

**COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX**

**MINUTES OF THE AGRICULTURAL AND FORESTAL DISTRICT COMMITTEE
(AFDAC)**

DATE: Wednesday, June 15, 2022

TIME: 4:03 PM – 4:40 PM

LOCATION: Electronic Meeting via Microsoft Teams

AFDAC Member Attendance

Name	Present (P)/ Absent (A)	Name	Present (P)/ Absent (A)
Stanley Franklin	P	Eric David Cox	P
Jay Doshi	P	Kenneth Strafer, Ph. D.	A
Mariette Hiu Newcomb	P	Charles Nichols	P
Andrew Painter, Chairman	P	Jeff Parnes	P
Gifford Hampshire	P	John Foust	A

Staff Support in Attendance

Kelly Atkinson DPD
Sophia Fisher DPD
Willie Woode NVSWCD
Dan Mould DTA

Applicants in Attendance

Sheri Akin, McGuire Woods, representing the applicant

Community Members in Attendance

None

The meeting was called to order at approximately 4:03 p.m.

Mr. Franklin said a few words of appreciation about having been the Chairman and passed the Chairman role to Mr. Painter.

Mr. Painter conducted the roll call.

Announcements

Covid-19 Pandemic Special Motions

Mr. Painter established the nature of the emergency that compelled these emergency procedures, the fact that the committee was meeting electronically, the type of electronic communication that was being used, and how public access to this meeting was arranged. Mr. Painter moved that the Emergency Declaration caused by the COVID-19 pandemic makes it unsafe for the committee to physically assemble and unsafe for the public to physically attend any such meeting and that as such, the Freedom of Information Act's (FOIAs) usual procedures, which require the physical assembly of the committee and the physical presence of the public, cannot be implemented

safely or practically. The motion was seconded by Mr. Parnes; however, Mr. Parnes asked for a discussion regarding the nature of the emergency that necessitated an electronic meeting. DPD staff noted that the meeting was held remotely due to the COVID-19 pandemic and for one of the three reasons listed in the adopted *Policy for Participation in Meetings by Electronic Communication* ("Policy"), which would have resulted in not having an in-person quorum. Due to the need to meet public hearing dates for one of the items on the agenda, DPD staff noted that an Electronic Meeting was necessary. DPD staff noted they would contact the Office of the County Attorney prior to the next meeting to re-confirm the ability to meet electronically. After the discussion, Mr. Painter amended his motion to include other personal reasons that may be permitted by the local state of emergency. The motion passed unanimously.

Given that each member of the Agricultural and Forestal District Committee was participating in the meeting from a separate location and in order to verify that a quorum of members was participating and that each member's voice was clear, audible, and at an appropriate volume for all of the other members, Mr. Painter performed a roll call of members and asked each committee member participating in the meeting to state their name and the location from which they were participating. All participants could be heard and could hear each other.

Mr. Painter also stated that the AFDAC needs to determine how long each member of the public will be able to speak during public comment periods. He noted that the public will be able to speak at the end of the meeting and have the ability comment on agenda items. He moved that each member of the public have up to three minutes to speak, in line with the policy of the Planning Commission and Board of Supervisors. Mr. Parnes asked if people representing organizations would get 10 minutes, as they do at the Planning Commission. After some discussion on the point, Mr. Painter amended his motion to include allowing a person representing an organization up to 10 minutes to speak and up to 5 minutes for an individual. Mr. Doshi seconded the motion. The motion passed unanimously.

Old Business

Mr. Parnes moved to accept the Meeting Minutes from April 13, 2022. Mr. Doshi and Ms. Newcomb seconded the motion. The motion passed unanimously.

Informational Items

Ms. Atkinson noted that a new local district, the Atiyeh District, previously the Reed District, has been accepted for renewal. They are not proposing any changes to the district.

Ms. Atkinson also noted that the annual report was distributed for review. Ms. Newcomb noted that she appreciated having the opportunity to review the document in advance of the meeting and would like to approve it. Ms. Atkinson noted that a formal motion is not required; all the AFDAC needs to do is note that the annual report has been completed and staff will submit a copy to the clerk's office for distribution to the Planning Commission and Board of Supervisors. Mr. Parnes asked when it becomes an official copy, and no longer a draft. Ms. Atkinson responded that it becomes official when the AFDAC accepts the draft with no changes. Mr. Parnes indicated that he would like to have an official vote on the adoption of the annual report.

Mr. Painter recalled Ms. Newcomb's motion and placed it on the table. Mr. Parnes seconded the motion. During the discussion, Mr. Painter noted that the annual report showed a net loss in acreage (36 acres in the Mount Vernon District) for the first time and that he wanted to draw everyone's attention to the unfortunate circumstance. With no further discussion, the motion passed unanimously.

New Business

Mr. Painter recognized Ms. Fisher to give a report on the Rhinehart Agricultural and Forestal District. Ms. Fisher gave a brief presentation on the proposed renewal, ending with a recommendation of approval. Ms. Fisher also noted that Sheri Akin, representing the applicant was present.

Mr. Painter invited Ms. Akin to comment as the applicant's representative. Ms. Akin said that the property owner is pleased to continue the property in the A&F program and thanked the committee for its review and recommendation of approval and also staff for their work on the application.

Mr. Painter entertained the motion for a recommendation of approval for renewal of the district. Mr. Hampshire moved, and Mr. Nichols seconded. Mr. Painter noted that the AFDAC is appreciative that the property owner decided to continue in the program as it is one of the largest districts in the county. The motion passed 7-0-1 with Mr. Franklin abstaining.

Mr. Painter noted that he had been nominated for the Chairman role at the previous meeting, but that no formal vote had been taken. Mr. Parnes moved by acclamation; the motion passed unanimously.

Mr. Painter asked Ms. Fisher to review what would be on the agenda at the upcoming July 20th meeting. Ms. Fisher noted that there would be the nomination of the Vice Chair and Secretary and that two local district renewals, Whitney and Atiyeh, would be coming before the AFDAC.

Mr. Parnes asked if there was a way to distribute all of the documents for the meeting in one email, instead of having to access some materials through the PLUS website. Ms. Atkinson responded that staff would review a way to send all documents together.

Mr. Parnes reiterated his concern that holding the meeting electronically did not meet the standards set forth in the COVID-19 state of emergency and also stated his belief that residents are concerned that the county is exceeding the requirements of using the emergency procedures. Mr. Painter asked Ms. Fisher to confirm with the Office of the County Attorney on the requirements of the emergency procedures. Ms. Atkinson noted that staff has an upcoming training on this issue and will request clarification.

Ms. Newcomb asked if anyone was going to volunteer for the Vice Chair and Secretary positions. After discussion on what the roles entail, Ms. Newcomb volunteered for the Secretary role and Mr. Parnes volunteered for the Vice Chair role.

Public Comment

There was no public comment.

Adjournment

Mr. Doshi motioned to close the meeting, and Mr. Painter seconded the motion. The vote was approved unanimously.

The meeting adjourned at 4:40 p.m.