

Virginia: At the Special Called meeting of the Town of Chilhowie held at the Municipal Building, Tuesday, July 18, 2013 at 6:15 p.m.

Present: Honorable Gary L. Heninger, Mayor Presiding; Councilors James B. Bonham, III, Bill Clear, Brent Foster, Kelly Spencer-Hill, Lewis W. Shortt, Jr. and Cathy M. Smith.

Absent: None.

Also Present: Mrs. Marlene L. Henderson, MMC, Clerk-Treasurer.

Mayor Heninger called the meeting to order.

Mrs. Henderson stated that in accordance with Section 15.21418 in the Code as amended Cathy Smith and Brent Foster, members of Council, have filed a request for a Special Meeting of the Chilhowie Town Council. You are hereby notified that this meeting is set for 6:15 on Thursday, July 18, 2013 in the Council Chambers located in the Municipal Building, 325 East Lee Highway, Chilhowie. She stated that the meeting for Monday was canceled and the agenda was attached.

The matter of the discussion of the Master Plan for the Chilhowie Apple Festival was brought on for discussion.

Brent Foster At the regular meeting last week, whenever it was, Mr. Gary brought up a point. There was a discussion talking about the Master Plan and the fees for people that were selling things on private property and he brought up the question can the Council make that.....it is not the Apple Festival making it and it was the Town Council that said that could be done due to Apple Festival week that anybody selling anything in Town would have to get a license from the Apple Festival and Liability Insurance. He brought up the fact if they were on private property can we legally do that and I am not sure that we can. If someone is on private property I do not see how we can make them have Liability Insurance or make them go by any rules other than State rules.

So I am not sure that can be done. I know in the past there has been people that has set up outside of the Apple Festival area and not paid the fees or permits and other than being asked to and they did not pay, I think that is as far as it went. I know that Apple Festival went to them and asked them to be part of it and they politely or impolitely said no. So, in the Master Plan where it talks about any person selling or engaging anything inside the community must have the Special Business License or permit from Apple Festival and also pay a percentage of sales, I am not sure that we can enforce that or that can actually be done. We would like to see that actually changed. Like I say I do not think that we can actually

do that other than Town property and that would be the Old High School, ball field, Town Hall property and Fire Department property.

Cathy Smith

I was reading somewhere and doing some research and according and looking at State Codes and looking at a number of different things, look at other festival master plans and I did not see anything in those that would say the same thing basically applies to what Brent was just saying. If it is on private property there is nothing that we can do. There is nothing that you all can do, if they want to sale bottled water or whatever, if they sale food that is prepared of course they have to go through the Health Department, that has to be cleared. If they are selling food within the Town limits, according to Code and please correct me, but I believe that Meals Tax needs to be collected, according to the Town Code.

I realize that you all...and it is a good Master Plan, but after twelve years I think that we need to revisit it for the Apple Festival as well as for the Town to make sure that we are all on the same page as far as liability, as far as anything else so that if something does come up both entities have everything covered and have everything there in documentation that we are by the Code and by the Law. That we are all on the same page with this and with the way things have changed and with the way laws have changed. I would like for us to be able to cover all basis and to make sure that we are all within that and if something does come up then we are okay, we are not liable. That is part of our concern, if we need to change with the times then we need to change with the times and I feel that there are some places in here that we need to sit down and make some changes.

Brent Foster

Also I honestly think that this will increase the number of people in Town. That will, I mean, everybody knows that after the parade everything moves to the Old High School and to the ball field.

Cathy Smith

And to the band field.

Brent Foster

Yes, I honestly believe that this will increase the number of people in both those venues because there will be more people in Town. A group, whatever group, brings five people in to sell food or sell drinks that is five more people plus whoever comes with them, probably five or ten more. You got more people in Town and they may stay and they may come down here and spend money and that is what we want them to do. So that is one of the things that we need to see about changing is that one part. Also the meals tax, I do not think that the Town has ever collected it.

Gene Groseclose

Yes they have.

