

**AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS HELD ON TUESDAY, MARCH 5, 2024, 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  
Kevin M. Smith, Vice Chair  
Phillip N. Bazzani  
Ashley C. Chriscoe  
Kenneth W. Gibson  
Michael A. Nicosia  
Robert J. Orth

**THERE WERE ABSENT:** None

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

**2. Invocation and Pledge of Allegiance – Pastor Chris Grella – Newington Baptist Church and Maddie Bowen - Abingdon Elementary School**

Pastor Grella, Newington Baptist Church, gave an invocation and then Ms. Maddie Bowen of Abingdon Elementary School led all in attendance in the Pledge of Allegiance to the Flag of the United States of America.

**3. Approval of the Minutes - October 4, 2023, and October 17, 2023, tour**

Mr. Chriscoe moved, seconded by Dr. Orth, to approve the minutes of the October 4 meeting and the October 17, 2023, tour of Gloucester High School, as presented. The motion carried and was approved by a unanimous voice vote.

**4. Adoption of the Agenda**

Dr. Orth 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**

Mr. Chriscoe moved, seconded by Dr. Orth, to approve the consent agenda. The motion carried and was approved by a unanimous voice vote.

**a. Resolution Proclaiming March 10-16, 2024, as Flood Awareness Week in Gloucester County – Quinton Sheppard – Community Engagement and Public Information Manager**

**RESOLUTION PROCLAIMING MARCH 10-16, 2024 AS FLOOD AWARENESS WEEK IN GLOUCESTER COUNTY**

**WHEREAS,** Gloucester County is a coastal community that has experienced severe weather in the past in the form of extreme rainfall or tropical system events resulting in flooding in low-lying areas of the County; and

**WHEREAS,** this flooding has caused damage and flood losses to homes and buildings in all areas whether they are high-risk special flood zone hazard areas or low to moderate risk flood zones; and

**WHEREAS,** Gloucester County is a voluntary participant in the National Flood Insurance Program that provides residents with the opportunity to protect themselves

against flood loss through the purchase of flood insurance at reduced insurance premium rates as well as setting higher regulatory standards to reduce the flood risk and potential flood damage to their property; and

**WHEREAS**, the reduction of life and property damage can be achieved when appropriate flood preparedness, control, and mitigation measures are taken before a flood; and

**WHEREAS**, public education and awareness of potential weather hazards and methods of protection are critical to the health, safety and welfare of residents, per guidance of the Virginia Floodplain Management Association and the U.S. National Weather Service, Gloucester County has declared March 10-16, 2024 as Flood Awareness Week to promote awareness and increase knowledge of flood risk, the availability of flood insurance, flood protection methods, and how to prepare for emergencies.

**NOW, THEREFORE, BE IT RESOLVED** this 5<sup>th</sup> day of March 2024, that the Gloucester County Board of Supervisors declares March 10-16 as Flood Awareness Week in Gloucester County, Virginia.

**BE IT FURTHER RESOLVED** that residents are encouraged to know their security risks by determining their flood zone and taking necessary steps to protect personal property.

**b. Planning Commission 2023 Annual Report and 2024 Priorities – Anne Ducey-Ortiz, AICP, CZA – Director of Planning, Zoning, & Environmental Programs**

By approval of the consent agenda, the Board accepted the Planning Commission's annual report.

**c. Update to Meeting Calendar – Carol Steele – County Administrator**

By approval of the consent agenda, the Board adopted an updated meeting calendar.

**2024  
BOARD MEETING SCHEDULE**

January 16, 2024

February 6, 2024

February 10, 2024 – Saturday – 8:30 a.m. Building One, Press Room – Board retreat

February 20, 2024

*March 4, 2024 – Monday - Budget Presentation*

March 5, 2024

*March 13, 2024 – Wednesday - Board Budget Work Session*

March 19, 2024 – 4:30 p.m. Gloucester High School renovation tour with School Board – GHS new entrance

*March 19, 2024 – Joint Work Session with School Board at Thomas Calhoun Walker Education Center*

*March 21, 2024 – Thursday - Board Budget Town Hall at Thomas Calhoun Walker Education Center*

*March 27, 2024 – Wednesday – Budget and Tax Rates Public Hearings at Thomas Calhoun Walker Education Center*

April 2, 2024

*April 8, 2024 – Monday - Possible Board Budget Work Session*

*April 11, 2024 – Thursday - Possible Board Budget Work Session*

*April 15, 2024 – Monday - FY 2025 Budget Adoption*

April 16, 2024

May 7, 2024

May 21, 2024

May 29, 2024 – Wednesday – Joint Meeting with EDA - Main Library Community Room

June 4, 2024

July 16, 2024

August 6, 2024

September 3, 2024

September 17, 2024

October 1, 2024

October 15, 2024 – Joint Meeting with School Board at Thomas Calhoun Walker Education Center

November 6, 2024 – Wednesday due to Election Day

November 19, 2024

December 3, 2024

January 7, 2025 – Organizational Meeting

Items in red approved as part of the Board’s FY 2025 Budget Calendar at the October 17, 2023, meeting.

All meetings begin at 6:00 p. m. in the Colonial Courthouse unless otherwise noted. There will be no meeting on the third Tuesday in June, August, and December. There will be no meeting on the first Tuesday in July. A cancelled meeting shall be continued to the next workday. Questions concerning the Board’s meeting schedule can be made to the Gloucester County Administrator’s Office at 804-693-4042.

