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Caleb Ayers: Alright, thanks for joining us today. We're doing a special two-part series about the music festivals at the Blue Ridge Amphitheater. Today we're going to be talking about the Blue Ridge Rock Festival and what actually happened there. Next week we'll be talking about the Blue Ridge Country Festival, which was supposed to happen a few weeks after the rock festival, but ultimately it was postponed, and we'll talk about what the County knows about why that happened. Our special guest is Pittsylvania County Administrator David Smitherman. David, thanks for being here.

David Smitherman: Good to be here, Caleb.

Caleb Ayers: So, we got a fun topic to talk about today, it's the Blue Ridge Rock Festival, which I think obviously most people are aware at this point that it was 30,000-plus people that were here for a four-day rock festival in early September over in the Blue Ridge Amphitheater in Blairs. It's been a little bit more than a month since that happened, a little over a month ago. There's been a lot of different things said about the festival, both in terms of what led up to the festival with the planning, but also even what happened during the days of the festival as there was a lot of logistical difficulties. There's been just a lot of things said from a lot of different sides, so to start, I was hoping you could just tell us a little bit about... I guess to back it up a little bit about how Pittsylvania County found out that Purpose Driven Events, which is the company that ran the festival, was coming to the Blue Ridge Amphitheater in Blairs, and specifically about the Blue Ridge Rock Festival.

David Smitherman: Yeah, I found out just like everyone else through Facebook and social media that a large event was being planned for our community. There was lots of advertising going on prior to the engagement of Purpose Driven Events with the County, which is a violation of our ordinance. For the record, no advertising is supposed to take place for a festival without having a permit in hand. Regardless, the County was excited that this was an opportunity to present a new entertainment option for our citizens and make Pittsylvania

PITTSYLVANIA



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County a destination for others. So, we were very open to the idea of a rock festival. Ultimately, we did establish contact with Purpose Driven Events and engaged them about their plans. Purpose Driven Events did a very good job planning the rock festival event. They were deliberative, they didn't want to submit their permit request until they had all their plans in place, and they did an excellent job in the planning stages. We had a high degree of confidence that their plans were adequate for the event. The first two events that we did permit were approved conditionally upon submitting the appropriate site plans and camping plans and transportation plans, the sanitation plan, etcetera.

Those were conditionally approved. However, the rock festival permit, I believe, was approved during the first hearing of the board a month later, and they were approved upon the first hearing because they were so thorough and well done. There might have been one plan that was subject to additional approval, but really all of it was done extremely well and everything was submitted in a timely manner. Plans had to be approved by not only us, but officials with the Virginia State Police and Department of Transportation and the Health Department, the Sheriff's Office, our Public Safety Department, and several other regulatory agencies.

Caleb Ayers: Obviously, we went through a several months-long process of revising our music festival ordinance for this purpose, for the planning of these types of large-scale events. That ordinance hadn't been updated in decades and was inadequate to appropriately regulate events like this. As you said, for the Blue Ridge Rock festival, very finalized plans were submitted in July and that was ultimately approved by our Board. But as you said that that event had been promoted for a while before that, and they'd actually sort of flipped tickets over from the previous year, from 2020, when the festival was postponed for the pandemic. There was a lot of interest already and there was close to 30-35,000 people that were there at the festival.

David Smitherman: I think it's important to talk about how many people were there. Because I don't think anyone knows. As you referenced there were tickets moved forward from the previous sales of 2020, and while those tickets were moved forward, there were additional tickets sold. Mr. Slye ended up getting a permit for 33,000 attendees, but to this day, we still have not gotten an accurate count of the number of people that were there. Mr. Slye told me personally he was unable to provide an accurate account of the attendance, and to this date, we've not received an accurate head count for any day or a total head count for all four days.

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Caleb Ayers: Right, and as you mentioned, there's questions to how many people were there, and there's lots of other questions about what went down, especially during that four-day festival. So. I just kind of wanted to hear from you firsthand, I know you were boots on the ground for pretty much the entire thing. Walk me through your experience starting Wednesday morning through Monday of what you saw.

