

# Our Forum

## Head-scratchers leave taxpayers holding the bag

In a perfect system, elected officials would make no decision with ramifications beyond their current term in office. That's impractical, of course, as essential infrastructure must be built, legal decisions made, property occasionally purchased and sold, and money borrowed, to name a few.

Unfortunately, such a system lacks accountability for bad decisions, as Isle of Wight County taxpayers recently learned the hard way, not once but twice.

Most expensive of the two was an \$8.3 million refund to International Paper Co. after the Virginia Supreme Court called foul on a sneaky scheme to subvert a local judge's ruling that the county had failed to take into account depreciating equipment values at IP's Franklin mill when assessing machinery and tools taxes.

The county increased the tax rate for the 2017-18 fiscal year enough to recoup what the county owed IP in court-ordered refunds for prior years. Current Supervisors William McCarty, Rudolph Jefferson and Dick Grice joined then-Board of Supervisors Chairman Rex Alphin in approving the scheme. Current Supervisor Joel Acree was absent for that meeting. Mark Popovich was board attorney at the time.

Regrettably, the county kept doubling down on the scheme as it was challenged in court by IP. By December 2022, some \$3 million in interest had accumulated on the \$5.4 million refund owed. The Supreme Court, in ruling for IP, declared that "the County must now live with the choices it made during this litigation." More accurately, the taxpayers must live with a terrible decision by its elected officials. Ouch.

Not to mention, what a poor message to send to current and prospective future employers and major industry in our county: If you don't pay us what we say you owe us, even if a judge says we're wrong, we'll scheme and connive to get that amount anyway.

Current supervisors should have a new appreciation for the long-range impact of elected officials' bad decisions after taking a bath on a land purchase by their predecessors 15 years prior. Then-Supervisors Stan Clark, James B. Brown Jr., Phillip Bradshaw and Tom Wright III voted in 2008 to pay \$1 million for property at the foot of the James River Bridge that, we now know, had little public or private utility. That it was assessed at just \$335,000 at the time should have been a clue. To his credit, then-Supervisor Al Casteen voted no on the purchase. Fifteen years later, the current board has accepted an "unsolicited" offer of \$100,000 from a company to harvest and sell oysters on the lot.

Assistant County Administrator Don Robertson tells us the county put the property on the market several years ago and got no interest.

While at least the property is back on the tax rolls, that's another \$900,000 loss for taxpayers, not counting the lost tax revenue over the past 15 years. Double ouch.

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## Always let the people speak

For reasons that baffle us and unnecessarily cause great distrust and discord in the community, Smithfield and Isle of Wight County officials too often muzzle the very people they were elected to represent.

The county Planning Commission and Board of Supervisors have adopted ordinances preventing citizen comments on matters that have previously been the subject of public hearings. The change facilitated a metaphorical sucker punch to the gut of citizens in central and southern Isle of Wight when the three supervisors who represent the other end of the county reversed course and foisted a deeply unpopular solar farm on one of the county's most heavily traveled and scenic gateways: Route 460 between Zuni and Windsor.

Without even any statutory justification on his side, Mayor Steve Bowman declared that citizens won't be heard during an Aug. 31 work session on one of the most consequential projects in the town's history: a mixed-use development on the western edge of downtown that would more than double the population of Smithfield's historic district.

Town Manager Michael Stallings confirmed to us on Monday that no state statute, town ordinance or written policy forbids citizen comments at the Grange at 10Main work session.

So why would town officials shut citizens out of such an important conversation? Councilman Mike Smith, who threw the brakes on an effort to rush a recklessly premature decision on the Grange earlier this month, specifically noted, during his motion to table, the need for more dialogue between the developer and the citizenry. Yet, barring a last-minute change of heart, no such dialogue will occur, citizens having been told instead to email their comments and questions.

Were no lessons learned from the Mallory Scott Farm debacle of 2021? A housing project even more unpopular than the Grange was forced on the town's citizens, who chose the only recourse available to them and tossed out of office the mayor who was the face of town arrogance on the 800-plus-home development.

