

**TOWN OF DAYTON  
REGULAR COUNCIL MEETING  
VIRTUAL MEETING MINUTES  
VIA ZOOM MEETING PLATFORM  
January 11, 2021**

**COUNCIL MEMBERS PRESENT:** Mayor Cary Jackson, Dale Rodgers, Tara Worthy, Bradford Dyjak, Heidi Hoover, Robert Seward, and Emily Estes.

**COUNCIL MEMBERS ABSENT:** None.

**ALSO PRESENT:** Angela Lawrence, Town Manager; Jordan Bowman, Town Attorney; Justin Trout, Police Chief; Susan Smith, Town Treasurer; and Christa Hall, Clerk of Council and Community Development Coordinator.

**CALL TO ORDER:** Mayor Jackson called the meeting to order at 6:06 p.m. and welcomed everyone. He explained that we were meeting virtually due to the Governor's order restricting public gatherings due to COVID-19. He introduced the new Council and highlighted the committees that they will serve on. Town Clerk Hall called the roll. Mayor Jackson led the Invocation and the Pledge of Allegiance.

**APPROVAL OF MINUTES FOR THE REGULAR COUNCIL MEETING OF  
DECEMBER 14, 2020:**

Councilman Dyjak made a motion to approve the minutes for the Regular Council Meeting of December 14, 2020; the motion was seconded by Councilman Rodgers and approved by a roll call vote of 7 to 0, the voting recorded as follows: RODGERS—AYE; WORTHY – AYE; DYJAK—AYE; HOOVER—AYE; SEWARD—AYE; ESTES—AYE; JACKSON—AYE.

**ACTION ITEM: CONSIDERATION OF RESOLUTION REGARDING TIME OF  
REGULAR MEETING AND INCLEMENT WEATHER MEETING TIMES:**

Mayor Jackson explained that according to the Town's Charter, Council is to fix the date and time of the regular meetings every two years. We have chosen to do this each year that the Mayor takes office. Councilwoman Hoover made a motion to pass the Resolution regarding time of regular meetings and inclement weather meeting times. The motion was seconded by Councilman Dyjak and approved by a roll call vote of 7 to 0, the voting recorded as follows: RODGERS—AYE; WORTHY – AYE; DYJAK—AYE; HOOVER—AYE; SEWARD—AYE; ESTES—AYE; JACKSON—AYE. The resolution reads as follows:

**RESOLUTION REGARDING TIME OF REGULAR  
MEETINGS AND INCLEMENT WEATHER MEETING TIMES**

**WHEREAS**, the Town of Dayton wishes to establish the time of its regular council meetings, and

**WHEREAS**, the Town of Dayton wants to empower the Mayor and, if the Mayor is unable to act, the Vice-Mayor to reset the regular meeting time in the event weather or other conditions are such that it is hazardous for members to attend the regular meeting,

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Dayton, Virginia,

1. Regular meetings of the Town Council shall be held on the second Monday of each month beginning at 6 p.m.
2. When a meeting date falls on a legal holiday, the meeting shall be held on the day following at 6 p.m. unless otherwise designated by the council.
3. If the Mayor, or, if the Mayor is unable to act, the Vice-Mayor, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting the meeting shall be held at 6 p.m. on the day following.
4. If the Mayor, or, if the Mayor is unable to act, the Vice-Mayor, finds and declares that such weather or other condition continues on the day following, the meeting shall be held at 6 p.m. one week after the originally scheduled meeting.
5. All regular meetings of the council shall be open to the public, unless closed pursuant to state law.

