

DAMASCUS TOWN COUNCIL
Minutes for August 1, 2022
7:00pm Regular Called Council Meeting

Council Members Present: Mitchel Greer, Tom Hayes, Tony Doss, and Susan Coleman

Absent: Beaty Jackson and Charles Fields

Also Present: Katie Lamb, Mayor
Tuesday Pope, Town Clerk
Kermit Turner, Police Chief & Fire Chief
Gavin Blevins, Town Manager
Paul Cassell, Legal Counsel

7:00pm: Mayor Lamb called the meeting to order and led the Pledge of Allegiance; Ms. Coleman gave the invocation.

Mayor Lamb asked for approval of the July 5, 2022, Regular Called Council Meeting Minutes.

- Ms. Coleman made a motion to approve the Minutes as presented. Mr. Hayes 2nd the motion, which passed (3-0-1, with Mr. Greer abstaining).

Mayor Lamb asked for approval of the agenda, with two additions: 1) add Richard Smith under Special Committees to give a dog park update; and 2) add Larry Ginn with a recommendation from the Board of Zoning Appeals.

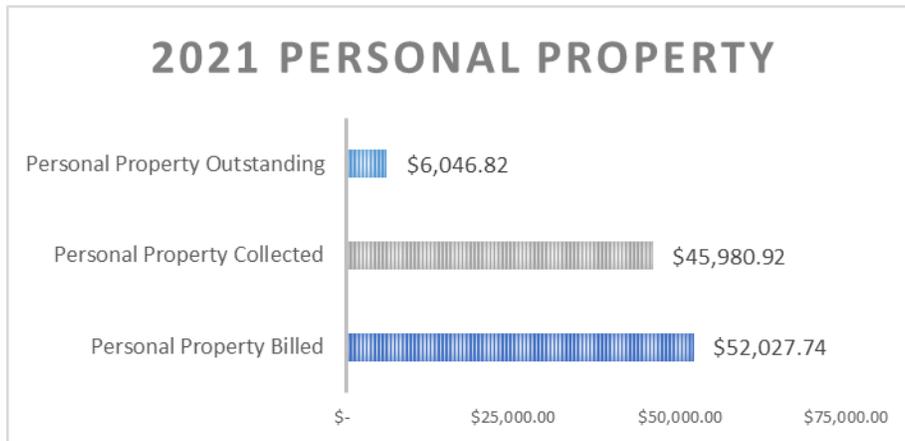
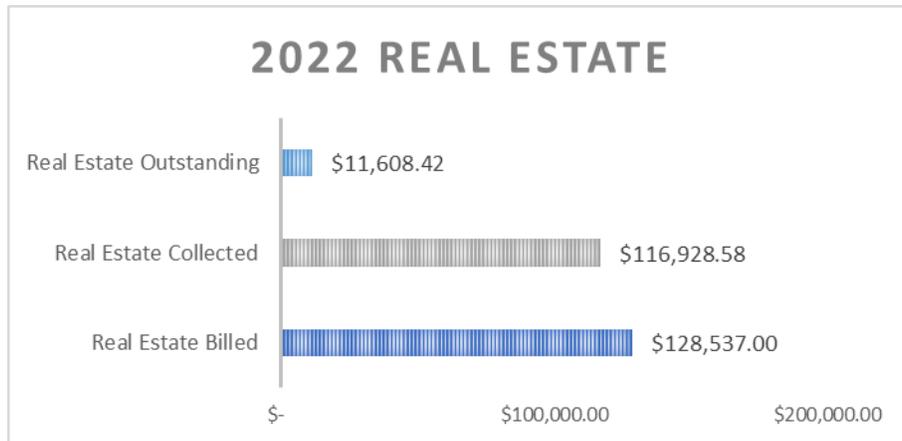
- Mr. Greer made a motion to approve the agenda, with recommended additions. Ms. Coleman 2nd the motion, which passed (4-0).

Committee Reports

Budget, Finance, and Administration:

