

**DAYTON TOWN COUNCIL MINUTES**  
**January 13, 2020**

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

**ALSO PRESENT:** Jason Ham, Town Attorney; Angela Lawrence, Town Manager; 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 were led by Mayor Lee.

**AGENDA AMMENDMENT:**

A motion to amend the Agenda to include the USDA Grant Resolution under Action Items was made by Councilman Daly and seconded by Councilman Collier and approved by a roll call vote of 7 to 0, the voting recorded as follows: COLLIER—AYE; DALY—AYE; FLETCHALL—AYE; JACKSON—AYE; OHGREN—AYE; WORTHY—AYE; LEE—AYE.

**APPROVAL OF MINUTES FOR THE DECEMBER 9, 2019 COUNCIL MEETING AND THE DECEMBER 11, 2019 COUNCIL RETREAT:**

A motion to approve the minutes from the December 9, 2019 Council Meeting and the December 11, 2019 Council Retreat was made by Councilman Ohgren and was seconded by Councilman Jackson and approved by a roll call vote of 7 to 0, the voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – AYE.

**ACTION ITEM—APPROVAL OF USDA GRANT RESOLUTION:**

After discussion and a staff report from Manager Lawrence and Police Chief Trout, a motion to approve that the Council pass a USDA Grant Resolution to facilitate obtaining financial assistance for the police vehicles was made by Councilman Collier and seconded by Councilman Fletchall and approved by a roll call vote of 7 to 0, the voting recorded as follows: COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; DALY – AYE; further identified as follows:

**RESOLUTION OF GOVERNING BODY OF  
TOWN OF DAYTON**

The Governing Body of the Town of Dayton, consisting of seven (7) members, in a duly called meeting held on the 13th day of January, 2020, at which a quorum was present:  
**RESOLVED** as follows:

**BE IT HEREBY RESOLVED** that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) for the police vehicles project to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

**BE IT FURTHER RESOLVED** that the Town Superintendent of the Town of Dayton, Virginia be authorized to execute on behalf of the Town Council the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

### **MANAGER'S REPORT**

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

Manager Lawrence asked Town Attorney, Jason Ham, to provide an update on the nuisance properties in Town. He provided a timeline of the efforts that the Town has made to date and advised that we are at the point where he will proceed with a lawsuit on the Town's behalf.

### **TREASURER'S REPORT**

Acting Treasurer Susan Smith provided a written report.

### **POLICE REPORT**

Chief Justin Trout provided a written report. Councilman Jackson stated that there had recently been a robbery at the convenience store in Town. Chief Trout stated that after a lengthy investigation, they have arrested a suspect and he is incarcerated, with a trial pending.

### **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**

Chairman Daly stated that the committee met today to review the second quarter and the budget vs. actual figures. They will have a follow up meeting to itemize expenditures and further analyze the figures to make sure that the Town is on target and there are no surprises that we are not prepared for.

## **INFRASTRUCTURE**

Chairman Fletchall stated that the committee met last week with Russell Jackson to discuss the upgrades to the water plant. He explained this was a very productive meeting and they now have a recommendation for council on how best to proceed.

## **PARKS & COMMUNITY DEVELOPMENT**

No report, however, Chairman Collier stated that we need to move forward on the Greenway project. Manager Lawrence stated that she had contacted local fence companies to obtain quotes and ideas on how best to proceed.

## **PERSONNEL**

Chairman Ohgren reported that they met last week to discuss job position and description revisions. They will meet and discuss this along with some potential changes to the Personnel Handbook prior to the next Council Meeting. They also discussed employee evaluations and how that process went and discussed the process for Manager Lawrence's upcoming evaluation.

## **POLICE**

No report. Chairman Jackson advised that the next committee meeting will be March 9, 2020.

## **MAYOR AND COUNCIL**

Councilman Jackson reported that he and Councilman Fletchall recently attended VML's conference for Newly Elected Officials in Charlottesville and obtained a lot of valuable information. Manager Lawrence stated that she would keep Council aware of any upcoming conferences and feels that going forward, they should be required for any new Council members. Councilman Jackson asked about Committee Meetings and if they need to be publicly advertised. Town Attorney, Jason Ham, advised that Committee Meetings do need to be advertised but Minutes are not required.