Brent Foster

Oh, have they?

Gene Groseclose	Every year.
Marlene Henderson	No, I had Kerri to look it up for me and since 2010 we have not collected any.
Gene Groseclose	Well, then that is up to the Town to hunt down the people that did not pay.
Marlene Henderson	I guess we need to probably put that in there to. We need to have their names and addresses because I do not have those.
Cathy Smith	And see right now we just cleared up something and that is great. We are making progress. So if we have the meals tax and we have those forms and we have someone from the Town to collect it and whatever needs to be done then we can do it because according to our Town Code, food is sold within the Town limits there is supposed to be a meals tax.
Rebecca Smith	They are given those and the Virginia State tax forms and they are asked to send those in, to be mailed, because that is the way the State tax man wanted his done and when Mr. Boswell asked us when you all started that, we gave them both and asked them to mail them in.
Brent Foster	Thank you.
Cathy Smith	Did you give them any kind time limit as to how soon they are to mail these in.
Rebecca Smith	Most of them I am sure would know that it needs to be within that year.
Cathy Smith	Within that year or within so many.....okay.
Rebecca Smith	Whatever it says on your all's form.
Marlene Henderson	Just to have the information would be good for me to have on file.
Brent Foster	Names and addresses so we can follow up.
Cathy Smith	Names, addresses and contact numbers.
Mayor Heninger	Same vendors coming back this year?
Gene Groseclose	I do not know, we are still waiting on letters. Most of them have been coming for the last five or six years.
Bill Clear	How do we know how much to collect?
Brent Foster	The vendors report it.

Cathy Smith	On the form.
Bill Clear	A lot of the vendors are taking cash in so who knows.
Brent Foster	Well that is the same as anybody else to.
Bill Clear	Okay.
Brent Foster	There is no way to police that. I guess another point is that if I am not mistaken, the Apple Festival does not have a Business License.
Cathy Smith	This is another Town Code. I mean we got to be fair.
Brent Foster	If it is not for profit then they are exempt, that is a given.
Cathy Smith	Then that would be a form that we would need on file to go with the Master Plan. Have we made an application to VDOT for the parade route yet?
Mayor Heninger	No, we have plenty of time yet. Bill always takes care of that.
Cathy Smith	Okay. That is pretty much a given.
Brent Foster	Just call and let them know.
Cathy Smith	Okay, something else that has came up that you may be aware of. Mr. Wilner has resigned from the High School.
Laura Etta Wilkinson	We are well aware of that.
Cathy Smith	Okay, is there anything that you all need help with?
Rebecca Smith	I handle that and I will meet with the new band director just like I did with him and go over everything.
Cathy Smith	Do we have a new band director yet?
Rebecca Smith	Yes, we do.
Cathy Smith	We do? Okay good.
Rebecca Smith	The children met him today.
Cathy Smith	Great, good. Okay, something else that I would like to see is the areas that you need volunteers and something that we can help you with in getting

people within the community to help out in certain areas. If we can get a list of areas and maybe the number of volunteers that you need, that would be great. That would be very good because it is a lot of hard work. It is a lot of hard work and it is long hours. Is there something that we can possibly get some rising seniors from the High School to help out with some Community Service?

Rebecca Smith We ask them, we ask the Guidance Counselor to give us a list of student who would like to get service hours for their scholarships and different clubs that has helped. It is just basically a lot of the kids wear the costume characters in the parade and the senior citizens plan on helping us. We have representatives from opposite groups on our Board so we cover all of those and we always contact the school.

Cathy Smith Okay, good.

Brent Foster Out of curiosity, have you ever contacted Emory and some of the Sorority and Fraternities there? I know we want the ones that will do the work.

Rebecca Smith No because Saturdays is generally football and that is a suitcase college where most go home on the weekend that can.

Brent Foster I did not know if that was something that is an idea, but you are right it goes down to ten people on the weekend.

