaling \$71,600 in annual giving completely outside any suggested mandate from this group. Let me further state, in all due respect, that we decline on no other reason than principle, to show proof of these donations, all of which are documented on our tax records. We believe that as private citizens operating a private company that it is not within the legal purview of this group to make that request. If we are in error on this count and it can be shown that there is rationale and precedent for it, we are happy to and can provide these payment receipts. A claim which you can take up with Jim Shortt, legal counsel for Across the Way Productions. I do think that speaks to all the issues raised in the August 2 issue of the Floyd Press. Here we have attempted to clear up mis-information regarding Floyd Fest changed parking logistics and addressed the issue of the charitable donations that used to accompany the use of the Floyd County lot, making clear the facts and with that completely aside, Floyd Fest is, has been, and continues to be an organization actively supporting local charities in their efforts. So, moving on to August 15 and the Floyd County Supervisors raise questions about Floyd Fest article. To sum up the line of questioning from the last Board of Supervisors meetings as it was reported on and recorded in print on the pages of Doug's blog, Blue Ridge Muse. With the question attributed to

Supervisor Clinger, are they a Floyd County business? Technically all we have on file is that they are a Montgomery County business and they put on a show in Patrick County and call it Floyd Fest. It may be my own sensitivities here, but this question sounds like an accusation of some sort because in my own investigations, I can find no legal issue with any business in Floyd County or elsewhere being owned operated by persons outside that County. Actually, on magnification of that theory, there shouldn't be a Texas Roadhouse in Christiansburg or even a Patagonia in California. But there are and I'm glad for it personally and I've never heard of it being a problem for those respective companies or States. In direct response to the question, we do not live in Floyd County; we live in Montgomery, a stone's throw from the sign and always have. I went to Auburn High School. And yes, Floyd Fest is held on a parcel of land that is partially in Patrick. I'm not sure that people know that it is in both Counties, partially in Patrick with a small portion in Floyd County. And yes we put on a show and call it Floyd Fest and we do consider ourselves a Floyd County business. By its implied definition of a business reflective of and generating revenue within the Floyd area. So if there is a specific accusation, allegation, even implication of this line of questioning, we don't know what it is. While we do largely operate from home offices in Montgomery County, we have maintained a satellite office here in downtown Floyd from spring of last year and we do appreciate the reminder that we technically should have had a Floyd business license, which we have since acquired. At this point, any taxes on our business equipment which is very minimal, we have a rented copier and we all work on personally owned smart phones and I-pads. Most of Floyd Fest value, beyond ticket sales, of which Virginia is one of the large number of states that do not levy taxes on entertainment, is in real estate and the site property improvements. These taxes are paid by our landlord to Patrick County. Mr. Clinger, you go on to say in the same article, that the County needs to see some accounting from Floyd Fest on what revenue is actually produced for the County. And that you see little evidence that Floyd Fest, which is referred to as a nationally known event that bears Floyd's name, has anything to do directly with its name sake. In terms of the requested proof of what tax revenue the County has received directly from Floyd Fest, our honest response would be very little. When we had some RV parking at the Morrisette lot, we paid the required transient occupancy tax which we do continue to pay to Patrick County for RV parking on-site. We covered the issue of property taxes which we pay in Montgomery where we live, real estate taxes which our landlord pays, and have determined that there are no taxes owed on tickets. One question I would pose, not to be answered immediately, is there something more that we are responsible for that we are not aware of? If so, we're happy to look at that. We certainly pay our fair share of State and Federal taxes. If we had anything to do with the tax laws, we would certainly try to funnel more of it to the County. That being said, we feel like we're doing our part and we do by broader definition, deserve to be included in the Board's notion of a Floyd based business. Indeed, in perusing some of the Town and County materials as part of myself taught crash course on business license taxes, manufacturers levies, on-line ticketing taxes and what in the world else might have been overlooked, I did come across the 2012 Town of Floyd Comprehensive Plan. I would like to summarize our position by referencing the proposed strategy from that document found on page 47. "On the part of the Town to encourage and support local entrepreneurship and enterprises by encouraging responsible businesses and industries that enhance the local economy". We would moreover suggest that the very fact that Floyd Fest is indeed nationally known seems counterintuitive, particularly for a group so well attuned to such things to question whether it is revenue producing for the County. While we are somewhat uncomfortable tooting our own horn, we would draw attention to the fact that we were