Manager Lawrence reviewed a memo outlining a timeline of meetings for the upcoming budget process. Councilman Daly recommended that Council hold a half-day work session to discuss priorities for the budget prior to committee meetings.

Manager Lawrence introduced Bradford Dyjack, Director of Planning for the County. He has recently moved into Town. He announced that the Route 42 project will be moving forward aggressively and that the County has awarded the project to A&J Partners Excavating.

### **UNFINISHED BUSINESS**

Manager Lawrence provided a report on the Water Plant Upgrade and presented the recommendations of the Infrastructure Committee and Staff to the Council.

Councilman Jackson made a motion to approve the new building alternative for the Water Plant. Councilman Daly seconded the motion. The motion carried by a roll call vote of 7 to 0, the voting recorded as follows: DALY – AYE ; COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

Bill Bray addressed the Council asking questions about the nuisance violations and the adverse effects that leaking fluids from inoperable vehicles may cause to groundwater and as a result, would the Town be able to secure help from a State Agency. Town Attorney, Jason Ham, advised that this was not a problem that a State Agency would get involved with.

Janet Matthews addressed the Council stating that she has been living on Eastview and Thompson Streets in Dayton since 1992 and she has noticed that the water is progressively getting harder causing more calcium deposits in her house. She asked what may be causing this. Manager Lawrence stated that the water is tested on a regular basis and the results are available in the Town office. She further explained that it is more economic for individuals to treat their water with a water softener than for the Town to install a Town-wide water softening system.

### **CLOSED SESSION**

A motion was made to convene into closed session under section 2.2-3711(A)1 of the Code of Virginia to discuss the performance and employment of specific local government personnel by Councilman Collier and seconded by Councilman Fletchall and carried by a roll call vote of 7 to 0, voting recorded as follows: DALY—AYE; COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; the Council recessed the meeting at 7:54 p.m.

**OPEN SESSION**

Return to open session at 8:49 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 Daly, seconded by Councilman Ohgren and carried by a roll call vote of 7 to 0, voting recorded as follows: DAYL—AYE; COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE; 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.

**AGENDA AMMENDMENT:**

A motion to amend the Agenda to include the Appointment of a Treasurer under the Unfinished Business section was made by Councilman Collier and seconded by Councilman Oghren and approved by a roll call vote of 7 to 0, the voting recorded as follows: COLLIER—AYE; DALY—AYE; FLETCHALL—AYE; JACKSON—AYE; OHGREN—AYE; WORTHY—AYE; LEE—AYE.

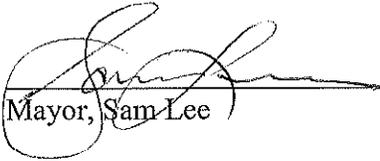
A motion to appoint Susan Smith as Town Treasurer with an annual salary of \$67,000 was made by Councilman Ohgren and seconded by Councilman Collier and carried by a roll call vote of 7 to 0, the voting recorded as follows: DALY—AYE; COLLIER – AYE; FLETCHALL – AYE; JACKSON – AYE; OHGREN – AYE; WORTHY – AYE; LEE – AYE.

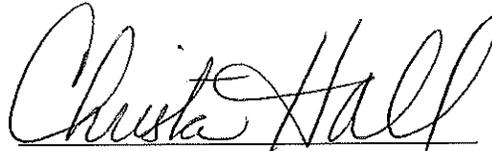
**ADJOURNMENT**

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

The meeting adjourned at 8:54 p.m.

Respectfully Submitted,

  
Mayor, Sam Lee

  
Deputy Clerk, Christa Hall

**Town Superintendent/Manager**

**Staff Report**

**December 2019**

**Personnel**

1. Staff continues to transition to new responsibilities during the Treasurer's transition period. With the vacant Deputy Treasurer/Zoning Administration position, Christa has taken over planning and zoning responsibilities and Kim has taken over payroll. Susan continues to assist and train, as needed.
2. Personnel Committee has reviewed revised job descriptions for the accounting and administrative assistant positions, contingent on the permanent Treasurer appointment. They will be presented to Council at the February meeting.
3. Christa has joined the Virginia Association of Zoning Officials and will register in April for the exam training to be held in June, 2020.
4. Evaluations were completed for all employees. Employees submitted a self-evaluation, supervisors completed their evaluations. Evaluations are included in personnel files. Merit increases take effect for the pay period beginning January 5, 2020.