Cathy Smith Not only as far as the Meals Tax Forms, State Tax Forms, are there any other forms that you give out to vendors or you have to give out to anyone? I know you talked about the Special Business License by the concessionaires, is that another separate form?

Rebecca Smith That is a contract with us.

Cathy Smith It is a contract, okay. What we would like is copies of those to be put with the Master Plan so if someone comes into Town Hall asking for documentation and let's say they asked for what's the contract for concessioners and we can say this is what it is and we can show it to them.

Rebecca Smith Well actually that is all on the application and that is all that you would need and each one is completely different depending on what you sell.

Cathy Smith That would be great. So if we could have that with the Master Plan like Exhibit A is the Meals Tax Form, Exhibit B is the Sales Tax Form, Exhibit C is the Application for Vendor.

Laura Etta Wilkinson Actually all they would have to do is call the Apple Festival number and they can see what they need.

Cathy Smith	Okay, well, can we have a copy of the form? What I am saying is you know someone could come in and say well I cannot get a hold of the Apple Festival right now or someone said you all have a copy of that as well.
Rebecca Smith	The only problem with that is if you give them one then you do not have all of the other information to give them as to what they are selling, we may already have that and we do not want any duplications and they will come back and think that they are accepted or whatever. It would really be better for you to say for them to contact.....
Brent Foster	Contact the Apple Festival.
Cathy Smith	Contact such and such person. But I think just having the form on file just as the fact of having....
Gene Groseclose	It is not a standard form Cathy, every form is different when it goes to a vendor because it tells them exactly what they can sale.
Cathy Smith	Do you have just like a general....
Gene Groseclose	No.
Bill Clear	So everybody has a different form?
Cathy Smith	So everybody has a different form? How many different forms do you have?
Gene Groseclose	We have probably ten vendors and ten different forms.
Rebecca Smith	Yes, they each have a different contract that tells us what they do and their dimensions and what they sale and all of that stuff and it is all individual, they get a copy and we get a copy and it is between us and them. And it is a legal document that has been approved by the Town Attorney.
Bill Clear	Could you not have just one form and attach that information to it?
Rebecca Smith	Not really.
Laura Etta Wilkinson	Actually we have never had a problem with it so I do not see why we cannot continue doing it the way we have always done it. I know you do not want to hear "as you always done it" but it has been quite successful because we have taken forms to other festivals and listed down what we need and had it approved. I do not know anyone that has said they could

not find a form or could not call us and I think that needs to continue like we always have.

Brent Foster If someone calls and asks at the Town Hall just give them the phone number.

Laura Etta Wilkinson People call all the time and say hey they gave me this number at the Town Hall.

Brent Foster I think that is fine.

Laura Etta Wilkinson That is on our webpage.

Mayor Heninger Do you have anything else?

Brent Foster Do you have anything else?

Cathy Smith Something else that has come up and we have questions about. The amount of overtime with the Departments that help you all out, I know the Fire Department is all volunteer and so there is no overtime with that and we are very gracious for that. Looking at the Police Department with the number of overtime hours there and looking at the Public Works and the number of hours of overtime picking up trash and whatever needs to be done. I think this past year, and Marlene correct me, I believe it was around \$6,000 or was it more than that.

Marlene Henderson I never saw a figure so I do not know.

Cathy Smith Okay, but from what my investigations looking at the number of hours, looking at the Police Department we were looking at about 60 hours at time and a half for the weekend and Public Works have about three or four people and that is several thousand dollars. I know this is an expense to the Town and it is overtime and I know that is something that all of us is trying to cut budgets and trying to trim and try to do things for Towns in clean up and so forth and I was wondering if there was some way we can come to a happy medium with the expense to the Town.

Bill Clear Are you going to allow these people to work overtime? You all said that you was going to cut out overtime for the people at Public Works.

Cathy Smith No, not all of it, that is just for those three people.

Bill Clear Well those people that work there they will be working with this here too, you are going to have a problem.

Cathy Smith This is an exception.

