

**TOWN OF DAYTON
REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS, DAYTON TOWN HALL
July 10, 2023**

COUNCIL MEMBERS PRESENT: Mayor Cary Jackson, Vice Mayor Bradford Dyjak, Robert Seward, Bob Wolz and Emily Estes. Pursuant to Virginia State Code 2.2-3708.2 and the Town's Resolution authorizing electronic participation in Town meetings, Susan Mathias joined remotely via zoom from North Brandford, CT, due to a medical condition of a family member.

COUNCIL MEMBERS ABSENT: Ms. Pannell

ALSO PRESENT: Jordan Bowman, Town Attorney; Earl Mathers, Interim Town Manager; Police Chief Justin Trout; Christa Hall, Treasurer; Christine Wade, Deputy Clerk; and Meggie Roche, Community & Economic Development Coordinator.

CALL TO ORDER: Mayor Jackson called the meeting to order at 6:00 p.m. He first stated he wanted to welcome and introduce Christine Wade who will be the new Deputy Clerk and FIOA officer. He then initiated a motion to amend the agenda for the meeting to add, under New Business, a closed session as authorized by Virginia Code Section 2.2-3711(A)(3) for the discussion and consideration of the possible acquisition of real property for a public purpose. Councilperson Wolz made a motion to accept and Vice Mayor Dyjak second the motion. The motion was approved by an all in favor vote of 6-0 with 1 member absent. He stated that the Council would only hear public comments from those who have signed up to speak and that speakers would be limited to five minutes each and comments are to be addressed to the Council. Deputy Clerk Wade called the roll for the Town Council. Mayor Jackson led the Invocation and the Pledge of Allegiance.

APPROVAL OF MINUTES: Mayor Jackson asked for a motion to approve the minutes as written for the Council Meeting of June 12, 2023. Vice Mayor Dyjak replied so moved; the motion was seconded by Councilperson Wolz and there was no additional discussion. The motion was approved by an all in favor vote of 6-0 with one member absent.

ACTION ITEM: Mayor Jackson stated that the first action item on the agenda is the consideration of revisions to the Town Employee Handbook. Three new policies were proposed which are the bereavement policy, telework policy and inclement weather policy for essential personnel. Mr. Mathers gave a staff report and stated that the HR policies and personnel policies are subject to review as necessary. He stated personnel were all in favor of the 3 new policies. Mayor Jackson asked Councilperson Mathias if that was the recommendation of the personnel committee. Councilperson Mathias answered yes. Mayor Jackson asked for a motion to be made to adopt the revisions to the Town Employee Handbook as presented. Councilperson Estes made the motion to accept and Councilperson Wolz seconded the motion. The motion passed by an all in favor vote of 6-0, with one member absent.

ACTION ITEM: Mayor Jackson stated that next are a slew of appointment actions and said that he would read them all and then only have one vote instead of individual votes.

Appoint Christine Wade as the Town's Deputy Clerk.

Appoint Christine Wade as the Town's FOIA officer.

Appoint Meggie Roche as the Town's Zoning Administrator.

Appoint Meggie Roche as the Town's Subdivision Agent.

Appoint Meggie Roche as the member to the Harrisonburg-Rockingham Metropolitan Planning Organization Technical Advisory Committee and Alternate member to the HRMPO Board.

Mayor Jackson entertained a motion to accept all the appointments as presented. Councilperson Dyjak replied so moved and Councilperson Estes seconded. The motion passed by an all in favor vote of 6-0, with one member absent.

ACTION ITEM: Mayor Jackson stated the next action item is the adoption of the Rockingham County Emergency Operations plan. He asked Mr. Mathers for a staff report. Mr. Mathers deferred to Chief Trout. Chief Trout shared that they are going through accreditation right now and one of the items found lacking was an Emergency Operations plan for the Town. Rockingham County already has one in place, he spoke to the Fire Chief who advised that the Towns are included in Rockingham County's EOP. Mayor Jackson asked for a motion to adopt the Rockingham County Emergency Operations Plan as presented. Councilperson Seward made the motion and Vice Mayor Dyjak second. Mayor Jackson asked if there was any discussion, Mr. Wolz asked Chief Trout if there was anything specific that the Town of Dayton would have to do specifically for the Town. Chief Trout stated that these were only guidelines for response and when a situation would arise that affected the Town only, that he and town manager would get together to discuss the issue and how to fix it. The motion passed by an all in favor vote of 6-0 with one member absent.

