

**AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS HELD ON TUESDAY, AUGUST 1, 2023, AT 6:00 P.M. IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA:**

**1. Call to Order and Roll Call**

Mr. Hutson called the meeting to order, and Ms. Steele took roll call.

**THERE WERE PRESENT:** Christopher A. Hutson, Chair  
Ashley C. Chriscoe, Vice Chair  
Phillip N. Bazzani  
Kenneth W. Gibson  
Michael W. Hedrick  
Robert J. Orth  
Kevin M. Smith

**THERE WERE ABSENT:** None

**ALSO IN ATTENDANCE:** Edwin "Ted" Wilmot, County Attorney  
Carol Steele, County Administrator

**2. Invocation and Pledge of Allegiance - Father Kandt - Church of Saint Therese**

Father Kandt of the Church of Saint Therese gave an invocation, and then all in attendance recited the Pledge of Allegiance to the Flag of the United States of America.

**3. Approval of the Minutes - March 22, 2023**

Mr. Gibson moved, seconded by Mr. Chriscoe, to approve the minutes of the March 22, 2023, meeting as presented. The motion carried and was approved by a unanimous voice vote.

**4. Adoption of the Agenda**

Mr. Gibson moved, seconded by Mr. Chriscoe, to adopt the agenda. The motion carried and was approved by a unanimous voice vote.

**5. Approval of the Consent Agenda - no consent agenda items**

**6. Matters Presented by the Board**

There were no matters from the Board.

**7. County Administrator Items**

Everyone wished Ms. Steele a Happy Birthday.

Ms. Steele announced that official word was received from the Community Rating System indicating that all flood insurance holders would receive a 25% discount beginning on October 1, 2023. She stated that today was the first day for the new Superintendent of Schools, Dr. Vladu.

**8. Scheduled Presentations**

**a. Quarterly Update from the Virginia Department of Transportation – Lee McKnight – Saluda Residency Administrator, VDOT**

Mr. McKnight stated that he had a long update. He noted that the Fiddler's Green project was almost completed. He stated that they would be evaluating the sight distance for the removal of the no right turn on red sign. He stated that this project had taken a lot of coordination with Dominion Energy, State Police and Food Lion and thanked all involved. He provided an update on the Route 17 paving, the Guinea Road reclamation project, and other paving and resurfacing projects.

Dr. Orth asked Mr. McKnight to clarify for citizens what was meant by cape seal.

Mr. McKnight stated that the roads were surface treated with tar and gravel. After about two weeks of cars driving on it, VDOT (Virginia Department of Transportation) puts a slurry seal down to cover the tar and gravel. He noted that it looked like asphalt, but it was not. He then reviewed the construction projects for the next two years to include the Route 17 and Guinea Road intersection, Route 636 right turn lane, and Bonnaville Road under the rural rustic program. He stated that Mr. Gibson had requested an update on Woods Cross Road. He advised that survey crews had been out at the intersection. He stated that VDOT had put in grants through HSIP - Highway Safety Improvement Program and HRRR - High Risk Rural Roads - for funding for that intersection but no funding had been identified at this time. He noted that Mr. Hedrick had forwarded a citizen concern about the trees on Indian Road. He advised that Indian Road was on the trimming schedule, and they would get the whole route trimmed.

Mr. McKnight then reviewed maintenance highlights to include the mowing schedule, shoulder repair on Route 17, pipe washing, ditching and shoulder pulling across the County.

Mr. Gibson clarified that the Harcum and Deep Point Lane resurfacing would be this summer. He also noted concerns about speeding on Harcum Road. He stated that Lt. Klink had collected speed data to share, and he hoped VDOT would consider a reduction to the speed limit on that road. In regard to the funding being sought for Woods Cross Road, he asked which project VDOT was pursuing and possible timing.

Mr. McKnight stated that the preferred option was still the restricted crossing U-turn (RCUT). As no funding was currently available he was not able to provide a timeline.

Mr. Gibson stated that many of the residents around the intersection were concerned about eminent domain and the taking of their property for that project. He asked Mr. McKnight to work with the residents as much as possible to address those concerns. He also stated that he would prefer that VDOT reconsider and install a traffic light.

Mr. Bazzani asked if those higher up the chain in VDOT had been made aware of the many citizens who had spoken against the RCUT.