Bill Clear	No, I do not think so. You are going to have a problem.
Brent Foster	I think the Police Department, that is something the Town absorbs due to the fact of what goes on, the extra police....
Gene Groseclose	Have you checked lately as for what the Apple Festival has done for the Fire Department?
Cathy Smith	I have not spoken with him in a few days but as far as their expense there is none, no overtime.
Gene Groseclose	That is really nice because I wrote them a check \$2,500 and that would pay for a whole lot of labor would it not? I want to just ask you one question Cathy, who is your Attorney that has gone over this stuff with you. Danny Lowe went over this with a fine tooth comb and approved it and I do not see any lawyer in here going through this right now. Are you the Town Attorney now?
Cathy Smith	No, the Town Attorney is not with us.
Gene Groseclose	Well why? We have had a plan for twelve or fifteen years and now you are tearing it all to pieces and you are not an Attorney and you are talking about all of the Codes, quote them to me. I have spent 60 years in this thing, how many years have you spent in it?
Cathy Smith	I am not going to argue with you, I just think.....
Gene Groseclose	I am not going to argue with you either, but I am tired of it.
Cathy Smith	I think what we need to do is we need to make sure both the Council and the Apple Festival Committee that we are on the same page and we keep communicating.
Gene Groseclose	We were on the same page until you and Brent come in we were on the same page. I hate to get this worked up but I tell you one thing....
Cathy Smith	That is not what I found out through research.
Gene Groseclose	Oh, do not give me that stuff, gosh almighty. Now you tell me from an Attorney and you tell you all the Codes and you tell me how we are to collect the food tax when all we can do is hand them the form and if they do not want to pay it; it is just like people not paying their taxes.
Laura Etta Wilkinson	One time we were billed of overtime and we wrote a check for overtime.

- Gene Groseclose They even charged us to mow the greens over there.
- Cathy Smith Now see I did not know that, I knew about the check. The check you all stopped payment on it from what I understand.
- Gene Groseclose Yes we did, after we thought about it was ridiculous because the Town said they were going to be a part of it and they have not been for many years.
- Laura Etta Wilkinson Well you know we realized that we needed to save \$50,000 that we gave to you all for the Old School we would have been able to pay the overtime.
- Rebecca Wilkinson And what about all of the donations made to the Fire Department over the years whenever they were short and needed money to buy equipment or whatever operating expenses they had we forked over whatever we could.
- Laura Etta Wilkinson I know you are not supposed to speak out of turn, but I will say this, it made me really sad when I read in the Smyth County News about the festival in Marion. How the Town of Marion was providing a bus for the people in the Town of Marion to go back and forth to the festival at the park and they are not charging that to the festival. How the Town of Marion is having activities at night for the people who come in. And the lady in charge of the festival addressed the fact that people are buying food, going to stores and they have good advertisement for free. We have been doing that for sixty years.

All of these people that come in here they do not forget Chilhowie and they will tell you good things about the festival. I know and you probably heard this before, but one time we went to Myrtle Beach and I had on an Apple Festival shirt and I had an older man, probably my age, came up and said "boy those were the good old days, I can remember going there in my high school days." Another lady was a waitress and she just graduated and said "golly we sure like home in Chilhowie. One of my best friends whose daughter is a musician her teacher when he found out where she was from said "oh that brings back a lot of memories of coming to Chilhowie."

So for sixty years people have come here, sometimes we have as many as fifteen or more bands. All these people over all these years have come here giving us advertisement. The Chilhowie Apple Festival has advertised the Town of Chilhowie on our own and people have come in and we have never had any problems with the Town. The Town has always let us borrow the tables and that sort of thing and we never had any problems and we always met. But what bothers me and you all did not meet with us to start with to ask anything about this, not one person gave

us any consideration except Mr. Bonham. And he is the only one who says that you should consult with us. It kind of hurts because you know we all know each other. Gary I come to your place of business to get my battery charged. Cathy a lot of us got out and helped you run for office and Brent we buy medicine from you.