**6. Matters Presented by the Board**

Dr. Orth stated that he had spoken with a citizen regarding opting out of the smart meters from Dominion. She was able to opt out, but with the timing of the billing cycle, she had bill for a three-month period due at once. She was concerned that others may have that same situation and wanted to make sure that others were aware of this possibility.

Mr. Chriscoe stated that the MPA (Middle Peninsula Alliance) was canceled due to unforeseen scheduling conflicts. A rescheduled date was in process.

**7. County Administrator Items**

Ms. Steele thanked all the local restaurants that participated in restaurant week as many citizens enjoyed visiting them. She then showed a post card for the Bee Alert system that was sent to everyone. She noted for context that the County previously used Code Red for the emergency alert system. Just over 4,000 folks have signed up as opposed to the 7,000 that had registered for the previous Code Red system. It was important that everyone sign up. She also noted that citizens should

have received the flood awareness guide in the mail today. Finally, she reminded everyone of the Clean Gloucester Days on March 22nd and 23rd.

## **8. Scheduled Presentations**

### **a. Presentation of Resolution of Appreciation for Mark Dutton for his Service on the Board of Social Services – Christopher A. Hutson – Chair, Board of Supervisors**

Mr. Hutson read the resolution of appreciation for Mr. Dutton's service on the Board of Social Services that was adopted at the Board's February 20 meeting. All in attendance gave Mr. Dutton a round of applause.

### **b. Broadband Update – Eric Beach – Chief Information Officer**

Mr. Beach provided a quick update on the broadband project. He noted that staff had met with VATI (Virginia Telecommunications Initiative) on February 8th. He advised that he had spoken with the Open Broadband representative and there had not been any additional sign ups in the VATI area. Open Broadband had two applications open with Verizon to attach equipment on the towers at Bethel/Peasley and the one at Thousand Trails. They were hoping that the tower at Thousand Trails would give them complete coverage for the VATI area and the northern part of the County. Both towers were being evaluated by Verizon. There were two remaining towers at Brent & Becky's and Harcum. Currently staff was waiting for draft memorandums of understanding to be submitted and reviewed. With those two towers staff was pushing to have Open Broadband begin working on connecting other areas of the County while waiting for the Verizon answer.

Mr. Gibson thanked Mr. Beach for coming forward regularly to provide the updates. He noted that he has been frustrated with the pace of updates and the lack of communication from Open Broadband. He asked Mr. Beach during discussions with Open Broadband to convey the importance of communicating with those who had signed up on the wait list. He asked if there were any updates on other possible providers.

Mr. Beach noted that two grant applications were submitted to the State at the end of last year - one with Cox and one with Verizon. He expected to hear on these applications by the end of May.

Dr. Orth asked if the applications were also for fixed wireless service.

Mr. Beach advised that those applications were an avenue for fiber.

## **9. Citizens' Comment Period**

### **JD CLEMENTS - ABINGDON DISTRICT**

Mr. Clements stated he represented Gloucester Volunteer Fire and Rescue, and that he was asking for full funding for both the Gloucester and Abingdon departments. He stated that he wanted to rebut a statement made by Mr. Bazzani at last night's meeting that Gloucester Volunteer Fire and Rescue had requested a study to determine the future location of Station One. He advised that was not correct. He

noted the study would evaluate possible locations for future needs as the County was continuing to grow. He stated that Gloucester Fire and Rescue did a study more than 20 years ago and had already secured a location in Owl Trap. He questioned why the County needed another study when the information was already available. He stated that since he became the Chief in 2008, he told the Board every year about the need for a new Station One. He advised that the new Station One would be located on Main Street. He stated that he was not sure that the building could even be built for the original projected cost. He concluded that he was asking for full support for the budget and for any alternate financial plan that could be found for the station.

**JACK MOORE - YORK DISTRICT**

Mr. Moore stated that he was the current president of the GHS (Gloucester High School) row team booster club. He noted that Captain Sinclair Landing stood on a precipice. Establishing a town hall on the future of Captain Sinclair Landing was a moral imperative. A town hall discussion would foster inclusivity and invite diverse voices to the table. He noted that Captain Sinclair's was not merely a space for shared recreation but a symbol of history. He urged the Board to heed the plea and convene a town hall on the future of the landing.

**KETH WOOD - ABINGDON DISTRICT**

Mr. Wood stated that at the meeting last night, a Board member stated that the fire department was the hold up on building the new station because the fire department wanted to do the study. He advised that this was not true. The fire department was steadfast in the location on Main Street. He noted the delay was the funding of construction. He stated that he believed some Board members misled the public. He questioned what happens now as the County does not have the funds. He noted that it appeared the fire department could not be funded without a tax increase and now the cost of the station was going up.

**DR. JEFF BUZZWELL - WARE DISTRICT**

Dr. Buzzwell stated that he was the Vice president of the GRA (Gloucester Rowing Association) and a parent. He noted that he thought the public needed the opportunity to know what was proposed at Sinclair's Landing. He reviewed that the GRA officers were invited to a meeting with the other parties involved. At the meeting, they were advised that a private, for-profit company would be coming in and using the facility five days a week, and sometimes on Saturdays, to help facilitate outpatient counseling for local VA (Veterans Administration) patients. He stated that they were told that everything was already approved. He asked who should be able to have unfettered access to these facilities. He requested a public meeting about the proposed changes. While the property was administered by the PAA, it still was within the confines of the County. He noted that the County may still have an opportunity to have a say in this matter.