Mr. McKnight stated that they had been made aware. He noted that everyone agreed that something needed to happen at that intersection from a safety perspective.

**9. Citizens' Comment Period**

**DIANE JONES - WARE DISTRICT**

Ms. Jones stated that she had received a letter regarding a sidewalk on Ware House Road. She noted that there was no room for a sidewalk. She reviewed issues on the road and stated that the answer was "no" to a sidewalk. In regard to Woods Cross Road, she stated that she had friends in that area that had horse trailers and those turns [RCUT] would not work for them.

**CHARLES RECORDS - WARE DISTRICT**

Mr. Records stated that he felt the Board left money on the table when the sale of the County garage property for \$275,000 was approved by the Board. He noted that the Board had two proposals to consider this evening. One being the sale of the utility department and the other the sale of the old Page property. He recommended that the Board be careful with respect to these proposals so that money was not left on the table.

**10. Public Hearings - no public hearings scheduled**

**11. Regular Agenda**

**a. Application for Tax Exemption by Designation from the Gloucester Mathews Care Clinic and Request for Public Hearing – Carol Steele – County Administrator**

Mr. Wilmot noted that the last speaker seemed to indicate that the sale of the County garage property had already happened. He clarified that the Board had authorized the sale, but it had not been finalized yet.

Ms. Steele stated that the Gloucester Mathews Care Clinic has applied for tax exemption by designation that would begin in January 2024. The application was deemed complete and eligible for consideration. The next step to consider was whether to move the application forward for public hearing.

Mr. Gibson moved, seconded by Mr. Chriscoe, to approve the resolution authorizing the public hearing. The motion carried and was approved by the following roll call vote: Mr. Bazzani, Mr. Chriscoe, Mr. Gibson, Mr. Hedrick, Mr. Hutson, Dr. Orth, and Mr. Smith - yes.

**RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE GRANTING REAL ESTATE TAX EXEMPTION BY DESIGNATION TO THE GLOUCESTER MATHEWS CARE CLINIC**

**WHEREAS**, the Gloucester County Board of Supervisors desires to set a public hearing to consider an ordinance to grant the Gloucester Mathews Care Clinic real estate tax exemption for their property located on Industrial Drive.

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the Clerk is directed to advertise in a newspaper published or

having general circulation in the County, a public hearing notice for a public hearing to be held on Tuesday, September 5, 2023, at 6:00 p.m. in the Colonial Courthouse, 6504 Main Street.

**b. Request to Carryover FY2023 Unspent Appropriations to FY2024 - Maria Calloway - Director of Finance**

Ms. Calloway stated the requested appropriations were all for projects approved in FY23 that were still in progress at the end of the fiscal year.

Mr. Chriscoe moved, seconded by Mr. Smith, to approve the resolution. The motion carried and was approved by the following roll call vote: Mr. Bazzani, Mr. Chriscoe, Mr. Gibson, Mr. Hedrick, Mr. Hutson, Dr. Orth, and Mr. Smith - yes.

**A RESOLUTION MAKING ADDITIONAL APPROPRIATIONS FOR FY 2024**

**WHEREAS**, The Gloucester County Board of Supervisors finds it necessary to provide additional appropriations for fiscal year 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Gloucester County, Virginia that the following appropriations be, and the same hereby are, made for FY 2024 for the following functions:

<u>Account Description</u>	<u>Revenue</u>	<u>Expenses</u>
<b>General Fund</b>		
GIS - Printing		\$10,000
GIS - Other Contracted Services		\$5,600
Sheriff - SRO Start-up Costs		\$28,251
Sheriff - Uniforms		\$12,000
Sheriff - Training		\$1,960
Sheriff - Dare Supplies		\$2,281
Unassigned Fund Balance	\$60,092	
Cable Services - FMRR		\$8,586
Committed Fund Balance-Cable	\$8,586	
Facilities- FMRR		\$65,503
Information Technology - FMRR		\$21,000
Committed Fund Balance - Replacement Fund	\$86,503	
<b>American Rescue Plan Act Fund</b>		
Sheriff Sign-on Bonuses		\$50,000
ARPA Tourism Fund		\$1,665
Restricted Fund Balance-ARPA	\$51,665	
<b>Capital Fund</b>		
Older Adult Facility		\$48,300
Committed Fund Balance-Older Adult	\$48,300	
Woodville Park Fields		\$373,502
Historic Building Preservation		\$75,000
County Paving Program		\$232,000
School Security-Door System		\$379,482
Committed Fund Balance - Capital Fund	\$1,059,984	
<b>Utilities Fund</b>		
Professional Services		\$76,340
Capital FMRR		\$23,480
PS #11 Sewer Rehab/Repair		(\$28,846)
PS#13 Collection System		(\$76,183)
Water Treatment Plant Roof/Façade Repairs		(\$1,998)

