

DAYTON TOWN COUNCIL MINUTES
March 09, 2009

COUNCIL MEMBERS PRESENT: Mayor LJ Purcell, Donna H. McCormick, Donna W. Bodkin, Steven J. Dean, Lisa R. Halterman, Charles T. Long, Gregory L. Trissel and Carolyn H. Ware.

COUNCIL MEMBERS ABSENT: None.

ALSO PRESENT: J. Jay Litten, Attorney; Rick Chandler, Town Superintendent; Chief Donald Conley; O. Wade Hill, Operations Manager; Ron Stover, Treasurer; D-NR and The Shenandoah Journal reporters; many local citizens and Pamela Shoemaker, Recorder.

CALL TO ORDER:

Mayor Purcell called the meeting to order at 7:00 p.m. and welcomed guests. The Pledge of Allegiance was led by Mayor Purcell and the Invocation was led by Rick Chandler.

MINUTES:

Mayor Purcell asked for comments on and approval of the minutes from the February 09, 2009 Council meeting. Charles Long stated that the times on the December 31, 2008 called Council meeting were incorrect*. A motion to approve the amended February 09, 2009 Council minutes by Greg Trissel was seconded by Donna Bodkin and passed unanimously by council. Those in favor: Purcell, McCormick, Bodkin, Dean, Halterman, Long, Trissel and Ware. Those opposed: none. Abstentions: none.

**MOVED TO APPROVE THE MINUTES FROM THE FEBRUARY
09, 2009 COUNCIL MEETING.**

POLICE REPORT: Chief Conley

Chief Conley read the police report. There being no questions, the meeting continued.

STAFF REPORT: Rick Chandler

- The Sewer Authority Project continues according to schedule. Change orders to date have increased the project about 1.5%. The remaining contingency funds total 2.5 million. Approximately 62% of the project has been billed to date.
- TEA-21 Project – completed interviews on February 18, 2009 and have selected an engineering firm and in the process of negotiating a contract for the engineering portion of the project. Next scheduled meeting with Mr. Van Leer of VDOT along with the firm will be on March 27, 2009.

COMMITTEE REPORTS:

Sewer Authority: Rick Chandler

- February average flows were 9.33 MGD and year to date average flow is 9.48 MGD. The 2009 HRRSA budget was amended to reflect the increases our

community has incurred since June 2008. This is due to the new bond which refunded the old (1998) series bond at that time.

Finance: Donna McCormick

- Held their first meeting to discuss the budget. Will meet again on March 30, 2009 at 7:00 p.m. to discuss the 2009-2010 budget.
- Still have not heard back from other firm about estimate for feasibility study. Rick Chandler stated that he contacted the second firm today for their estimate on the feasibility study and is looking for another firm as well.

Community Development: Charles Long

- Will be meeting next week to schedule the calendar of events. Date for meeting has not yet been determined.

Personnel Committee: Carolyn Ware

- Held a joint meeting with the Finance Committee. Would like to have a Personnel Committee meeting when Rick returns from his trip.

Facilities: Steve Dean

- With the exception of approximately 300 feet, the construction portion of the sewer project is complete. About thirty percent of the restoration is also complete. On Friday mailed out letter to Atkins Excavating terminating their contract with the Town. They have seven days from receiving letter to remove their equipment off of the property. New contractor may be starting next week to complete final 300 feet. There is no time frame yet from new contractor.
- Construction to the Ashby Street waterline has been completed. All that remains are some "touch-up" restoration and fixing several driveways. We are very pleased with the contractor.
- We are addressing some emergency repairs needed on the expansion joint of the standpipe within the pedestal water tank. Parts have been ordered and a schedule is being established to work around Cargill's needs.

OPEN FORUM:

Mayor Purcell stated that they were going to move things around and have the open forum at this time. Mayor Purcell stated that they do not have a time limit but asked, for the time sake of everybody there, that everybody keep their comments to three minutes.

John Jacobson stated he would prefer to wait to speak until after the meetings business has concluded.