**DANIEL HOGGE - YORK DISTRICT**

Mr. Hogge stated that he wanted to add his support to the previous comments regarding Sinclair's Landing and the potential future use. He noted that Gloucester rowing was a tremendous asset to the County and students. He advised that the volunteer board for the high school crew team had the primary goal of ensuring the crew team was supported financially and that it kept going forward. They also wanted to maintain the safety and security of the team. He stated that they felt it was within the Board's purview to hold a public forum to help determine the future use of the space.

**MIKE HUDGINS - ABINGDON FIRE AND RESCUE**

Mr. Hudgins stated that he was asking for the Board's support for the budgets for both fire and rescue departments. He noted that they looked forward to working with the Board in any way they could.

Mr. Bazzani thanked Chief Clements for the comments and stated that he was a big supporter for Gloucester Volunteer Fire and Rescue.

**10. Public Hearings**

**a. Public Hearing to Consider an Amendment to the Zoning Map to Reclassify 0.75 acres owned by the William D. Fary, Sr. Revocable Trust to remove proffered conditions - Anne Ducey-Ortiz - Director of Planning, Zoning & Environmental**

Ms. Ducey-Ortiz stated that this application was to consider rezoning property on Main Street. She reviewed the location and stated that there currently was no active use of the property. She reviewed the surrounding zoning. She stated that the application was to remove the previous proffered conditions. She reviewed that at the time of the original proffers the B-2 zoning district did not exist. She advised that the applicant did not have an intended use but felt that removing the previously proffered conditions would make the property more marketable. She reviewed the B-2 district intent and the Comprehensive Plan guidance. She advised that the proffers went with the land and would stay unless the Board chose to remove them. She reviewed the proffers. She noted how the proffers related to the underlying B-2 zoning. She stated that in the staff report they looked at the uses in the B-2 zoning district and noted that the removal of the proffers would allow more uses. She stated that the removal of the proffers maintained consistency with the surrounding properties. She advised that staff recommended that the Planning Commission forward to the Board with a recommendation for approval. She stated that several citizens came to the Planning Commission meeting who wanted to add more buffering and to restrict uses. The Planning Commission asked the if the applicant would be interested in voluntarily proffering any of those requests and he was not. The Planning Commission moved forward unanimously recommending approval.

Mr. Hutson opened the public hearing.

As there were no speakers, Mr. Hutson closed the public hearing and turned the matter over to the Board.

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

**AN ORDINANCE TO AMEND THE GLOUCESTER COUNTY ZONING MAP TO RECLASSIFY 0.75 +/- ACRES OWNED BY THE WILLIAM D. FARY SR. REVOCABLE LIVING TRUST, LOCATED IN THE WARE MAGISTERIAL DISTRICT, FROM B-2, VILLAGE BUSINESS (CONDITIONAL), TO B-2, VILLAGE BUSINESS, FOR THE PURPOSE OF REMOVING ALL PROFFERED CONDITIONS**

**WHEREAS**, a rezoning application (Z-23-04) has been submitted by the William D. Fary Sr. Revocable Living Trust (property owner), to rezone the property known as Tax Map Parcel 32-249, identified as RPC No. 25024, from B-2, Village Business (conditional), to B-2, Village Business to remove the voluntarily proffered conditions, and to thereby amend the Gloucester County Zoning Map; and

**WHEREAS**, the property requested to be rezoned is located within the Ware Magisterial District along Business Route 17 South; and

**WHEREAS**, the Gloucester County Planning Commission, after holding a duly-advertised Public Hearing at their February 1, 2024 meeting, recommended approval of Z-23-04, 7-0, to the Board of Supervisors; and

**WHEREAS**, the Gloucester County Board of Supervisors has held a duly advertised public hearing; and

**WHEREAS**, the property is identified in the Comprehensive Plan’s Future Land Use Plan as within the Village Scale Mixed Use designation; and

**WHEREAS**, the property is identified in the Gloucester Court House Village Sub-Area Plan’s Future Land Use Plan as within the Village Boulevard Mixed Use designation; and

**WHEREAS**, the Gloucester County Board of Supervisors finds that the proposed rezoning furthers the Village Scale Mixed Use designation’s desire for commercial development in a pedestrian-oriented, village-scale environment; and

**WHEREAS**, the Gloucester County Board of Supervisors finds that the proposed rezoning supports the Village Boulevard Mixed Use designation’s goal for infill development with commercial components; and

**WHEREAS**, the Gloucester County Board of Supervisors finds that the rezoning application is consistent with the Comprehensive Plan’s desire to promote economic development in appropriate and suitable areas; and

**WHEREAS**, the Gloucester County Board of Supervisors finds that the rezoning application would have no additional impact on the public health, safety, and welfare.

**NOW, THEREFORE BE IT ORDAINED AND ENACTED** by the Gloucester County Board of Supervisors on this the 5th day of March, 2024 that Application Z-23-04 be, and it hereby is, approved to amend the Gloucester County Zoning Map to reclassify Tax Map Parcel 32-249, identified as RPC No. 25024, from B-2, Village Business (conditional), to B-2, Village Business.

