



June 9, 2025  
Town Council Approved Minutes

- CALL TO ORDER: Mayor Whited opened the meeting at 7:00 p.m. Council members, Drew Beard, Jean Goodine, Patrick O'Connell, Brad Schneider, and Gail Swift were present, with Fred Catlin absent. Town Manager/Clerk Barbara Batson was present and Town Attorney Mr. Martin Crim attended remotely.
- APPROVAL OF THE AGENDA: Ms. Goodine moved to add a) update on the walking brochure. Mr. Beard made a motion to approve the amended agenda, Ms. Swift seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Goodine voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 6-0 with Mr. Catlin absent

REPORTS:

Mayor's Report: Mayor Whited shared that the Christmas parade committee was in desperate need of volunteers. If you are able to help let Ms. Batson or me know before June 30.

Treasurer report: Ms. Swift submitted the year-to-date treasurer's report. She reminded TC that the audit should be completed in September.

Infrastructure Report: Mr. Schneider shared that paperwork has been filed with the Rappahannock County Building Office for the new generator at the pumphouse. He is working on the materials list needed to replace the floats at the plant.

Town Attorney: Mr. Crim received an updated road maintenance agreement from Black Kettle LLC. He sent his redline edits to Mayor Whited for review. Mayor Whited asked Mr. Crim to see if there were any changes in the VA Code regarding attaching special use permits to B&B zoning requests, in regards to the tabled item for Foster Harris House.

Zoning Administrator: Mr. Steve Gyurisin submitted a written report.

Planning Commission (PC): Ms. Anstey reported that the PC met in May and approved Mr. Jim Abdo's special use permit request for 249 Main Street and a lot line adjustment request from The Inn at Little Washington.

Architectural Review Board (ARB): No report.

OLD BUSINESS:

a) FY26 budget:

Ms. Swift moved to approve the FY26 budget, Mr. Schneider seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Goodine voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 6-0 with Mr. Catlin absent

NEW BUSINESS:

- a) Walking tour brochures: Ms. Goodine shared that an updated version of the walking tour brochure has been submitted to the printer and she expects to have the new maps next week. Mayor Whited thanked Ms. Goodine for her work on the brochures.

b) Public Hearing: Water and Sewer rate adjustment

Mayor Whited opened the public hearing at 7:11 p.m.

Mr. David Sliek, attorney representing The Inn at Little Washington, spoke. The Town is facing a minimum of a \$32,000 a year increase in water and sewer rates that's a 25% increase when you compare that to our sister jurisdictions and it's disproportionately high compared to everyone else in the region the question that I would ask you to consider before you go any further this evening is whether the price increase is reasonable and in compliance with the laws of this commonwealth. I do not believe it is when you face a 25% public utilities fee increase for one single customer and there's only one customer that's solely so harshly affected by this proposed ordinance revision. The proposed rate increases disproportionately the burden for The Inn as it is the town's only high-volume user. I believe that is somewhat in violation of the principles of fairness and equity you have a \$33,000 deficit and you're asking one entity basically to make up the deficit.

Mr. Sliek asked if the state corporation commission reviewed this proposal and did the town look at the adjoining jurisdictions for their structures. The proposed rate increase is somewhat arbitrary as it applies only to one entity here; Virginia Code section 56-235 prohibits utilities from unreasonably discriminating against one class of customers in favor of another class. Here your proposed revisions do just that, other classes of users do not have the same percentage rate increase therefore they're disproportionately affecting a single user and I believe this violates section 56-235. Additionally, Virginia code section 56-234 requires utilities to change uniformly therefore all persons, corporations or municipal corporations using such service under like conditions, has the town in its review and proposal considered whether they are uniformly applying rate increases to all users; we know the answer is no. I would suggest to you there is no rational basis that exists either for despair treatment. I also do not believe the town has demonstrated that the rate structure meets constitutional statutory requirements. If this action goes forward, we will be submitting an appeal to the United States District Court to decide. The

Inn is not against a rate increase but that it be fair and proportionate to all citizens and businesses for taxpayers in the town, not one entity bearing the burden of it all when one entity makes up 96% of your deficit.

