

**MINUTES BOARD OF
SUPERVISORS REGULAR
MEETING
September 27, 2022
COUNTY ADMINISTRATION
BUILDING
7:00 PM**

1. **Call to Order:** Chairman Turman called the meeting to order at 7:00 p.m.
2. **Opening Prayer:** Supervisor Cox offered the opening prayer.
3. **Pledge of Allegiance:** Supervisor Kuchenbuch led the Pledge of Allegiance.
4. **Quorum:** Dr. Millsaps called the roll and determined that all five members of the Board were present, so a quorum was present.
5. **Approval of Agenda:** The staff requested to add a reason for closed session, legal counsel (A.8). On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board approved the agenda as amended.
6. **Approval of Disbursements:** Supervisors Boothe asked some clarifying questions about the tire hauling and outhouse fees. Supervisor Cox asked about the timing of the contract services bill. Once questions were answered, on a motion by Supervisor Kuchenbuch, seconded by Supervisor Bechtold, and passed unanimously, the Board approved both sets of disbursements.
7. **Approval of Minutes:** Minutes were tabled until the next meeting.
8. **Public Comments:** The Chairman read the statement offering aid for anyone needing special assistance due to a handicapping condition and opened the public comment period. He asked that speakers state their name, the district, and limit comments to four minutes.

Michael Gale (Indian Valley): I'm Michael Gayle. I live on Alum Ridge in the Indian Valley district. I noted that part of the closed session on the agenda is about economic development. And I want to encourage the Board of Supervisors to have our economic development take seriously the idea of advertising for remote workers to relocate to Floyd County. Unlike manufacturing, which often needs low paying jobs, or sources of water, both of which we are tight on in this county, remote workers such as IT workers, consultants, advisors, many of them are looking for this type of rural environment to both remote work and also do micro farming, highland farming, things like that. They bring in outside dollars and they care more about our high-quality high-speed internet we have than they do how well the roads can handle heavy trucks, natural gas, things like that we don't have. The other thing I wanted to bring up is that the last time minutes were published on the Floydcova website was April 19, 202. So, we seem to be running a little behind on that. That's all.

Becky Howell (Burks Fork District): Becky Howell, Burks Fork District. I would like for you to consider posting your meeting agenda on the county website with links to the supporting documents. That's the procedure the school board follows. And it makes it possible for citizens to understand the issues better. I see increased interest on the part of county residents and citizens in what's going on in County Business and increasing tension from both supervisors and citizens. This is not a good situation for anyone. more transparency and better communication can go a long way to having better more civil meetings. Thank you.

A letter was also read aloud from Yasmine Sonnenberg (see correspondence). Also, a letter from Emily Dickenson (see correspondence). Then the Chairman declared the public comment period closed.

9. Board Time:

Supervisor Boothe spoke to the issue of the personal property tax. He reminded the group that the tax rate this year is the same as last year. And noted that neither Supervisor Cox nor Supervisor Bechtold were on the Board at the time. He explained that the change was related to the book value of the vehicle. Supervisor Cox thanked Supervisor Boothe for the clarification. In addition, Supervisor Bechtold explained that the values were based on the book values in January, when cars were commanding a higher value. Now the value would be different, but it is set by law in January. She reminded them that the rate was not increased. Supervisor Boothe also reminded the group that taxpayers can look for elderly relief on real estate if they qualify. Chairman Turman noted that they only make \$400 a month, which does not cover his gasoline for the role. And that this hit him and his family hard, but that they understand. Supervisor Boothe indicated that a taxpayer can contest the valuation of your vehicle's value, but it must be done before the May 1 deadline. Supervisor Kuchenbuch also indicated that the value increase caused hardship for her family. The group discussed the option of payment plans and prepayment. And all agreed to look hard at the values. And Supervisor Cox specifically asked that taxpayers be kind to the Commissioner and the Treasurer.