- b. Public Hearing to Consider an Ordinance Amending Chapter 16, Section 16-88, Taxation to Change the Occurrence of the Assessment or Reassessment and to Change the Effective Date of the Next Reassessment – Dan Thomas – County Assessor**

Mr. Thomas stated that the Code of Virginia was amended in 2022 to allow for the general reassessment of real estate every three years. He noted that this public hearing was to consider an amendment to Gloucester County's code to allow for the reassessment every three years. He stated that in his previous review of the topic, he had noted the reassessment cycles for nearby jurisdictions. He noted that more urban locations were generally reassessed every one or two years. More rural areas were generally reassessed every four to six years. Gloucester fit somewhere in the middle, and therefore every three years made sense. He reviewed three reasons to consider the three-year cycle. First, an increased sales database. He noted that with a larger sales database, the assessor was better equipped to detect trends and patterns within neighborhoods. Second, the types of property in the County itself. He showed pictures of different types of land. For this variety, time was a friend when developing a quality assessment. Third, the recognized standards. The International Association of Assessors allowed for use of 24 months of sales data. Under the current biennial assessment cycle, the sales 24 months in the past would track back prior to the date of the current assessment. This was not necessarily a problem, but to avoid any perception that there was an issue, it was best to start the analysis after the date of the prior reassessment. He concluded that it was his recommendation to make a change to the code and move to a three-year reassessment.

Mr. Hutson opened the public hearing.

As there were no speakers, Mr. Hutson closed the public hearing and turned the matter over to the Board.

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

**AN ORDINANCE AMENDING GLOUCESTER COUNTY CODE  
CHAPTER 16, SECTION 16-88, TAXATION, TO CHANGE THE GENERAL  
ASSESSMENT AND REASSESSMENT OF REAL ESTATE FROM BIENNIAL TO  
EVERY THREE YEARS AND TO CHANGE THE EFFECTIVE DATE OF THE NEXT  
REASSESSMENT FROM JANUARY 1, 2025 TO JANUARY 1, 2026**

**WHEREAS**, Gloucester County currently undertakes its general reassessment of real property for local real estate taxation purposes every two years; and

**WHEREAS**, the Virginia General Assembly has amended the Virginia Code to allow some localities in the Commonwealth, including Gloucester County, to conduct their reassessments every three (3) years; and

**WHEREAS**, the Gloucester County Real Estate Assessor has recommended that the County general real estate assessments be conducted every three (3) years; and

**WHEREAS**, conducting the general real estate assessment every three (3) years, rather than biennially, will allow more time to properly complete each assessment and will help facilitate accurate valuation of real property values, while maintaining a reassessment cycle which minimizes extreme variations in property valuations, taxes, and County revenue; and



**WHEREAS**, a public hearing was held on March 5, 2024 to receive public comment regarding proposed amendments to the Gloucester County Code; and

**WHEREAS**, the Board is desirous of amending Chapter 16, Section 16-88 of the Gloucester County Code to change the biennial general assessment and reassessment of real estate to every three (3) years and to change the effective date for the next reassessment from January 1, 2025 to January 1, 2026.

**NOW THEREFORE BE IT ORDAINED AND ENACTED** that the following section of Gloucester County Code Chapter 16 – Taxation, is hereby amended as follows:

Sec. 16-88. ~~Biennial assessment established~~ **Assessments every three (3) years.**

There shall be a ~~biennial~~ general assessment and reassessment of real estate **every three (3) years** in the county as provided for in Section 58.1-3253~~2~~ of the Code of Virginia.

~~The effective date of the first such assessment shall be January 1, 2015.~~ All such reassessments shall be completed and the requirements of Section 58.1-3300 of the Code of Virginia complied with, not later than December 31 of the year of any such reassessment, unless an extension is granted by the circuit court of the county for good cause shown as provided for in Section 58.1-3257 of the Code of Virginia.

**The current reassessment scheduled for January 1, 2025 shall be postponed until January 1, 2026, and subsequent general assessments and reassessments shall continue every three (3) years thereafter.**

**c. Public Hearing to Consider an Ordinance to Amend Chapter 19, Waters, Sewers, and Sewage to add a Fee to User Accounts and to Revise Certain Fees, Rates and Charges – Katey Legg – Director of Public Utilities**

Ms. Legg stated that this was a public hearing to consider adjusting some fees. She reviewed that staff had presented a long-term utilities budgeting plan in September and November 2023. She noted that monthly user rates had not been adjusted since 2013. She advised that the Utilities Advisory Committee reviewed and recommended more stringent changes than what were being proposed. She noted that first was the monthly equipment fee. She stated that this would assess a \$2.50 monthly fee per account - not a separate fee for water and another for sewer. This fee would be targeted for the yearly maintenance for the AMI (Automated Metering Infrastructure) system. As a reminder, she noted that each month the utilities crew spent five to seven days reading meters. AMI would allow the meters to communicate with the system in the office. She noted the other proposed change would be a restructure of the current sewer rates. There were currently seven tiers with 92% of the customers in tiers one through three. The proposed change would remove the top four tiers. She noted the anticipated revenue as a result of the change. She reviewed the sewer rate impacts. She advised that after a review of the sewer accounts, 176 would be consistently impacted by the change.

Dr. Orth clarified that the numbers were based on possibly inaccurate meters.

Ms. Legg agreed and noted that was factored into the budget. She reviewed the monthly impacts to the bills.

Dr. Orth stated that with AMI, customers would be able to see the numbers and how the bills were trending.

