

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS HELD ON TUESDAY, APRIL 1, 2025 AT 6:00 P.M. IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA:

1. Call to Order and Roll Call

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

THERE WERE PRESENT: Kevin M. Smith, Chair
Ashley C. Chriscoe, Vice Chair
Phillip N. Bazzani
Kenneth W. Gibson
Christopher A. Hutson
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 Mike Freeman - Transforming Life Church and Haylee Hawthorne - Page Middle School

Pastor Mike Freeman, Transforming Life Church, gave an invocation. Ms. Haylee Hawthorne, a student at Page Middle School, led all in attendance in the Pledge of Allegiance to the Flag of the United States of America.

3. Approval of the Minutes - January 25, 2025

Mr. Chriscoe moved, seconded by Mr. Hutson, to approve the minutes of the January 25, 2025, meeting as presented. The motion carried and was approved by a unanimous voice vote.

4. Adoption of the Agenda

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

5. Approval of the Consent Agenda

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

a. Resolution to Officially Name Certain Streets in Gloucester County - Heather Burch - GIS Analyst

RESOLUTION TO OFFICIALLY NAME CERTAIN STREETS IN GLOUCESTER COUNTY

WHEREAS, the Gloucester County Board of Supervisors has previously provided for the approval of names for all existing streets in the County; and

WHEREAS, since that time new streets have been added that require official sanction by the Board of Supervisors; and

WHEREAS, the Gloucester County Board of Supervisors has reviewed this list of street names and finds them to be appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Gloucester County that the list of proposed street names provided this day to the Board be hereby approved as follows:

New Roads:

Chickadee St

6. Matters Presented by the Board

Mr. Bazzani stated that it was one of the greatest honors to serve on the Board, to serve the York District, and to work alongside talented and dedicated individuals. He noted that he strongly believed in term limits, and it was time to pass the torch to others with new ideas and fresh perspectives. He stated that he had served 12 years and announced that he would not seek reelection. He stated that he had always voted for small government and small taxes. He complimented both Ms. Steele and Dr. Vladu, Superintendent at Gloucester County Public Schools, and stated that the County was a model for economic growth and academic excellence. He noted that he was proud of what the Board had accomplished collaboratively and stated that it was an honor and privilege to serve with the other Board members. He determined that his own successor was Shannon Hanson for the York District. He noted that she was a true conservative and shared his ideology and that he would devote all of his resources to support her. He thanked the York District for the privilege of serving them.

7. County Administrator Items

Ms. Steele stated that Steve Wright, Deputy County Administrator, and Mr. Gibson, Petsworth District Supervisor, were 2nd place recipients in their age brackets in a race held the previous weekend and she congratulated them. She then noted that at the Board's request, Tanya Deckard would be at the meeting on April 21st. She wanted to recognize and congratulate Lauren Landry who was nominated by Gloucester County for the Hampton Roads top 20 under 20 for 2025. She was a recipient of the award out of 60 applicants. She noted that Ms. Landry was a member of the National Beta Club, a School Board student representative, a member of the Art Honor Society, and served in other leadership roles. Finally, she also reminded everyone that the Daffodil Festival will take place during the upcoming weekend.

8. Scheduled Presentations

a. Discussion on Financing for Capital Needs - Carol Steele - County Administrator and Ted Cole - Senior Vice President, Davenport & Company

Mr. Cole, Senior Vice President at Davenport & Company, explained that he was present to discuss the financing approach and options for the Gloucester Volunteer Fire and Rescue Squad (GVFRS) station. He stated that it was currently estimated to cost \$17.5 million. He informed the Board that in Virginia, there were several ways local governments may secure a loan. He explained that it could be done through a "lease revenue" option which was a lien on real property, a "lease" on

equipment, or a "general obligation bond" by the County's taxing power provided that a bond referendum was passed. For the lease revenue and lease options, he stated that they were subject to annual appropriations which had to be put into the budget each year. He noted that if a payment was not made, the lender or bond holder had the right to take the mortgaged facility. He stated that since the County was anticipating funding through the issuance of debt, there were "direct bank loans" as well as "public issuance". He noted that the public issuance required the County to obtain one or more formal credit ratings. Mr. Cole explained that typically a direct loan through the Virginia Resources Authority (VRA) pooled financing program would be an option but would not be able to be used until the spring of 2027 due to the failed bond referendum in 2023.

Mr. Cole provided a comparison of the advantages and disadvantages of each funding source. He stated that direct bank loans do not require bond ratings, can get a fixed rate fairly quickly, and the timing can be tailored to the County's schedule. He noted that there were limitations on the borrowing amount, and they tended to be 15-20 year terms. He noted that they also typically had higher interest rates. He explained that with a public issuance, there was a longer term amortization of 30 years, typically lower interest rates. However, they had a higher cost of issuance, they had more financing requirements and documentation and also required ratings.

Mr. Bazzani asked if the VRA option was a tax free municipal bond and Mr. Cole stated that all of the options were.

Mr. Bazzani then asked if they would get a lower rate with the VRA option than public issuance.