10. **Presentations:** Chairman Turman opened the presentation period with some comments about being respectful of the speakers.

a. Mr. John McBroom and Sam Calhoun, Across the Way Productions

John McBroom (Locust Grove District): Good evening. I'm John McBroom. And I'm from the Locust Grove District. Now I'd like to thank the Board of Supervisors in the County of Floyd for the opportunity to talk about an event that is very near and dear to my heart. I've been involved with FloydFest since the beginning and worn a whole lot of hats along the way. I came in as a consultant, and an investor. And by year three, I'd become part of the festival's production crew. Year six, I became the production manager. And in 2015, I started to buy into the company. By 2018 I became and remain the 85% owner and chief executive officer of Across the Way Productions, which has the honor of producing FloydFest since the beginning. The other owner and founding fathers of FloydFest are Chris Hodges, our Chief Operating Officer, Sam Calhoun, and our Chief Financial Officer Jessica Taylor, and myself have worked with a vast array of extremely talented and qualified individuals who have, over the years, built a festival that brings a wonderful community of music lovers together every year at an old festival site just off the Blue Ridge Parkway in Patrick County. As our lease was coming to an end, and some logistical issues arose, making it difficult to do our beloved FloydFest in the standard we have grown accustomed, we started to search for a new home. Serendipitously we came upon a parcel in Check Virginia and were able to secure approximately 200 acres off to 221. Since closing on the property in mid-May of 2022, we've been actively working with local public safety officials, the County of Floyd, and with the Town of Floyd, Omnibuild as our general contractor, land and environmental engineers, traffic engineers, site planners, VDOT, Army Corps of Engineers, Department of Environmental Quality, and a supporting crew to get the necessary legwork, due diligence, and to get all the T's crossed and the I's dotted, so to speak.

We reached out to our neighbors when we moved into the site and invited them to come ask questions, voice concerns, and see the new property. And even gave them a ticket for a day at the festival this year. If they wanted to come, see what we're all about. From the approximate 100 letters that we sent out, my site manager JP O'Connor and I talked with dozens of neighbors. And gave roughly the same number of site tours, discussing the site or the plans for the property, trying to ease concerns and help them see the vision that we have for the property and what our place might be in this county.

My family's involvement in Floyd County began in 1974 when my brother Steven bought a small farm off Shooting Creek, just north of town. As a kid I was a frequent visitor and eventually kind of grew up there as a farmhand. Until I left in my early 20s. Growing up on the horse farm, during my formative years taught me many valuable lessons, my work ethic that I pretty much give to my brother in this community. And the stewardship of the land and the sustainability of trying to keep this place what we love. Soon after my brother Swede moved to the county and ran several businesses, mostly centered around furniture making, building, and entertainment. And in the late 80s my mother June also set up residence in the county until her death in 1998.

While Floyd has always been my home away from home for decades, I finally moved back to the County this year and reside on the new festival site. Before my mother's passing, she established a charitable trust that did good works and gave monies to several organizations all around the world for over 20 years. Over 20% of the funds that were distributed to many organizations were distributed to organizations in and around Floyd County. And underwrote many of the organizations and services that serve our county. Some of those on the shortlist would be the June Bug Center, Floyd County Cares, the Jacksonville Center, Floyd County Rescue and Sheriff's Department, Young Life for Floyd and Radford, Blue Ridge Institute, Ferrum College, Floyd Social Services, Blue Ridge Center for Chinese Medicine, Virginia Tech Foundation, Floyd County High School, Blue Mountain School, Floyd County Educational Association, Appleridge Farms and Southwest Virginia Land Trust to name a bunch of them actually.

My family has a long service of history and all the communities that we have resided, and Floyd has been no exception. My intention as a new resident here in Floyd is to continue that tradition to the best of my ability and hopefully instill that passion in my kids, my family and my larger family that I have found in this festival.