Ms. Anstey asked does one entity puts the most demand on the system?

Mayor Whited closed the public hearing at 7:19 p.m.

Mr. O'Connell moved to table the water and sewer rate adjustment, Mr. Beard seconded, and a roll call vote was taken:

|                           |                          |
|---------------------------|--------------------------|
| Mr. Beard voted "yes"     | Ms. Goodine voted "yes"  |
| Mr. O'Connell voted "yes" | Mr. Schneider voted "no" |
| Ms. Swift voted "no"      | Mayor Whited voted "no"  |

And the motion did not pass with a 3-3 vote, with Mr. Catlin absent.

Mayor Whited said that since January 2017 the water expenses have increased 30%.

Mr. Beard asked Mr. Crim if he had any legal concerns based on Mr. Silek's comments. Mr. Crim said that he did not see any concerns.

Mr. O'Connell suggested the increase be phased, Mayor Whited said to would be made effective January 1, 2026.

Mr. O'Connell asked how much was in the "rainy day fund" and Mayor Whited replied 850k. Mayor Whited also shared that half of the total was from utility fees from Rush River Commons.

Mayor Whited moved to approve the sewer and water rate adjustment ordinances. Ms. Swift seconded and a roll call vote was taken:

|                          |                           |
|--------------------------|---------------------------|
| Mr. Beard voted "yes"    | Ms. Goodine voted "yes"   |
| Mr. O'Connell voted "no" | Mr. Schneider voted "yes" |
| Ms. Swift voted "yes"    | Mayor Whited voted "yes"  |

And the motion passed 5-1 with Mr. Catlin absent

PUBLIC FORUM: Mayor Whited opened the public forum at 7:36 p.m.

Mr. Drew Mitchell announced that the 4<sup>th</sup> of July celebration will take place on July 5<sup>th</sup> at Avon Hall. The grounds will open at 4:00 p.m.

Mayor Whited closed the public forum at 7:38 p.m.

Mayor Whited moved to enter into closed session in accordance with the provisions of Section 2.2-3711 (A)(3) of the VA Code for Discussion or consideration of the disposition of publicly held real property (20A-1-80), where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Ms. Swift seconded and a roll call vote was taken.

|                           |                           |
|---------------------------|---------------------------|
| Mr. Beard voted "yes"     | Ms. Goodine voted "yes"   |
| Mr. O'Connell voted "yes" | Mr. Schneider voted "yes" |
| Ms. Swift voted "yes"     | Mayor Whited voted "yes"  |

And the motion passed 6-0 with Mr. Catlin absent

The TC came out of closed session at 7:49 p.m.

Mayor Whited asked TC to certify that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

A roll call vote was taken:

|                           |                           |
|---------------------------|---------------------------|
| Mr. Beard voted "yes"     | Ms. Goodine voted "yes"   |
| Mr. O'Connell voted "yes" | Mr. Schneider voted "yes" |
| Ms. Swift voted "yes"     | Mayor Whited voted "yes"  |

And the motion did not pass with a 6-0 vote, with Mr. Catlin absent.

Mayor Whited authorized Mr. Crim to draw up the appropriate paperwork to accept Mr. & Mrs. Edwards proposal.

ADJOURNMENT:

- Mr. Beard moved to adjourn the meeting Ms. Swift seconded and a roll call vote was taken:

|                           |                           |
|---------------------------|---------------------------|
| Mr. Beard voted "yes"     | Ms. Goodine voted "yes"   |
| Mr. O'Connell voted "yes" | Mr. Schneider voted "yes" |
| Ms. Swift voted "yes"     | Mayor Whited voted "yes"  |

And the motion passed 6-0 with Mr. Catlin absent

THE NEXT REGULAR MEETING OF THE TOWN COUNCIL IS  
July 14, 2025

Barbara Batson, Town Manager/ Clerk

Attachments:

Zoning Administrator's report  
Water rate ordinance  
Sewer rate ordinance  
Edward's land purchase proposal