

Special Called Board of Supervisors Meeting (Thursday, April 4, 2024)

Northumberland County, Virginia

Members present

James M. Long (arrived at 6:20 p.m.), Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Other Staff Present:

Mr. Luttrell Tadlock, County Administrator
Mr. Drew Basye, Assistant County Administrator
Ms. Morgan Wilson, Executive Assistant
Mr. Carl Hayden, IT Technician
Mr. Stuart McKenzie, County Planner
Mr. Bob Bullard, Economic Development Director

1. Opening of Meeting 6:00 P.M.

Information: A. Call to Order

The special called meeting was convened by Chairman Haynie and held at the Northumberland Courthouse located at 220 Judicial Place, Heathsville, VA 22473.

The Economic Development Commission meeting was called to order by Mrs. Melissa Bunns-Carter, Vice Chairman, and she noted that they have a quorum. Attending the meeting was Melissa Bunns-Carter, Lynn Stuart, Maurice Johnson, Dan Corder.

The Planning Commission did not have a quorum. Attending the meeting was Patrick O'Brien, Charles Williams, Roger McKinley and Chris Cralle.

2. Joint Meeting with Dominion Power

Information: A. Smart Meters

Mr. Reagen Fakhoury, Dominion Representative, reminded the Board that Dominion provides reliable, affordable, and increasingly clean energy that powers their customers every day. He offered the Board to ask any questions during the PowerPoint presentation on smart meters.

The Dominion Energy Team came up and introduced themselves to the Board as follows:

Mr. Patrick Slayton – Project Manager for the AMI Deployment
Ms. Robin Massanopoli – Manager of Metering Solutions Group
Mr. Kevin Barry – Part of the Engineering and Planning Team
Mr. Mark Hubbard – Supervisor of Engineering and Planning Team
Ms. Sarah Marshall – Title Not Specified

Mr. Patrick Slayton began the presentation by stating that electric companies across the U.S. have been leveraging smart meter data to better monitor the health of the energy grid. He explained that the system is not new. Peer utilities all have this technology and according to the Edison Institute, through year-end 2020, more than 107 million smart meters have been installed in the United States. He stated that smart meters enable two-way power and information flows that improve visibility into the energy grid.

Mr. Slayton shared some history of Dominion's AMI deployments starting in 2012. In 2018, the Virginia General Assembly declared the grid transformation project to be in the public interest and then following that, there was SCC approval for the full deployment of AMI in Dominion's service territory. To date, more than 2.5 million smart meters have been installed in Dominion's territory giving them remote meter reading/operation, access the detailed energy usage data, faster and more accurate power outage detection, and grid asset monitoring to improve service reliability. Mr. Slayton stated that Dominion is receiving the same information they traditionally would through the meters, it's just being received much more frequently now. Meter reads used to occur every four weeks and now that information is received nearly every four hours.

Dominion is 91% complete with their project and actively installing in Fairfax, Springfield, Gloucester, and the Northern Neck. To wrap up the presentation, Mr. Slayton explained how the smart system works and shared the customer benefits of the smart meters.

As far as communicating with the customers on the AMI deployment, Mr. Slayton stated that a postcard was mailed prior to installation, a door hanger was provided the day of deployment, and there are website updates available as well as customer service to answer any questions/concerns.

Supervisor Williams asked if there is any opt out method for customers if they choose to do so.

Mr. Slayton stated that a customer can opt out if they are a residential customer. He explained that they do not allow commercial customers to opt out. Additionally, the customer must have good credit standing and the customer must sign an agreement allowing Dominion access to their meter because the opt out meters do not allow any communication, so Dominion must manually read the customer's meter every month. Within that agreement, it states that if Dominion charges a price for the meter reads, the customer will be obligated to pay the charge in order to stay in the opt out program.

Supervisor Fisher asked if there was a charge currently.

Mr. Slayton stated that currently there is no charge.

Mr. O'Brien, a member of the Planning Commission, asked if the costs of the smart meter are a part of the base rate for the area or is it just an act of generosity from Dominion.

Ms. Massanopoli explained that the smart meters were approved as a part of the last Virginia biennial base rate case. The old meters needed to be replaced anyway because they were installed largely in the late 90s and early 2000s, so they were reaching their end of life.