Mr. Cole stated that the rates would be close. He noted that the County might get a slightly better rate from the VRA because they were more highly rated than the County would be on its own, but there were costs and fees that might make them very close.

Mr. Bazzani asked if the County could refinance from a public issuance to VRA after a few years. Mr. Cole stated that it was possible, but standard with long-term debt, the County would have to wait 10 years to repay it. He noted that if the County is looking for an interim, short-term loan to get to FY27, additional analysis would be needed.

Dr. Orth asked if it would require less money the first couple of years or if it would still be for \$17 million. Mr. Cole stated that he did not know if the County could comfortably anticipate that VRA would approve the credit two years from now. He noted that the County should not borrow less than it needed because there was no guarantee.

Mr. Hutson asked Mr. Cole what the expense would be for the County to get rated. Mr. Cole stated that it would depend on the size of the bond issue, and it could be \$20,000 to \$25,000 per rating agency. He noted that the County could sell a bond with one to three ratings where most bonds were sold with two ratings. He recommended that the County have two ratings which would cost approximately

\$50,000. Since the County did not have a rating currently, Mr. Cole stated that the County could get a confidential rating and make a determination to make it public. He recommended that the County get two confidential ratings and determine whether they should be made public.

Mr. Cole discussed key differences between a direct bank loan and a County bond issuance. He stated that direct bank loans average 45-60 days and a County bond issuance would take on average 75-90 days. He stated that the max term for banks was typically 20 years whereas a bond issue could be up to 30 years. With a bank loan, he explained that the interest rate was more up front without a lot of financing work or costs. The banks provide proposals and the County could accept a rate and then it was locked. He noted that a bond required the ratings and the documentation which incurred costs before the rate was locked. Even though the bond issuance was more time consuming and incurred costs, the rates tended to be a more attractive form of financing.

Mr. Cole showed existing debt that had to be funded from the general fund. He displayed a few scenarios assuming a public bond market and current interest rates. He noted that the difference between the two scenarios was that the principal began in FY27 in one and in FY28 in the other. He explained that the true interest cost ranged from 3.88% for 20 years to 4.30% for 30 years which would be tax-exempt at a fixed rate for the entire term of the debt. He noted that with this type of debt the County would have the ability to prepay it or refund it in the bond market after 10 years. He noted that the estimate was \$17.5 million currently for the project. Mr. Cole stated that the annual debt service was the combined principal and interest figure which ranged from \$1.3 million to \$1.8 million. He noted that the difference between the two scenarios was there was one year of interest only, which would cost about \$150,000 to delay the principal one year. He stated that there was a lot of latitude in the bond market on how to structure the debt.

Mr. Cole displayed the affordability of the two options with the principal payments in one scenario beginning in FY27 and the other beginning in FY28. He explained that with the debt the County was already servicing, there was not enough funding in the budget to pay the new debt. He noted that the projections show that the County would be short about \$190,000 in FY27, \$475,000 in FY28, and \$97,000 in FY29. He explained that to make the new debt cash flow on top of the existing debt, the County would need about \$760,000. Alternatively, he stated that the County would need about a 1/3rd penny increase in FY27 and a 1/2 penny increase in FY28 for about 0.8 pennies if the County raised the money incrementally. He further explained that if in FY27 the County focused on bringing in the revenue all at once, it would be about 0.6 pennies.

Mr. Bazzani asked what the gap would be between the time the debt contract was signed, and the County received the cash. Mr. Cole stated that the County would take the first two months to get all of the documents pulled together and get the rating in place. He stated that the County would then sell the bonds, the interest rate

would be locked, and the money would come to the County about three weeks later. He explained that Davenport went with the public bond market option because the rates were lower and they could be estimated fairly accurately in comparison to a bank loan.

Mr. Bazzani asked when the County would lock in contracts. Mr. Cole stated that it would depend on several factors to include when the project was fully designed, when it was bid, and when the bid was awarded.

Mr. Bains stated that it would likely take 120 to 180 days from the time the site plan was submitted for the fire station and the bids would take approximately 30 days.

Mr. Cole stated that the County could set the timetable. He explained that many local governments get a schedule for bidding the project to know the cost, figure out how long they have to award the contract, and then time borrowing when the County knows the cost to receive it before the bid expiration.

Mr. Chriscoe asked if the affordability analysis took into account any retiring debt the County had within the next few years.

Mr. Cole stated that it did account for the paydown of existing debt, the three annual revenue sources made available for debt, and the \$1 million fire and rescue contribution. He noted that the chart showed the additional dollars needed.

Mr. Chriscoe stated that last year's presentation showed \$498,000 debt service retiring and then an additional \$400,000 in FY27. He stated that now he sees \$200,000 to \$400,000 in additional debt.

Ms. Steele stated that Ms. Calloway, Chief Financial Officer, could speak to those figures after Mr. Cole's presentation.

Mr. Cole went through the 25-year County public issuance. He stated that in FY26, the total revenue available would be \$5,281,617 including the local transfer for debt service, credits, and the \$968,750 revenue from fire and rescue. He went through the capital funding requirements which included existing debt service, York County radio leases, and proposed debt service with a total requirement of \$4,412,867. He noted that the proposed debt service was not included in FY26. He reiterated how much the County would be short in FY27, FY28, and FY29. He stated that the County could impose 1/3rd of a penny to set additional dollars aside and mitigate the overall impact.