Mr. Chriscoe clarified that the monthly impact was on top of the equipment fee.

Ms. Legg noted the next steps.

Ms. Steele reiterated that the accounts impacted by the tier restructure were not residential properties. Most were businesses that may look to pass that cost on to their customers.

Mr. Hutson opened the public hearing.

**NATHAN BROWN - WARE DISTRICT**

Mr. Brown stated that the sewer rates have needed to be changed for years. He noted that the problem was that the change was not high enough to make a difference. He stated that it was a fixed cost to have the sewer system. Everyone should be paying to maintain the system. He advised that surrounding localities charged a flat fee. He stated that the bottom rate needed to be raised as well.

The following comment was submitted through the alternate submission methods and was read by the Deputy Clerk.

**JOYCE MALLON - MOTLEY LANDING DRIVE**

Ms. Mallon questioned why the County was charging fees for sewer service when she already paid a fee to HRSD (Hampton Roads Sanitation District). She asked for clarification of how the monthly service fee was different than HRSD, why the fee was necessary, and the benefit to the citizens of the County.

As there were no other comments, Mr. Hutson closed the public hearing and turned the matter over to the Board.

Dr. Orth asked how soon the AMI would be fully implemented.

Ms. Legg stated that the orders for the meters were in progress and implementation should begin in October. She anticipated implementation one route at a time to ensure things were working as they should.

Dr. Orth asked if someone would be able to tamper with the meters.

Ms. Legg stated that she was not sure but could find out. She also stated that she had reached out to the software company to get some information so the education campaign could start early.

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

**AN ORDINANCE TO AMEND CHAPTER 19, WATER, SEWERS AND SEWAGE ARTICLE I, IN GENERAL, SECTION 19-4.4 TO ADD AN EQUIPMENT FEE TO ACCOUNTS, AND TO REVISE CERTAIN UTILITY FEES, RATES, AND CHARGES IMPOSED BY GLOUCESTER COUNTY CODE CHAPTER 19 EFFECTIVE JULY 1, 2024**

**WHEREAS**, Gloucester County is authorized to charge and set water and sewer utility fees pursuant to Virginia Code Section 15.2-2119; and

**WHEREAS**, the provisions of Gloucester County’s Code governing water, sewers and sewage are contained in Gloucester County Code, Chapter 19; and

**WHEREAS**, pursuant to Virginia Code Section 15.2-107, utility fees, rates, and charges are required to be set by ordinance; and

**WHEREAS**, the Board finds that an amendment to Chapter 19, Article 1, In General, Section 19-4.4 to add an equipment fee to customer accounts is appropriate; and

**WHEREAS**, the Board is also desirous of revising certain utility fees, rates, and charges associated with Chapter 19 of the Gloucester County Code.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** this 5<sup>th</sup> day of March 2024, that Gloucester County Code Chapter 19, Article I, In General, Section 19-4.4 is hereby amended as follows:

Sec. 19-4.4. Fees and charges.

All fees, charges and assessments authorized and set forth in this chapter, the amounts of which are not otherwise designated herein, shall be as set by ordinance of the board of supervisors. **Such fees, charges and assessments shall include an equipment fee for each account.**

**BE IT FURTHER ORDAINED AND ENACTED** that the Gloucester County Board of Supervisors hereby sets the fees, rates, and charges associated with Chapter 19 of the Gloucester County Code as follows, to be effective July 1, 2024 (rates in bold are modified; rates in regular typeface remain the same):

CHAPTER 19 - FEES, RATES, AND CHARGES				
Fiscal Year 2025				
Section	Fee/Charge		Current Fee/Charge	Fee / Charge to be set by Ordinance of the Board:
19-4.4	Equipment Fee	Per Consumer Account	--	<b>\$2.50</b>
19-50	Sewer Service Application for Service:	Application Fee 3/4 in. Meter:	\$ 3,300.00	\$ 3,300.00
		Application Fee 1 in. Meter:	\$ 5,000.00	\$ 5,000.00
		Application Fee 1 1/2 in. Meter:	\$ 9,500.00	\$ 9,500.00
		Application Fee 2 in. Meter:	\$ 14,000.00	\$ 14,000.00
		Application Fee 3 in. Meter:	\$ 18,500.00	\$ 18,500.00
		Application Fee 4 in. Meter:	\$ 23,000.00	\$ 23,000.00
		Application Fee 6 in. Meter:	\$ 37,500.00	\$ 37,500.00
		Application Fee 8 in. Meter:	\$ 68,000.00	\$ 68,000.00
		Application Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	\$ 3,300.00 [per unit]	\$ 3,300.00 [per unit]
19-50	Sewer Service Development Fee:	Development Fee 3/4 in. Meter:	\$ 1,200.00	\$ 1,200.00
		Development Fee 1 in. Meter:	\$ 3,000.00	\$ 3,000.00
		Development Fee 1 1/2 in. Meter:	\$ 5,000.00	\$ 5,000.00
		Development Fee 2 in. Meter:	\$ 9,000.00	\$ 9,000.00