voted the best even in SW Virginia last year by Virginia Tourism and as well as Kris and myself nominated for the Top 20 Under 40 Entrepreneurs in the region. So our overall position here is the revenue that Floyd sees as a County as a result of Floyd Fest is inherent in the result of the economic impact generated by the operations of our company within the Floyd area and the overall economic impact generated by visitors to the area during the event. Again, facts speak louder than speculation or generalities; I have some facts and hard numbers. Floyd Fest employs six year-round Floyd County residents and pays nearly a quarter million dollars annually in wages and health benefits. ATWP employs another \$210,000 annually to Floyd based part-time and contract labor during its events including those that operate in other parts of Virginia. This season alone, ATWP paid \$140,000 in labor to local contractors for road improvements, electrical upgrades and miscellaneous construction. All of this before Floyd Fest with 15,000 patrons land here for 4-5 days. Does Floyd Fest have an economic impact? Nearly 8 years ago we worked with a group of statistics students and faculty at Radford University to conduct an economic impact survey which came back at over \$1 million then. And even before this and certainly in light of it, we had planned to work this year with a Tech based group for an updated study which we are happy to share with the Board and the Town at large. Just this summer season alone, I would mention, working late nights down at our building, feeding our A Team, we as a small group spent \$500 for seasonal food at Oddfellas Cantina, \$600 at Pizza Inn, \$1050 on snacks and drinks from Food Lion, \$1200 at Subway, \$1600 at Mickey G's and a whopping \$1650 at our friendly neighborhood Blackwater Loft trying to stay awake and on our game. There can surely be no doubt in the mind of anyone, anywhere within the region and certainly within the small confines of this room, that Floyd Fest has a significant economic impact on the Town, County and overall community of Floyd. For heaven's sake, in a couple of hours, and the one day of rain, we paid hard cash \$12,000 worth, to local farmers for complimentary tokens on behalf of our patrons which nobody does by the way. This is a nice segue into the discussion surrounding the article in the Floyd Press, Supervisors raise more questions. So do correct me momentarily if I'm wrong, but I think we can make short shift of this one in that the overall response from the public, including journalists, advisory accountants, questions levied at the Attorney General have laid to rest the notions of ex post facto parking fees to anyone as well as the notion of mandatory donations, which is a topic that we already outlined our position on. Frankly, we can only surmise that such unprecedented suggestions were put forth in a temporary moment of personal pique, perhaps some tension between the School Board and Board of Supervisors on the Floyd Fest. We don't really have a dog in that fight nor anything more to add on what has recently been said on the subject except that we appreciate the School Board bringing to light the timely payment and the \$9000 profit made after all was said and done. We do apologize retrospectively for any toes that were inadvertently stepped on in that process. That was not our intent. We would, moving forward, request that in terms of our on-going emergency planning which we hopefully will not have to implement for some time to come, that we able to use, in the future, the same parking facilities in the event of some agreed upon criteria of an emergency situation. We would request a formal response to this question by January 1, 2014 so we can responsibly reformulate our contingency plan well in advance of next year's event. Moreover, while it feels like something of a long shot at this point, we would like to apprise the Board of the many Floyd Fest attendees that found the experience of parking in the Town of Floyd a boon and an enhancement to their overall experience and leave the door open to future, pre-planned, group sanctioned, partnership. Certainly of a nature that would only improve the certainty and increase the amount of a very localized economic impact. I would propose that

some more fundamental, underlying question posed in one of the articles mentioned here by one of the members of the Board, what directly does Floyd Fest have to do with its name sake? This answer might vary depending on the individual or entity to whom it is being addressed. If I, in my co-founding capacity, were asked, I would say that Floyd Fest is a reflection and celebration of the music and arts culture, local, regional, national, international, as well as a celebration of the kind of goodwill exemplified by the School Board, the bus drivers themselves and those in support of the decision for County buses to aid visiting patrons. If you ask a random sampling of said patrons, you might find responses such as those that appear in Doug's blog or on our Facebook page, in the Roanoke Time, that Floyd Fest is a great event in an amazing corner of the world, full of happy, helpful people. Basically, verbatim, we had a great time at your festival, mud happens. If you consider that Floyd as a community and a culture has more of the qualities suggested by one Mr. Elmer Underwood, I thought he was a Board member for a while but I guess he's just a regular visitor, and the characters that he suggests the notion that you should have had a bunch of dogs or something up here to check them as they got on the bus or off and checked the cars. Floyd Fest has nothing to do with that, that's not the spirit of Floyd Fest and not the Floyd we function in, not the one Floyd Fest seeks to represent. But neither is that the way most people see it. We are thankful and appreciative of the vast community support that Floyd Fest receives and we certainly believe in many ways, tangible and intangible, that Floyd Fest is a direct, positive reflection of Floyd, be it in Patrick County or Floyd County, or as it is, both Counties, and state for the record again, this distinction means very little to us beyond extending our general goodwill to both Counties. To summarize, we at ATWP are a very resilient bunch and we have already shaken off the rain and mud and even now, are actively engaged in planning for 2014. Admittedly, this much ado about nothing has felt very encouraging, not from these quarters, but it has hurt us. We feel very supported by the Town itself, the school system, local businesses and citizenry. This unfounded hoopla however, we hope, represents a definitive end to it.