Mr. O'Brien asked how much the smart meters cost for a residential customer.

Ms. Massanopoli explained that the cost is about \$80-\$85 for a residential customer, however it's a negotiated price and it depends on the type of meter.

Chairman Haynie asked how much additional cost the smart meter adds to the base rate each month.

Ms. Massanopoli stated that she was unsure, but the SCC case is public information if the Board would like to dig into that further.

Mr. Williams, a member of the Planning Commission, asked if the meters show what the voltage is.

Mr. Slayton stated that the voltage is not listed on the screen, but Dominion can provide that information to the customer.

Vice Chairman Brann asked about the opt out program and asked why the signed agreement wasn't in place in order to install that meter and why wasn't the option not made available in the handouts mailed to the citizens ahead of time.

Mr. Slayton informed Mr. Brann that part of the terms and conditions for signing up to get electric service is to allow Dominion access to the customer's property which allows access to their meter. Additionally, Mr. Slayton stated that a lot of customers will put stuff in front of their meters, so the agreement would allow them to go read their meter if they opted out.

Vice Chairman Brann asked if any federal or private funds were used to help fund this project.

Ms. Massanopoli stated to her knowledge there were no federal funds involved. She explained that this was normal operation and maintenance on their existing system.

Vice Chairman Brann asked how much it costs to implement this program.

Ms. Massanopoli informed the Board that the approved amount by the SCC was around \$400M.

Mr. Brann stated that the remote meter readings as well as the remote capability of turning the electricity on and off benefits Dominion more than the customers because Dominion won't have to pay for those services.

Ms. Massanopoli explained that those costs were also included in the base rates, so those costs have been taken out because of this technology.

Chairman Haynie asked how much it costs for Dominion to turn off his electricity and turn it back on.

Ms. Massanopoli stated that they changed the reconnect fee (disconnection due to non-payment) from roughly \$35 to \$7.50.

Vice Chairman Brann stated that this appeared to be such a large investment on Dominion's part and in his opinion, there was such little return. Mr. Brann believes that it seems like everything the power company does is inform the customers of the cost savings, however the rates for such services are steadily increasing and it's frustrating to the citizens.

Ms. Massanopoli understands Mr. Brann's concerns but explained that Dominion is trying to do the right thing at the right time with the technology available to them, while providing customers with the best service they can at the right cost.

Vice Chairman Brann gave a scenario and stated that if he were a mechanic who bought a new set of wrenches, he wouldn't bill that expense to his customers.

Mr. O'Brien asked what the off-peak plan is.

Ms. Massanopoli explained that using electricity during the peak time will cause a customer to pay more a kilowatt-hour, so modifying behavior allows customers to save on their electric bill.

Mr. O'Brien asked how much of a decrease she saw in her electric bill by modifying her behavior.

Ms. Massanopoli stated it was roughly seven cents a kilowatt-hour in peak, two cents a kilowatt-hour in off peak and one cent a kilowatt-hour overnight (12:00a.m. – 5:00a.m.).

Mr. O'Brien asked if that information has been described anywhere in Dominion's handouts.

Ms. Massanopoli stated there's information available on Dominion's website.

Mr. O'Brien stated that he is certain there are numerous customers that don't know about this program. He asked Ms. Massanopoli how she signed up for the program.

Ms. Massanopoli informed Mr. O'Brien that it has been a few years since she signed up, but she believes she called customer service.

Ms. Marshall stated that the information is on Dominion's website and if a customer decides that they want to opt into the off-peak plan, they can either go to their account or call customer service to talk to a representative to do so.

Mr. Maurice Johnson, a member of the Economic Development Commission, asked what safety studies Dominion conducted when they selected their AMI product and if they did not, did Dominion rely on someone else to conduct these studies.

Mr. Mark Hubbard stated that the smart meters they use are ANSI (American National Standards Institute) approved and there are several FCC tests performed, but Dominion itself does not certify the meters for their safety.

Mr. Johnson asked if Dominion was concerned about the topic when they chose to move forward and what kind of due diligence Dominion did on their own, if any, when they decided to move forward.

Mr. Hubbard stated that his group didn't have any hesitation when approving the meters from a safety standpoint.