		Meter:		
		Development Fee 3 in. Meter:	\$ 12,000.00	\$ 12,000.00
		Development Fee 4 in. Meter:	\$ 15,000.00	\$ 15,000.00
		Development Fee 6 in. Meter:	\$ 25,000.00	\$ 25,000.00
		Development Fee 8 in. Meter:	\$ 30,000.00	\$ 30,000.00
		Development Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	\$ 1,200.00 [per unit]	\$ 1,200.00 [per unit]
19-52.4	Deposit:	Deposit required when property owner not to be billed for sewer.	\$ 40.00	\$ 40.00
19-52.6	Charge:	Charge for discontinuance of sewer service due to violation.	\$ 35.00	\$ 35.00
	Charge:	Charge for discontinuance of sewer service due to property owner/tenant request.	\$ 25.00	\$ 25.00
	After Hours:	Charge for renewal of discontinued service outside of normal working hours(before 8am or after 4:30 Monday - Friday or on Saturday or Sunday	\$ 75.00	\$ 75.00
19-55(a)	Monthly Sewer Service Rate:	Monthly nonuser service charge:	\$ 11.17	\$ 11.17
		First 2,000 gallons or less:	\$ 11.17	\$ 11.17
		Next 2,000 gallons, per 1,000 gallons:	\$ 4.92	\$ 4.92
		Next Over 4,000 gallons, per 1,000 gallons:	\$ 4.68	\$ 4.68
		<del>Next 3,000 per 1,000 gallons:</del>	<del>\$ 4.38</del>	<del>\$ 4.38</del>
		<del>Next 64,000 gallons, per 1,000 gallons:</del>	<del>\$ 4.18</del>	<del>\$ 4.18</del>
		<del>Next 15,000 gallons, per 1,000 gallons:</del>	<del>\$ 3.82</del>	<del>\$ 3.82</del>
		<del>Over 90,000 gallons, per 1,000 gallons:</del>	<del>\$ 3.27</del>	<del>\$ 3.27</del>
19-55 (c)	Monthly non user service charges for multiple residential units:	Monthly nonuser service charge:	\$ 11.17 x See 19-55 (c) for formula	\$ 11.17 x See 19-55 (c) for formula
19-55 (d)	Monthly nonuser service charges for multiple business units:	Monthly nonuser service charge:	\$ 11.17 x See 19-55 (d) for formula	\$ 11.17 x See 19-55 (d) for formula
19-55.1 (c)	Overdue sewer accounts:	Late payment fee:	\$5.00 or 10% whichever is greater	\$5.00 or 10% whichever is greater
19-55.1 (d)	Overdue sewer accounts:	Collection fee:	\$ 10.00	\$ 10.00
19-66.	FOG Fees	FSE Registration fee:	\$ 40.00	\$ 40.00
		FSE annual inspection fee:	\$ 25.00	\$ 25.00
19-126	Water Service Application Fees:	Application Fee 3/4 in. Meter:	\$ 3,500.00	\$ 3,500.00

		Application Fee 1 in. Meter:	\$ 4,500.00	\$ 4,500.00
		Application Fee 1 1/2 in. Meter:	\$ 6,500.00	\$ 6,500.00
		Application Fee 2 in. Meter:	\$ 10,500.00	\$ 10,500.00
		Application Fee 3 in. Meter:	\$ 17,200.00	\$ 17,200.00
		Application Fee 4 in. Meter:	\$ 25,500.00	\$ 25,500.00
		Application Fee 6 in. Meter:	\$ 40,500.00	\$ 40,500.00
		Application Fee 8 in. Meter:	\$ 75,500.00	\$ 75,500.00
		Application Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	10% of meter application fee	10% of meter application fee
	Water Service Development fees:	Development Fee 3/4 in. Meter:	\$ 500.00	\$ 500.00
		Development Fee 1 in. Meter:	\$ 1,000.00	\$ 1,000.00
		Development Fee 1 1/2 in. Meter:	\$ 1,500.00	\$ 1,500.00
		Development Fee 2 in. Meter:	\$ 4,000.00	\$ 4,000.00
		Development Fee 3 in. Meter:	\$ 8,000.00	\$ 8,000.00
		Development Fee 4 in. Meter:	\$ 15,000.00	\$ 15,000.00
		Development Fee 6 in. Meter:	\$ 25,000.00	\$ 25,000.00
		Development Fee 8 in. Meter:	\$ 30,000.00	\$ 30,000.00
		Development Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	None	None
	Master Meter or Fire Service Meter for Manufactured Park or Travel Trailer Parks:	Additional Application Fee:	\$ 1,500.00	\$ 1,500.00
		Additional Development Fee:	\$ 250.00	\$ 250.00
19-128	Deposit for Water Service	When water service is not billed to the owner of the premises:	\$ 60.00	\$ 60.00
19-133 (a)	Transfer Fee; renewal of water service	When establishing new accounts or when customer transfers from one location to another within the system.	\$ 30.00	\$ 30.00
19-133 (b)	Renewal of water service	When water discontinued for violation:	\$ 35.00	\$ 35.00
		Irrigation meters:	\$ 35.00	\$ 35.00
		Reinstating water service for customer outside of normal working houses:	\$ 50.00	\$ 50.00
		Reinstating irrigation meter service for customer outside of normal working houses:	\$ 50.00	\$ 50.00