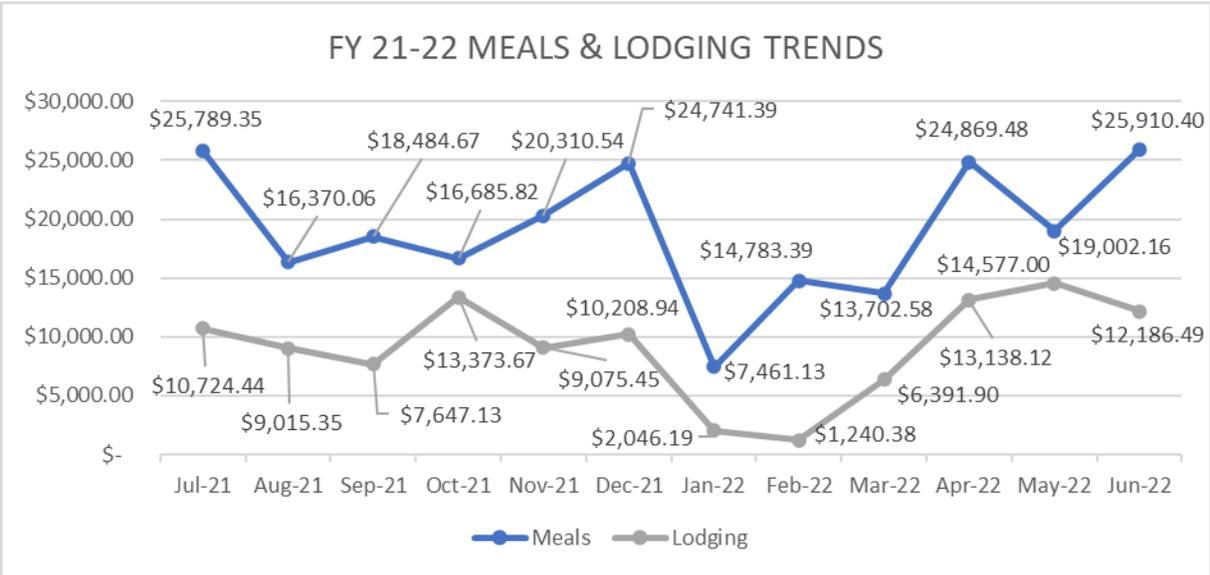
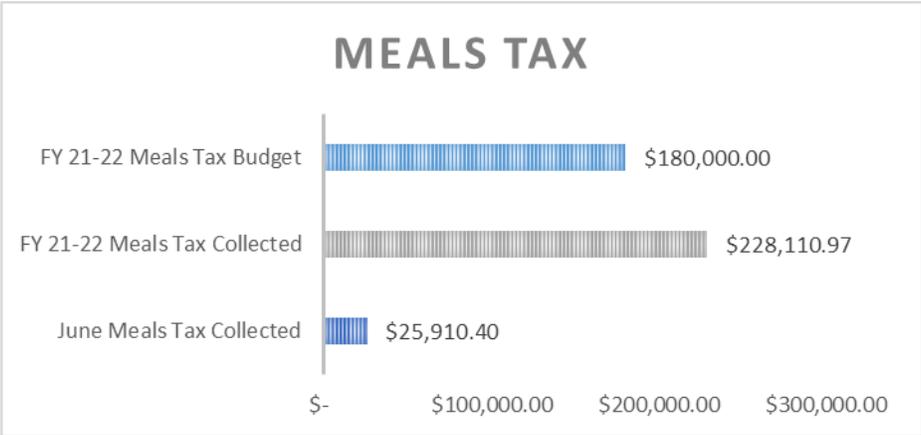
Town Treasurer, Elena Smith, submitted the following report for the previous month, which was read by Mr. Blevins:

Real Estate & Personal Property Taxes: *The collection rate for 2022 Real Estate taxes is at 90.97% and the collection rate for 2021 Personal Property is at 88.38%.*



Town of Damascus Virginia Investment Pool (VIP)	Account Balance	FYTD Income
<i>VIP Stable NAV Liquidity Pool</i>	<i>\$552,387.20</i>	<i>\$679.37</i>
Subaccounts		
RESERVE FUND	\$54,079.87	\$66.50
EARMARK POLICE VEHICLE	\$15,302.56	\$18.81
SEWER FUND CD	\$26,288.95	\$32.33
ANTHEM RECOVERY	\$43,936.95	\$54.04
ADDITIONAL WORKING CAPITAL	\$1,719.57	\$2.13
TRAIL DAYS RESERVE	\$7,455.40	\$9.17
TOD ARPA 2021	\$403,603.90	\$496.39

Meals & Lodging Tax: We collected \$25,910.40 in Meals Tax and \$12,186.49 in Lodging Tax during July, reflecting sales for June.



Announcements:

Please see the two attached sheets for "FY 2022-2023 Adopted County Operating Budget for Your Agency" in the amounts of \$7,897.00 for Parks and Recreation and \$1,316.00 for Trail Days.

Streets, Lights and Maintenance:

Mr. Greer reported the Laurel Creek Park bathroom stalls that were ordered will be picked up tomorrow; that the Public Works employees have been mowing, picking up brush, putting up Creeper Trail Ride to End Cancer light pole banners, and more; and that the bucket truck generator needs to be repaired and could cost around \$630 (quote from Derek's Diesel & Small Engine Repair).

- Ms. Coleman made a motion to approve the bucket truck repairs, up to \$630, as requested. Mr. Greer 2nd the motion, which passed (4-0).

Parks and Recreation:

Ms. Coleman reported on the following:

1. The July Beaverdam Friday Jam featuring Dave Eggar and accompanying band had a great turnout with over 300 people. A big thanks goes out to BZ Builders for sponsoring the event, as well as the Appalachian Heritage Distillery, Tumbling Creek Cider Co., Mojos Trailside Café, and She and I food truck for participating.
2. The gazebo in Town Park looks really bad and needs boards replaced, as well as to be power washed and painted.
3. There has been around \$15,000 raised for the John P. Seymore III culinary scholarship fund, which is an amazing thing to benefit students in our community.
4. For our upcoming Trail Town Christmas, we would like to have all the businesses to decorate their windows or storefronts in December.