David Smitherman: Sure, I think it's better though, to start a couple of days or maybe a week prior to that Wednesday. We began receiving a number of communications, mostly phone calls from Mr. Slye, regarding his inability to secure an appropriate alcohol permit through the Virginia ABC Commission. There's a deliberative process you have to go to, and apparently there were folks on his side that did not understand the process and missed a critical application deadline. The ABC Board ended up holding a special hearing on that Wednesday prior to the event to consider issuing the permit for the Blue Ridge Ampitheater. That permit application had been challenged by a few members of our public, and that made a public hearing in front of a hearing officer necessary. Five members of our Board of Supervisors went out of their way to support Purpose Driven Events, and it's work toward getting that permit. Those five members of our Board testified Wednesday morning before an administrative judge and spoke in favor of issuing the permit. This is just one example of how many times throughout the Blue Ridge Rock Festival, the County went far beyond its normal role to help this private sector business in many ways, including to receive a state-issued permit because we wanted, all of us, the Board members included, wanted Mr. Slye to be successful.

So that was Wednesday, the ABC permit was issued. That was load-in day, everyone was coming to camp, things were getting hectic. Traffic was backed up on Highway 29. Late that afternoon, it was apparent that things were not going well, particularly the management of traffic. Many believe the choice of the promoter to put will call on the site was a significant contributor to these unforeseen traffic problems. By Thursday, though, the regulatory agencies in the unified command center on-site realized the plans, as well as they were put together, were not being administered well. They had illegal camping, they had a lack of sanitation facilities, and most importantly they had an extremely unsafe movement of pedestrians that were not being protected from our four-lane highway and the vehicular traffic on R&L Smith Road. That evening at dark, we were extremely fearful of injury including death. Traffic control and transportation continued to present the largest public safety risks. I remember driving to the command center early Thursday morning and observed patrons walking from Dry Fork at the remote lot, walking several miles down Highway 29 to get to the venue, which seemed extremely dangerous to me. At one point, I



even saw someone walking down Highway 29 with a cooler, a large chest color on wheels, headed to get, I assume, ice at the local convenience store.

So, I got to the command center, I was briefed about the failure of numerous areas, particularly traffic management, and I think we all started understanding that this event was in jeopardy of causing great injury, including death. Things eventually settled down later Thursday evening, but after dark, we realized the transportation problem was not going to get any better. There were too many pedestrians walking on R&L Smith Road, there were way too many cars traveling in these areas where the pedestrians were. They were crossing Highway 29, there was inadequate lighting, so we were very concerned about passing motorists striking pedestrians.

Caleb Ayers: Which again, are all things that were not supposed to be happening. Looking at those plans, these things were not supposed to be happening.

David Smitherman: These events were not supposed to be occurring, and Purpose Driven Events' vendors, should have been managing these issues. But instead, the Sheriff and Virginia State Police took over the traffic management for the rest of the evening. I even observed Sheriff Taylor personally directing traffic with a vest on with a light trying to keep people safe. At this point, we realized we had just a few options. One was to cancel the event, and we had that thought Thursday. And while I had the authority to make that call along with the Sheriff, we decided it would cause way too many more problems if we cancelled the event at this point. We knew everything going on outside the venue was not being adequately administered or overseen by anyone working for the promoter that we could tell. There seemed to be a lack of management of the vendors for camping and for parking, for trash for transportation. I had it described to me recently that it's easy to buy all the pieces of a wheel, but to know how to put the wheel together and make it turn, it's a different skill set.