**ACTION ITEM: CONSIDERATION OF TOWN OF DAYTON COUNCIL CODE OF ETHICS:**

Mayor Jackson explained that after each election, Council will adopt a Code of Ethics for the members of the Dayton Town Council and for the members of all boards, committees and commissions appointed by the Dayton Town Council. Councilman Seward made a motion to adopt the Code of Ethics for the members of the Dayton Town Council and for the members of all boards, committees and commissions appointed by the Dayton Town Council. The motion was seconded by Councilman Rodgers. Councilwoman Estes raised concerns with the Code of Ethics stating that she felt that Council could not make such decisions in an electronic format and that she had not been provided with the document three days ahead of the scheduled meeting and that she was not prepared and ready to adopt the resolution and therefore made a motion to table this matter to allow time to consult with the Town Attorney to help her to understand the document. The motion was seconded by Councilwoman Worthy. Manager Lawrence explained that this was a standard Code of Ethics that other localities use. She also explained that the three

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day notice was applicable to the legal notice of public meetings, which was adequately met. The only change that was made to the document after the original agenda packet was sent out was to correct a typo in the adoption date to reflect the date of the meeting of January 11, 2021. Town Attorney Jordan Bowman explained that due to the Coronavirus pandemic and the Governor's orders, the Town passed a resolution to allow for the Council meetings to be held in an electronic format and that all Town business could be conducted in that manner. Mayor Jackson asked for a roll call vote on the motion to table this matter. The motion was denied by a roll call vote of 2 to 5, the voting recorded as follows: RODGERS—NAY; WORTHY – AYE; DYJAK—NAY; HOOVER—NAY; SEWARD—NAY; ESTES—AYE; JACKSON—NAY. At this time, Mayor Jackson asked for a roll call vote on the original motion to adopt the Town of Dayton Council Code of Ethics. The motion was approved by a roll call vote of 5 to 2, the voting recorded as follows: RODGERS—AYE; WORTHY – NAY; DYJAK—AYE; HOOVER—AYE; SEWARD—AYE; ESTES—NAY; JACKSON—AYE. The resolution reads as follows:

**RESOLUTION TO ADOPT A CODE OF ETHICS FOR THE MEMBERS OF THE TOWN OF DAYTON TOWN COUNCIL AND FOR THE MEMBERS OF ALL BOARDS, COMMITTEES AND COMMISSIONS APPOINTED BY THE DAYTON TOWN COUNCIL**

**WHEREAS**, the citizens and businesses of the Town of Dayton are entitled to have fair, ethical and accountable local government which has earned the public's full confidence; and

**WHEREAS**, in keeping with the Town of Dayton's commitment to excellence, all public officials, both elected and appointed, must comply with both the letter and spirit of the laws and policies affecting the operation of government; and

**WHEREAS**, all public officials, both elected and appointed, are required to be impartial and fair in their judgment and actions and ensure that public office is used for the public good; and

**WHEREAS**, the Town of Dayton Town Council has determined that the adoption of a Code of Ethics for its members and the members of all Council-appointed boards, committees and commissions will assist in achieving these ends; now, therefore, be it

**RESOLVED** by the Town of Dayton Town Council this 11th day of January 2021, that the following Code of Ethics is hereby adopted:

**TOWN OF DAYTON CODE OF ETHICS**

**Preamble**

The citizens and businesses of the Town of Dayton, are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and

actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Dayton Town Council has adopted this Code of Ethics for members of the Dayton Town Council and of the Council's commissions and committees, to assure public confidence in the integrity of local government and its effective and fair operation.

### **1. Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of the Town of Dayton and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Dayton Town Council, the Council's commissions and committees.

### **2. Comply with the Law**

Members shall comply with the laws of the nation, the Commonwealth of Virginia, and the Town of Dayton in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Code of the Town of Dayton; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and the Town of Dayton ordinances and policies.

### **3. Conduct of Members**

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of the public, other members of the Dayton Town Council, commissions, committees, or the staff.

### **4. Respect for Process**

Members shall perform their duties in accordance with the processes and rules of order established by the Dayton Town Council and Council's commissions and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Dayton Town Council by the Town of Dayton staff.

### **5. Conduct of Public Meetings**

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

## **6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

## **7. Communication**

Members shall publicly and promptly share substantive information that is relevant to a matter under consideration by the Dayton Town Council, commissions and committees, which they may have received from sources outside of the public decision-making process.

## **8. Conflict of Interest**

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest and shall disclose any substantial organizational responsibility or personal or business relationship to the parties in any matter coming before them. This paragraph is not intended to unduly restrict members who have minor business or professional dealings with clients whose matters come before them.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

## **9. Gifts and Favors**

A member shall not accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.