PUBLIC COMMENT: None

MANAGER'S REPORT: Interim Town Manager Earl Mathers said he feels very positive about the nature of the staffing in the Town at this time. He mentioned the Silver Lake Mill trail project and that it should soon be finished. VDOT will be widening the road and that could create an opportunity to enhance the project. He ended with talking about the special use permit that has just come to the attention of the Town. Staff recommends to that this be set up for a joint public hearing to coincide with the next council meeting in August and to meet at 5:30 pm along with the Planning Commission. Mayor Jackson asked the council if there was any issues with this joint meeting at 5:30. As there were none, staff will advertise and hold a Joint Public Hearing as recommended.

POLICE REPORT: Chief Justin Trout reported that the equipment has been ordered for ARPA Grant. Cones with the Cop event in June went well and had a great turnout. National Night out is coming up in August as well as a Chief's Town Hall Q & A.

TOWN ATTORNEY REPORT: Nothing to report.

MAYOR AND COUNCIL REPORTS: Councilperson Dyjak stated that the Business Spotlight series has been great and well received. He also thanked the downtown merchants for the American Small Town Celebration this past weekend. Councilperson Dyjak wished everyone a happy fiscal new year and thanked Town Treasurer Ms. Hall for her help with closing out and starting the new year. He shared that we closed out the year under budget, we are hitting our financial numbers, still funding our reserve targets and finance and investments are looking great.

Mayor Jackson asked for the report for Infrastructure and Police. Councilperson Seward stated there was no meeting for either but did want to say that he felt the Chief and other officers were doing a great job with getting the accreditation.

Councilperson Wolz for Parks, Recreation and Beautification, no meeting, but did share about the new playground equipment for purple park should be installed this fall. He also discussed the Dayton Muddler and that it has been rescheduled to April 2024. He also stated that there are some concerns concerning the muddler, in terms of the level of effort required to do the event, and the quality of the equipment that is being used. The current equipment needs to be upgraded. Mr. Wolz also shared that there is currently a survey going around town. CMW

Mayor Jackson asked Councilperson Mathias for a personnel report. She shared that the last meeting was July 6th and in the meeting they went over the policies and the new hires.

Mayor Jackson asked if there were any other comments.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

CLOSED SESSION: Mayor Jackson stated that the Council needs to go into Closed Session. For the virtual audience, this will be the conclusion of the livestream. Vice Mayor Dijak moved to convene into closed session as by Virginia Code Section 2.2-3711(A)(3) for the discussion and consideration of the possible acquisition of real property were discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town. The subject matter of the closed session is the possible acquisition of land for a water tank.. The Council convened into closed session at 6:27 p.m.

OPEN SESSION: At 6:45 p.m., Council returned from closed session on a motion by Councilperson Estes, which was seconded by Councilperson Mathias and passed by a unanimous all-in-favor vote.

FOIA CERTIFICATION: With respect to the just-concluded closed session, and to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under The Freedom of Information Act and 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. Deputy Clerk Wade then proceeded to take a roll call, with each member as follows: DYJAK—AYE; SEWARD—AYE; MATHIAS—AYE; WOLZ—AYE; JACKSON—AYE; ESTES—AYE, PANNELL-ABSENT.

ADJOURNMENT: With there being no further business to come before the Council, Councilperson Estes made a motion to adjourn and Mayor Jackson asked for a all in favor vote that passed unanimously. The meeting adjourned at 6:45 p.m.