Mr. Slye did, and I agree with him, he told us he hired the best companies in the industry, and it looks to me like he probably did. But like I said, you can buy the best pieces of car, but if you don't know how to put it together and drive it, it's not going anywhere. So, after mulling this over overnight, and that morning I called a meeting at 10 or 10:30, I believe Friday morning and required that the promoter and all of his top people be there to discuss what was going to happen next. We had a very sober meeting with all the regulatory agencies and all the people in charge of Purpose Driven Events, and we talked about communications and safety. Our purpose at this point was to avoid serious injury by improving pedestrian safety. The situation from a public safety perspective

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was dire, and all we asked Mr. Slye was how was he going to handle it. This was squarely a problem that should have been addressed by his vendors. All the solutions were contained in his planning, but the plans were not being followed. In front of, I don't know, 18 or 22 people, I personally gave Mr. Slye a choice. I said, everything going on outside of this event, outside of your venue right now is failing, and it's failing to the point where we have very few options. We could end the event, you can fix it, or we can fix it. And in front of all these people, Mr. Slye said "I would like for you to fix it for me." We knew at that point that we had a challenge to take over the operations going on outside the venue. Mr. Warren, our Chairman, Bob Warren asked that Sheriff Taylor and Mr. Slye hang back with me, and we excused the large group, and we had a conversation with Mr. Slye about how to proceed. In front of all these witnesses, Mr. Slye held his head in his hands and with tears in his eyes, he said to the effect that he's just a marketing guy, and he doesn't know how to fix this. He told us he needed our help, and he asked us to help him. At that time, we told him we'd be happy to help, and we felt like we could turn things around and make the event a success if we began communicating better and if we began letting professionals run the event outside the gate.

Of course, at that time, we told Jonathan that we would have to charge him for our efforts, to which he responded... "Absolutely, I understand." Everything we did and everything we had to do, we ran by Purpose Driven Events' people, and particularly his Chief Operating Officer Terry Wecker, before we ever commenced any of these activities that would require expense. One of the primary activities was managing transportation and getting buses, and Terry Wecker executed contracts with Danville Public Schools, with the Pittsylvania County Public Schools to provide buses, to provide drivers, to provide equipment to salvage the transportation problems. I am having such a hard time, and I'm taken aback that in Mr. Slye's recent interview that was published on October 20th in the Chatham Star Tribune, he describes a toxic relationship with us. The County has been nothing but gracious and kind to Mr. Slye throughout the event, until today. The purpose of this podcast is to no longer stand by and allow a misrepresentation of fact to stand unchallenged. Our Board of Supervisors places a super high priority on transparency and truthfulness, and from here forward, we're going to make sure that the public and patrons understand exactly what happened.

We've been reserved, up to this point, Caleb. We've let Mr. Slye create a narrative around these events, but we cannot stand by as untruths are reported in the newspaper as fact. It's important that our citizens understand how the County rescued this event. In retrospect, we should have cancelled the event because Mr. Slye's company was not performing what they were required to do,

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and public safety and lives were in jeopardy. We had to use emergency operation techniques, emergency procurement, we had to pull out all the stops to help Mr. Slye. It is disheartening and discouraging to be disparaged while, at the time, we were the only friends Mr. Slye had, we were the only folks that were willing to step up, raise their hand, and say we will help you. This County went above and beyond to help a private, for-profit corporation attempt to save their event. The person that benefited from our efforts has decided to create a narrative that we're a villain, and it's important that our citizens and his patrons understand that we were far from a villain in these events.

Caleb Ayers: And so, you're talking through that experience of starting Friday morning... Well, I mean, you guys have had the realization that basically the options were, it gets shut down, which as you said, that creates even more problems or essentially, we take over. Those were the options. So, we did take over Friday morning at Mr. Slye's request, and then walk me through what happens after that. What happened starting Friday morning through Sunday because I know things did get better, so walk me through what that looks like and what you guys did.

David Smitherman: Sure. The first thing I did Friday, after Mr. Slye turned over the external operations to our control was to make contact with the top people that he hired, the vendors that were supposed to be providing services, particularly those that were in charge of transportation and traffic control. So, my number one job was to solve the transportation problem as quickly as possible, and that's when we involved the Danville Public Schools and Pittsylvania County Public Schools, that Friday. It took a day's worth of work to coordinate those buses. We had to find a way to get humans on buses out of our four-lane highway. Otherwise, we probably were going to have to shut the event down. The challenge of pedestrian safety was paramount. Our number one goal was, "how do we make this place safe."