So, I do not know why you all think, whatever it is, that the Apple Festival is doing so terrible. I do not understand it, I mean you know, we do the best we can and we do with what we can. Sure you are going to have complaints, I have had people say “oh, my daughter did not win the beauty pageant” or “my float should have got first.” One lady even told me that her food should have won first and she gave me a sample of it and I tell you the truth I could hardly eat it, but I was nice and said honey I am sorry but what the Judge says is final and that is it. We try to smooth over anything like that we have but you are not going to satisfy everybody.

You know you talk about food, go to Abingdon, they have a lot longer parade than we do and they eat in the restaurants. We have Food City that sets up, we are soon going to have Rouse’s who sets up, you got Riverfront, Hodge Podge and come on down to the Tastee Freeze and Roadrunner. You know a Town the size of Abingdon and with all of their volunteers they have and things, they do not seem to have a problem and like I said here is Marion who is not going to charge for transportation because they are so thrilled to have a festival up there and it is a wonderful thing and I think that the Apple Festival is to. I do not know, just pick pick, and I do not understand.

You want us to pay a Business License we will pay a Business License and then maybe we can say that we will not contribute anymore to all of the things that we contribute to this Town. And like she said every time in the years past the Fire Department needed something they would come to us and we would say okay and try to help them out. The schools, like I told you, we gave \$32,000 in six years.

Rebecca Smith	Sound system in the stand, sound system in the auditorium, kids that could not afford to go on the band trip, kids that could not afford to go to Williamsburg, band uniforms in the past, anything the community has needed they have come to us and asked. And that is always what we have had on our heart is doing the best that we can for the community.
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Cathy Smith	And it has been greatly appreciated and I have heard a lot of compliments.
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Brent Foster	I know at one time the Town did ask what can we do. I personally would like to see the Apple Festival grow and I know the job that you do is vast.
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Rebecca Smith Okay, tell me what it is that you want to grow, what is it that needs to grow. We have as many people that can get in the Town right now. Other activities....

Brent Foster I am just thinking other ideas...

Rebecca Smith We have added Corn Hole, we have added Apple Festival's Got Talent. We are trying to add whatever is current.

Brent Foster Right, and that is very appreciative but what I was going to continue to say was you talk about us not talking to you all, you all could come to us and say look we want to do this and this and this, but we need help and we need money to pay for these people. Because I know from talking to the Apple Festival bunch the balloons cost a lot of money, when we did the balloons.

Rebecca Smith That is the reason almost everybody has quit doing it.

Brent Foster But that is sort of the type of thing that if you would come and say hey look we would like to increase what we give to the bands, the prize money we give to the bands, if we give prize money to the bands, I know we give trophies.

Cathy Smith We give prize money too.

Brent Foster If we could increase prize money, like you said if we could increase prize money we could get double the bands. The Town can help with stuff like that.

Rebecca Smith It has nothing to do with that.

Brent Foster It is other festivals.

Rebecca Smith It is other festivals, but also right now it is distance because gas is money and the school systems have to limit as to how far you can go and how many festivals you can attend.

Laura Etta Wilkinson And a lot of them go where they know who the Judges are.

Rebecca Smith If the Band Director knows some of the Judges.

Cathy Smith How many schools are you anticipating coming this year?

Rebecca Smith He does not get anything back until after school starts. That is when the Band Directors will decide and a lot of that depends on the school system and what they are allowing and field trips have to be approved.