Respectfully Submitted,


Cary Jackson, Mayor


Earl Mathers, Clerk of Council

ATTACHMENT TO DTC 7.10.23 REGULAR MEETING MINUTES

Town Manager

- Staff Updates
 - Promotions: Christa—Treasurer; Meggie—Community & Economic Development to include Zoning; Tammy—Accounting Technician II (including payroll)
- New Hires
 - Mae Lawrence, Facilities Technician, start date 7/3/23
 - Christine Wade, Administrative Assistant/Deputy Clerk, start date 7/5/23
 - Jeremy Hevener, Police Officer, start date 7/5/23
- Retiring, Jeff Smith
- New Policies to be added to the Employee Handbook (pending approval)
 - Bereavement Policy
 - Telework Policy
 - Inclement Weather Policy for Essential Personnel
- Auditors initiated their work on June 30th
- Moving forward with preliminary scoping of water storage project. Everything looks favorable at this juncture.

Water Department

I. Personnel

Position Title	# of Positions	Filled	Vacant
Lead Water Treatment Operator	1	1	0
P/T- Water Treatment Operator	1	1	0
Water Plant Operator	1	1	0

II. Reports

- Water Plant treated 54.046 million gallons of water in the month of June.
- Purchased no water from Rockingham County in the month of June.
- Rockingham County purchased 324,000 gallons from the Town on 6/28/23.
- Staff attended a VDH training on the new lead and copper rule on June 12th at Augusta County.
- Staff attended a VT class for continuing education units for maintaining waterworks licensing.
- Pinned a filter which had a broken fiber.
- Received approved DEQ permit.
- Assisted with water line repair on High Street.
- Sprayed 42 with Public Works.
- Completed and revised plant inventory.

Public Works

Personnel:

Position Title	# of Positions	Filled	Vacant
Public Works Supervisor	1	1	0
Building & Grounds Technician	2	2	0
Part Time/seasonal	1	1	0

Reports:

- Repaired water leak at 380 High Street
- Viola Engineering has finished soil testing at the potential water storage site. Hopefully we will have the results back in the upcoming weeks to ensure that the ground is stable for a large structure.
- Working with the surveying firm Benner and Associates on mapping around the lake for the Silver Lake Nature Trail. Next step is getting easements around the lake entirely.
- Ordered the new playground structure for Sunset Park. It will be replacing the existing structure. Should be delivered in the next 2 to 3 months.

Treasurer

1. Staff worked with Ann Shawver to finalize all FY23 Budget Amendments and FY24 Budget. She will assist with the EOY Adjusting Journal Entries. She assisted with transferring all carry-over funds for capital projects into the accounting software system to ensure accurate reporting and budgeting for capital improvement projects.
2. End of the FY23 was June 30, 2023 and the auditors were on-site for preliminary field work, which went well. The final audit is scheduled for September 11-15. Staff is still reviewing the Budget vs. Actual report and will advise if any adjustments requiring Council approval will be necessary. The FY24 budget is loaded into the software system.
3. Staff mailed 10 cut-off notices for unpaid water service. Service interruption is scheduled for July 20, 2023.
4. Preliminary Financials attached.

Economic Development

- Wayfinding Signage: Process is ongoing. Staff have been in regular communication with the contractor and VDOT as we obtain permits and finalize fabrication.
- Downtown Revitalization Grant: Staff met with DHCD to discuss next steps. A grant contract from DHCD is pending.
- Business Spotlights: Park View Federal Credit Union and John Hipps Financial Services were featured in June. Braithwaites Studios will be featured in July. (We still have an open spot in July!)

- Business e-newsletter: The monthly business e-newsletter has transitioned to a bi-monthly e-newsletter for the time being as we move through staff changes. The July issue will be sent out on July 6.
- Façade Enhancement Grant: There is one application for review from Heritage Real Estate which will be considered at the July 10 EDA meeting.

Community Development

- Three zoning permits were issued.
- No Certificates of Occupancy were issued.
- One Chicken Keeping application was received.
- One Short-Term Rental Application was received.
- No applications for a Home Occupations Permit were received.
- Responded to 5 zoning inquiries.
- Staff met with Blue Ridge Christian School and the County to discuss the feasibility of the construction of a new gymnasium at Blue Ridge Christian School.
- A special use application from Rhodenizer is anticipated to be submitted in July for property located at 322 John Wayland Hwy for business purposes.
- The planning commission met on June 15 to review submitted plans for the Dayton Crossing Subdivision. After discussion, it was mutually decided between the commission and developer to table a decision until the July 27 planning commission meeting.
- Attended technical training session with the Virginia Zoning Association on June 21.