Caleb Ayers: Which when we're talking about thousands and thousands of people, obviously, that's not an easy task to figure out how to do that quickly.

David Smitherman: And especially come dark when there's a crush of pedestrians coming out of the venue into a very unsafe environment where there are conflicts between pedestrians and cars. It was dark, so we needed to figure out a way to light things up to get those pedestrians safely across Highway 29 to the remote lots. We couldn't prevent them from walking, so we needed to find a way to make them safe.

Caleb Ayers: Which... I mean, some of those lots were two miles away.



David Smitherman: If not more. Yeah, long, long walks down a very busy highway in the dark. So, we procured some additional lighting from the City of Danville. And I want to take this opportunity to say thank you to Ken Larking, the City Manager and his staff, who really came to our aid at a very difficult time. I called Ken and my conversation generally was that we were in a state of emergency situation, and I need his help. And he responded immediately. And we appreciate that very much. And the same happened with Dr. Jones with the Pittsylvania County School System. I told him the same thing, we're in a state of emergency, Dr. Jones, I need your help. And both these organizations came forward and helped solely for the benefit of a private, for-profit corporation at our request, and we were working at Mr. Slye's, direction. But most importantly, Mr. Larking and Dr. Jones and others came forward because they put the safety of our people and our visitors as a high priority. But it's also extremely important to remember they were helping a private company make money. That's not their mission running a school system, and it's not our mission in local government.

It has been discouraging to have Mr. Slye nitpicking us about our billing. We had his authorization to make things better, we had his COO's authorization at every point in the process to commence with things that would cost money. And now we're being nit-picked for things like \$10 a gallon gasoline, which both school systems charged for use of the buses. And that is a high dollar amount. But you know what, his agent signed the contract, the costs were included in the contract, so at this point, having buyers' remorse is not relevant. We're dealing with the equivalent of a state of emergency, but regardless, this was an agreed upon price.

Caleb Ayers: And you mentioned those invoices and we did publish several weeks ago at this point. It was about \$337,000 total dollars, which that was us billing as Pittsylvania County, but also billing on behalf of other organizations like Pittsylvania County Schools, like Danville public schools the City of Danville, and I think, as you said, there's been a lot of nit-picking, a lot of questions as to the charges in there. And there's been a lot of misinformation floating about those as well. I think one of the biggest pieces of misinformation going around is that our staff were double-dipping. Several of our staff were listed in there, including you, as having billed per hour, and that was misinterpreted as you personally were making that money. So, I just want to open that up for you to sort of clarify that why we billed on your behalf, why we billed on you know the County Attorney's behalf and several other staff, and if you actually made money from that or "double dipped" as has been going around in the media.

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David Smitherman: Sure... I absolutely did not receive any additional compensation for the 58 hours that I worked for Jonathan Slye. Neither did the Sheriff or others. And I used my time as a county employee to his benefit for his profit to manage his event. I was certainly not director of the festival, but I certainly directed all the activities that took place with regard to traffic and safety, transportation and parking and sanitation. At one point, Mr. Slye told us his vendors had walked off and he had no one to do the work, he had no one to take the trash out. We picked up 25 or 30 tons of garbage with the help of the City of Danville and our own sanitation folks, because he had no one to pick up the trash. These are activities that took place for the sole benefit of a for-profit corporation, and it's not appropriate that the promoter receive the value of this work without compensating the County for using its resources. We think the taxpayers should be made whole for that work, so we billed for our time, and the County will receive that money and it will go in the County's general fund. It will not go in my pocket, and it will not go in Sheriff Taylor's pocket, it will not go in the County Attorney's pocket. And not me personally, not Sheriff Taylor personally, not the County Attorney personally billed Mr. Slye for our work. None of our executive staff was paid for our work, but the County did bill for our time, and the County is being compensated for loaning these executive level employees to Mr. Slye to run his event. When we stopped working for Pittsylvania County and we started working solely for Purpose Driven Events' benefit, it was necessary that we billed this private for-profit promoter on behalf of our citizens to make our citizens whole for the use of its resources.