19-133 (c)	Reestablishment without authorization.	Fee for reestablishment of water service without authorization.	\$ 75.00	\$ 75.00
19-137 (a)	Monthly rates for water service	Monthly nonuser service charge:	\$ 20.18	\$ 20.18
		First 2,000 gallons or less:	\$ 20.18	\$ 20.18
		Next 6,000 gallons, per 1,000 gallons	\$ 10.00	\$ 10.00
		Over 8,000 gallons, per 1000 gallons	\$ 10.40	\$ 10.40
19-137 (b)	Multiple residential units, manufactured home park or travel trailer park.	Monthly nonuser service charge.	\$ 20.18 x See 19-137 (b) for formula.	\$ 20.18 x See 19-137 (b) for formula.
19-137 (c)	Multiple business units.	Monthly nonuser service charge.	\$ 20.18 x See 19-137 (c) for formula.	\$ 20.18 x See 19-137 (c) for formula.
19-137.1	Testing water meter.	Fee for examination and testing of meter:	\$ 50.00	\$ 50.00
19-138 (c)	Overdue water accounts:	Late payment fee:	\$5.00 or 10% whichever is greater	\$5.00 or 10% whichever is greater
19-138 (d)	Overdue water accounts:	Collection fee:	\$ 10.00	\$ 10.00

The rates, fees, and charges for Chapter 19 of the Gloucester County Code, as reflected herein, shall be effective July 1, 2024.

**11. Regular Agenda**

**a. Resolution to Accept and Appropriate Grant Award for the Virginia Marine Resources Commission Grant Program - Maria Calloway - Director of Financial Services and George Bains - Deputy County Administrator**

Ms. Calloway stated that this resolution was to accept and appropriate grant funds received by the County from the Virginia Marine Resources Commission. The grant was to remove the derelict vessels at Perrin Wharf. The bid was \$35,000 and that was the amount of grant funds that were requested and awarded.

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

**RESOLUTION ACCEPTING THE VIRGINIA MARINE RESOURCES COMMISSION’S GRANT AWARD AND MAKING AN ADDITIONAL APPROPRIATION FOR FY 2024**

**WHEREAS**, on January 2, 2024, the Gloucester County Board of Supervisors approved the submission of an application to the Virginia Marine Resources Commission’s (VMRC) Abandoned or Derelict Vessel Grant Program to fund the removal of five abandoned vessels from Perrin Wharf; and

**WHEREAS**, Gloucester County’s application was successfully considered as part of the Commission’s meeting of February 27, 2024; and

**WHEREAS**, VMRC’s grant program provides 100% funding for the vessel removal with no local match required.

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the County Administrator be, and hereby is, authorized to execute documents as required to accept the grant award and 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>		
State Grant- Virginia Marine Resources Commission	\$35,000	
Building Inspections – Professional Services		\$35,000
<b>Total</b>	<b>\$35,000</b>	<b>\$35,000</b>

**b. Board Appointments**

**BOARD OF SOCIAL SERVICES**

Dr. Orth moved, seconded by Mr. Gibson, to appoint Ms. Phillips to the Board of Social Services. The motion carried and was approved by a unanimous voice vote.

**BOARD OF SOCIAL SERVICES**

**WHEREAS**, the Gloucester County Board of Supervisors has previously appointed a Board of Social Services to supervise the administration; and

**WHEREAS**, the Gloucester County Board of Supervisors has learned that appointments are needed to the Gloucester County Board of Social Services; and

**WHEREAS**, the Board has considered this matter and is now ready to make these appointments.

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the following individual be hereby appointed as the Abingdon District representative to the Gloucester County Board of Social Services for a term that shall begin March 1, 2024, and shall expire on February 29, 2028.

Kathy Phillips  
Abingdon District

**CLEAN & GREEN ADVISORY COMMITTEE**

Mr. Chriscoe moved, seconded by Mr. Gibson, to reappoint Ms. Mosca and Ms. Rigau 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 appointments are needed to this Committee and is now ready to make these appointments.

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the following individuals be hereby reappointed to the Clean & Green Advisory Committee for terms which shall expire on April 30, 2026.

Denise Mosca  
Citizen Representative

LeeAnn Rigau  
Citizen Representative

**LOCAL EMERGENCY PLANNING COMMITTEE**

Mr. Chriscoe moved, seconded by Mr. Gibson, to reappoint Mr. Meyer and appoint Ms. Parker to the Local Emergency Planning Committee. The motion carried and was approved by a unanimous voice vote.

**LOCAL EMERGENCY PLANNING COMMITTEE/CITIZEN CORPS COUNCIL (LEPC/CCC)**

**WHEREAS**, the Virginia Emergency Response Council is responsible for maintaining an active and current Local Emergency Planning Committee membership list for state liability coverage; and

**WHEREAS**, the Gloucester County Local Emergency Planning Committee and the Gloucester Citizen Corps Council have been consolidated; and

**WHEREAS**, the Gloucester County Board of Supervisors is the nominating authority for membership on the Gloucester County Local Emergency Planning Committee and the Gloucester Citizen Corps Council.

**NOW, THEREFORE BE IT RESOLVED:** by the Gloucester County Board of Supervisors that the following individuals be hereby recommended for appointment on the Gloucester County Local Emergency Planning Committee/Gloucester Citizen Corps Council to represent Gloucester County as indicated.

John Meyer, Jr.  
Business Representative

Anita Parker  
Citizen Representative

**TOURISM COMMITTEE**

Mr. Bazzani moved, seconded by Mr. Gibson, to appoint Ms. Ashe to the Tourism Committee. The motion carried and was approved by a unanimous voice vote.