Events

- The June 17 concert was attended by approximately 115 people. A big thank you to Dry River Band who were able to fill in at the last minute for Who Shot John, who has to cancel due to family emergency.
- Registration for Dayton Days is still full. There are approximately 45 vendors on the wait list. Staff will likely close the wait list in July to avoid an over-abundance of refund charges.
- Staff will be publishing a Town Events Survey in July to gauge interest in future events. A QR code for the survey will also be included in the July newsletter.

Other

- The application deadline for BZA & EDA vacancies has been extended to August 10.
- New water fountains were purchased for Sunset Park, Cook's Creek Park, and Dove Park. The new fountains also include bottle-filling stations.

Public Works

I. Personnel:

Position Title	# of Positions	Filled	Vacant
Public Works Supervisor	1	1	0
Building & Grounds Technician	2	2	0
Part Time/seasonal	1	1	0

II. Reports:

- Began accepting applications for the Facilities Technician position. We have received several applications and will be interviewing in June.
- With the help of Harrisonburg City Public Utilities, we cleaned and flushed all the sewer mains on Main St.
- Had an initial meeting with Viola Engineering at the proposed potential water storage tank site. Their firm will be doing the soil testing of the location to ensure a structure can be built there. Also, the site was surveyed, and it is anticipated that we will have that information in the upcoming weeks.
- PW staff completed VDOT Intermediate Work Zone training.

Treasurer's Office

- a. Personnel: Ann Shawver, CPA, will assist with the transition in the Treasurer's office, the FY23 audit process and close out, and implementing the FY24 budget.
- b. Staff mailed 23 cut-off notices for unpaid water service. Service interruption is scheduled for June 20, 2023.
- c. New Core Dial phones have been ordered and will be installed in June. Upgraded internet speed to accommodate the new system and new equipment was installed in May.
- d. Reviewed the VRSA Liability Insurance Policy renewal for the FY24 period.
- e. Submitted the final Project & Expenditure Report to the US Department of Treasury for the ARPA funds received by the Town to ensure compliance.

Planning and Zoning

- f. The Planning Commission meeting for May was cancelled due to no new business to discuss. They will meet in June to review the preliminary plat plan for Dayton Crossing. The preliminary plat has been submitted to all the necessary departments for review and that review will be discussed with the Planning Commission, the Engineer and the Developer at the June 15th meeting. Also at the June meeting, Ansley Heller, Transportation Planner with the CSPDC will present the approved HRMPO 2045 LRTP to the Planning Commission.
- g. BZA member, Dan Lee, will be leaving the BZA at the expiration of his term on June 30, 2023. This vacancy has been advertised and we will be accepting applications through June 23, 2023. Depending on the response, Council may need to conduct interviews and/or make an appointment in July.
- h. Colton Shifflett's term on the Planning Commission is set to expire June 30, 2023. Council will need to make an appropriate appointment for a 4-year term to expire June 30, 2027.

Manager

- Devoted considerable time, in close collaboration with Ms. Hall in meeting the logistical and informational needs of the Berkley Group in conjunction with the Town Manager search.
- Responded to several FOIA requests with assistance from Mr. Bowman.
- Crafted changes to the personnel policy for review and discussion.
- Identified some management deficiencies which we are working to correct.
- Addressed several citizen concerns.
- Analyzed current staffing and organizational structure in follow-up to work performed by Mr. Paxton and Mr. Holton. Recommendations forthcoming.
- Engaged in various discussions regarding approved and future capital projects.
- Assisted with VRSA/insurance renewal.
- Reviewed applications and interviewed candidates for Administrative Assistant/Deputy Clerk.
- Continued year-end financial analysis and approved routine expenditures.
- Participated in various meetings with staff and contractors as needed.