Judy Way had questions about upcoming projects, replacing the contractor for the Rt. 257 project and the calendar of events. Mrs. Way also questioned if the annexation has been completely stalled since there has not been any Planning Commission meetings.

Philip Way had comments on the number of closed session meetings the new Council has had, the Mayor's salary, signing of the checks and signing of the Town bills.

Carrol Dellinger stated that when a resident comes to the Town office with a problem the Council or Town should acknowledge that the problem has been taken care of and when it was taken care of with a letter. Mr. Dellinger also discussed concerns about excess trash in his yard, too many people and vehicles at one residence and a possible unauthorized sewer connection at this same residence.

Jerry Critcher had questions about replacing the contractor for the Rt. 257 project and stated that the open forum should not begin so early so that people have the opportunity to respond to business being discussed by Council members.

UNFINISHED BUSINESS:

Mayor Purcell asked if there was any unfinished business to be discussed. Carolyn Ware stated that they had conducted interviews for the vacant Planning Commission position. A motion by Carolyn Ware to appoint Gerald Lehman to the Planning Commission for the Town of Dayton was seconded by Charles Long and passed unanimously by council. Those in favor: Purcell, McCormick, Bodkin, Dean, Halterman, Long, Trissel and Ware. Those opposed: none. Abstentions: none.

MOVED TO APPOINT MR. GERALD LEHMAN TO THE PLANNING COMMISSION FOR THE TOWN OF DAYTON.

NEW BUSINESS:

There being no new business, the meeting continued.

MAYOR'S COMMENTS:

Mayor Purcell stated that the Town was going to have their second wall project on April 3rd and 4th. Mayor Purcell also stated that people can sign up at the Dry Stone Conservancy website (www.drystone.org). Mayor Purcell stated that Jeremy from the DNR and Lauren from the Shenandoah Journal were at the meeting and he hoped they would give the Town some P.R. on the upcoming wall project.

Charles Long stated that Mr. Jacobson should be allowed to speak at this time.

John Jacobson stated that the Town is financially solid, the police have the support of the citizens and all recommendations by the Barrett Report have been adopted by the Town; therefore he does not see the need for the feasibility study. Mr. Jacobson stated that the Town has already spent more than \$20,000.00 on the Barrett Report and does not need to spend any more money.

Cheryl Lyon stated that the Town, per household basis, out spends more than all the other Towns in the county. Ms. Lyon stated that the feasibility study would be good for the Town and would help determine how much money the Town should be spending.

APPROVAL OF BILLS:

A motion to approve the bills by Charles Long was seconded by Steve Dean and passed unanimously by Council. Those in favor: Purcell, McCormick, Bodkin, Dean, Halterman, Long, Trissel and Ware. Those opposed: none. Abstentions: none.

**MOVED THAT THE BILLS TO BE PAID TOTALING \$265,858.03
BE APPROVED.**

A motion by Charles Long to recess into closed session to consult with legal counsel regarding a personnel issue was seconded by Donna McCormick and passed unanimously by Council. Those in favor: Purcell, McCormick, Bodkin, Dean, Halterman, Long, Trissel and Ware. Those opposed: none. Abstentions: none.

**MOVED TO RECESS INTO CLOSED SESSION UNDER SECTION
2.2-3711(A) (7) OF THE STATE CODE.**

Recessed to closed session at 7:57 p.m.

Back in regular session at 8:21 p.m.

Motion passed unanimously by call of the roll. Those in favor: Purcell, McCormick, Bodkin, Dean, Halterman, Long, Trissel and Ware. Those opposed: none. Abstentions: none.

There being no further business to come before the council, a motion to adjourn by Lisa Halterman was seconded by Greg Trissel and passed by council. Those in favor: Purcell, McCormick, Bodkin, Dean, Halterman, Long, Trissel and Ware. Those opposed: none. Abstentions: none.

*After further research on the correction to the minutes, the times were correct; therefore no correction was made to the February 09, 2009 Council minutes.

The meeting adjourned at 8:22 p.m.

Respectfully Submitted,

LJ Purcell, Mayor

Pamela Shoemaker, Recorder