Cathy Smith	Of course and with the cost of gas going up again; information like that would be something if you all would let us know, that would be great.
Rebecca Smith	Well you know, we have given you all the Master Plan every year and you all can ask questions and nobody has ever asked anything. You know when we met, it is on our website and you all could come to our meetings at any time.
Mayor Heninger	Have anything else?
Cathy Smith	Okay, why don't we....
Rebecca Smith	Yes, okay, Brent you got me a little confused here, you are offering to put money in for the bands and on the other hand Mrs. Smith is wanting us to pay \$6,000 in overtime. There is sort of a conflict.
Brent Foster	True.
Rebecca Smith	So...
Gene Groseclose	Were you all wanting to put in on the prize money?
Rebecca Smith	Were you thinking the Town would donate that or was you thinking that you all could get it from other sources?
Brent Foster	We would just like to know if there are things that we can do, I say to increase the Apple Festival. When you and I marched in the band the crowd started at the same place that it starts now but it is a lot thinner crowd now than it used to be and I know that a lot is due to other festivals going on, people dropping out, their children are not in the bands. You can look at the size of the bands and see that they do not have the membership in the band that they use to and that drops a mother or a dad or both coming because my child is not in the band and I do not really need to go. The more people we can get into Town the bigger it can be.
Gene Groseclose	Well you know Brent, if you can build a float that people will come in to see it that would help out to. How many years has it been since you built a float?
Brent Foster	Quite a few.
Gene Groseclose	We have begged people from all of the businesses and begged them and everything, but Brent Foster has not built one.

Rebecca Smith Yes, that is one of the complaints about the parade, it is not the number of bands, it is the fact that all they see are cars and trucks and very few floats. And we invite the businesses and we invite the school and we do not charge for ours therefore anybody that wants to be in ours can be.

Laura Etta Wilkinson And the businesses know well before hand because last year we sent every business a letter and give the dates to get them scheduled so that they could say that such and such is going on it and we also told that we would love to have them to participate in the parade, what the prize money was, what they would be rewarded and what the different divisions were and we sent this to every business that has a license with you all last year. We cannot get out here and beat people into fixing floats. You know?

Gene Groseclose We have a parade, I cannot remember right off, but it seems like at the end of it last year we lost \$2,000 and we planned to have it another year and we will lose \$2,000 because there are not any money coming in. We give \$225 for four categories, so figure that up. We buy trophies, we buy ribbons, and ribbons are not cheap.

Cathy Smith What is your deadline for the floats? Do you.....

Gene Groseclose We do not make any deadlines.

Rebecca Smith They show up and we feed them in.

Cathy Smith Mr. Foster, you need to start building a float.

Brent Foster I can do that.

Cathy Smith Okay, we need to start to get more floats in there then, that is a need.

Dick Ryan I know that I am not supposed to say anything either since this is my first one, but you know Apple Festival is not going to tell you, but everybody in Town and locally thinks that the Town wants to take over the Apple Festival and when they take it over they are going to drop it, they will not fool with it. It seems like if you look back in the past at all of the activities that at one time Chilhowie had like music in the park and stuff, you know, now we do not have anything. Just like tell you like it is, you do not want it; that is what people think. I know that they are not going to tell you, but that is what people believe.

Mayor Heninger We had music in the park and nobody would come.

Dick Ryan We had a lot of people come, I came.

Mayor Heninger And I did.

Brent Foster And I did.

Dick Ryan You cannot say things like that, nobody would come.....

Mayor Heninger I go to Marion when they have things up there and half of Chilhowie is up there.

Dick Ryan You say we have to do something, you cannot give up and say I am not going to do it, you got to try Gary.

Mayor Heninger I think we have.

Dick Ryan And somebody on the Town Council at some time needs to say that I want to do something, I want to do something, let's do something next month or next week, or let's build something or let's work toward something, do you all ever do that?

Laura Etta Wilkinson We have a stage down there that has a wonderful place to put up a screen like Glade Spring and Saltville, they have movies, free movies. I am not sure if it is once a month or once a week that people can come and see it.

Dick Ryan I really cannot blame you all about it because people of Chilhowie just let it go; it seems like not everybody wants to do something, they just let it go. But some people do, some people want their Town to progress and I do not really see Chilhowie progressing, I really do not. Every Town around here has something every weekend just about, music, races or bicycle races or something and you know do you all ever sit down and say let's do something where we can publicize the Town of Chilhowie. Let's do this, let's have a street dance what the heck, if we have fifty people come. You cannot just give up on everything you got to try something and you have a lot of people to help you, everybody in this room will help.