Town of Dayton
Budget V. Actual Report
FY23 PERIOD ENDING 3/31/2023

REVENUES	Budget	MTD	YTD	Variance	% Bnd
General Fund					
Property Taxes	\$166,200	\$7	\$166,597	\$397	100%
Other Local Taxes	\$419,450	\$21,408	\$403,489	(\$15,961)	97%
Permits, Privilege Fees & Licenses	\$350	\$1,020	\$2,314	\$2,014	545%
Fees & Franchises	\$43,000	\$6,690	\$45,719	\$2,719	106%
Rev. from use of money & prop.	\$2,500	\$25	\$465	(\$1,975)	19%
Charges for services	\$10,000	\$13,356	\$13,834	(\$478)	84%
Other	\$134,500	\$14,115	\$1,002,031	\$987,931	145%
State & Federal Funding	\$1,040,151	\$0	\$100,854	(\$939,301)	1%
Transfer from Water & Sewer	\$231,292	\$0	\$0	(\$231,292)	0%
TOTAL GF REVENUES	\$7,220,450	\$57,581	\$4,517,853	(\$2,702,603)	63%
General Capital Fund					
Transfer from Water & Sewer	\$237,900		\$237,900	\$0	100%
Transfer from Reserves	\$0		\$0	\$0	0%
Water & Sewer Capital Fund					
Transfer from Water & Sewer Fund	\$137,180		\$137,180	\$0	100%
TOTAL CAPITAL FUND	\$375,080		\$375,080	\$0	100%
Water & Sewer Fund					
Charges for services	\$3,425,000	\$358,489	\$3,395,928	(\$29,572)	94%
W&S Com. Fees	\$10,000	\$0	\$20,825	\$20,825	80%
Interest	\$10,000	\$6,072	\$15,454	\$5,454	85%
Misc.	\$2,500	\$0	\$6,351	\$6,351	24%
TOTAL W&S REVENUES	\$3,447,500	\$364,561	\$3,438,558	(\$8,942)	92%
TOTAL REVENUES	\$7,595,030	\$422,142	\$4,911,491	(\$2,683,539)	65%
EXPENDITURES	Budget	MTD	YTD	Variance	% Used
General Government	\$26,550	\$1,471	\$65,624	\$63,153	304%
Public Safety	740,750	87,480	658,178	(\$82,572)	89%
Public Works	471,100	32,560	405,310	(\$65,790)	86%
Parks, Rec & Culture	171,750	10,800	128,066	(\$43,684)	75%
Community Development	181,300	7,370	131,198	(\$49,102)	73%
TOTAL GF EXPENDITURES	\$2,720,450	\$139,681	\$1,888,376	(\$832,074)	69%
Capital Projects					
PO Equipment	\$38,000		\$22,721	(\$15,279)	59%
Sig. Program	\$10,000		\$1,002	(\$8,998)	10%
Steen Alta	\$10,000		\$22,090	\$12,090	12%
Land Acq'n & Improv.	\$25,000	\$0	\$25,000	\$0	100%
PW Service Truck	\$10,000	\$2,545	\$47,425	\$44,880	94%
Water S&S Truck	\$49,000	\$40,492	\$4	(\$36,488)	8%
WTP Equipment	\$13,000	\$11,650	\$0	(\$11,650)	9%
Generator	\$10,000	\$62,681	(\$52,681)	(\$62,681)	128%
TOTAL CAPITAL PROJECTS	\$116,000	\$0	\$196,333	\$180,333	168%
Operating	\$558,500	\$281%	\$910,84	\$352,34	85%
HRSSA	\$1,823,742	1,823,742	\$500,013	(\$1,323,729)	88%
Water Fund Contingency	\$25,000		\$16,100	(\$8,900)	80%
TOTAL W&S EXPENDITURES	\$7,517,242	175,883	\$2,927,777	(\$4,589,465)	87%
Transfer to General	\$231,291				
Transfer to Capital Water & Sewer	\$146,180				
Transfer to Reserves	\$472,186				
TOTAL CAPITAL TRANSFER	\$1,649,657				
TOTAL EXPENDITURES	\$9,166,100	\$175,883	\$4,924,177	(\$4,191,923)	69%
NET TOTAL		\$83,250	\$1,014,887		