Planning Commission:

Mr. Blevins reported since Larry Ginn is moving out of town, he will no longer be able to serve on the Planning Commission (PC), so that seat will need to be filled, and then one of the PC members will need to be appointed to a seat on the Board of Zoning Appeals (BZA), since one member of the PC is also appointed to the BZA, and Mr. Ginn's term on the BZA ended on July 31st.

Police and Fire Advisory:

Chief Turner presented the following P.D. activity report for the previous month:

***Operations:** June 2022, Damascus Officers had 116 calls for service. We have taken 8 investigative reports and made 6 arrests. We work 1 reportable accident.*

***Traffic Enforcement Activities:** We issued 11 citations along with 8 warnings.*

Speeding complaint areas include: *S Railroad Ave & Douglas Dr.*

Special Report: *The Damascus Officers has completed Narcan Training and is carrying it with them in the vehicles.*

Special Notes: *DCJS has opened the LOLE Grant for FY21, and I am in the process of completing the application.*

I have received several complaints and have seen for myself the issue that the ducks & geese are causing around the Laurel Creek Park area. I have done some research and I have spoken with the Virginia Dept of Game and Inland Fisheries, one of the best ways that I have found to try to deal with these birds are to use the tool called bird banger. I have attached copies of the information about this tool.

- * Chief Turner also mentioned the Council may want to consider passing an ordinance, including a fine, to prohibit people from feeding the ducks and geese bread.
Mr. Greer suggested waiting to see how the bird banger works out before considering changing the Town Code.
 - Mr. Hayes made a motion to approve the purchase and use of the bird banger tool and rounds by the Police Department as a non-lethal and humane deterrent. Ms. Coleman 2nd the motion, which passed (4-0).

Police Vehicles: *The 2016 Ford Taurus will be needing two new tires soon.*

- Mr. Greer made a motion to approve the tire purchase from Danny's Tire & Quick Lube. Ms. Coleman 2nd the motion, which passed (4-0).

Auxiliary: *Nothing new at this time.*

Damascus Volunteer Fire Department

Chief Turner presented the following report for the previous month's activities :

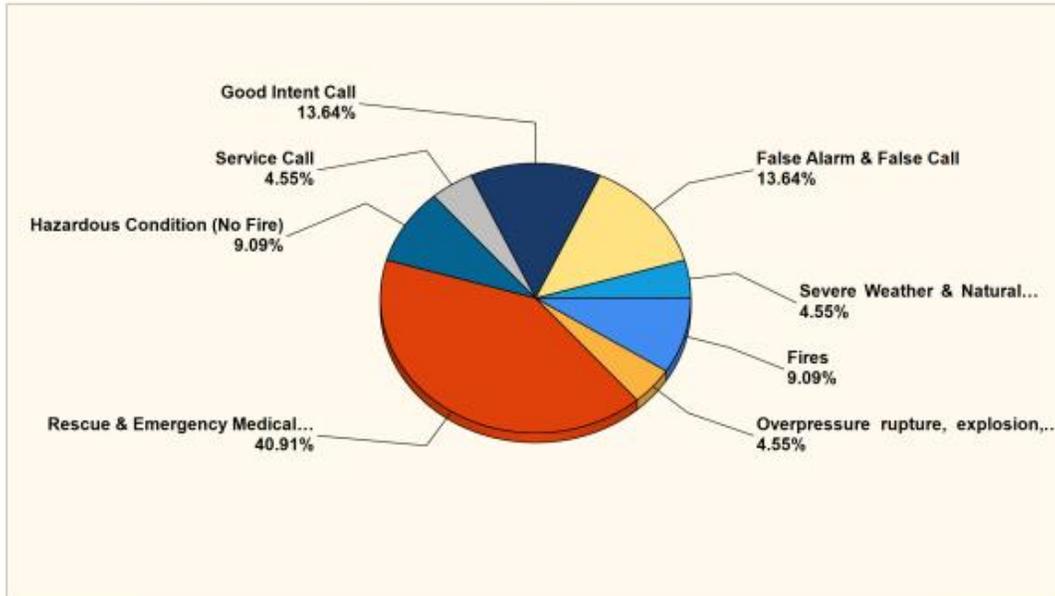
Damascus Fire Department

Damascus, VA

This report was generated on 7/31/2022 9:33:02 PM

Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 07/01/2022 | End Date: 07/31/2022