Mr. Cole noted that the key debt ratios in the 25-year case would all be intact and would not put the County out of compliance with its policies. He stated that the borrowing would be reasonable given the 10-year payout, debt to assessed value, and debt service versus expenditures. He provided preliminary timelines for both bank loans and public issuance. He noted that with the bond, if there were ever a time that a Board did not appropriate the payment in the year, the bond holders could foreclose on the facility.

Mr. Gibson asked Mr. Cole whether it would be advantageous to establish a track record and rating for future projects if the County went in the direction of securing bond ratings.

Mr. Cole stated that the bond rating typically ran with the debt, and it would stay in place with the bonds until they were retired or were paid off early. However, he stated that if the County had another project, the County would have to get another bond rating. He noted that they rated the issue, not necessarily the County.

Mr. Hutson asked how much staff time was required for continuing disclosures.

Mr. Cole stated that it was really about remembering to post the audit and the budget, but there were different situations that may occur. For further clarification he stated that it would not require a full-time staff employee and that it would be once or twice a year that files would need to be uploaded to a website and staff may possibly speak with someone for one to two days.

Mr. Hutson asked if the County got the confidential rating AA, what the likelihood would be that it would stay AA. He further asked if there was a cost with getting a confidential rating. Mr. Cole stated that it would cost but the County would only pay for the rating once.

Dr. Orth asked if for the first few years, the County would need between \$544,000 to \$764,000 dollars in addition to what was already budgeted.

Mr. Cole stated yes and that it would be for FY27, FY28, and FY29.

Dr. Orth asked if that would require a little less than a penny tax rate for each of the subsequent years.

Mr. Cole stated that they were assuming a penny would generate \$570,000.

Dr. Orth asked if that could come from a different source and Mr. Cole agreed that it could.

Mr. Chriscoe asked if they could use fund balance to pay it off and then there would be no direct tax impact with no huge additional money going to debt service. He stated that the presentation showed one way would build an extra \$431,000 in debt capacity if they raised it and left it. He proposed using the fund balance to offset and then when the County sold the remaining property, it would go back to fund balance for projects.

Dr. Orth stated that if the County did not raise the taxes, the County had the option to secure the funds from another source. He explained that if they did raise the taxes, it would only be for a few years and then it would drop back down.

Mr. Cole confirmed with Dr. Orth that the County only needed the extra funds for three years with the assumption that nothing else was needed.

Ms. Steele stated that the fund balance was definitely a legitimate way for the Board to look but wanted to remind them how far behind the County was on PayGo. Right now, the way the County budgeted for capital projects was by using the fund balance. She further explained that taking nearly \$500,000 would mean that the County may not be able to fund school buses or some other activity. She stated that

the County was ahead of schedule on the project with nothing having to be paid for yet. She also mentioned that from the FY26 budget, because no financial commitment had to be made until the County gets into the borrowing, additional resolutions would be presented to the Board to consider. She noted that one item they would like to keep in the budget was the narrative that the Board committed to it as well as the contribution from the fire department. Dr. Orth asked if the fire department's commitment was less than what was submitted and Ms. Steele stated that it was.

Ms. Steele stated that it was better financially because they used 5% as a buffer. She stated that they did not see the ability to pay it off and look at the total amount versus the tax rate. She concluded that the Board had options on how they wanted to pay the debt.

Mr. Bazzani asked if they assumed 5%, that the budget would have to be readjusted.

Ms. Steele stated that it was not in the FY26 budget other than the revenue from GVFR (Gloucester Volunteer Fire and Rescue) because the County would not be paying anything in the FY26 budget. She stated that she wanted the fire department to know that no one would back out and that there could be language in the resolution that stated the County was committed to the project in future budgets.

Mr. Chriscoe stated that he had differing views on the existing debt retirement and asked for an up to date one because last year he showed different amounts than what was in the FY26's budget presentation.

Ms. Calloway stated that she compared all of the different debt retirement charts from different presentations, and they were accurate but she could provide it in a different format. She stated that one of the confusing pieces was that the proposed FY25 CIP (capital improvement projects) final maturity was listed in month, day, and year rather than fiscal years.

Mr. Chriscoe stated that the Board could use fund balance to pay off the next three retiring debts or three easiest low hanging fruits and then immediately open up debt service capacity this year. He stated that the information was always presented differently and if there was a way they could do it then they should not be raising taxes to fund the fire department.

Dr. Orth stated that he spoke with Ms. Calloway regarding the three pages in the FY24, FY25, and FY26 budget books and they were slightly different. He clarified with her that it was related to the way the payment schedule was set up where the payments were sometimes different.

Ms. Calloway agreed, noting that in the appendix, they modified the debt retirement chart that was in the CIP (Capital Improvement Plan) presentation and put in a new slide that included the last payment due date and the fiscal year it fell in. She continued and stated that what Dr. Orth referenced was that government debt was not linear and debt retirement could fluctuate as much as several hundred

thousand dollars. However, she continued, it was not the debt retiring, it was the payments dropping so you did not see the debt wiped away.