When the opportunity came to move the festival, the Across the Way team's only thought was one thing for it to move to Floyd, Floyd County. Well, most people have welcomed us with open arms and excited curiosity, some have sounded the alarm and seemed very unsettled by our move to the Check area. The Floyd Press has written several articles are on the move and controversy surrounding it. To date, the Floyd Press has only tried to schedule one interview and unfortunately cancelled it the day off. They have yet to try and make another appointment with us. To ask our opinion or our response to any of the questions or concerns that have been raised. So, at this point, no response or questions have been asked of FloydFest, or me, or Across the Way Productions, to counter the claims, accusations and what we consider to be misrepresentations reported in the Floyd Press. From the time I moved on to the property, I've tried to be as transparent as I could to all who ask questions and raised concerns. And their concerns raised some of the stories. I've heard about what some think our company plans to do and they are pretty wild and are founded in speculation and the fear of the unknown. I would love the opportunity to talk with and answer whatever questions and concerns are held by my

neighbors, the county residents, or anyone else that has an interest in this in this venture. We have proven ourselves over the last 20 plus years with our old neighbors and shown how to bring communities together to display to the world that we have a special place that is worthy of sharing for a long time to come. The economic benefit that the festival brings is real and shows how long-term dedication to the shows our long-term dedication to the community in which we live and do business.

My colleague Sam Calhoun, our Chief Operating Officer, will soon be giving much more details on some of our economic impacts to our community. My thanks to the Board of Supervisors, the Town of Floyd, for this opportunity. I hope you all have a great night.

Sam Calhoun (Across the Way Productions): Good evening. Thank you, John. My name is Sam Calhoun. I'm the Chief Operating Officer of Across the Way Productions. And this opportunity is crucial to us. We really appreciate you all inviting us here to speak. Above all, we want to be transparent. We want to be good neighbors, and we want to be an asset to this community. And this county. If we can achieve an ideal end game, it would be that for each of you to be able to say that you're proud that FloydFest calls Floyd County home. That Across the Way Productions, our company, is a company that supports this community and makes Floyd County a better place to live, work and play. And we're serious about that.

We're here of course, as I said to be transparent and to address any community concerns. Right off the bat, we'd like to clarify one bit of misinformation - that the move of FloydFest to our new location will represent no financial burden to this community. I want to repeat that, FloydFest will inflict no financial burden on this community. Also, at the start of this, I'd like to correct and address some misinformation. Some believe that we are increasing capacity, we are not. And that's a fact. In fact, we are decreasing capacity for even further clarification on that, our total attendance is never on site at any one given time. Let's just say for instance, in the past we've had 15,000 patrons on our site. At any given time, we would have no more than 7,000 on site at any given time. For those of you who have not attended FloydFest, I also want to point out some accolades to speak to our culture. We are multi-year award winners for Best Family Friendly Festival. Best Family Friendly Event. Best Outdoor Event. And Best Festival. And this last one that I mentioned is very special to us, and I hope it will be special to you all and the county. *Time Magazine* ranked us one of the reasons to celebrate America. One of the reasons to celebrate America. There were 150 items FloydFest became one of those.

And how about some demographics. 58% of our patrons are female. 50% are between the ages of 26 and 55. 20% are ages 56 to 65. And almost 75% hold graduate or college degrees. We have two very, very important missions right at the top. Always, always keep everyone safe and always, always be family friendly. These missions have been with us since day one. This is not something we manufactured over time. In fact, our former landlord mandated and as promised that we'd be family friendly forward from the very beginning of 2002. We have never faltered. Children grow up at FloydFest. Then they end up bringing their children to FloydFest. This is who we are. This is part of our brand. In fact, my niece, who had mainly only ever performed in churches in Indian Valley, we invited her to perform this year, catalyzing her to a new career in the arts.

And in terms of keeping patrons safe. Our track record is be respected and is respected nationwide. Take two examples of that on site medical this year 2022 out of 15,000 people on site, our medical team had 34 EMS contacts of which only five required EMS transport. None of those transports were due to alcohol and or drug related. Unified command. We're very proud of

this. We realized this year, a couple years ago, with the help of many, many emergency management coordinators and law enforcement agencies, that they had difficulty communicating to handle our event. We brought them together at a table. We introduced them, we set up a comm system, and we had this air of just collaboration that we've never seen before, which is becoming an example for other festivals to follow. Involved in this planning and implementation which will continue, Virginia Department of Emergency Management, local sheriff's offices, Virginia State Police, National Park Service, VDOT, Virginia ABC, National Weather Service, Virginia State Fire Marshal, regional rescue squads, nurses, doctors, licensed security teams, mental health professionals and more. And we pay for any and all security. We have no burden on local law enforcement. And ask any of the law enforcement, our arrest record is astoundingly, I'll say again, astoundingly low. None of our festivals take place without a vetted emergency response plan, or an incident action plan.