Supervisor Clinger – you addressed one of our concerns, which were the donations. Another item was charging for parking at the Commerce Center, which we were hoping to donate back to local charities. Do you have any idea how many people actually parked there?

Ms. Johnson – absolutely not. Frankly, I have never driven through that parking lot nor did I make it there during the event.

Supervisor Clinger – did you charge for parking?

Ms. Johnson – not to people who were re-routed because of the weather. We thought they had been inconvenienced enough and they were not charged.

Supervisor Clinger – I thought this was paid ahead on-line.

Ms. Johnson – the day parking and 99% of the people re-routed, we know this because of the time tickets were sold, the bulk of our tickets were 4-days, then came Thursday, and then 3 days. When the rain hit, we had day people coming, we didn't sell those on-line. They went through our own payments and we did not charge them for parking.

Supervisor Yoder – would you be interested in the future in parking again at the site?

Ms. Johnson – absolutely. I don't know if you guys are on social media regularly, but people found it very convenient and enjoyed it. I have heard locally that some of the restaurants had a bigger day virtually by people parking in Floyd than they did at last year's festival.

Supervisor Yoder – I think it is something that we could look at. Seems like a lot of people that come don't make it into the town itself. Seems it would be beneficial for us to offer parking.

Ms. Johnson – as to us as well. We would love to dialog about it with you.

Supervisor Clinger – another area that we were concerned about was the liability. For example, the Floyd County Livestock Fair is coming up. They applied on April 4 to use County property in September and posted liability insurance. We were concerned about someone getting hurt. Just need to do advance planning. In an emergency situation, Floyd County and all surrounding Counties would be assisting in evacuation if it was a true emergency. The problem is, you keep saying it was an emergency. An emergency would be getting people away from the site, not taking them to it.

Ms. Johnson – I guess that would depend on varying definitions of what does constitute an emergency certainly. While there is a lack of written consensus in terms of the definition, I don't know that we can really reference one.

Supervisor Clinger – an emergency, according to your emergency plan, you dial 911 to Patrick County dispatcher. If there is an emergency, they would enact Mutual Aid and notify Floyd, Carroll and Franklin Counties.

Ms. Johnson – I think that all of us can speak from an intuitive aspect that had we gone to some route of evacuation, it would have been completely out of nature with the weather conditions.

Supervisor Clinger – that's not an emergency. If you can't get your customers to your product, that's an inconvenience.

Ms. Johnson – it depends too, you could stretch the definition to include a public relations definition of how those 15,000 people would have felt about, reflected on and communicated about, ultimately posted in the wide world, how Floyd as a County, they don't know me from anyone else, how we had responded to their traumatic inconvenience bordering on what we would call an emergency. I do take your point. May I pose a question to the Board? How many of you have been to Floyd Fest. (3 of 5 Board members indicated they had attended). On record, we would like to extend a pair of complementary tickets to next year's even to each of you. I think we can have a much more thorough dialog on this subject if you're aware of our demographics and what really goes on up there. I have a really hard time having what feels like a comprehensive discourse about it with people who have not experienced it. It is almost like talking about a book that you haven't read. I would invite you to come visit us.

Supervisor Gerald – I don't have a problem with Floyd Fest but I do have a problem with school buses being used as shuttle buses because of the liability issues. That is the problem I have.

Ms. Johnson - I can hear that problem. Frankly, at this point particularly, it does not feel like our problem. Again, with all due respect, we posed the question, we were given a response. Happily it was the response we wanted to hear and we acted upon it.

Supervisor Gerald – didn't you ask the schools to provide drivers for the buses?

Ms. Johnson – we asked Dr. Harris. If there were channels that we were supposed to go through that we didn't we were unaware of them.