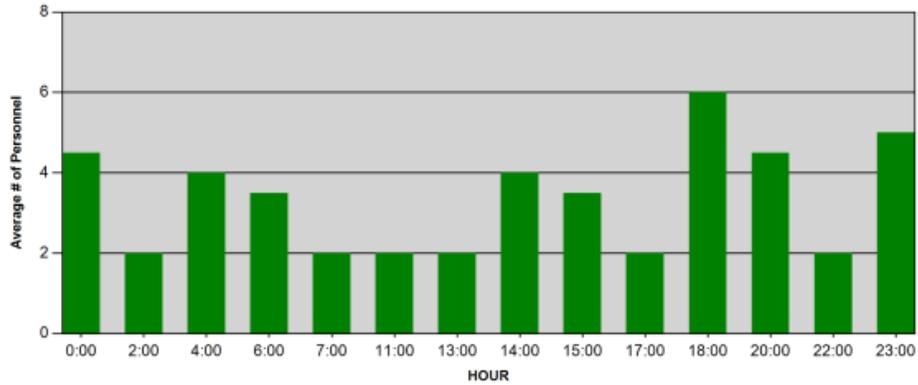


MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	2	9.09%
Overpressure rupture, explosion, overheating - no fire	1	4.55%
Rescue & Emergency Medical Service	9	40.91%
Hazardous Condition (No Fire)	2	9.09%
Service Call	1	4.55%
Good Intent Call	3	13.64%
False Alarm & False Call	3	13.64%
Severe Weather & Natural Disaster	1	4.55%
TOTAL	22	100%

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
118 - Trash or rubbish fire, contained	1	4.55%
154 - Dumpster or other outside trash receptacle fire	1	4.55%
240 - Explosion (no fire), other	1	4.55%
311 - Medical assist, assist EMS crew	2	9.09%
322 - Motor vehicle accident with injuries	2	9.09%
324 - Motor vehicle accident with no injuries.	2	9.09%
341 - Search for person on land	2	9.09%
350 - Extrication, rescue, other	1	4.55%
444 - Power line down	1	4.55%
445 - Arcing, shorted electrical equipment	1	4.55%
552 - Police matter	1	4.55%
611 - Dispatched & cancelled en route	3	13.64%
735 - Alarm system sounded due to malfunction	1	4.55%
736 - CO detector activation due to malfunction	1	4.55%
743 - Smoke detector activation, no fire - unintentional	1	4.55%
800 - Severe weather or natural disaster, other	1	4.55%
TOTAL INCIDENTS:	22	100%

Average Number of Responding Personnel per Hour for Date Range

Start Date: 07/01/2022 | End Date: 07/31/2022



HOUR	AVG. # PERSONNEL
00:00 - 00:59	4.50
02:00 - 02:59	2.00
04:00 - 04:59	4.00
06:00 - 06:59	3.50
07:00 - 07:59	2.00
11:00 - 11:59	2.00
13:00 - 13:59	2.00
14:00 - 14:59	4.00
15:00 - 15:59	3.50
17:00 - 17:59	2.00
18:00 - 18:59	6.00
20:00 - 20:59	4.50
22:00 - 22:59	2.00
23:00 - 23:59	5.00

Incident Statistics

Zone(s): All Zones | Start Date: 07/01/2022 | End Date: 07/31/2022

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		9	
FIRE		13	
TOTAL		22	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
TOTAL			
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
736 - CO detector activation due to malfunction		1	
TOTAL		1	
MUTUAL AID			
Aid Type		Total	
Aid Given		1	
Aid Received		1	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
2		9.09	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Station 1400	0:16:23	0:12:43	
AVERAGE FOR ALL CALLS		0:14:29	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Station 1400	0:07:27	0:05:18	
AVERAGE FOR ALL CALLS		0:06:34	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Damasus Fire Department		70:15	

Personnel Hours for Incidents for Date Range (Not Payroll Related)

Start Date: 07/01/2022 | End Date: 07/31/2022

PERSONNEL	TIME SPENT ON INCIDENTS (Hours:Minutes Dispatched to Cleared Scene)
Berry, Austin	1:02
Burnett, Michael	9:47
Campbell, Dalton	3:15
Feliciano, Yamir	0:36
Hand, Devon J	2:27
Johnson, Michael	19:27
Justice, Jason	9:16
Minton, Jared	3:26
Mullins, Troy	17:11
Phipps, Jennifer N	6:26
Phipps, Michael	10:49
Reid, Michael D	3:25
Turner, Kermit	24:39
Turner, Walter B	8:24
Widener, Alex	11:33
Widener, Anthony	3:25
Total:	135:08

Response Percentage per Station per Personnel for Incident Types for Personnel

Personnel: All Personnel | Incident Type(s): All Incident Types | Start Date: 07/01/2022 | End Date: 07/31/2022

Personnel	Calls Attended	% of Calls for Selected Incident Types
Station: Station 1400		
Barr, Derek	1	4.5%
Berry, Austin	1	4.5%
Burnett, Michael	6	27.3%
Campbell, Dalton	5	22.7%
Feliciano, Yamir	3	13.6%
Hand, Devon J	4	18.2%
Hurd, Emilee	3	13.6%
Johnson, Michael	14	63.6%
Jones, Andrew	2	9.1%
Jones, Dave	5	22.7%
Justice, Jason	8	36.4%
Minton, Jared	6	27.3%
Mullins, Troy	13	59.1%
Phipps, Jennifer N	9	40.9%
Phipps, Michael	15	68.2%
Reedy, Tony Mitchell	1	4.5%
Reid, Michael D	1	4.5%
Turner, Kermit	15	68.2%
Turner, Walter B	11	50.0%
Widener, Alex	11	50.0%
Widener, Anthony	6	27.3%
Total Incidents for Station Station 1400	22	

Total Incidents for all Stations 22

- * Chief Turner stated that he is hoping to improve communication efforts on the Creeper Trail up in the Green Cove-Taylors Valley area with a tower, pending FAA approval, that the

Washington County Sheriff's Office is willing to donate to the cause.