Caleb Ayers: No, and that makes sense, that even though it wasn't necessarily an extra cost for your executive level staff, that you don't just lend them out to a for-profit corporation without receiving any extra for that. And I know some of the rates invoiced were higher than the standard salary, but I think we also have to keep in mind, this was an emergency situation. And I know you personally worked over 58 hours over those three or four days...

David Smitherman: Yes, and I was happy to do it. I was happy to help make this event a success. I never sought anything for myself, I only wanted to benefit the event. What's interesting to me about, or one of the many things that's interesting to me about Mr. Slye's angle on our invoicing is that when he was presented draft copies of our invoices during a meeting on the Friday after the event, he was so pleased at what he saw and the rates that we presented to him that he commented specifically about how our rates compared to the private vendors that he hired. He reviewed several of the invoices, but he homed in on the transportation invoice, and he did the math, he pulled out a calculator, he did the math in front of us. He said \$44,000 for those buses for three days, and he looked at us and he said, I paid more than that per day to



my vendor, and they didn't have any buses. So, it's interesting now how you know at one point he's pleased and now or invoicing is being subject to ridicule. We did what we had to do to help him at his request, and we think it's appropriate that the bills be paid.

And they have been paid. I think it's important for the public to know that the draw's been made from his bond, the County is now whole. The two school systems in the city of Danville have been mailed checks for their expenses, expenses by the way, which were incurred under contract with Purpose Driven Events. And we have cut a check to refund the difference of his \$500,000 cash bond, and the invoices that he had to pay to us, that difference has been mailed to Purpose Driven Events.

Caleb Ayers: And I want to circle back to something you said that at some point, you basically stopped... I mean, you, Sheriff Taylor, several other county employees essentially stopped working for Pittsylvania County and were working for Purpose Driven Events. That's a really important distinction because obviously some of your role as a County Administrator leading up to this event, and even during this event, was going to be administrative stuff related to this event, you know signing off on permits and things like that. But when you stepped into that role where you were managing their event, that's a very different thing, that's not part of your job description and not for Pittsylvania County.

David Smitherman: That's right, I stepped in at Mr. Slye's request for his benefit. It's the same skill set that I use as County Administrator, but at that point, I wasn't doing county work. I was doing work for the sole benefit of Purpose Driven Events, and when that occurred, it becomes appropriate that my actions were billed. You can't allow a private sector company to get a service for free from the government. That wouldn't be fair to our taxpayers. But you know the service I provided is available in the private sector. Apparently, the promoter was not able to procure someone appropriate to perform these services, to coordinate vendor contracts, or assemble the pieces of the wheel and make it turn, but that's what we did, and it was directly for Purpose Driven Events' financial benefit.

Caleb Ayers: And one other thing that I did want to talk to you about was, I know in the newspaper article that you mentioned, Mr. Slye talked about the toxic relationship with Pittsylvania County, and mentioned you and Mr. Warren, Chairman Warren, specifically relating to the meals tax and how he said that basically you guys were hounding him and following him around asking when he was going to pay and things like that, and saying that was happening during



the festival. So, I just wanted to open up for you to address that and talk about what that relationship was like, and if there's any truth to what he's saying.