## **10. Confidential Information**

Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the Town of Dayton. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

## **11. Use of Public Resources**

Members shall not use public resources that are not available to the public in general, such as the Town of Dayton's staff time, equipment, supplies or facilities, for private gain or personal purposes.

## **12. Representation of Private Interests**

In keeping with their role as stewards of the public interest, members of the Dayton Town Council shall not appear on behalf of the private interests of third parties before the Dayton

Town Council or any, commission, committee, or proceeding involving the Town of Dayton, nor shall members of the Dayton Town Council's commissions or committees appear before their own bodies or before the Dayton Town Council on behalf of the private interests of third parties, except that members of the Dayton Town Council's commissions and committees may appear before other public bodies, including the Dayton Town Council, to advocate for a particular application or other matter of public business related to their role as a public official.

### **13. Advocacy**

Members shall represent the official policies or positions of the Dayton Town Council, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Dayton, nor will they allow the inference that they do.

### **14. Policy Role of Members**

The Dayton Town Council determines the policies of the Town of Dayton with the advice, information, and analysis provided by the public, Dayton Town Council's commissions and committees, and the Town of Dayton staff. The Dayton Town Council delegates authority for the administration of the Town of Dayton to the Town of Dayton Town Manager.

Members, therefore, shall not interfere with the administrative functions of the Town of Dayton or the professional duties of the Town of Dayton staff; nor shall they impair the ability of staff to implement the Dayton Town Council policy decisions. Inquiries to staff shall only be made through the Town Manager of the Town of Dayton.

### **15. Independence of the Dayton Town Council and Commissions**

Because of the value of the independent advice of the Dayton Town Council, commissions, and committees to the public decision-making process, members of the Dayton Town Council shall refrain from using their positions to unduly influence the deliberations or outcomes of the Dayton Town Council, commission, or committee proceedings.

### **16. Positive Work Place Environment**

Members shall support the maintenance of a positive and constructive workplace environment for the Town of Dayton employees and for citizens and businesses dealing with the Town of Dayton. Members shall recognize their special role in dealings with the Town of Dayton employees and in no way create the perception of inappropriate direction to staff.

### **17. Implementation**

As an expression of the standards of conduct for members expected by the Town of Dayton, the Town of Dayton Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for the Dayton Town Council, applicants to the Dayton Town Council, commissions, committees, and newly elected and appointed officials. In addition, the Dayton Town Council, Council's commissions and committees shall biennially review the Code of Ethics and the Dayton Town Council shall consider recommendations from commissions, and committees to update it as necessary.

## **18. Compliance and Enforcement**

The Town of Dayton Code of Ethics expresses standards of ethical conduct expected of members of the Dayton Town Council, commissions, and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The Chairs of the Dayton Town Council's commissions and committees and the Mayor of the Dayton Town Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The Dayton Town Council may impose sanctions on members whose conduct does not comply with the Town of Dayton's ethical standards, such as public or private reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Dayton Town Council also may remove members of the Dayton Town Council's appointed commissions, and committees from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a decision made by the Dayton Town Council, Council's commission or committee.

### **MODEL OF EXCELLENCE DAYTON TOWN COUNCIL MEMBER STATEMENT**

By the adoption of this Code of Ethics, the members of the Dayton Town Council, agree to uphold the Code of Ethics for elected and appointed officials. Further, we certify that we will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, Town of Dayton staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;

- Avoid and discourage conduct which is divisive or harmful to the best interests of the Town of Dayton;
- Treat all people with whom I interact in the manner I wish to be treated.

### **MANAGER'S REPORT**

Town Manager Angela Lawrence provided a written report, which is attached. Manager Lawrence added to her written report that Adam Meek was promoted to the Public Works Supervisor position. Manager Lawrence discussed several items for Council consideration. First, staff is recommending Council grant permission to post the parking in Town Park parking lots for park use only and that violators will be towed at owner's expense. She explained that we have several vehicles and trailers parking in the lot at Dove Park including overnight parking. The parking lot at Dove Park is made with pavers and was not constructed in a way to allow for heavy and regular use. After discussion, Council advised staff to proceed with allowing the Town to post signs but requested that proper advance notice be given to those who are using the lots to give warnings that tickets and towing will be enforced.