Mr. Chriscoe stated that they needed to find a way to use cash reserves in the most beneficial way for the citizens of the County. He stated that he wanted to minimize as much of the fiscal impact as possible.

9. Public Comment Period

HOWARD MOWRY - YORK DISTRICT

Mr. Mowry stated that with the loss of 634 students to home schooling, it was time to analyze the cost to the taxpayer in local funding support for an empty seat. He stated that since personal property tax was going to be increased, a credit of approximately \$103 is due on the upcoming billing cycle before the new tax is assessed. He explained that the County was responsible for the maintenance of the HRSD (Hampton Roads Sanitation District) sewer system. He recommended that the responsibility should be moved to the Public Works department. Mr. Mowry stated that the water utility, being an enterprise fund, would then be able to function better. Additionally, he stated that it had been neglected for decades by Administration and the Board. He recommended hiring ten new employees to conduct maintenance. He stated that there was only one handicapped parking spot at Beaverdam Park although it was not for a side-exiting vehicle but noted that the new pier looked great. He stated that the budget did not mention that the County had a \$60-\$100 million debt to fix the Utilities Department. He recommended to reduce the current budget proposal by ten percent.

DIANE JONES - WARE DISTRICT

Ms. Jones stated that she was sorry to see Mr. Bazzani go. She stated that she needed to make a correction to what was told to another citizen. She explained that he was told that AI (Artificial Intelligence) systems gave the power to discern gender and race. She believed that that information did not come from zip codes and asked for more transparency. She stated that Warehouse Road was finally paved. She noted that she was able to get in touch with the supervisor for the project and notified him about the Edgehill Street ditch and he fixed it and she was grateful. She questioned whether the Board had any influence over the electric company such as funding windmills when it was decided there would be no windmills in Virginia. She concluded that if the County cannot balance the budget, then they need to do something else because things should not be bought until it was paid off.

The following comments were submitted through the alternate submission methods and were read by the Administrative Coordinator.

KENNY HOGGE, SR. - GLOUCESTER POINT DISTRICT

Mr. Hogge explained that potable water was required by Virginia Administrative Code to be disinfected with chlorine before being placed in service with the purpose to prevent the occurrence of waterborne diseases from drinking water. He stated that Utilities had self-performed a waterline replacement and did not follow proper guidelines such as flushing dirt and debris from the lines and that the project was

still incomplete. He stated that areas such as parks, tourism, pay raises, and funding non-government organizations were more important to the Board and County Administrator than having safe and reliable drinking water and sewage disposal.

ROBERT THOMPSON – SPRING BRANCH DRIVE

Mr. Thompson wanted to know why there was no ordinance to prevent shooting firearms in a residential neighborhood such as Burke’s Mill where houses were constructed only 75 to 150 feet apart. He noted that his concern was with the noise level that nearby shooters generated. He stated that it significantly reduced his quality of life because of the loud and frequent shots being fired. He requested that Gloucester County ban shooting within a mile of another dwelling. He noted that public safety could also provide further justification for his request. He stated that if the Board would receive too much opposition from huntsmen, that they consider enacting an ordinance for weekends and holidays.

10. Public Hearings

a. Public Hearing to Consider an Ordinance Revising Certain Utility Fees, Rates, and Charges Imposed by Chapter 19 – Waters, Sewers, and Sewage – Katey Legg – Director of Public Utilities

Mr. Smith introduced the topic and expressed the Board’s condolences to Ms. Legg who recently lost her father. He noted Ms. Calloway would provide this presentation.

Ms. Calloway presented a five-year outlook on the proposed rate increases which included a 14% increase per tier in FY26 effective May 1, 2025. Over the five years presented, she stated that it would provide the funding to cover operational and capital costs. She pointed out that they had shown over time how capital needs and operational costs had outpaced the revenues of the Utilities system. She anticipated that the reserve fund would be depleted by the end of FY25. Ms. Calloway briefly went over the current and proposed water rates. She noted that 86% of customers using less than 5,000 gallons would see an increase up to \$7.03 and 95% of customers between 6,000 and 8,000 gallons would see an increase up to \$11.23. She then briefly went over the proposed tier sewer rates. She explained that 90% of combined water and sewer customers would see an increase of \$16.79 or less. Of those, 80% of customers would see an increase of up to \$10.62. She showed the Board the Raftelis report that depicted what the rates would be had they been increased by 3% each year since FY14 and it was above where the rates currently stand. She briefly showed the Board the proposed amendment to the ordinance.

Mr. Smith opened the public hearing for public comment.

NATHAN BROWN - WARE DISTRICT

Mr. Brown stated that the Board needed to concentrate increases on small users because the County mainly had residential customers. He informed the Board that he looked at other localities and the customers in York County pay a flat rate of \$27 a month. He believed that the County should do the same. He stated that how much water was used did not make a difference to the sewer system. Mr. Brown

noted that the only variable cost was additional repairs and the cost of electricity. He believed that everyone should pay into the system otherwise it would not work out in the long-term. He concluded that no one knew the cost of the sewer system and it would need to be figured out to be self-supporting.