David Smitherman: It is shocking to hear the productive, honest, transparent, highly, communicative relationship we had with Mr. Slye over these four or five days described as toxic. That could not be more inaccurate in my mind. However, Mr. Warren and I were very concerned about the County being compensated for its meals tax, and we had a lot of reason to believe that he may not have the wherewithal to pay us, or that he may not even be intending to pay us. Our assessment was based upon complaints we were receiving from people that were working the event, workers that were saying they weren't being paid for the shifts they worked. We even had a worker call and leave a report in my office that someone representing the promoter emptied a tip jar and that server wasn't compensated for something like \$2,000 worth of tips. We also had many vendors certainly intimating to me the threat of lawsuits. They were being very clear with me that their company was going to sue Purpose Driven Events. Mr. Slye told me that his ticketing company had not remitted full payment for the tickets that were sold. You know also, Mr. Slye brought down, he told us, he brought down his attorney from Washington, DC to start managing vendor relationships. Vendors were telling me they were refused being paid, Mr. Slye was refusing to pay milestone payments that were outlined in their contracts. So, we started getting the vibe that Mr. Slye was headed toward a really bad place. And if we were ambitious in our attempts to retain the County's money, the tax money that was due, if it's considered hounding that Mr. Warren and I insisted on transparency as to the receipts that were being pulled in, if it's hounding to ensure that the public sector is made whole, then I'd say we're guilty of hounding Mr. Slye to make us whole. And ultimately, he did. He asked that his meals tax money be deducted from his bond. Those funds were put in our account several weeks ago.

Caleb Ayers: And I understand that you also had reason to be concerned about the financial side of things because of the difficulty that Purpose Driven Events had in getting a bond secured for the Worship Festival the Weekend before. Did that not almost delay the Worship Festival?

David Smitherman: Yes, that's right. The promotor had apparently a very difficult time and was not able to procure a bond for his company. So that bond had to be submitted as cash. We had a very difficult time, and in fact it took four or five days to receive that \$500,000 cash bond via bank wire. It came in so late that at one point I had the Sheriff, Sheriff Mike Taylor, go to the event and find Mr. Slye and pause the music at the Worship Festival because the money had not been received.



Caleb Ayers: Well, that's all the questions that I have. I think there's been a lot of questions about this event, about the Blue Ridge rock festival, about what went down exactly, so I think this brings a lot of clarity to that, of just telling that story of what you saw, what our different government agencies saw that we're working this event. I just want to open it up now and see, is there anything else that you want to add or anything else that you think it's important that people know or anything else, any other details that you think the public hasn't heard or doesn't know yet that you think they should.

David Smitherman: Yes, and I think one of the big things we all can take away from this is that the Blue Ridge Amphitheater is a good location. It has some challenges, but we believe with the appropriate infrastructure improvements, this is a successful site. I think a promoter can be successful at this venue. On the 10th, when we met with Mr. Slye in front of a large group at the Unified Command Center, what we agreed on that day was, there was, and what we discussed and laid on the table for discussion in the group was there appeared to be no communication taking place between the vendors that were supposed to be providing services and the promoter, and there was no communication with our command center. There was a huge failure of communication. The other problem was there was no one on-site that seemed to have the sufficient experience to run the event, but I believe that someone with that experience can run a very successful event at the Blue Ridge Amphitheater. It's a very good site, and that's something I didn't realize six months ago, but after you know Saturday and Sunday, when we saw it was running smoothly and load out day on Monday went well, it started becoming apparent that this site can work.

And the patrons, that's the other thing I want people to understand that the patrons were awesome. This event would have been a failure if the rock festival patrons weren't so incredibly reasonable, they were patient, understanding, they were kind... These are some of the kindest people I've met, and I welcome back the rock fans any day of the week. The fans are what ultimately made this event a success.

Caleb Ayers: Yeah, and I know I was monitoring social media and even we had that festival feedback form that we put out, and I saw a lot of comments going the other way from the attendees saying how awesome our local citizens were, both right along that street and just in general, when they were out in the community, how hospitable and kind that our citizens were to them as well. So,

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it's good to hear that that went both ways. But David, that's all that I have for now. So, thanks for being here, I appreciate it.

David Smitherman: Thank you, Caleb. I hope this clears up some of the misunderstanding and the inaccurate accounts of what happened at the Blue Rock Festival, and I look forward to our next podcast so we can set the record straight on how the country festival got rescheduled.