Special Committees

1. Richard Smith reported that the Damascus Dog Park is unofficially open, with a tremendous amount of work to still be done. The official opening is scheduled for October 1st for the first phase. We are one of the finalists for the \$25,000 PetSafe dog park grant, and everyone can go online and vote for Damascus once a day throughout the month of August, so please do so and share.

Mr. Smith said he would like to get two more History Tour signs developed and put up; one about the history of the bike shops in Damascus, and one about neighborhoods of Damascus. These signs are usually around \$400-\$500, so sponsorships for these are currently being sought after.

Also, Mr. Smith stated that he and others will be taking supplies for flood victims to Whitesburg KY on Thursday morning, so if anyone has items to donate, please let him know. They also plan to return several more times after that to assist with reconstruction and repair.

2. Larry Ginn thanked the Town of Damascus for the opportunity given to him to serve on the Planning Commission (PC) for the past seven years, and the Board of Zoning Appeals (BZA) for the past five years. He reported that he has sold his home in Damascus and will be moving out of Town, so effective today he is resigning from the PC, which will be submitted in writing or an email later tonight. Mr. Ginn stated that his five-year term on the BZA expired yesterday (July 31st) and he stated that the BZA met last week and the board unanimously voted to recommend to the Council that Jeff Buckley replace him as a BZA member.

Mayor Lamb thanked Mr. Ginn for his years of service to the Town.

Mr. Buckley was available to answer any questions from the Mayor and Council Members, and stated that as an employee of the State he has to get prior approval from the director to hold another position with a government agency, which should be no problem since there is no conflict of interest and it is just a formality.

- Ms. Coleman made a motion to authorize the Town Manager to draft a resolution for Jeff Buckley to be appointed as a BZA member, pending Mr. Buckley's approval from his employer, as requested. Mr. Greer 2nd the motion, which passed (4-0).

Citizens Comments

1. Sammy Campbell, 220 S. Railroad Ave., representing the Damascus Volunteer Rescue Squad (DVRS), gave the Mayor and Council the following data summary of the agency's vital lifesaving services provided to the Town and community for the first six months of this year: the DVRS has responded to 134 calls within Town limits and 390 calls in nearby areas, as well as 36 standby calls in conjunction with the Damascus Volunteer Fire Department (DVFD). Their ambulances have logged over 17,560 miles. They do not charge for non-transport calls, and are the last volunteer Emergency Medical Service (EMS) agency in Washington County. They operate as a soft billing agency, and they have written off \$75,000 in medical expenses, which is unfortunate because their expenses have risen dramatically, and reimbursements have remained static or declined. They invite the Council Members to come before the squad headquarters, and would like to continue to provide the Town with semi-annual updates of their services.

Mr. Campbell also stated that as a citizen he and others are concerned about the critical need for information to be shared with residents in a timely manner, in the name of transparency. The need for better communication from the Town, such as not using abbreviations/initials/acronyms on Council Meeting agendas, because that can be confusing and not helpful for those who don't know the jargon. Attaching synopsis' to agenda items would also be helpful because the sharing of vital information is key to the success of any town.

Manager's Report

Mr. Blevins submitted the following report for the previous month:

Downtown + Laurel Creek Park & Trail

- o *Completion of the dry riverbed feature in the landscaping along N Shady Ave trail section is still scheduled for later in the summer, and we will likely be adding a couple of other dry bed features into the park.*
- o *We are coordinating sealing/staining of the structures after the Farmers Market season.*
- o *The bathroom exterior and interior are nearly finished – we are mostly just waiting on the stalls we ordered to arrive, then everything else can be installed.*

TRRC – Trail Center

- *Landscaping efforts continue as we await final plans for the rain garden.*
- *We are still waiting on the new doors and windows and are struggling to find an available electrician to get the electrical work done.*

Scattered Site Housing Rehab Project

- *We are currently approving the final applications and moving forward to get necessary asbestos testing completed prior to bidding contracts for demolition and substantial reconstruction.*
- *The town is still seeking prequalification of contractors until 4:00 on August 8th – we have currently received contact from two contractors.*

Creeper Trail

- *Lisa Quigley, Kevin Worley, and I attended the July 26 Board of Supervisors meeting to follow up on VCTC's official request for funding of trestle 31 and the Board voted to fund trestle 31 (with a couple of stipulations). Through our regional partnerships and planning efforts, USFS has also been able to get confirmation of funding in FY23 for trestles 16 and 17 to be substantially reconstructed.*
- *Jason and I are still coordinating with the Virginia Creeper Trail Conservancy to do repairs to the historic red cabooses in the Town Park – interior and exterior repairs are underway.*
- *Abingdon has completed procurement of the engineering firm for the Creeper Trail projects on behalf of all parties.*
- *Need to get permission to buy #10 stone for trail section from pool to Shady Ave for USFS to complete work. Also, getting quotes to assist USFS with removing dead ash trees around trestles 16 and 17.*
- *Mr. Greer made a motion to approve the purchase of stone, as requested, up to \$4,000. Ms. Coleman 2nd the motion, which passed (4-0).*