**TOURISM COMMITTEE**

**WHEREAS**, the Gloucester County Board of Supervisors has created the Tourism Advisory Committee to advise the Board concerning the development of tourism in our community; and

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

**WHEREAS**, the Gloucester County Board of Supervisors has learned of an appointment that is needed to this Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the following individual be hereby appointed to the Gloucester County Tourism Committee as the Historical Attractions representative for a term which shall begin immediately and shall expire on March 31, 2027.

Melissa Ashe  
Historical Attractions

There was a discussion by the Board on reviewing the bylaws for each of the boards, committees, and commissions due to the issues with finding volunteers from specific magisterial districts.

**WETLANDS BOARD & CHES. BAY PRESERVATION EROSION COMMISSION**

Mr. Bazzani moved, seconded by Mr. Gibson, to appoint Mr. Leigh as the alternate to the Wetlands Board and Chesapeake Bay Preservation and Erosion Commission. The motion carried and was approved by a unanimous voice vote.



**WETLANDS BOARD & CHESAPEAKE BAY PRESERVATION AND EROSION COMMISSION**

**WHEREAS**, the Gloucester County Board of Supervisors has previously appointed a Wetlands Board & Chesapeake Bay Preservation and Erosion Commission to carry out the duties of this organization, as prescribed by the laws of Virginia; and

**WHEREAS**, the Gloucester County Board of Supervisors needs to make an appointment to the Wetlands Board & Chesapeake Bay Preservation and Erosion Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the Gloucester County Board of Supervisors that the following individual is hereby appointed to the Gloucester County Wetlands Board & Chesapeake Bay Preservation and Erosion Commission as an alternate representative for a term that shall begin immediately and shall expire on January 31, 2025.

Christopher Leigh  
Alternate Representative

**12. County Attorney Items**

Mr. Wilmot stated that the Board could let him know if there were committees that the Board wanted him to review. He advised that if there were issues with filling the positions, the membership requirements may be able to be changed.

Mr. Chriscoe stated that the Historical Committee seemed to be the only one with a long-term issue.

Dr. Orth recommended reviewing the Utilities Advisory Committee bylaws as well.

After a brief discussion, Mr. Wilmot advised that he would start with the Historical and Utilities Advisory Committees.

**13. Boards and Commissions Reports**

Mr. Gibson stated that he was now on the Historical Committee, and he was very impressed with the committee and with what Mr. Kelly was doing. He stated that there had been some great programs and Mr. Kelly had just secured a valuable grant. He was excited about leveraging the great history the County had and thought there was great leadership in Mr. Kelly and the members of the Historical Committee.

**14. Supervisors Discussion**

Dr. Orth stated that the Board had heard from a number of people this evening about the Sinclair property. He asked if there was anything that the Board could do.

Mr. Wilmot stated that it was incumbent on the Board to respond to the concerns, possibly through the County Administrator’s office, but he was not sure if the Board needed to or should weigh in at this point.

Ms. Ducey-Ortiz, Director of Planning, Zoning & Environmental Programs, stated that the Captain Sinclair property was currently zoned as a park. There were accessory uses in the park. She advised that she believed those who spoke this evening were concerned about some of the accessory uses. She reviewed the

definition of a park and stated that it was very broad. She stated that staff typically did not get involved with how a park managed itself. She advised that the housing listed at the property specifically stated it was for staff. She stated that there were other existing single-family homes that were not part of the park.

Ms. Steele stated that if citizens were complaining about the state park, we would refer them to the state agency. She suggested the communication to the citizens from her office may be to direct concerns to the PAA board.

Mr. Hutson stated that when he first heard about the plans, he contacted the Gloucester Rowing Association to let them know so that they could contact the PAA and let their voices be heard there. He advised that the PAA meets this Friday.

Mr. Gibson stated that he did not want to stand in the way of anyone helping veterans. He noted however, it was an unusual juxtaposition of a counseling center in a park. He asked if that was a consistent use.

Ms. Ducey-Ortiz stated that the counseling center was proposed for the building as an accessory use to the park as it was nature-based counseling.

Mr. Gibson stated that the crew organization provided a wonderful service for the area. He noted that he would support some forum for everyone to weigh in on this proposal. He stated that there may be some legitimate safety concerns that needed to be addressed.

After brief comments, Ms. Ducey-Ortiz clarified that there was an approved zoning permit for redevelopment of the existing house for apartments, and the pool house for apartments and a bait shop. There was supposed to be an office in the building for the counseling center. She stated that she had asked whether individuals would be living in the building to receive counseling as that would have been a different use, but she was told that was not the case. The office would be there, but the counseling was nature-based counseling.

There was additional discussion about the uses and current zoning.

Mr. Chriscoe stated that he and Mr. Hutson could provide an update to the Board at the work session after the PAA meeting this Friday.

Board members discussed briefly, and Mr. Hutson advised that he and Mr. Chriscoe would provide an update at the work session.

Mr. Chriscoe then reviewed the upcoming budget meeting schedule. He asked if the Board thought all the budget work sessions would be needed, given the actions of the Board at last night's meeting.

Board members discussed briefly, and it was the consensus to add a discussion on the meeting schedule to the March 13<sup>th</sup> agenda.

**15. Closed Meeting - no closed meeting scheduled**

There was no closed meeting.

**16. Adjournment**

Dr. Orth moved, seconded by Mr. Smith, to adjourn. The motion carried and the meeting was adjourned at 7:50 p.m. by a unanimous voice vote.

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Christopher A. Hutson, Chair

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Carol E. Steele, County Administrator