Clement Waterline Repair		(\$525)
Waterline Replacement Burleigh Rd		\$348,190
WTP Pump Rebuild		\$103,656
Unassigned Fund Balance - Utilities	\$444,114	

**c. Update on the Utilities AMI Project – Carol Steele – County Administrator, George Bains – Deputy County Administrator and James C. Dawson - Director of Public Utilities**

Ms. Steele stated that the Board had adopted the funding in the budget for the AMI (Automated Metering Infrastructure) project. She advised that a vendor had been selected after going through the procurement process and the County was currently working with Davenport on funding options.

Mr. Bains stated that three different proposals had been submitted and the company USG had been selected. The project, once completed, would allow the department to better manage leaks, provide a customer portal, and reduce the water loss in the system. He noted that the current estimate is a loss rate of 27% due to the inefficiencies of the current meters. The hope was to reduce that loss rate to 10%.

After a brief discussion, Ms. Steele stated that this was just an update for the Board. She advised that Davenport would be back next month to offer financing options for consideration.

**d. Long Range Planning for Future Capital Needs – Carol Steele – County Administrator**

Ms. Steele stated that there were additional charts in the Board packet as well as a repeat of the Davenport information. She noted that the difference in the figures on the charts from the last meeting was that the anticipated revenue from the County garage sale was included. She advised that for the projects that were expected to take more than one fiscal year, it was proposed to delay the borrowing for those projects, so the funds were not borrowed too soon. She stated the material was being presented for the Board to discuss and staff was ready to answer questions.

Mr. Bazzani stated that he sent an email to the Board with his thoughts. He noted that he was concerned about the deterioration of the sports complex.

Dr. Orth agreed, noting that he had also had a good visit today at the sports complex to see the issues there.

**e. Board Appointments**

**CLEAN & GREEN ADVISORY COMMITTEE**

Dr. Orth moved, seconded by Mr. Chriscoe, to appoint Ms. Belcher to the Clean & Green Advisory Committee. The motion carried and was approved by a unanimous voice vote.

**CLEAN & GREEN ADVISORY COMMITTEE**

**WHEREAS**, the Gloucester County Board of Supervisors has created the Clean & Green Advisory Committee to serve as the advisory body for the Gloucester County Board of Supervisors on matters affecting the quality of the local environment; and

**WHEREAS**, the Gloucester County Board of Supervisors is the appointing authority for said committee; and

**WHEREAS**, the Board has learned that an appointment is needed to this Committee and is now ready to make this appointment; and

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the following individual be hereby appointed to the Clean & Green Advisory Committee for a term which shall begin immediately and shall expire on July 31, 2024.

Betty Belcher  
8313 Broad Marsh Ln  
Hayes, VA 23072

**f. Decision on Potential Disposition of Real Property - water and sewer system (to be considered after Closed Meeting) - Ted Wilmot - County Attorney and Carol Steele - County Administrator**

Mr. Wilmot noted that while action was deferred on this item to after closed meeting, he could provide an introduction. He stated that the County had received an unsolicited proposal under the Public Private Education and Facilities Infrastructure Act. He reviewed that this enabled outside entities to present a proposal, and in this case, it was for a purchase of the County's water and sewer system. He noted that under the Board of Supervisors policy 250, the County Administrator was to form a working group after receipt of an unsolicited proposal to review the proposal. The working group was to provide a report to the Board. He advised that the County Administrator had done that, and the working group had given a report. He stated that it was not intended to be an in-depth report but an initial overview of the proposal. He advised that the next step was for the County Administrator to present the proposal to the Board, not for the Board to decide to convey the utilities but to decide whether to move the proposal to the next step for further analysis. He stated that the Board would discuss this during closed meeting. After the closed meeting, the Board could choose to take no action, to move this to the next step to consider the proposal in more detail, or to reject the proposal.