Miscellaneous

- *Jason and I are still coordinating design and permitting for streambank restoration projects along Beaverdam Creek – these will be extensive, but we are planning to use a natural rock vane design – we met with engineers last week to get cost estimates.*
- *Julie and I are still coordinating with a local stump carver for the Laurel Creek Park to get the design draft and are hopeful for completion prior to the grand opening of the Damascus Trail Center, but there have been some delays.*

- *The new street striping is significantly complete, but corrections still haven't been made due to waiting on paint delivery and harsh weather.*
- *Tracking the storms as of late, VDOT already has issued a task order to get the storm drains at the bottom of the Rte. 58 bridge cleaned out, so that's on the contractor's schedule. I've also been taking pictures so that VDOT can make plans to correct the remaining curbs, but due to all of the crisis's around the region, much on VDOT's staff is out assisting VDEM and FEMA.*

Legal Matters

Nothing at this time.

Old Business

Nothing at this time.

New Business

- Reschedule September Meeting *(the first Monday falls on Labor Day)*
 - Mr. Greer made a motion to reschedule the September Regular Called Council Meeting for Tuesday, September 6th, at 7pm. Ms. Coleman 2nd the motion, which passed (4-0).
- Request from HHS Cheerleaders – Mayor Lamb read the following request for the public:



21308
 Damascus, VA 24236
 Phone: 276.739.4000
 Fax: 276.475.4024

Principal: Gabe Long
 Assistant Principal: Don Blackburn
 Athletic Director: Travis Gray

7/22/2022

To whom it may concern:

The Holston High School cheerleading team is seeking donations from local businesses to help fund our needed items for the 2022-2023 season. This money will be used to purchase things like safety mats for stunting/tumbling, a reusable run-through banner for football season, team shoes, warm up pants, socks, pom poms, bows, hoodies, and other necessary items. We greatly appreciate your support for the children of our community!

Thank you!

- Tree Service Estimates for the dead tree at the corner of Legion St. and Laurel Ave.
 1. Adam's Tree Service - \$500-550 for the tree (don't think this includes cleanup), and the stump grinding would be \$100 if we wanted that.
 2. Pro Touch Tree Service - \$1,200 for cut down and clean up
 3. Gregor's Tree Service - \$800 to cut the tree and another \$100 to remove the stump
- Mr. Greer made a motion to use Adam's Tree Service for the job, to include stump grinding and clean up, not to exceed \$1,100. Ms. Coleman 2nd the motion, which passed (4-0).
- Municode Bill – Online Code Hosting bill for \$450, covering the period from 3/1/2022 to 2/28/2023.

Mr. Blevins explained that once we have our recodification complete, we will host the Town's Code online on the Town's website, but until then it is hosted with the Municode company on their website.

- Mr. Greer made a motion to continue paying this annual service fee and revisit the option in 2023. Ms. Coleman 2nd the motion, which passed (4-0).
- MRPDC/Town – IT Personnel MOU:

Mr. Blevins explained that the Mount Rogers Planning District Commission's director is hoping to be able to utilize the Town's Information Technology coordinator to do IT work for the MRPDC as needed. The following contract is for interagency cooperation if the Town wants to offer their IT employee's services, with the MRPDC paying the Town an hourly rate plus mileage reimbursement for the employee's travels when they come to the Marion office.

**Memorandum of Understanding
between the Mount Rogers Planning District Commission and the town of
Damascus, Virginia**

Background: The Mount Rogers Planning District Commission has need of Information and Technology services but does not currently have in-house staff capable of filling that role. The Town of Damascus currently has Information and Technology personnel on staff.

The Damascus Town Council is willing to allow their IT personnel to work at the Mount Rogers Planning District Commission (MRPDC) offices according to the agreements listed below.

The IT staff member will work at the pleasure of the MRPDC Executive Director; Duties may include but are not limited to:

- Respond promptly to requests for information.
- Respond to requests for repair.
- Respond to requests for services.
- Advise the PDC on technology deficiencies.
- Advise the PDC on best practices.
- Install and maintain wireless internet access at the PDC offices
- Coordinate and troubleshoot wired and wireless connections with office equipment
- Other duties as agreed upon by the Executive Director and the Town Manager.
- Conduct his or herself in a professional manner.

The Executive Director agrees as part of this contract to do the following:

- Understand that the IT person's position is to provide part-time services.
- Understand that the town staff member assigned to the PDC has his or her primary responsibilities within the town of Damascus.
- Treat the IT person in a professional manner.
- Be specific in requests for information or services.
- Deal with complaints and failures in a professional and positive manner.
- Clearly define results that are expected.
- To provide the IT person with adequate workspace and equipment needed to provide services.
- Agree to compensate the Town on a quarterly basis for services addressed in this agreement.
- Understand additional compensation may be required for services above and beyond the services addressed in this agreement.

