

DAYTON TOWN COUNCIL MINUTES
November 12, 2019

COUNCIL MEMBERS PRESENT: Mayor Sam Lee, Todd Collier, Zachary Fletchall, Cary Jackson, Robert Ohgren, and Tara Worthy.

COUNCIL MEMBERS NOT PRESENT: Jeff Daly

ALSO PRESENT: Jason Ham, Town Attorney; Angela Lawrence, Town Manager; Susan Smith, Acting Treasurer; Justin Trout, Chief of Police; and Christa Hall, Deputy Clerk.

CALL TO ORDER: Mayor Lee called the meeting to order at 6:02 p.m. and welcomed everyone. The Invocation and the Pledge of Allegiance was led by Mayor Lee. Mayor Lee acknowledged and thanked the veterans present at the meeting.

PRESENTATION:

Mayor Lee introduced Megan Argenbright, CPA with Brown Edwards. Ms. Argenbright presented the Council with the FY19 Financial Report/Audit. The VRS audit was submitted in September and was in full compliance. She advised that all the Town's financial statements are materially accurate. There were no new accounting standards this year. There will be some new lease standards in FY21. Ms. Argenbright further stated that the audit has been submitted to the Auditor of Public Accounts, which was well ahead of the November 30th deadline and that is something that Manager Lawrence and Acting Treasurer Smith should be very proud of. The audit as a whole went very well and we have a good basis moving forward. Manager Lawrence thanked Ms. Argenbright for working with us with our schedule to get this done. Mayor Lee thanked her for her presentation.

APPROVAL OF MINUTES FOR THE OCTOBER 15, 2019 COUNCIL MEETING AND THE OCTOBER 29, 2019 COUNCIL WORK SESSION MEETING:

A motion to approve the minutes from the October 15, 2019 Council Meeting, as amended, and the October 29, 2019 Work Session Meeting was made by Councilman Collier and was seconded by Councilman Jackson and carried unanimously by a roll call vote of 6 to 0, the voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – ABSENT.

ACTION ITEMS:

Manager Lawrence stated that she has not yet received the hybrid option for the water treatment plant from the engineer so this matter will need to be discussed and voted on at a later time.

MANAGER'S REPORT

Manager Angela Lawrence provided a written report, which is attached.

Manager Lawrence further explained her report and added that the Town will have a float in this year's Town Christmas Parade and invited Council members to ride along. The staff is working closely together and training each other through the transition period and Manager Lawrence asked that Council have some extra patience with us as we go forward. Mayor Lee commented on the great job that the staff is doing in taking on extra roles through the transition.

TREASURER'S REPORT

Acting Treasurer Susan Smith provided a written report. Manager Lawrence noted the new format for the Financial Report to make it easier to understand. Councilman Ohgren commented that it makes more sense and commended the staff on their efforts. Acting Treasurer Smith addressed the Council to further explain the items for consideration on her report. Rockingham County will be transitioning to an annual billing cycle for their taxes. Staff will contact them to obtain more details as to what that process will be. More details will be provided at the December meeting so a decision may be made as to how the Town will proceed. Acting Treasurer Smith explained that we have \$9,460.00 in Vehicle License Tax that is deemed uncollectable and requested permission to write that amount off. These taxes go back as far as 2012 and the property is no longer located in the Town and we do not have current addresses for the property owners. The Town will begin to actively place DMV holds on unpaid balances which will reduce uncollected taxes. Councilman Jackson made a motion to write-off \$9,460.00 in Vehicle License Taxes. The motion was seconded by Councilman Collier and carried unanimously by a roll call vote of 6 to 0, the voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – ABSENT.

POLICE REPORT

Chief Justin Trout provided a written report.

PUBLIC WORKS

Russell Bailey provided a written report.

ZONING

Christa Hall provided a written report.

EVENTS AND MARKETING

Mike Betts provided a written report.

ANNEXATION

No report.

ECONOMIC DEVELOPMENT

No report.

FINANCE

No report.

INFRASTRUCTURE

Chairman Fletchall reported that all Council members were present for the Work Session last month to discuss the water treatment plant upgrade options. The Town is currently awaiting more information from the engineer and, once received, will be able to move forward with a decision.

PARKS & COMMUNITY DEVELOPMENT

Chairman Collier stated that the committee will be meeting on Friday and therefore, there is no report at this time.

PERSONNEL

Chairman Ohgren reported that they conducted interviews today for the Police Lieutenant position. The interviews were conducted by Chief Trout, Manager Lawrence, Councilman Ohgren, Councilman Jackson and Timberville Chief JR Dodd.

POLICE

Chairman Jackson reiterated that he and Councilman Ohgren assisted with the interviews for the Police Lieutenant position. The committee will be meeting prior to the next Council meeting and continue to meet quarterly. Chief Trout's recommendation for the Lieutenant will be forthcoming once a decision has been made.

MAYOR AND COUNCIL

Mayor Lee commended staff for their efforts and hard work during the office transition. He also commended the Public Works staff for their flexibility and efficiency during the recent water main break.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENT

Linda Wine addressed the Council and asked about the progress that the Town is making on the nuisance properties. Manager Lawrence explained that there are two issues on one property and notices have been sent with deadlines to remove the nuisances and if they are not removed, civil penalties will be assessed. The other nuisance property in question is in the process of being cleaned up and sold. If the sale falls through or progress halts, the Town will take the same action against the owner of that property. Councilman Jackson reiterated that this Council along with Manager Lawrence will follow through with the necessary action to properly address the nuisances in the Town.