As far as traffic, we're spending incredible amounts of money on traffic planning, and been troubleshooting various plans with VDOT for almost a year. This has never been an afterthought. We've always understood this is paramount to being a good neighbor. In fact, we've enlisted the services of an award-winning traffic engineering firm, nationally recognized for their expertise. So, to be further transparent, and to address a community concerns, we first start out with some environmental due diligence, and clarifying some of that information.

We performed in American Society for Testing material standard compliant phase one environmental site assessment. The result? Zero. Zero recognized environmental concerns were identified in connection with the new piece of property. We contracted with Blue Ridge Ecological Services to complete an onsite streams assessment, wetlands delineation, and associated jurisdictional wetlands determination. This joint permit application was submitted to the US Army Corps of Engineers, the Virginia Department of Environmental Quality, and Virginia Marine Resources Commission. We engage the services and are engaged in the services of Lumsden Associates. We prepare construction plans with them for grading, erosion and sediment control and stormwater management. We communicated with the Virginia Department of Forestry and acquired their forest stewardship program application can support the potential development of a stewardship plan to meet subject property development objectives while maintaining on site scenic forests.

To address some other misinformation circulating we truck in a lion's share of our own water for the festival in order not to rely on local or onsite wells. For sanitation services, we utilize Tidy Services who collect all grey and black water from our site to be disposed of properly. With sustainability as a core focus since Day One, we annually reach a 75% landfill diversion rate. This is done by our incredible green team, which has also been with us since day one. Offering free drinking water to all patrons, we annually eliminate 54,000 single use bottles. And by using stainless steel pints, which are now synonymous with our brand, we offset the disposal of 58,000 single use plastic cups. There are also many years we donate 1000 plus pounds of used camping gear to the homeless. And of note too in this section – we are also going to continue to hay this property.

Let's move on to community support. In 2022 FloydFest donated 2700 pounds to Plenty Food Bank. That represents feeding 170 families in Floyd County for one week. Our nonprofit arm, Blue Cow Arts, annually donates 1000s of dollars to local causes, nonprofits, and local needy families. We annually donate \$20,000 worth of tickets at 30 plus local businesses, causes, and benefits. We partner with and fundraise for Floyd County Rotary, Floyd County Young Life, Floyd County High School Boosters which basically run most of our box offices. And Floyd County

tourism. We are using all Floyd County based contractors to develop and build this new site.

This can be news: we are partnering with the Floyd Country Store to create our new workshop stage, tying together its strong brand and bring further awareness and visitors to this county. In addition, we spotlight and host local craft and food vendors annually at FloydFest. From Dogtown to Phelps Studio, Red Rooster to Star Route and more. We annually utilize 400 paid staff members plus 600 volunteers, a majority of which are local from Floyd County. We also offer free marketing and links to every single bit of Floyd County lodging, Airbnb's, etc. on our website. And we are a longtime member of the Floyd County Chamber of Commerce.

For our final section here, I want to talk about economic impact, occupancy tax and meals tax. Floyd County will now receive both of these. Occupancy tax comes from each camping ticket we sell. Meal's tax comes from every local onsite vendor. We've really seen what this has done for Patrick County. And we're excited to bring this lift to Floyd County. We put heads in beds, and we put gas in tanks. Our annual economic development to the county and region is estimated at the 4 million plus dollars. 4 million.

We aim to bring business and business awareness to Floyd County. We annually co brand with 70 plus partners, both local and national. Often our partnerships with these non-local partners, this is their first introduction to Floyd. In fact, we have had partners move to Floyd and relocate their business to Floyd after being involved with FloydFest. An example Beehive Productions recently. With roughly 70% of Floyd residents leaving the county to find work, it's our intention to continue to foster like-minded new business development for this region, it's one of our goals. Building off the two decades plus cornerstone of our festival, we intend to increase the agricultural tourism and outdoor adventure tourism opportunities in this region, adding to the sustainable and meaningful economic development. We also have countless examples of patrons discovering FloydFest, falling in love with the area, and then moving here to buy a piece of property. Also, patrons to discover Floyd County via FloydFest often return to visit Floyd County outside of the festival. With FloydFest attracting patrons from 46 states and three foreign countries, this tourism exposure is exponential.