The Mount Rogers Planning District Commission and the Town of Damascus agree that the compensation rate for Information Technology services is fifty (50) dollars per hour.

The Mount Rogers Planning District Commission and the Town of Damascus agree that the rate to be paid for travel shall be the Federal Mileage Rate as established by the IRS.

AMENDMENT

This contract may be amended from time to time by written authorization of the PDC and the Town and shall be subject to renegotiation if such amendment results in the change in the scope of services, compensation, and/or method of payment.

Ms. Coleman stated that she is concerned that the employee might be utilized by the MRPDC too often, and not be available for the Town's needs.

Mr. Cassell suggested including a stipulation that the use of the employee's services must first be approved by the Town Manager, and then if it gets to the point where it seems the employee's hours at the MRPDC need to be reduced, the Town Manager can be instructed to do so.

- Mr. Greer made a motion to approve the Memorandum of Understanding (MOU) between the Mount Rogers Planning District Commission (MRPDC) and the Town of Damascus, for

employee Information Technology (IT) services as requested, and contingent upon the workload being approved by the Town Manager. Ms. Coleman 2nd the motion, which passed (4-0).

- Tourism Video Production - Issue Contract Using Virginia Tourism Corporation (VTC) Destination Marketing Organization (DMO) Grant Funds. After review of four proposals by Mr. Greer, Ms. Coleman, and Julie Kroll, the following was recommended for approval:

**Contract: Tourism Video Production
August 2022 to June 2023**

Objective

The purpose of this project is to promote Damascus, VA in a short video which focuses on local tourism opportunities, including the family-friendly nature of the town, the low cost of vacations here compared to traditional theme parks, the variety of recreation available, and the opportunity for more demanding physical challenges for participants in mountain biking, hiking, climbing, and other outdoor sports.

Agreement

This agreement is made and entered into between the **Town of Damascus, Virginia**, hereafter referred to as "the Town", and **We Ran There Video Production**, hereafter referred to as "Contractor".

In consideration of the mutual promises and agreements hereafter set forth, and intending to be legally bound, the parties agree as follows:

1. **Services Provided** - The Contractor agrees to provide the following service(s):
 - a. Delivery of one three- to four-minute video to attract visitors to Damascus, Virginia
 - b. Delivery of at least two 30-second videos (which may be extracted from material in the original video as well as newly-created material)
 - c. Delivery of collected b-roll footage
2. **Term** - The service(s) called for by this Agreement shall commence on about August 5, 2022 and shall end by June 1, 2023.
3. **Independent Contractor** - The Contractor acknowledges and agrees that it is an independent contractor and that nothing herein shall be construed to create the relationship of employer and employee between the Town and the Contractor. No employee related withholdings or deductions shall be made from payments due the Contractor. The Contractor shall not be entitled to receive any benefits from the Town and shall not be eligible for workers' compensation or unemployment benefits.

Production Requirements

1. Adherence to script with variations as approved by Town representative;
2. Inclusion of all elements within script, which may include aerial shots, natural and recreational resources, lodging, bike shops, Virginia Creeper Trail, Appalachian Trail, Crooked Road Musical Heritage Trail, Whitetop Laurel Creek, Trail Days activities, historical photos, and related video;
3. Review by two representatives of initial raw footage to determine if compliance with standards of quality is being kept
4. Review in [choose month] of material completed as of the date chosen;
5. Final project review, delivery and payment by June 2023.

The Town of Damascus has unlimited usage rights to all digital media purchased by the Town for an unlimited time. Digital media, including b-roll, may be used by the Town of Damascus, Virginia Tourism Corporation, and

any other entity the Town deems appropriate in promotional publications, websites, advertising, editorial, advertorial, press kits, video multimedia, social media, or any other use the Town deems appropriate at no additional cost to the Town of Damascus.

The Vendor guarantees personal and complete ownership of the copyrighted material and the ability to transfer unlimited usage rights to the Town. The Vendor agrees to fully indemnify, defend, and hold harmless the Town for any claim arising from a third party's claimed interest in the copyrighted material.

Force Majeure

If the agreement cannot be performed due to some catastrophic, unforeseeable, or uncontrollable force, the responsibility shall be exempted in part or in whole according to the influence of force majeure. However, if force majeure occurs after the party delays performance, the party shall not be exempted from liability.

Hold Harmless

Contractor shall agree to defend, indemnify and hold harmless the Town from liability and claim for damages because of bodily injury, death, property damage, sickness, disease or less any expense arising from Contractor's Performance under this agreement.

Project Administrator

For questions, contact Julie Kroll at recreation.director@damascus.org or (276) 475-3831.

Payment Terms

All services provided shall be performed to the satisfaction of the Town of Damascus and in accordance with all applicable federal, state, and local laws, ordinances, rules, policies, and regulations. Payment for services will be made within thirty (30) days after receipt of a proper invoice for the amount of payment due, or thirty days after receipt of the goods or services, whichever is later. The Town of Damascus is exempt from taxation.