Bowman, who succeeded Carter Williams, ran and was elected on a platform of more transparency and accountability in town decision-making. But this month's public hearing on the Grange felt like Mallory Scott all over again.

Bowman and perhaps others on the council don't comprehend just how chapped citizens are by the secrecy and manipulation that have plagued the Grange since its inception. It's a worthy project that could have succeeded on its merits, but instead the developer and certain town and county officials have worked repeatedly to keep taxpayers in the dark.

When Isle of Wight Supervisor Don Rosie said in 2022 that it felt like a taxpayer-funded farmers market at the Grange was being forced on the county, he didn't know the half of it. Our Stephen Faleski's exhaustive reporting on the backroom scheming of Grange boosters in recent months should turn the stomach of anyone who believes that transparent, accountable government is an ideal to be practiced, not just a campaign slogan.

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## Answers needed on IWCS scandal

School administrators have a tough job when it comes to sensitive personnel matters.

On one hand, a person accused of wrongdoing has some legitimate expectation of privacy while an investigation is conducted. On the other, many stakeholders, especially parents, have a legitimate interest when their children's safety has likely been compromised.

Isle of Wight County Schools appear to have flunked that balancing act in the case of Andrew Henson, a former Smithfield High School Teacher of the Year who lost his teaching license after resigning when evidence surfaced of an alleged sexual relationship with a student.

Our Stephen Faleski broke the story last month after an alert citizen stumbled on Henson's license revocation during an unrelated review of public records. Several weeks later, IWCS officials remain silent on their handling of the matter, including the critical question of whether Henson's students or their parents were notified of his alleged misdeeds at the time administrators became aware of them.

Henson resigned on Feb. 18, 2022, eight days after one of his former students told school administrators of the alleged affair. A record of the Virginia Board of Education's March 22, 2023, licensure hearing states that the student, who's now in college, gave IWCS screenshots, pictures and messages from her time as an SHS junior during the 2019-20 school year to corroborate the "existence and nature" of the relationship.

A partially redacted incident report from the Isle of Wight County Sheriff's Office states the relationship may have begun as early as the student's freshman and sophomore years at SHS, where Henson taught world history and sociology. He was not charged criminally.

According to public records, Isle of Wight County Schools conducted its own investigation into Henson and provided a summary to the School Board by memorandum on April 21, 2022. Based on that memo, former Superintendent Jim Thornton filed a petition on May 16, 2022, seeking the revocation of Henson's teaching license.

The School Board conducted a closed-session hearing on the petition on Aug. 11, 2022, accepted Thornton's petition and forwarded the matter to the state.

Five months later, a state investigative panel voted unanimously on Jan. 27 to recommend the Board of Education revoke Henson's license.

Faleski asked administrators specifically whether any parents or students of Henson were notified in 2022 when officials learned of the alleged affair.

"The school division does not comment on specific personnel or student matters," IWCS spokeswoman Lynn Briggs responded.

We're not picking on Briggs, a top-notch public-relations professional who can only release information that's authorized by the superintendent or school board, but the division's response is wholly inadequate.

Even though more than a year has passed since Henson's departure, administrators owe stakeholders a detailed explanation of their handling of the matter, including whether parents of Henson's students were notified. We're left to assume that they weren't, as the matter surely would have become public knowledge. With Henson long gone, his interest should be the least of the school division's considerations.

While it should never be a factor in deciding what to disclose and when, embarrassment is often a motivating factor when public officials keep important information hidden from the most important constituencies they serve.

In this case, we hope IWCS didn't conceal the information to protect its own reputation. Certainly, it's embarrassing for the school division to have honored as Teacher of the Year a man who would soon resign without fighting very serious allegations of misconduct. But there's no evidence that administrators knew of the allegations at the time that award was given. People understand that on campuses with hundreds of kids and adults, misbehavior will sometimes occur. School administrators are usually judged more on their handling of an incident than on the fact that an incident occurred.

In the Henson case, important questions linger about IWCS' actions. Administrators and, if necessary, the School Board, should work quickly to provide answers.