As I said at the beginning of this, we want Floyd County to be proud that we call you home. It's no small feat. In fact, it's a rare feat. For any festival in the national regional scale to last 22 years, we've done that. We want the county to more closely benefit via our presence here and our purpose here.

In closing, Floyd County's crest, which I can see there behind the board says to grow is to prosper. While we're not increasing the size of the festival, in fact, we're decreasing the size of the festival. We're coming home to Floyd County. And we trust that our addition to this county will bring prosperity and hopefully pride to its residents, culture, and community. We want to represent the best of Floyd County, a best foot forward that showcase the extraordinary mountains we all collectively get to live within, celebrate, and call home. We hope to become a de facto Chamber of Commerce. I said that before, which pushes those we connect with to explore more of his incredible County, its businesses, sights, attractions, culture, and people. We thank you each for this opportunity and for listening. We truly, truly care deeply about what we do. But what we offer to this community and what we offer to this world. Our doors, like John said, are always open for dialogue and how we can do better, and how we can be better neighbors and be better people. We welcome any and all questions from the Board. And we thank everyone have their top of attention. Appreciate you all.

Supervisor Cox said he appreciated the speakers coming and respect that they took the time to come and give your input into what is going on. He indicated he has not attended FloydFest but know a lot of folks who do attend. He appreciated the transparency.

Supervisor Cox asked for clarification about attendance. Mr. Calhoun said there is never more than 7,000 on the site at any given time. And the total will be less than 15,00 going forward.

Supervisor Cox also asked if everything is going to be contained on-site. Mr. Calhoun indicated that the whole point of this, the goal, is to place every single patron on the site. And the music portion will be more centralized than it has ever been.

Supervisor Cox noted that traffic is one of the major concerns. He asked that folks that will be impacted be notified. Mr. Calhoun indicated that there will be transparency on the website. He also mentioned noise as a concern. Mr. Calhoun indicated that the main state always closes by midnight.

Supervisor Cox asked about Sunday services and the neighboring church. Mr. Calhoun offered to bring gospel singers to the service, to be a good neighbor.

Supervisor Cox asked about the economic impact study. Mr. Calhoun said the numbers came from Virginia Tech, but said they are looking for a new study focused on Floyd. Supervisor Cox asked about meals and occupancy tax. Mr. Calhoun said it would be at least \$10,000 and explained that they charge occupancy tax on tent tags.

Supervisor Cox asked about trash removal. Mr. Calhoun said it is an incredibly clean festival and said 75% is a conservative estimate of landfill diversion. He credits the green team.

Supervisor Cox asked if they would be open to additional questions from the community. Mr. Calhoun said they answer their own email and would welcome conversation.

Supervisor Bechtold thanked them for coming and appreciate what they are doing. She indicated she attended one day of FloydFest, during the weather event, and was impressed. She appreciated their openness and Floyd County should be proud. She said the reviews are fabulous and welcome to Floyd.

Supervisor Boothe asked questions about the church and services. He requested Mr. Calhoun reach out to the church and start the conversation. Mr. Calhoun agreed. He also clarified the traffic flow around church time.

Supervisor Kuchenbuch noted that traffic is what she has heard the most about and appreciates the transparency. She asked about trash that is not diverted. Mr. Calhoun indicated that it would be a mix between Floyd and Roanoke.

Chairman Turman indicated he has not attended the festival but worked the parking lots as law enforcement. He said he never made an arrest. Sometimes it would get congested but never a law enforcement issue. He noted that is a different age than Stompin76 and Woodstock. Now people from Africa, Ireland, England. He also indicated that the Board might ask them to come back if they have questions. And appreciates their respect for the Board.

Supervisor Kuchenbuch asked about an increase in support of Floyd County nonprofits. Mr.