**15. Closed Meeting**

Mr. Chriscoe moved, seconded by Dr. Orth, to enter closed meeting. The motion carried and was approved by the following roll call vote: Mr. Bazzani, Mr. Chriscoe, Mr. Gibson, Mr. Hedrick, Mr. Hutson, Dr. Orth, and Mr. Smith - yes.

**CLOSED MEETING RESOLUTION**

**WHEREAS**, the Gloucester County Board of Supervisors desires to discuss particular subjects in Closed Meeting during the course of its meeting on August 1, 2023; and

**WHEREAS**, the nature of the subjects is:

1. Discussion or consideration of the disposition of an interest in publicly held real property known as the old Page Middle School property. The discussion of same in Closed Meeting is expressly permitted by Va. Code § 2.2-3711(A)(3); and

- 2. Discussion or consideration of the disposition of an interest in publicly held real property – water and sewer system. The discussion of same in Closed Meeting is expressly permitted by Va. Code § 2.2-3711(A)(3).

**NOW, THEREFORE, BE IT RESOLVED** that the Gloucester County Board of Supervisors does hereby convene in Closed Meeting for the purposes herein expressed pursuant to the legal authority herein recited.

Mr. Chriscoe moved, seconded by Dr. Orth, to return to open meeting. The motion carried and was approved by the following roll call vote: Mr. Bazzani, Mr. Chriscoe, Mr. Gibson, Mr. Hedrick, Mr. Hutson, Dr. Orth, and Mr. Smith - yes.

**RESOLUTION TO RETURN TO OPEN MEETING**

**WHEREAS**, the Gloucester County Board of Supervisors has completed its discussion in Closed Meeting, and now desires to continue its open meeting; and

**WHEREAS**, only public business matters lawfully exempted from Open Meeting were heard, discussed, or considered during the Closed Meeting, and the only subjects heard, discussed, or considered in said Closed Meeting were the matters identified in the Resolution by which it was convened.

**NOW, THEREFORE, BE IT RESOLVED** that the Gloucester County Board of Supervisors does hereby reconvene in Open Meeting at its meeting of August 1, 2023, and certifies the matters set forth in Virginia Code Section 2.2-3712(D).

**g. Discussion/Decision on Potential Referendum for Long Term Financing (to be considered after Closed Meeting) - Ted Wilmot - County Attorney and Board of Supervisors**

Mr. Wilmot stated that this item was for a discussion and/or decision on a potential referendum for long term financing. He noted that the Board had held a closed meeting not on that subject but on tangentially related subjects. He reviewed that the Board had been discussing the potential for long term financing to fund capital needs and would consider the possibility of requesting a referendum on the question of contracting debt. He advised that there were two possible resolutions in the packet, each containing a version of a question for a referendum. He noted the Board was not obligated to pass either of the resolutions. If the Board was intending to request a referendum, either of the resolutions - or another version, could be passed. He reviewed that referenda were allowed to get a sense of whether the County should pursue long-term borrowing for capital needs. He stated that the needs were fire and rescue, schools, and parks and recreation. He noted that each of the resolutions would ask the Circuit Court to approve a referendum which would occur at the next general election on November 7. The deadline for the order was August 18, although he would prefer the 17<sup>th</sup> to allow the Judge time to sign the order. He stated that the difference in the resolutions was that the first resolution did not contain an estimated tax increase and the second one did. He stated that both he and Mr. Bruno, the County’s bond counsel, recommended against putting in the amount of the tax increase. He advised that it was incumbent on the County to come up with the educational materials for the referendum and that potential tax

information would be included in the educational material. He stated that each version was legal. He reviewed the options for the Board.

After a point of clarification, Mr. Wilmot noted that because a portion of the funding would be for school projects, the Board could not adopt a resolution until after the School Board considered a resolution which it will do at the next School Board meeting on August 8. He stated that the Board would then need to hold a special meeting or continue this meeting.

Mr. Chriscoe stated that the Board should hold a referendum on a general election. He noted that the Board had been discussing this for several months. He stated that in 2024 there was a presidential election and voter turnout was generally higher. He noted that while he understood that things would cost a little more, he recommended delaying for one more year.

There was a discussion on listing general categories of projects versus listing all twelve projects specifically.