The initial deposit of \$580.00 (20% of total) is due upon initiation of the contract, by August 25, 2022.
The remaining balance of \$2,320.00 is due upon delivery of final products, by June 30, 2023.

Total Project Budget: \$2,900

- Mr. Greer made a motion to approve the tourism video production contract as presented. Ms. Coleman 2nd the motion, which passed (4-0).
- Contra Dance series – The following contract was presented for VTC DRIVE 2.0 grant funds to be used for a four-part event series:

**Contract: Trail Town Twirl, Contra Dance series
2022 - December 16; 2023 - March 24, June 23, September 22**

Objective

The purpose of this event series is to increase year-round visitation and promote Damascus, VA as a destination for contra dancing. Contra dancing is a folk dance with English, Scottish, and French origins. Many of the dances are done in pairs but individuals may attend without a partner. The dance is led by a caller and live band. Damascus hosts an annual contra dance at the Riverside Auditorium during Trail Days. This event series will (1) attract the dance community, a new audience, to Damascus, and (2) provide a new activity for residents and visitors.

Agreement

This agreement is made and entered into between the **Town of Damascus, Virginia**, hereafter referred to as "the Town", and **Appalachian Folk School**, hereafter referred to as "Contractor".

In consideration of the mutual promises and agreements hereafter set forth, and intending to be legally bound, the parties agree as follows:

1. Services Provided

The Contractor agrees to provide the following:

- a. Dance caller(s), live music, and sound equipment for the agreed upon dates of December 16 (2022) and March 24, June 23, and September 22 (2023)
- b. Collection of payment from dance participants and delivery to the Town on the next business day after each event
- c. Promotion of the event series to the contra dance community - via the Contractor's email list, social media, and word-of-mouth

The Town agrees to provide the following:

- a. Arrangement with People, Inc. for use of the Riverside Auditorium as the event venue; residents of the Riverside Place Apartments shall be able to participate in the event at no cost
- b. Paper products (toilet paper, paper towels) and the availability of one town/custodial staff
- c. Development of promotional materials and promotion of the event series through Town channels

2. Independent Contractor - The Contractor acknowledges and agrees that it is an independent contractor and that nothing herein shall be construed to create the relationship of employer and employee between the Town and the Contractor. No employee related withholdings or deductions shall be made from payments due the Contractor. The Contractor shall not be entitled to receive any benefits from the Town and shall not be eligible for workers' compensation or unemployment benefits.

Hold Harmless

Contractor shall agree to defend, indemnify and hold harmless the Town from liability and claim for damages because of bodily injury, death, property damage, sickness, disease or less any expense arising from Contractor's Performance under this agreement.

Project Administrator

For questions, contact Julie Kroll at recreation.director@damascus.org or (276) 475-3831.

Payment Terms

All services provided shall be performed to the satisfaction of the Town of Damascus and in accordance with all applicable federal, state, and local laws, ordinances, rules, policies, and regulations. Payment for services will be made within thirty (30) days after receipt of a proper invoice for the amount of payment due, or thirty days after receipt of the goods or services, whichever is later. The Town of Damascus is exempt from taxation.

The payment of \$500 per event is due to individual parties as billed (caller(s), musicians, sound) upon completion of each event: December 16, March 24, June 23, and September 22.

Total Project Budget: \$2,000

- Mayor Lamb stated that she would like this event contract to be tabled until more information can be available about any other event options that this grant funding might be used for.

Mr. Cassell said this meeting can be recessed instead of adjourned until the Council can meet again for further discussion on the matter.

Consent Agenda

- Mr. Greer made a motion to pay the bills for invoices exceeding \$500, 2nd by Ms. Coleman. The motion passed (4-0).
- Mr. Greer made a motion to pay the bills presented as well as the standard and/or recurring bills that will come in before the next Council meeting. Ms. Coleman 2nd the motion, which passed (4-0).

Mayor & Council Members Reports

Mayor Lamb reported there are potholes and road issues on Mock Avenue; thanked those who participated in the July Beaverdam Friday Jam, which was an amazing event; and thanked Larry Ginn for all of his work over the past few years as a member of the Damascus Planning Commission, and the Damascus Board of Zoning Appeals.

Announcements

UPCOMING EVENTS & OTHER ANNOUNCEMENTS:

- August 5th and 19th – Mountain Movers Karaoke and Movie in the Park
- August 26th – Beaverdam Friday Jam with the Beth Snapp Band, sponsored by Run Damascus / Creeper Trail Cottages
- August 27th – Grand Opening of the Damascus Trail Center
- August 28th – First Baptist and One Way Ministries' Fire by Night in the Town Park
- Every Saturday from 9am-Noon – the Damascus Farmers Market at Laurel Creek Park

*For information on upcoming events, go to our website visitdamascus.org. For citizen info go to damascus.org, and don't forget our social media presence on **Facebook** and **Instagram**!*

- Mr. Greer made a motion to recess until Wednesday, August 10th at 4pm. Ms. Coleman 2nd the motion, which passed (4-0).

Katie Lamb, Mayor

Tuesday Pope, Clerk