Calhoun indicated that they were serious about being a Chamber of Commerce. He noted that they have been supporting Floyd for a long time and will continue.

Supervisor Cox asked about additional events. Mr. Calhoun indicated that they are focused on FloydFest for now. But also want to make it an outdoor location for the County.

11. Closed Session:

On a motion by Supervisor Boothe, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board agreed to move to closed session under the sections listed below.

a. **§ 2.2-3711. A5**, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community. Advanced Manufacturing and Economic Development Prospect.

b. **§ 2.2-3711. A3** 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. Public Facilities

c. **§ 2.2-3711. A8** Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Key Administrative Procedures

On a motion by Supervisor Bechtold, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board returned from closed session.

On a motion by Supervisor Boothe, seconded by Supervisor Bechtold, and passed unanimously, the Board certifies that they discussed only those items for which they went into closed session.

After a break the staff advised the Board that the request permission to advertise a Public Hearing October 11 at 9:30 am related to a review of the Floyd County Amusements and Entertainment Ordinance, and to allow the staff to run the ad two times in a paper of record.

On a motion by Supervisor Boothe, seconded by Supervisor Cox, and approved unanimously, the motion above.

12. Old Business:

- a. Livestock and Animal Control Update: Dr. Millsaps indicated that the Commonwealth Attorney said the cows are now county property.
- b. Solid Waste Winter Hours: Dr. Millsaps reported that there is a request to shorten the hours during the winter. She also noted that the county is going out to bid for lights. The Supervisors asked that the landfill return to normal hours as the extended hours were not utilized and thanked the staff for giving the extended hours a try.

On a motion by Supervisor Boothe, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board agreed to return to the previous hours year round (8-4 M-F, 8-12 Saturday) and authorize the staff to notify the appropriate state officials. All supervisors expressed their thanks for the employees. Dr. Millsaps shared addresses from boxes found in the green boxes. Many were from outside the county.

c. **FY22 Carry-Over Requests:** Dr. Millsaps indicated a need to clarify three carryover requests.

1. Animal Control – add funding for “seizures” to the language.

2. Four for Life – staff determined that in previous years funds had been deposited into this line item that were not a part of the Four for Life grant program. The request is to remove the misallocated funds (\$46,000) and return them to the general fund.

3. Board of Elections – this relates to funds allocated to an election that did not occur. The Registrar requested that the funds be carried over. The staff recommends to not carryover all the funds, but to return most of the monies to the general fund. The Board of Elections met recently and requested that \$3,000 of the funds be made available to hire an outside consultant to assist with election cybersecurity requirements and their strategic plan. Mr. McNabb indicated he would find this of assistance. He also noted that the person being considered for the role approached the Board of Elections about a contract. That contractor would be responsible for developing a five-year strategic plan, while Chris would be the liaison from the county. If approved this would increase the previously approved carryover by \$3,000. The Board of Supervisors indicated a desire to limit the Board of Elections carryover to \$15,000.

On a motion by Supervisor Boothe, seconded by Supervisor Kuchenbuch, and passed unanimously, the Board approved amending the carryover request of the Board of Elections to \$15,000, \$3,000 earmarked for the consultant, plus return to the general fund \$46,000 from Four for Life that was misallocated in past years, and modify the language for animal control, all changes to the FY22 carryover.

Mr. McNabb also indicated that more IT staff may be needed to comply, and well as some purchases.

13. New Business

14. County Administrator’s Report: Dr. Millsaps provided an update on the following items:

- a. EMS Update
- b. Rescue Update
- c. Audit Update
- d. Comprehensive Plan
- e. Maintenance and Buildings
 - i. County Administration
 - ii. Court House – Plaster and Spaces

15. Correspondence – The Board was encouraged to check their correspondence folder.

16. Adjournment: On a motion by Supervisor Kuchenbuch, seconded by Supervisor Cox, and passed unanimously, the Board voted to adjourn the meeting.

17.

* The minutes are developed in the order presented on the agenda. On occasion the Board addresses items out of order to accommodate timing and presenters.


Joe Turman, Chairman


Linda Millsaps, County Administrator