Next, Ms. Lawrence stated that staff is recommending a discussion regarding the possibility of a policy to charge per item or by cubic feet for each special large item pick up that the Town does. She stated that this is not being proposed for single-family dwellings, but for apartment complexes where dumpsters are located and large items are placed next to the dumpsters regularly, causing Town staff to do additional large item collections throughout the month. After much discussion, Council was agreeable to review a proposal for establishing a fee/penalty for additional large item collections. Staff will work with the Town Attorney and bring a proposal back to Council for the February Council meeting.

Finally, Manager Lawrence asked Council to approve a contract with Viola Engineering, PC for a quote of \$48,150 to prepare a Quality Assurance Plan and maintain the materials notebook. She further explained that this is required to keep the Mill Street project going and it was not previously budgeted for or put into the original contract by the engineer. Ms. Lawrence will work with the County to try to include it in the original quote for reimbursement consideration. Councilman Dyjak made a motion to approve the contract with Viola Engineering, PC for an amount not to exceed \$49,999. The motion was seconded by Councilman Rodgers and approved by a roll call vote of 7 to 0, the voting recorded as follows: RODGERS—AYE; WORTHY —AYE; DYJAK—AYE; HOOVER—AYE; SEWARD—AYE; ESTES—AYE; JACKSON—AYE.

### **TREASURER'S REPORT**

Treasurer Susan Smith provided a written report. In response to a Council question as to a comparison between this year and last year of total taxes received, Ms. Smith stated that as of December 31, 2019, \$59,804 was received for real estate taxes and \$41,124 received for vehicle



license fees. As of December 31, 2020, \$59,907 was received for real estate taxes and \$47,670 received for vehicle license fees.

### **POLICE REPORT**

Chief Justin Trout provided a written report.

### **PUBLIC WORKS REPORT**

Manager Lawrence provided a written report and added that Lukas Cooper will be testing for his Class 3 Waterworks Operator License in January. Councilman Dyjak welcomed Adam Meek to the Public Works Department and stated that he is a great asset to the Town. He also thanked Ms. Lawrence for her diligence in getting the Mill Street project underway as it has been no small task to accomplish.

### **WATER DEPARTMENT REPORT**

Adam Meek provided a written report.

### **COMMUNITY DEVELOPMENT REPORT**

Christa Hall provided a written report. Councilwoman Worthy stated that the new Rack Cards looked really good. Mayor Jackson added that they were already being distributed.

### **ATTORNEY REPORT**

Attorney Bowman reported to Council that we will be having virtual Council training at a session on January 25, 2021 at 5:30 p.m. He will conduct required FOIA training for Council at that time. He also advised that COIA training is required for Council members within two months of being elected into office. That must be done through the COIA Advisory Council and is available online. Staff will send out the link to Council.

### **ECONOMIC & COMMUNITY DEVELOPMENT COMMITTEE REPORT**

No Report.

### **FINANCE COMMITTEE REPORT**

Mayor Jackson stated that the new committee met on January 6<sup>th</sup> and reviewed the cash and investments and the proposed schedule for the upcoming budget cycle. Councilman Rodgers will chair this committee going forward.

### **INFRASTRUCTURE COMMITTEE REPORT**

Councilman Dyjak stated that the committee met in December to discuss the CIP and will continue to work on that and all other ongoing projects. He welcomed Councilman Seward to the Committee.

**PARKS, RECREATION & BEAUTIFICATION COMMITTEE REPORT**

No Report.

**PERSONNEL COMMITTEE REPORT**

No Report

**POLICE COMMITTEE REPORT**

No Report

**MAYOR AND COUNCIL REPORT**

Mayor Jackson applauded Manager Lawrence for her persistence in getting the Mill Street project started. He also recognized Town staff for going the extra mile in 2020 and adding additional activities to an unusual year due to COVID and stated that the citizens of Dayton noticed and appreciated the efforts. Finally, he extended a congratulations to Ms. Hall for completing the Board of Zoning Appeals program and to Adam Meek for his promotion to Public Works Supervisor.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

Janet Matthews submitted her comments as to the Code of Ethics for Council and the large item pick up. Clerk Hall read her letter aloud and Mayor Jackson thanked her for her comments.