HOWARD MOWRY - YORK DISTRICT

Mr. Mowry urged the Board to look at Buchanan County and the ordinance that was put in place. He further told the Board that they needed to look at the ability to have a water authority. They would be the overseers of the authority to use the funds to make it work. He believed that everyone in the County needed to pay into it because the limited amount of users would never be able to make it work. He explained that the lines were in terrible shape and the Board needed to have surveys done to find the lead and concrete asbestos lines that needed to be replaced. He stated that the Board had not considered the debt it would take to fix all of it.

TERESA ALTEMUS - GLOUCESTER POINT DISTRICT

Ms. Altemus was surprised that the utilities debt service was paid off in 2019 which meant that there had been six years of not addressing the issue. She stated that the current plan would be a 56% increase over time, but she did not see the plan for the next few years. She noted that the Board had not addressed the water system in the past ten years and asked them to reconsider. She also urged the Board to give more information to the public.

DIANE JONES - WARE DISTRICT

Ms. Jones thanked Mr. Nicosia for calling the water company when she had a leak because they came out to fix it within a few days. She stated that people that do not use city water pay fees. She wondered whether the copper lines would be replaced and whether that would be her expense.

The following comment was submitted through the alternate submission methods and was read aloud by the Administrative Coordinator.

KENNY HOGGE, SR. - GLOUCESTER POINT DISTRICT

Mr. Hogge explained that he had urged the Board for the last twelve years to rapidly and effectively react to the poor condition of Utilities assets. He expressed concern that the directors of Utilities have not been supported by the Board. He explained that public water and sewer systems affected every Gloucester citizen. He was also concerned that parks, recreation, and tourism would receive funds from the FY26 local tax base, but Utilities would not. Mr. Hogge suggested that the Board cut expenditures from the budget so that all meals tax revenue was appropriated to Utilities. He concluded that he supported the rate increase proposal for FY26, but it was not enough.

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

Mr. Hutson stated that if the County had funded the Raftelis increase, it would be higher than it is right now. He stated that there would be money in the reserve fund and/or they would have been able to make repairs. He asked if there was a

graph that extended out the next five years and Ms. Calloway stated that she could provide that information.

Mr. Bains explained that the current rate increase was just for operating costs and not for repairs and briefly discussed that the Board had chosen a plan based on options presented by Ms. Legg at a previous meeting. He stated that the option allowed the County to have enough money in the next five years to borrow funds to do \$30 million worth of work.

Mr. Hutson stated that although there was a big increase in the current year, at the five-year mark, it would be higher than if they went with the 3% annually. He asked how much sewer would be done out of the five-year plan.

Mr. Bains responded and stated that it would be \$11 million.

Mr. Hutson stated that people that were not on utilities should not have to pay, but everyone uses them in the County. He explained that 3,292 people would have to pay \$11.2 million in the next five years while other people do not, even though everyone benefits from it. He stated that the County does not have any excess funds for emergencies and stated that rates needed to be raised, but it should be paid for by everyone in the County.

Ms. Calloway stated that there was a period between 2014 and 2019 where the general fund supplemented the Utilities fund until a certain debt was paid off. She informed the Board that there was an interest payment built into the budget because the County anticipated borrowing as soon as possible for approximately \$2 million in FY26.

Ms. Steele stated that the County would work on capital projects immediately.

Ms. Calloway noted that for several years, capital projects had been budgeted but not completed and they would have seen the fund balance issue sooner if projects were getting completed.

Mr. Gibson wanted to clarify that if the rate increase passed, it would be for \$30 million over the next five years.

Mr. Bains explained that the rate increases differed each year.

Mr. Gibson noted that there had been \$66 million in identified needs over 10 years.

Ms. Steele stated that anticipated expenses were added into the forecasting including personnel and inflationary costs such as chemicals.

There was a brief discussion about how figures could change because of future unknowns.

Ms. Calloway stated that in the event of a catastrophe, general fund dollars would likely have to be used. She noted that the development fund could also be used, but the Board would have to approve of it. She noted that in year two of the five-year plan, the County could start building a reserve.

Mr. Bazzani asked if they knew about the issues prior to the previous director's departure.

Mr. Bains explained that the previous director had explained issues since 2021

or 2022, but the Board may not have been made completely aware.

Mr. Bazzani stated that he did not agree that people with wells should have to pay for utilities but agreed with raising rates for those using utilities.

Mr. Chriscoe stated that the rate increase was the correct first step even though it was higher than he would like.

Mr. Hutson stated that the entire County would pay for the fire station. He asked Mr. Nicosia if County water was used to put out fires.

Mr. Nicosia replied and stated that County water was used in fire hydrants.