Mr. Johnson stated that Dominion mentioned the new meters having the ability to collect data at a revolutionary pace and this was impossible with the old meters. He believes that there must be a mechanism within the meter that allows the flow of data at this speed and it's probably not sitting on a server in a server room owned by Dominion. Mr. Johnson asked who else beyond Dominion would have access to that mechanism.

Ms. Sarah Marshall informed Mr. Johnson that Dominion uses a secure network to relay the information and in addition to that network, no personal information is transferred. It's strictly usage data and not personal information. Ms. Marshall followed up on Mr. Johnson's previous question and stated that Dominion requires the manufacturer to send them the test results on the meters before they are installed as well as after they are installed to make sure they are up to standard.

Mr. Johnson asked if artificial intelligence is used to manage the system.

Ms. Marshall stated that she was unsure, but she'd get back to him on that question.

Mr. Johnson stated that he believes it probably is and it makes him nervous because he can't find an algorithm that is perfect.

Mr. Dan Corder, a member of the Economic Development Commission, asked Dominion to consider a policy that allows direct communication with the local communication center, so if a fire were to occur, Dominion could immediately shut the power off to the home.

Vice Chairman Brann asked if Dominion has a cyber security policy.

Mr. Slayton and Ms. Marshall explained that they do have a cyber security policy, however it is not posted in detail on their website for security reasons, but they do have a team that is dedicated to that policy.

Supervisor Fisher asked if anyone in Northumberland County has opted out from using the smart meter.

Mr. Slayton stated that he didn't have that exact total with him tonight, but systemwide, less than 1% have opted out.

Chairman Haynie asked if customers still have to call when their power goes out since the smart meters are now able to detect outages.

Mr. Slayton stated that he's not going to encourage customers not to call, however the meters do send communications to Dominion, so they know when outages occur. He explained that the biggest benefit of this is managing where Dominion sends their resources.

Chairman Haynie asked if a smart meter has the ability to connect to other smart devices in a home.

Mr. Slayton informed the Board that the networks do not communicate.

Vice Chairman Brann asked what's put in place to keep others from being able to monitor the system.

Mr. Slayton stated that they have the capability to get in the band, but you'd have to break the security to get into the encrypted data. Mr. Kevin Barry further explained that each network has its own unique identifier, so you'd have to go through the right encryption and the right security to access the network.

Chairman Haynie brought attention to research that stated smart meters can connect to other smart devices in the home.

Ms. Massanopoli explained that their smart meters do not have HAN (home area network) capability.

Vice Chairman Brann asked who manufactures the meters and asked where they can get more information on how the meters are made.

Mr. Slayton stated that there are several brands, however Dominion primarily purchases Aclara meters. Ms. Marshall stated they could reach out to the manufacturer to get more information on how they are made.

Vice Chairman Brann asked how much radiation the meters put off and how far it travels.

Mr. Barry stated that they have performed studies on this but the maximum level that the Federal Trade Commission allows is 610 watts per centimeter.

Mr. Brann asked what kind of cumulative effect the radiation could have overtime.

Mr. Barry stated that he did not have this information with him.

Vice Chairman Brann asked what makes the connections between the meters.

Mr. Barry explained it's through radio frequency.

Mr. O'Brien asked if there are any federal or state limits to selling consumer data to third parties.

Ms. Sarah Marshall stated that Dominion does not sell any information to third parties, and they are required by law to adhere to information privacy laws.

Vice Chairman Brann asked if the smart meter installation has caused any fires.

Mr. Slayton explained that if there's a fire, it's typically caused by the connections behind the meter and not a result of the smart meter itself.

Mr. Brann asked if the deployment violates fourth amendment rights in any way.

Mr. Slayton stated it does not.

Mr. Brann asked if the smart meters create dirty electricity.

Mr. Hubbard stated that the meters have a switch mode power supply and will contribute a very minor amount of harmonics.

Chairman Haynie allowed the public to comment at this time.

Ms. Doris Knick asked if the homeowners are aware that their home is a collector site for these meters.

Mr. Slayton stated that the collectors are on their utility poles and not on individual homes.