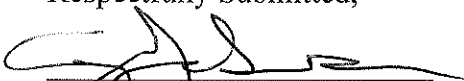
Councilwoman Estes asked if she could contact the Town Attorney with questions about the wording that she does not understand. Attorney Bowman stated that she could.

**ADJOURNMENT**

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

The meeting adjourned at 7:10 p.m.

Respectfully Submitted,

  
Mayor, Cary Jackson

  
Clerk, Christa Hall

**Town Manager**

**Staff Report**

**December 2020**

**Personnel**

1. Staff continues to be updated on a regular basis regarding the COVID-19 situation and workplace safety. Some staff work remotely as possible. Administrative staff will be working in separate office spaces whenever possible. We added a partition in the front office for increased safety.
2. After interviewing the top three candidates for the position of Economic Development Coordinator, an offer was made and accepted. Meggie Roche will begin work on Tuesday, January 19, 2021.
3. Russell Bailey resigned from the position of Public Works Supervisor. I have interviewed the top three candidates for that position and should be able to make an announcement at the Council meeting.

**Public Works, Roads, Facilities**

**1. Water Plant Upgrade:**

The Virginia Department of Health (VDH) has set up a meeting for January 29, 2021. They have established a proposed target list of potential recipients for FY 2021 construction assistance. Our project has been targeted for funding. Adam and I will be on the call, with the possibility of the engineer we used for the preliminary engineering report (PER). The purposes of the meeting for VDH will be to: obtain additional information on our project; determine the project's readiness to proceed; to make us aware of the program requirements and to identify the status and courses of action needed for our project to comply with these requirements; discuss any scope-of-work or eligibility issues that may relate to our project; outline our project's schedule for attainment of key milestones; answer any questions or address any issues we may wish to discuss.

I will be sending an updated construction project schedule prior to the meeting. VDH expects that we will be in a position to execute financing agreements and start construction within twelve months of the date of VDH's award letter.

**2. Mill Street Project:**

- a) Construction is set to begin on January 11, 2021.
- b) The contractor, A&J Development & Excavation, has conducted necessary testing. Staff and contractor did a walk-through of the project on January 6, 2021.
- c) Road closure signs will go up on January 8, 2021.
- d) Phase 1 includes Main Street from the bridge south to Mill Street. It is expected to be completed by February 15<sup>th</sup>. The road will be cut just south of the bridge. Storm pipe will lead to the creek on the east side of Main Street, cross the street just south of the bridge and then run to Mill Street on the west side of Main Street. Existing sidewalk will be demolished and new curb and sidewalk installed, with a layer of base asphalt. Main Street will be closed to through traffic much of this time, but will be open to local traffic, so as not to restrict traffic to the businesses in that section.
- e) Phase II includes Mill Street from Main Street to just west of High Street.
  - a. Curb & sidewalks will be demolished from Main to College and storm pipe and structures installed beginning February 11. New curb & sidewalk will be installed and base pavement completed on or about March 22.

- b. Curb & sidewalks will be demolished from Main to College and storm pipe installed beginning February 11. New curb & sidewalk will be installed and base pavement completed on or about March 25. Sewer line will be replaced during this phase as well.
- c. Curb & sidewalks will be demolished from College to Maple Lane and storm pipe and structures installed, water and sewer moved and/or installed beginning March 11. New curb & sidewalk will be installed and base pavement completed on or about April 15. Sewer line will be replaced during this phase as well.
- d. Curb & sidewalks will be demolished from Maple Lane to High Street and storm pipe installed beginning April 9. New curb & sidewalk will be installed and base pavement completed on or about May 18.
- e. Milling and overlay pavement and striping for the entire project is scheduled for May 18-24, 2021, with final completion on May 25<sup>th</sup>.
- f) These dates are subject to change based on conditions and findings.
- g) Property owners will be notified as the project progresses. Information for the general public was included in the Town newsletter and will be posted on Facebook.