Supervisor Yoder – we have no control over them. I don't want you to get the wrong impression.

Ms. Johnson – we were confused with the channels. It was a long shot but I feel sure if we ever want to do it again, we'll all sit at the table and talk about what the process is and agree on it.

Supervisor Allen – I think you did the right thing and went to the right person to get the decision

Ms. Johnson – thank you Mr. Allen, I appreciate that.

Supervisor Yoder – it is their decision as far as the buses and the parking.

Ms. Johnson – as a matter of clarity I would like to ask, my mother who lives next to me on the border of Floyd and Montgomery, operates Blue Ridge Yurts. That's her business. She doesn't live in the County. Is there an issue there?

Supervisor Clinger – the whole point on that, I think we were being told that everything is coming to Floyd, the revenue generated, we were trying to look at actual taxes. I was just addressing an issue that had come up before. The thing is, actual tax dollars that are coming back into the County. Such as sales tax.

Supervisor Yoder – I don't see where that is even important.

Supervisor Clinger – I was just addressing concerns from comments.

Mr. Kerry Underwood – I own Oddfellas Cantina and part-owner of Republic of Floyd. First of all, I would like to thank you guys for serving on this Board and taking time out of your life to be here. I wanted to come here and say that the economic impact from Floyd Fest is tremendous. We are a tourism based economy here in Floyd, that's how it works. We could be compared to a beach town. Wintertime, there is nothing going on in this town. But our

restaurant, record numbers, record money, meals tax paid, taxes paid, employees working overtime hours. All those folks live in Floyd, I live in Floyd. I think Joe might be my representative. What I can't believe that should be so obvious to you people, that this is a huge economic impact to this community. Not only does it bring a lot of money in, we're nationally known. People come here to Floyd Fest and then want to move here, they look at the real estate, they want to buy land in this town. It is one of the kinds of things that if you want a piece of the pie from Floyd Fest, then go there and get it, just like I did. Seventeen hours a day standing in front of a grill cooking burgers, that's how I get my piece of the pie. If that's what you're looking for, then do something. Help them with parking; create a charitable event with parking. Don't stand around and say that we didn't get any business from it or we're not getting any money from it. I can tell you right now that the Republic of Floyd, record numbers. Food Lion, I bet they sold a million dollars in ice. Slaughters, I bought 650 lbs of beef from Willis Village Mart to sell at Floyd Fest. That's how far the spider web goes with just my restaurant. It goes far. We sell money with local produce folks, we buy water from Food Lion, we buy stuff from Slaughters, it spider webs from my restaurant and I know it goes from everyone else's businesses also. When people come to Floyd Fest, they don't come to go to Hardees. They are not going to stop there; it is not their gig, not the thing they want. They want something unique, come to the County to eat some of the food unique to this town. They are not going to come all the way here from somewhere else to go to Hardees when they have 10 of them down the street from their house. So we see an economic impact. It is a different business model that doesn't apply to tourism. It is just the fact of it. We are very blessed to have Floyd fest here and if you took it away or Floyd Fest was gone, it is a huge economic benefit for our restaurant and to the Republic of Floyd. A lot of the businesses here in Town wouldn't make it through the winter without Floyd Fest because that's how huge it is. That's the way it is. As far as it being an emergency condition, you know it wasn't an emergency condition but it was the right thing to do. And that's the key. It was the right thing to do to let these people come and park and have a good experience from Floyd and Floyd Fest. That was the right thing to do at the right time. That was a good decision. We all should be thinking to ourselves, what can we all do next year to have Floyd Fest do a better job with parking and how can we get involved and what can we do and how can we make another \$9000 for the schools because as we know the schools need money. Why would we organize all that? Take all the school buses up there; they are sitting over in the parking lot doing nothing anyway. The parking lot is sitting empty. Run them up there. Let these people make some money, let the schools make some money, the drivers make some money. It makes no sense to leave them sitting there when they could be utilized in the summertime and make some money for the community and the schools. It is a no-brainer. It truly is. Work out the liability issues, that's no problem. If you've ever been to Merle Fest, every school bus, every Boy Scout bus they have is shuttling people to Merle Fest, a bluegrass festival. They have everybody in the whole community supporting that festival because they know and understand the kind of economic impact that it has. I'd like to thank you for your time.