Mr. Gibson stated that part of the issue was of trust. He noted that if the Board was asking voters to incur the debt, listing the projects specifically would make it easier for the citizens to trust what the Board would do. He also noted that it may be easier to educate the public if all the projects were listed.

Mr. Wilmot stated that the County must accompany the question with educational materials to spell out the specific information about the question. He noted that the County also had to make the question "simple".

There was discussion on flexibility for additional borrowing at the end of the initial ten-year period.

Mr. Chriscoe clarified that if the Board waited to do the referendum in 2024, that the County still had the capacity to borrow funds next fall to fund the fire and rescue projects. Upon confirmation, he recommended that the Board borrow in the fall of 2024 for the fire station and wait to hold the referendum next year.

Dr. Orth stated that the Board had to wait for the schools to take action so a final decision could be made on the 15<sup>th</sup>.

After a brief discussion on the timeline, Mr. Gibson stated that he appreciated Mr. Chriscoe's option; however, his concern was that the delay in the start of projects other than fire and rescue would result in increased construction costs. He stated that it should come down to letting the people decide. He noted that the Board could decide but he felt the Board should hear from the public.

Mr. Chriscoe stated that the Board did not take action on one of the items on the agenda this evening that could change the amount that may be needed for a borrowing. He advised that delaying the referendum gave the Board the flexibility and time to get all the needed information and to see what would be coming in the future.

Ms. Steele noted that if additional revenue became available, additional borrowings would not need to happen.



After clarifying that the borrowing capacity did not mean that the Board had to spend up to that amount, Mr. Smith stated that he would agree with Mr. Gibson on including the specific projects. He would also like to have the tax amount included.

Dr. Orth asked if there were economies of scale on some of the projects that could be bundled together such as the sports complex.

Ms. Steele noted there was the potential of the sports complex being done in conjunction with the end of the high school renovation. She stated it was not a slam dunk but there was a possibility of savings.

Mr. Hedrick stated that if the two-cent tax increase was included in the informational kit that would be put out to the public, that should alleviate concerns about transparency.

There was additional discussion on projects, potential voter turnout, and the value of a penny on the tax rate.

Dr. Orth stated that he appreciated everything that Ms. Steele and staff had done to provide information to the Board on the amount of the borrowing, and the possible solutions if the Board wanted to move forward with the referendum.

Mr. Bazzani asked if the Board's hands were tied if a few projects were completed but the Board chose not to borrow all of the money.

Mr. Wilmot stated that the referendum would allow the Board to borrow the money but would not require the Board to do it.

After a brief discussion on that issue, the educational materials were discussed.

Mr. Hutson asked the Board for direction to staff for document preparation for the meeting on the 15th.

Mr. Hedrick suggested that the resolution include the tax increase of two cents or today's equivalent.

Mr. Bazzani stated he was concerned with the cavalier attitude about raising taxes for these projects.

Mr. Gibson stated he disagreed that this was a cavalier attitude. He noted the Board had been discussing this for months. He stated that this was not the Board making the decision but asking the citizens to decide if this was what they wanted.

After brief comments, Mr. Hutson stated that the Board would be continuing the meeting and staff should bring back the resolution with the two-cent tax increase.

Ms. Steele asked if the projects should be listed.

Mr. Wilmot noted that the County was required to provide a summary to go with the question. The summary was limited to up to 500 words. He stated that the County was also able to disseminate additional factual information. He recommended keeping the question readable and simple.

Mr. Chriscoe asked what would happen if the referendum failed.

Mr. Wilmot advised that the Board would not be able to use this funding mechanism.

There was a brief discussion on the wording to include in the resolution for the August 15 meeting.

**12. County Attorney Items**

There were no items from the County Attorney.

**13. Boards and Commissions Reports**

There were no boards or commission reports.

**14. Supervisors Discussion**

Mr. Bazzani stated that he would like more information on the properties sold north and south of the county garage and why the assessment of the county garage property was not increased.

**16. Adjournment**

Mr. Smith moved, seconded by Dr. Orth to continue the meeting to August 15, 2023, at 6:00 p.m. in the Colonial Courthouse. The motion carried and was approved by the following roll call vote: Mr. Gibson, Mr. Hedrick, Mr. Hutson, Dr. Orth, and Mr. Smith - yes; Mr. Bazzani and Mr. Chriscoe - no.

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Christopher A. Hutson, Chair

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Carol E. Steele, County Administrator