### **Community & Economic Development**

1. **Façade Grants:** We have no new façade grant applications.
2. **Businesses:** We continued to promote shopping locally in print and social media through the month of December.

### **Nuisance Properties**

The fines assessed by the court have been paid by the property owner.

### **Other**

We are aware of many people in the Dayton community that have contracted COVID. We encourage all to be extremely cautious during this holiday season. The office is closed to the public, except by appointment; however, the drive through window and payment box remain in service.

### **Items for Discussion and/or consideration**

**Park Signs:** Up to ten residents and others are parking in the Dove Park parking lot overnight and for purposes unrelated to park use. This includes trailers and other heavy vehicles. The pavers in that parking lot were not designed for heavy traffic. When park events, such as concerts, happen, we need the parking places to be available for park users. Staff recommends Council grant permission to post the parking in parking lots is for park use only and violators will be towed at owner's expense.

**Apartment Dumpsters:** We have continued issues with apartment dumpsters becoming too full and/or having large items placed next to them throughout the month. We have been picking up large items almost every week at one apartment complex. We normally pick up through town one day per month. We collect fees from apartment units, just as we do houses and either furnish rolling cans or dumpsters. The larger complexes generally get dumpsters. We plan to add a dumpster to the apartments at Westview & Thompson. Staff recommends a discussion regarding the possibility of a policy to charge per item or by cubic feet for each special large item pick up that we do.

Mill Street: The required VDOT certified quality control inspector costs were not included in the budget or bid package for the project. We have received bids from 3 bidders. The engineer is analyzing each and I will have a recommended contract approval for council approval at the meeting.

Respectfully submitted,  
*Angela A. Lawrence*

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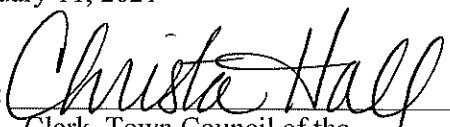
5. All regular meetings of the council shall be open to the public, unless closed pursuant to state law.

**CERTIFICATE**

The undersigned Mayor and Clerk of the Town Council of the Town of Dayton, Virginia hereby certify that the foregoing constitutes a true and correct copy of the Town of Dayton Resolution Regarding Time of Regular Meetings and Inclement Weather Meeting Times adopted by the Town Council at a meeting held on January 11, 2021. A record of the roll-call vote by the Town Council is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Cary Jackson, Mayor	✓			
Bradford Dyjak	✓			
Emily Estes	✓			
Heidi Hoover	✓			
Dale Rodgers	✓			
Robert Seward	✓			
Tara R. Worthy	✓			

Date: January 11, 2021

ATTEST:   
Clerk, Town Council of the  
Town of Dayton

  
Mayor, Town of Dayton, Virginia

**RESOLUTION TO ADOPT A CODE OF ETHICS FOR THE MEMBERS OF THE  
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Members shall perform their duties in accordance with the processes and rules of order established by the Dayton Town Council and Council's commissions and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Dayton Town Council by the Town of Dayton staff.

## **5. Conduct of Public Meetings**

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

## **6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

## **7. Communication**

Members shall publicly and promptly share substantive information that is relevant to a matter under consideration by the Dayton Town Council, commissions and committees, which they may have received from sources outside of the public decision-making process.

## **8. Conflict of Interest**

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest and shall disclose any substantial organizational responsibility or personal or business relationship to the parties in any matter coming before them. This paragraph is not intended to unduly restrict members who have minor business or professional

dealings with clients whose matters come before them.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

## **9. Gifts and Favors**

A member shall not accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.

## **10. Confidential Information**

Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the Town of Dayton. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

## **11. Use of Public Resources**

Members shall not use public resources that are not available to the public in general, such as the Town of Dayton's staff time, equipment, supplies or facilities, for private gain or personal purposes.