Mr. Gibson stated that although it was difficult for the consumer, it was a necessary step. He stated that as a Board, they had taken on the duty to provide water, and it needed to be repaired and upgraded. He stated that the Board was failing in their duty if they did not repair and upgrade the system. He noted that the system needed to be addressed and had not been in 11 years. The County had \$66 million in identified needs and if the issues were not fixed, there would be continued system failures, pipe breakages, and the risk of catastrophic failure of the system. He stated that the LA Times reported an estimated \$250 billion in economic losses because there were dry reservoirs. They had infrastructure issues causing over 15 thousand homes to burn to the ground and 28 people had died. He provided another example that occurred in Richmond. He stated that the Board would be negligent if they do not address the needs of the system. He explained that he realized that everyone uses the County's water, but those who use well water spend money on maintenance. He concluded that he supported the resolution.

Mr. Chriscoe stated that they need to support the increase to get back in the right direction and when the lines on the Raftelis chart intersect, they need to have a conversation on how the County would continue to fund Utilities. He stated that he did not like the increase, but citizens have not seen an increase since 2014, and the Board needed to take the prudent step to get back in line with where the County should be.

Dr. Orth stated that the County had provided Utilities with significant funds to purchase equipment that made their jobs easier and had moved Utilities to a decent facility. Additionally, he noted that they moved forward with the purchase of an advanced metering infrastructure (AMI) system that allowed them to easily see water usage. He told the County that he accepts the responsibility that the Board messed up, but they were taking steps and moving forward.

Mr. Bains stated that the tiers may change each year depending on where Utilities was on funding but they wanted to provide a roadmap so the Board could better anticipate.

Mr. Hutson stated that the County needed an increase in water and sewer, but it also needed to take about a penny and a half out of the general fund to add to it to get where the County needs to be. He noted that every district has people on water and sewer except for Petsworth.

Dr. Orth moved, seconded by Mr. Chriscoe, to approve the revisions to the Chapter 19 ordinance. The motion carried and was approved by the following roll call vote: Mr. Bazzani, Mr. Chriscoe, Mr. Gibson, Mr. Nicosia, Dr. Orth, Mr. Smith - yes, and Mr. Hutson - no.

AN ORDINANCE REVISING CERTAIN UTILITY FEES, RATES, AND CHARGES IMPOSED BY GLOUCESTER COUNTY CODE CHAPTER 19 – WATER, SEWERS AND SEWAGE, EFFECTIVE MAY 1, 2025

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 is 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 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 May 1, 2025 (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	Monthly Equipment Fee	Per Consumer Account	\$ 2.50	\$ 2.50
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
		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	\$ 12.73
		First 2,000 gallons or less:	\$ 11.17	\$ 12.73
		Next 2,000 gallons, per 1,000 gallons:	\$ 4.92	\$ 5.61
		Over 4,000 gallons, per 1,000 gallons:	\$ 4.68	\$ 5.34
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	\$ 12.73 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	\$ 12.73 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	\$ 23.01
		First 2,000 gallons or less:	\$ 20.18	\$ 23.01
		Next 6,000 gallons, per 1,000 gallons	\$ 10.00	\$ 11.40
		Over 8,000 gallons, per 1000 gallons	\$ 10.40	\$ 11.86
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.	\$ 23.01 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.	\$ 23.01 x See 19-137 (c) for formula.
19-137.1	Testing water meter.	Fee for examination and	\$ 50.00	\$ 50.00

		testing of meter:		
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 May 1, 2025.

11. Regular Agenda

a. Comprehensive Plan Review – Planning Commission Steering Committee Concept – Anne Ducey-Ortiz, AICP – Director of Planning, Zoning, & Environmental Programs

Ms. Ducey-Ortiz stated that at the joint meeting with the Planning Commission, the Board decided to only look at sections of the comprehensive plan that needed to be updated. She stated that the Planning Commission wanted to have a steering committee to work with them meeting by meeting to identify issues which would be presented to the Board at the August joint meeting. She asked the Board whether they wanted to appoint from the volunteer board bank or have the Planning Commission choose members.

Ms. Steele noted that the County Administrator could also make the committee. She explained that she was concerned about having enough time to appoint and get everything completed.

Mr. Chriscoe stated that he believed the Board should make the appointments and there was a consensus among the Board.

Dr. Orth stated that at the previous joint meeting, it was discussed to have a timeline for the process move more rapidly. He asked Ms. Ducey-Ortiz if it will move faster.

Ms. Ducey-Ortiz stated that it was their goal. They have a plan on what needed to be looked at on the schedule but it will depend on workload and they also were shorthanded.

b. Consideration of Ordinance Amending Several Sections of Chapter 9 of the County Code - Garbage and Refuse – Ted Wilmot – County Attorney

Mr. Wilmot stated that he initiated considerable changes back in 2014 and that they have come to fruition. He noted that the Board had seen several iterations of changes over the past year. He informed the Board that the genesis of the changes came from the Clean Community Coordinator back in 2014. The Coordinator noted that the state's requirement for reporting recycling generators by commercial establishments was every four years and the County required the reports every year. He stated that to be consistent, the main change was to section 9-49 which changed the reporting requirement from annually to every four years. He also stated that the

Commissioner of Revenue, JoAnne Harris, recommended a change in the requirement that recycling generator haulers could not get a license without providing proof to the Commissioner of Revenue of an inspection and that a license was needed for each vehicle used. He stated that they removed the inspection provision and that it had to be for each vehicle used. Additionally, he noted that the County Administrator made minor change recommendations throughout.