**Public Works, Roads, Facilities**

1. **The SCADA System:** See public works report.
2. **Water Plant Upgrade:** See Item 6.a. A presentation will be given at the meeting.
3. **Mill Street Project:**
  - a. Plans were reviewed with staff and forwarded to VDOT for approval.
  - b. The engineer is working with Verizon regarding utility pole relocation.
  - c. I received verbal approval from a property owner for Verizon to secure a needed easement for a guy wire in their yard. Verizon will work directly with the property owner.
  - d. Attorneys will move forward with easements once the plans are approved by VDOT.
  - e. An update will be given at the meeting.

**Economic Development**

1. **Business Community Conversation:** The next meeting is scheduled for Thursday, January 9, 2020 at 6:30 p.m. The group is moving forward with a Facebook page, Discover Dayton!
2. I have had conversations with a potential new retail business.

**Other**

1. We are continuing to send Notices of Civil Penalty to the nuisance properties. The maximum fine for one property will be met in the coming week. I will discuss legal action with the attorney at that time.
2. We still have one vacancy on the Economic Development Authority.
3. The shed has been removed from the Fuzzy Duck Lot.

4. There have been some questions regarding how to ensure that we get newsletters (and other correspondence) to people for whom we do not have mailing addresses. We use addresses from water bills and most of the apartment buildings in Town do not have mailboxes. The apartments have the water bills in the landlord's name, so we don't have all mailing addresses. We checked with the Dayton Post Office and were advised that they have approximately 1800 boxes. They cannot give us any information for the individual boxes, but they did indicate that approximately 50% are not being used. Of the ones that are being used, some are residents for whom we have a mailing address, some are people who live outside of the Town and some are businesses outside of Town. Other residents in Town have post office boxes outside of Town. Rather than printing an additional 1800+ newsletters for every post office box, we are taking a different approach. People can receive mailings if they provide us with their current mailing address. Only a few people have done so. The Police Chief has met with the Postmaster and he and I will be meeting with landlords for the apartment buildings in Town to ask that they install mailboxes on their properties or keep us informed of their tenants' mailing addresses. The Postmaster has provided some direction in the matter. In the meantime, the Police Chief will distribute bulk newsletters to the landlords and ask that they distribute to their tenants, if they are willing. We have also posted the newsletter on the website and we will post the link on Facebook with a reminder that we will mail them if we have a correct mailing address.

**Items for Consideration**

None

Respectfully submitted,

*Angela A. Lawrence*

**RESOLUTION OF GOVERNING BODY OF  
TOWN OF DAYTON**

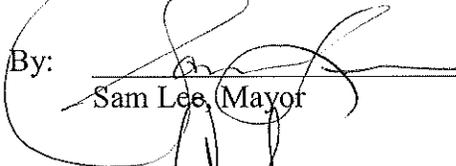
The Governing Body of the Town of Dayton, consisting of seven (7) members, in a duly called meeting held on the 13th day of January, 2020, at which a quorum was present: **RESOLVED** as follows:

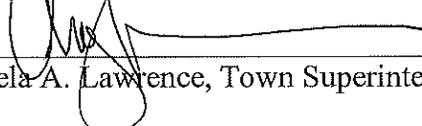
**BE IT HEREBY RESOLVED** that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) for the police vehicles project to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

**BE IT FURTHER RESOLVED** that the Town Superintendent of the Town of Dayton, Virginia be authorized to execute on behalf of the Town Council the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Council.

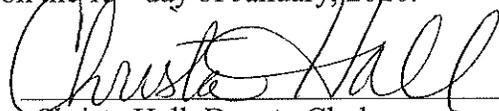
**TOWN OF DAYTON**

By:  \_\_\_\_\_  
Sam Lee, Mayor

Attest:  \_\_\_\_\_  
Angela A. Lawrence, Town Superintendent

**CERTIFICATION**

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Town of Dayton in a duly assembled meeting on the 13<sup>th</sup> day of January, 2020.

  
\_\_\_\_\_  
Christa Hall, Deputy Clerk