Laura Etta Wilkinson Two years ago when the Apple Festival along with C.O.A.C.H. sponsored Christmas on Main Street, they had asked us if we would work with them and we told them that we would. Well people came from everywhere for that. We had free hotdogs, marshmallows gave all the children a treat from Santa Claus, we had music over at Riverfront.

Rebecca Smith A live Nativity.

Laura Etta Wilkinson Yes, a live Nativity, it was very successful, but the two groups worked together.

Mayor Heninger Anything else?

Heather Branscomb May I speak as an outsider, actually I grew up here, my family is still here and I moved back from Washington D.C. for a couple of months. Just being away from here for a few years and then looking in and seeing a few friends and family, I noticed a big change has happened. This is what I am hearing from you, friends and family, and I do not want to pour salt in an old wound, that You Tube video of that gentleman riding his horse, I know that upset a lot of my friends who are still running some businesses here in Smyth County. So I think that maybe at that point that may have put a bad taste in every ones mouth when they hear that word.

But growing up here it is beautiful. The people here are wonderful, everyday people and families are everyone here are genueuinally nice people. I know that is something that is very shocking to the people who are still living here today.

Mary Heninger If I am not mistaking that man was offered a place for he and his family to stay and he was also offered by individuals a place to keep his horse and he refused. Okay just because you go on the Internet, he has also been exiled from one Country.

Heather Branscomb I know.

Mary Heninger Just because you go on the Internet and see something, if you believe everything that you see on the Internet you are not a very intelligent person. Just because it is on the Internet does not make what that person is saying a correct statement.

Heather Branscomb Yes, I completely agree with you.

Mary Heninger Yes, he got on there and ranted and raved about the Town stated he was not offered a place, but he was and he refused.

Gene Groseclose How about we get back to the Apple Festival? Ladies?

Heather Branscomb All I know is I saw a change in the attitude.

Mayor Heninger And your name is what?

Heather Branscomb I am Heather Branscomb and I am sorry I did not know that you guys were having a Town meeting I just wanted to sit in.

Dick Ryan We had a program at the Library today, do you know how many people we had at the Library today? We had about 150 people at the Library today.

Gene Groseclose And not a one of our Council members were there.

Dick Ryan We had about 150 people there, the gymnasium was full.

Brent Foster And what time was that?

Dick Ryan About 2:30.

Brent Foster Okay, I was at work then.

Dick Ryan You can have more people to come if you publicize it and work at it.

Gene Groseclose The more I think about it.... The parade, change the route on it, we are requesting to ask Tommy if we can start the parade in his lot and run it to Pine Street. That is what Brent said we should have, Old Stage Road to Route 11, nothing west of the Baptist Church or east of Pine Street. So our parade will be from Berry's to Pine Street.

Brent Foster That is up to you Gene.

Cathy Smith Yes, I mean.....

Gene Groseclose Now Brent, do not tell me that stuff; that is the statement that you made here.

Brent Foster No, it was not.

Gene Groseclose Yes it is!

Brent Foster No, it was not!

Mayor Heninger Okay, we are not going to start arguing.

Gene Groseclose Read your minutes, I just pulled them off last night. What did you say?

Brent Foster I said that you cannot control what people do on private property.

Gene Groseclose No. No. No. Read the minutes.

Rebecca Smith Right here is your quote, Mr. Foster. It says, "Mr. Foster stated that these people may not set up anywhere near the festival and it would not be right if they set up near the festival vendors, that is the Apple Festival's and let them have that. He stated that from Old Stage to Highway 11 would be what the Apple Festival could have."

Brent Foster I guess I did say that didn't I? So do you want the parade to be that long?

Gene Groseclose I do not care.

Brent Foster That would be up to you.

Gene Groseclose No, it is not up to me. We have a Master Plan.....

Brent Foster Yes, it was not fair to any other business in Town because this is a business. I was told years ago that the Apple Festival is a business.