Mr. Chriscoe moved, seconded by Mr. Gibson to approve the amendments to the Chapter 9 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 9, ARTICLE IV, SECTION 9-49, TO CHANGE THE REPORTING
REQUIREMENTS FOR THE RECYCLING SURVEY REPORT FROM ANNUALLY TO
EVERY FOUR YEARS, WITH THE NEXT REPORT TO BE SUBMITTED ON OR
BEFORE MARCH 1, 2029 AND TO CORRECT AND CLARIFY CHAPTER 9,
ARTICLE I, SECTIONS 9-5, 9-7, 9-12, ARTICLE II, SECTIONS 9-15 AND 9-16,
ARTICLE III, SECTIONS 9-37, 9-39 AND 9-42, AND ARTICLE IV, SECTIONS 9-47,
9-50 AND 9-51**

WHEREAS, the Virginia General Assembly amended the state reporting requirements for reporting recycling activities from annually to once every four (4) years, and the correction of minor errors make necessary and appropriate amendments to Chapter 9; and

WHEREAS, the Gloucester County Clean Community Coordinator has recommended that the County reporting for the recycling survey report be conducted every four (4) years; and

WHEREAS, the Gloucester County Commissioner of the Revenue has recommended several changes to make it clear that a business only needs one business license to cover all vehicles used by that business; and

WHEREAS, the Board is desirous of amending Chapter 9, Section 9-49 of the Gloucester County Code to change the annual reporting for the recycling survey report to every four years, with the first such report due for the year ending December 31, 2028, which report shall be submitted on or before March 1, 2029 and every four years thereafter. The Board is also desirous of amending Chapter 9, Sections 9-5, 9-7, 9-12, 9-15, 9-16, 9-37, 9-39, 9-42, 9-47, 9-50, and 9-51 to correct errors therein, to update the sections with current information, and to omit therefrom inaccurate and unnecessary verbiage.

NOW THEREFORE BE IT ORDAINED AND ENACTED that the following section of Gloucester County Code Chapter 9 – ARTICLE IV, is hereby amended as follows:

Chapter 9 GARBAGE AND REFUSE

ARTICLE I. IN GENERAL

Sec. 9-5. Notice of violation; method of issuance.

- (a) The sheriff, the codes compliance officer, or the health director or their designee may, and upon complaint by any responsible person that conditions exist on any real property in violation of ~~section 9-13~~ **this chapter** shall, investigate conditions existing on real property in the county at any time; and upon determination by either such officer, following investigation, that the owner, occupant or person in charge of any real property in the county stands in violation of his duty as

provided in ~~section 9-13~~ **this chapter**, such officer shall give written notice to the owner of record of such property and to the person primarily responsible, if different from the owner, stating the facts which constitute violation of ~~section 9-13~~ **this chapter** and directing him to take such action as may be necessary to rectify such conditions within such time, not more than ten (10) days, as shall be stated in the notice.

- (b) If, ten (10) days after the service of any such notice, the directive thereof has not been complied with, the officer giving such notice ~~shall~~ **may** proceed to have such work done as may be necessary to abate any condition which might endanger the health or safety of residents of the county or otherwise constitute a nuisance, and all expenses resulting therefrom shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected; and all charges not so collected shall constitute a lien against such property.

Sec. 9-7. Prohibited disposal of refuse generally.

~~Except as provided in section 9-8, it~~ **It** shall be unlawful for any person, firm or corporation, in person or by his agent, employee or servant, to dump, or bury, cast, throw, or deposit refuse within the county at other than the county-owned landfill or within the receptacles located at county-operated refuse disposal sites or at privately owned refuse disposal sites expressly licensed under this chapter.

Sec. 9-12. Refuse disposal operations restricted to sites operated or licensed by county.

Refused disposal operations shall be conducted on sites selected and acquired by the board of supervisors and on such private sites as are licensed under the provisions of this chapter.

ARTICLE II. REFUSE DISPOSAL SITES AND OPERATIONS

Sec. 9-15. Supervisory authority of county administrator.

The construction and installation of facilities at refuse disposal sites operated or maintained by the county and the maintenance, operation, and administration of such sites and facilities shall be under the supervision and control of the county administrator **or designee**, acting under the direction of the board of supervisors.

Sec. 9-16. Structures at county-operated sites.

No structure shall be erected at a county-operated refuse disposal site except as approved by the county administrator **or designee**.

ARTICLE III. COLLECTORS FOR HIRE

Sec. 9-37. License required.

No person, for hire, shall collect or convey any refuse generated within the county in any vehicle through or on any street or highway of the county without first obtaining from the commissioner of the revenue a refuse hauling license ~~for each vehicle so used~~.

Sec. 9-39. Conditions precedent to issuance of license.

- (a) No license shall be granted under this article to any applicant if the proposed place and method of disposal of refuse to be collected does not conform to the requirements of this chapter.

- ~~(b) No license shall be issued under this article to an applicant until he presents a statement from the county public works department showing proof of inspection of the applicant's collection equipment within the preceding thirty (30) days.~~

Sec. 9-42. License year; annual renewal of licenses.