## **12. Representation of Private Interests**

In keeping with their role as stewards of the public interest, members of the Dayton Town Council shall not appear on behalf of the private interests of third parties before the Dayton Town Council or any, commission, committee, or proceeding involving the Town of Dayton, nor shall members of the Dayton Town Council's commissions or committees appear before their own bodies or before the Dayton Town Council on behalf of the private interests of third parties, except that members of the Dayton Town Council's commissions and committees may appear before other public bodies, including the Dayton Town Council, to advocate for a particular application or other matter of public business related to their role as a public official.

## **13. Advocacy**

Members shall represent the official policies or positions of the Dayton Town Council, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Dayton, nor will they allow the inference that they do.

## **14. Policy Role of Members**

The Dayton Town Council determines the policies of the Town of Dayton with the advice, information, and analysis provided by the public, Dayton Town Council's commissions and

committees, and the Town of Dayton staff. The Dayton Town Council delegates authority for the administration of the Town of Dayton to the Town of Dayton Town Manager.

Members, therefore, shall not interfere with the administrative functions of the Town of Dayton or the professional duties of the Town of Dayton staff; nor shall they impair the ability of staff to implement the Dayton Town Council policy decisions. Inquiries to staff shall only be made through the Town Manager of the Town of Dayton.

#### **15. Independence of the Dayton Town Council and Commissions**

Because of the value of the independent advice of the Dayton Town Council, commissions, and committees to the public decision-making process, members of the Dayton Town Council shall refrain from using their positions to unduly influence the deliberations or outcomes of the Dayton Town Council, commission, or committee proceedings.

#### **16. Positive Work Place Environment**

Members shall support the maintenance of a positive and constructive workplace environment for the Town of Dayton employees and for citizens and businesses dealing with the Town of Dayton. Members shall recognize their special role in dealings with the Town of Dayton employees and in no way create the perception of inappropriate direction to staff.

#### **17. Implementation**

As an expression of the standards of conduct for members expected by the Town of Dayton, the Town of Dayton Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for the Dayton Town Council, applicants to the Dayton Town Council, commissions, committees, and newly elected and appointed officials. In addition, the Dayton Town Council, Council's commissions and committees shall biennially review the Code of Ethics and the Dayton Town Council shall consider recommendations from commissions, and committees to update it as necessary.

#### **18. Compliance and Enforcement**

The Town of Dayton Code of Ethics expresses standards of ethical conduct expected of members of the Dayton Town Council, commissions, and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The Chairs of the Dayton Town Council's commissions and committees and the Mayor of the Dayton Town Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The Dayton Town Council may impose sanctions on members whose conduct does not comply with the Town of Dayton's ethical standards, such as public or private reprimand, formal

censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Dayton Town Council also may remove members of the Dayton Town Council's appointed commissions, and committees from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a decision made by the Dayton Town Council, Council's commission or committee.

### **MODEL OF EXCELLENCE DAYTON TOWN COUNCIL MEMBER STATEMENT**

By the adoption of this Code of Ethics, the members of the Dayton Town Council, agree to uphold the Code of Ethics for elected and appointed officials. Further, we certify that we will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, Town of Dayton staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of the Town of Dayton;
- Treat all people with whom I interact in the manner I wish to be treated.

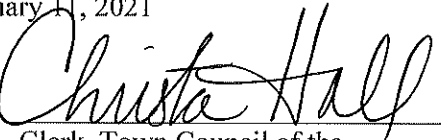
**CERTIFICATE**

The undersigned Mayor and Clerk of the Town Council of the Town of Dayton, Virginia hereby certify that the foregoing constitutes a true and correct copy of the Town of Dayton Resolution a Code of Ethics adopted by the Town Council at a meeting held on January 11, 2021. A record of the roll-call vote by the Town Council is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Cary Jackson, Mayor	✓			
Bradford Dyjak	✓			
Emily Estes		✓		
Heidi Hoover	✓			
Dale Rodgers	✓			
Robert Seward	✓			
Tara R. Worthy		✓		

Date: January 11, 2021

ATTEST:

  
Clerk, Town Council of the  
Town of Dayton

  
Mayor, Town of Dayton, Virginia