Another citizen addressed the Council to inquire about taxes pertaining to Farm Use vehicles. Chief Trout addressed the question advising how to register and obtain a tag for a Farm Use vehicle and the laws pertaining to the operation of such vehicles.

CLOSED SESSION

A motion was made to go into closed session by Councilman Ohgren and seconded by Councilman Fletchall and carried by a roll call vote of 6 to 0, voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – ABSENT; the Council recessed the meeting at 7:03 p.m. for a closed meeting in accordance with Section 2.2-3711(A)(1) to discuss the appointment of the Town Treasurer.

Return to open session at 7:17 p.m.

CERTIFICATION RESOLUTION

WHEREAS, the Dayton Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Dayton Town Council that such Closed Meeting was conducted in conformity with Virginia law:

On motion by Councilman Fletchall, seconded by Councilman Ohgren and carried by a roll call vote of 6 to 0, voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE;

JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – ABSENT; Council returned to regular session and certified that with respect to the just-concluded closed session, and to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Council.

OPEN SESSION

A motion to set the salary for Susan Smith as Acting Treasurer in the amount of \$62,000 was made by Councilman Ohgren and seconded by Councilman Jackson and carried by a roll call vote of 6 to 0, voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – ABSENT.

ADJOURNMENT

With there being no further business to come before the Council, Councilman Jackson made a motion to adjourn, and Councilman Collier seconded the motion; motion passed unanimously.

The meeting adjourned at 7:20 p.m.

Respectfully Submitted,



Mayor, Sam Lee



Deputy Clerk, Christa Hall

Town Superintendent/Manager Report

October 2019

Personnel

1. Susan Smith is Acting Treasurer. Kim Clark has taken over payroll and reconciliations and Christa Hall is taking over zoning. Susan will retain some human resource duties during the interim.
2. Police Lieutenant Position: Two candidates will be tested and interviewed on November 12th.

Public Works, Roads, Facilities

1. **The SCADA System:** upgrade implementation is in progress. Repairs have been made to enable direct communication from clay valve on each feed pump to the PLC. New plans are being drawn for future documentation. The antennae/dishes have been installed on the wells and Silver Lake pump house. The project should be completed soon.
2. **Water Plant Upgrade:** I have not received an update from the engineer since the Council Work Session. I will provide an update at the Council meeting regarding a possible hybrid option.
3. **Well #4:** The company we had talked to about repairing and maintaining well #4 has recently informed me that they are getting out of the business. After talking to the engineer last week, we have calls into DEQ and another contractor regarding pulling the pump and putting a camera down to determine the needs so that we can move forward in another manner.
4. **High Service Pump:** Has been installed and is operating effectively.
5. **Dayton West:** After putting a hold on all zoning permits until the sidewalks are installed for all existing houses, the sidewalks have been installed, with the exception of one that is currently being installed. From this point forward, no Certificates of Occupancy will be issued until the sidewalks are installed and approved.
6. **Easements and Property Transfers:** The Town Attorney's office has prepared the deed for the transfer of the small piece of property at Cook's Creek. I have had further conversations with the City regarding the small parcel they apparently own. They are researching the issue on their end, as there was some confusion regarding the location and ownership of the parcel.
7. **Mill Street Project:** Staff met with Verizon on-site with the engineer to discuss the relocation of the utility poles. There may be other options. I will follow up with the engineer regarding the revised plans.
8. **Silver Lake and other issues with the City:** The City has requested permission to tap into our line(s) in Silver Lake and we have discussed tapping into their lines near Walmart. More research is needed and is being conducted.

Economic Development

Business Community Conversation: The next meeting is scheduled for Thursday, November 14th at 6:30 p.m.

Passport Program: The program will end on November 15th. I am not planning to continue it.

Other

1. I am working with the attorney regarding the nuisance violation notices. The deadline has passed for the property that was served, with no noticeable improvement. Notice for Civil Penalty will be served. There is a maximum fine, which will be realized in 60 days, if no improvement is made.
2. After discussion with the attorney and owner, it has been determined that we have an easement going to the property on the well on Mason Street (Summer Breeze), so we are not in the position to grant an easement. However, we do have an interest as we have made improvements and maintain the Right-of-Way. Discussions will continue.
3. Council Retreat will be held on December 11, 2019 at 1:30 p.m. Location to be determined. Council will receive preparation materials in advance of the retreat.
4. Software system training is scheduled for November 19-21. There may be times that Town Hall will be closed to allow for the training of all office staff. We will post closings online and on the building.
5. We still have one vacancy on the Economic Development Authority.
6. I continue to research Food Truck and Itinerant Merchants ordinances, but do not have a proposal yet.
7. I continue to research the short-term rental and lodging tax issue, but do not have a proposal yet.
8. I met with a local vendor regarding a key card system for the building and am awaiting a proposal. I have not heard back from the other company that was contacted.

Respectfully submitted,

Angela A. Lawrence