All refuse-hauling licenses issued under this article shall expire on ~~January~~ **December** 31 of the ~~next succeeding~~ year. Refuse-hauling licenses are to be renewed **for the calendar year on or before March 1** ~~during the month of January~~ of each year. A license may be renewed by presenting the commissioner of the revenue a ~~statement from the public works director showing proof of inspection of the applicant's collection equipment within the preceding thirty (30) days, and a restatement by the applicant of information previously required under section 9-38.~~

ARTICLE IV. MANDATORY RECYCLING REPORTING

Sec. 9-47. Purpose.

The purpose of this article is the furtherance of solid waste management and the recycling of solid waste as provided for in Section 10.1-1411, Code of Virginia, 1950, as amended, as authorized by ~~Section 15.1-11.5:2, Code of Virginia~~ **Va. Code Section 15.2-927 et seq.**

Sec. 9-49. Reporting requirements for generators.

- (a) Nonresidential ~~solid waste generators and~~ businesses or commercial establishments that ~~manage solid waste or recycle~~ **generate recyclable** materials within the County of Gloucester, shall submit ~~an annual report for each calendar year ending on December 31 to the director of public works on or before March 1 of the following year~~ **a report to the clean community coordinator or other designated county official every four years. The report shall only be required to include information for the most recent single calendar year ending on December 31. The first such report shall be for the year ending December 31, 2028 and shall be submitted on or before March 1, 2029 and every four years thereafter.**
- (b) Such ~~annual~~ report shall be submitted on a form prescribed by the county administrator and shall include as a minimum the following information:
 - (1) The name and address of the reporting party.
 - (2) The total quantity of solid waste recycled by the reporting party, by commodity, during the reporting period.
 - (3) The name and address of the person to which the recyclables were delivered for recycling.
 - (4) The total quantity by weight of solid waste, by commodity, that has been the subject of source reduction or reuse.

Sec. 9-50. Reporting requirements for haulers or recyclers.

- (a) Businesses licensed for waste hauling, recycling, or scrap metal recovery shall submit an annual report for each calendar ~~year~~ **year** ending on December 31 to the director of ~~public works~~ **engineering services** by March 1 of the following year.
- (b) Such annual report shall be submitted on a form prescribed by the county administrator and shall include as a minimum of the following information:

- (1) The name and address of the reporting party.
- (2) The total quantity of solid waste generated in Gloucester, by commodity, that was recycled by that business during the reporting period.

Sec. 9-51. Contents of reports.

- (a) The reports required under the preceding two (2) sections shall be based on actual weight. Where actual weight cannot be accurately determined, the weight may be reported using carefully estimated data. Any such report shall include a description of the basis for the reported data.
- (b) Recycled solid waste identified in the report shall include only those solid wastes delivered to market from within the County of Gloucester.
- ~~(c) For the year 1991 only, such reports shall provide an estimate of materials recycled from January 1, 1991 through the effective date of this article and actual data from the effective date of this article through December 31, 1991.~~

c. Board Appointments

Mr. Chriscoe stated that the person he would like to select for the Planning Commission was not fully able to retire to participate, but he expected that to happen very soon.

d. Discussion/Decision on Change to Meeting Calendar

Ms. Steele stated that the night that seemed to work best for the meeting with the fire department was the 10th, and it would be at T. C. Walker.

Mr. Hutson moved, seconded by Dr. Orth, to modify the calendar. The motion carried and was approved by a unanimous voice vote.

12. County Attorney Items

There were no County Attorney items.

13. Boards and Commissions Reports

There were no boards and commissions reports.

14. Supervisors Discussion

Mr. Chriscoe stated that someone made a comment about charges for a windmill and fees paid on a power bill. He continued and stated that about every two months, VEPCO (Virginia Electric Power Company) operating as Dominion, puts out rider amendments through the State Corporation Commission. He explained that all of the amendments have to be done legally and through the State Corporation Commission. He further explained that the riders would not go anywhere and if someone were to try to go off-grid by using solar, if there was a meter on the house, there would always be those bypass charges. He noted that someone could only get rid of generation and transmission fees if they decided to generate their own power. He pointed out that the Board had no power over this, but the citizens did have some input. He encouraged citizens to send comments and provide feedback when VEPCO put out those rider amendments.

Mr. Nicosia stated that the Board had no power over VDOT (Virginia Department of Transportation) and it did not make a difference if a Board member called or if a citizen called.

Dr. Orth stated that he had written to the local representative, and they could be really responsive, especially if the situation was dangerous.

Mr. Hutson stated that after the previous town hall meeting, there were people that told him that it was really helpful. He urged the Board to consider quarterly or twice a year town halls.

Mr. Nicosia noted that what he heard at Gloucester High School was how much the staff enjoyed that Mr. Hutson was asking questions because it was an open dialogue meeting with a personal touch.

16. Adjournment

Mr. Hutson moved, seconded by Mr. Chriscoe, to adjourn. The motion carried and the meeting was adjourned at 8:37 p.m. by a unanimous voice vote.

Kevin M. Smith, Chair

Carol E. Steele, County Administrator