Gene Groseclose How Brent?

Brent Foster I was told it was a business.

Gene Groseclose Who told you something like that?

Brent Foster The person sitting in that seat right there.

Rebecca Smith Because we are incorporated.

Gene Groseclose We are incorporated.....

Bill Clear If you are incorporated then it is a business is it not?

Brent Foster Okay, I was told that you were a business.

Gene Groseclose No. In 2006 you tried to take over the Apple Festival....

Brent Foster I never did...

Gene Groseclose Do not tell me that.

Brent Foster I never tried to take over the Apple Festival.

Gene Groseclose We read it today, it was in 2006 and I told you we were incorporated and to get up and go down and take over Heather's because she was incorporated to. It is in the paper and if you do not believe it then I can show it to you.

Brent Foster I am sure you can.

Gene Groseclose Yes we can.

Mayor Heninger Do you all have anything else? I am not going to sit here and argue all night.

Laura Etta Wilkinson Well Gary, as far as people's personal property and that sort of thing we are not Attorneys and we are going by what was approved by Attorneys. Like I told you it came from Urbana Plan that Mr. Rush brought, the Town Manager, to us and we all worked on it and it had already been approved some of this in Urbana, by whom I do not know. But when we met and we worked with Mr. Rush and worked with the Town Attorney at that time, Mr. Lowe, this was what was approved and we were advised that it was okay and that is the reason. Like I told you before Mr. Rush said he was so tired of having to mish mash over the Town and people going to people's property and sitting up without even asking permission. So as far as what we know that is in here I do not know what supersedes this, but I do know that it was originally approved by the Town Attorney and that is what we have been going by ever since. And you all have been presented with this every year since it was first approved.

Mayor Heninger Next.

Brent Foster I will bring up one other thing, not on the Apple Festival.

Gene Groseclose You can't do that.

Mayor Heninger We are on Apple Festival.

Brent Foster Okay.

Bill Clear Are we going to require them to turn in their forms?

Brent Foster They can include their forms in with their packet, the tax forms, and that is up to the vendors to submit to us and we cannot ask any more than that, it is up to the vendors.

Bill Clear Okay. And what about the Churches, are we going to allow them to establish stands?

Laura Etta Wilkinson Uh, Brent, everybody is going to improve in their packets, that is one thing, but we give them a current catalog, show them their spot, give them an exact location, and everyone with food and craft people to, we give the form from the State, the State Tax form and other people we include the food tax from you all and the State Tax form.

Brent Foster We cannot ask any better from you all and we appreciate that.

Gary Heninger Anything else?

Kelly Spencer-Hill We have already approved this.

Mayor Heninger Yes, we approved it the other night.

Kelly Spencer-Hill The Master Plan has already been approved by Council for this year's Apple Festival so it stands as presented because it has already been voted on and we are not rescinding a motion so the Master Plan that you all presented Council voted for approval so I do not see any changes that we have made to the 2013 Master Plan.

Cathy Smith I think after the Apple Festival, if you all would do like an assessment of needs, what was good and any way we can help you all do whatever, if you all would do that for us...

Gene Groseclose Cathy, I think what we are going to do and I hate to interrupt, but I think we will take what has gone on here tonight under advisement and we will let you know either Friday or Monday if there is going to be an Apple Festival.

Mayor Heninger That will be fine.

Gene Groseclose That will be fine because it seems like a couple three of you want it and everything and tell us what to do and never volunteer or anything so we will take it under advisement and we will have a meeting.

Mayor Heninger Just let us know.

Upon motion of Mr. Shortt, second by Mr. Clear and unanimously passed the meeting is adjourned at 7:09 p.m. Record of vote: Ayes: Councilors Bonham, Clear, Foster, Shortt, Spencer-Hill and Smith. Nays: None. Absent: None.

Gary L. Heninger, Mayor

Marlene L. Henderson, MMC, Clerk

Date approved: August 8, 2013