Ms. Johnson – Thank you very much for hearing us out tonight. Oddly, whatever it says about us, Kris and I have always been fringe dwellers. We owned property in Floyd County twelve years ago which we sold to fund the first Floyd Fest, ironically that was half in Patrick and half in Floyd County. Again, we now live partially in Montgomery, partially in Floyd, right over the border. Of course, the Floyd Fest site is what it is. I think the economic impact and

certainly the demographics of people that come to Floyd is very unusual and Floyd Fest has been touted by people in the entertainment industry who have a big, wide ranging voice like Peter Roan as the Telluride of the East. I'm not sure if you have been to Telluride but whether you have or not, everybody has heard of it. It is the crown jewel of Colorado, and Floyd Fest has been likened to that. In part because of Floyd Fest. Floyd was the perfect springboard for Floyd Fest because of where it is, how beautiful it is, how unique it is, the Parkway location. Floyd Fest has enhanced that and proclaimed it to the world. As part of our odd fringe dwelling lifestyle, our children go to school in Roanoke. We drive them down to North Cross School. A big contingent of this private school with uniquely affluent families comes to Floyd Fest and has fallen in love with Floyd as a result. In several instances that I can site, have purchased land in Floyd or invested in Floyd. It felt so ironic when a few days in the aftermath of Floyd Fest; I drove my muddy car down to pick up my son from a summer field trip, the Administrator who had gone on the field trip asked hey, how did Floyd Fest go? I heard it was crazy. He said, you know, you can use North Cross buses for that. I thought, oh my God, I didn't even ask and they are offering and this is North Cross. Liability issues can always be addressed with insurance and we do maintain an umbrella of a \$3 million insurance policy. Anyway, I think we've stated our case and I think we have addressed everything. We just felt a little less than loved by the Board but no offense on our end and I hope we can all move productively forward because one thing that we all have in common is our vested interest in Floyd. Thank you.

Supervisor Yoder – I think the main thing that a lot of you all need to understand, from my perspective, I do care about the economic impact but that's still the donations, the economic impact, the increased business, we can question it, but it is not really our business. The nub of the matter for me was we used public property and it was bought with tax dollars, there is a certain expectation. If a private business uses it, there should be certain expectations that the public would receive some benefit. That was our original intent when I talked with Ms. DeVito and asked if there were any donations back to the community. For me, the main thing that I'd like to see happen in the future, and I can't speak for the rest of these fellas, I think there needs to be, and kept in mind, this is public property. We must have some way of assuring the public that the tax money that was spent to buy the property, that the public is receiving some type of benefit. When people see a private company using public land and there is no benefit that they can see, that's when we get comments. I'd like to see the parking there continue. I know it helped the Town. We do need to be careful. It is good that the school system put out the numbers so people can see the actual numbers and see what happened. It is a great festival and I love it.

Ms. Linda DeVito – there is one other thing that I'd like to mention about the Commerce Park. When we ended up at the Commerce Park, one of the things that we did first and foremost was have permission. Dreaming Creek gave us permission to use that area which was private property within the complex owned by the County. That's where it started from. Then as that filled up, our parking crew that was hired didn't really understand the boundaries. As we filled up all of the other places, it spread out onto the County land. All of us at the managerial level of Floyd Fest were dealing with the situations that were developing at that area. I was actually in Town helping to direct traffic at the schools. It is important to understand that our school system did help us out in a very unique situation. As you said Mr. Yoder, we did work out an arrangement to where the buses, drivers, not only did the school receive economic impact but

bus drivers also received some wages that they would not ordinarily have gotten during the summer months. I hope that when we are in these discussions that we don't throw the baby out with the bath water in that other groups do use our buses. Our annual Arts & Crafts Fair shuttles people back and forth on our school buses. I would hate to see that get lost, granted the distance is far less, but they are still being used. I hope we'll never look at this and say I don't want, or we shouldn't use. The one thing that Erika has described about our County is the willingness of all of us to work together, those born here, those that have moved here well over a 100 years ago, transplants since the 1970's and those that are newly arriving. It is something that you don't see very many places across the Commonwealth and across the nation. I for one am proud to be a Floyd County resident. Thank you.

Consensus of the Board was to defer further discussion with the County Attorney at the next Board meeting.

On a motion of Supervisor Yoder, seconded by Supervisor Allen, and unanimously carried, it was resolved to adjourn.

Supervisor Yoder – aye
Supervisor Turman – aye
Supervisor Gerald – aye
Supervisor Allen – aye
Supervisor Clinger – aye

Terri W. Morris, Assistant County Administrator

Case C. Clinger, Chairman, Board of Supervisors