Ms. Doris Knick stated that the Board should prioritize safety over technological progress and the fact that Dominion claims the meters are safe without any data to back that up speaks volumes. Ms. Knick stated that she was at the SCC hearing and provided the Board with some information she was given during that hearing. She explained that the hearing examiner recognized harm from the meters and that opting out should be an option along with consideration of medical exemptions with no cost to the individual. Ms. Knick shared several stories that she has heard regarding the smart meter deployment across the state. She stated that she made a FOIA request to her County, Chesterfield, to find out how many electrical fires have occurred.

Ms. Knick asked Dominion if they could speak on green button download my data and why Walmart was at the SCC hearing.

Ms. Massanopoli is unsure of Walmart's interest in green button download my data, but she explained that customers can go online and download their detailed energy usage data in 30-minute increments. She stated there's another version that Walmart may be interested in that allows third parties access to the data, but Dominion has not signed up for that.

Ms. Knick then shared several stories about smart meters affecting the health of her friends and family.

Mr. Tom Jeffries asked if Dominion would be providing the County copies of the required reporting from the manufacturer to the CDR. Mr. Jeffries then shared a study on cell phone radios and their frequency radiation along with their effects on animals when exposed to rfr radiation. Their findings consisted of evidence of an association with tumors in the hearts, brains, and the adrenal glands of male rats. He asked Dominion to speak on these studies and the affects rfr radiation has on human beings and the environment.

Ms. Sarah Marshall stated that they are not a part of the body who performed those studies so they cannot speak about the studies.

Mr. Jeffries informed the Board that he didn't receive a postcard in the mail prior to meter installation and explained that he received a door hanger after the meter was already changed.

Mr. James Penney stated that he had a VHF radio that was 900 megahertz and could talk for 10-15 miles, so he's suspicious that Dominion's stating they're only getting a mile with one watt.

Mrs. Suzanne Smart asked how many times the meters communicate.

Mr. Barry stated that their schedule for their meters communicating right now is primarily every 4 hours. Ms. Massanopoli stated that the meters are recording kilowatt-hours every 30 minutes and their voltage every 15 minutes, then Dominion sends a command to the access point to read the meters every 4 hours.

Mrs. Smart stated that Dominion used to advertise their technologies as saving customers money, but now their paperwork states that you *may* experience cost savings. She also pointed out that Dominion does not make it easy to opt out of the meter deployment and asked how many phases of installation there are.

Mr. Slayton stated there's just one phase. They have been deploying meters systemwide since 2012.

Chairman Haynie stated that he saw on Dominion's site that there would be no additional cost to a customer's plan for having a smart meter, but he's heard many complaints about individuals' bills going up.

Mr. Slayton stated that a customer can request their previous meter to be tested and the higher bills are mainly because the original meters were there for 15-20 years and they didn't read the information accurately.

Mr. Wayne Corey asked if smart meters have the ability to regulate the flow of electricity.

Mr. Slayton stated they can turn it on or off but not regulate it.

Ms. Grace Hilbert from Fairfax County explained her experiences with smart meters and shared how they affect her health. She asked Dominion what was wrong with the original meters because hers didn't seem to have a problem.

Mr. Slayton stated that the old meters are no longer supported by any of the software available, so Dominion could no longer support the reading of them.

Mr. Jason Smart asked what Dominion is going to do to better serve their customers as far as providing informed consent and not making it so difficult for people to keep their original analog meters.

Ms. Massanopoli stated that Dominion serves their customers based on SCC regulations and the SCC approved the roll out of AMI and the opt out program.

Mr. Hinson from Westmoreland County explained that he's a victim of the radiation and stated that he can no longer sleep throughout the night. Mr. Hinson provided a doctor's note to Dominion to see if they could remove the new meter and re-install his original analog meter.

Chairman Haynie thanked Dominion for coming to tonight's meeting to address the Board's and the public's concerns on smart meters.

The Economic Development Commission's Vice Chair, Mrs. Melissa Bunns-Carter, adjourned to close the meeting.

***Chairman Haynie requested a 10-minute recess.*

3. County Administrator Items

Action: A. Resolution - Declaration of Local Emergency

County Administrator Tadlock informed the Board that there were about 20 homes affected yesterday during the tornado storm. The damage assessment team went out and found one destroyed home, one home with major damage, and two homes with minor damage. Other homes affected included shingle loss or something else relatively minor. Mr. Tadlock thanked the Callao Volunteer Fire and Rescue, Fairfields Volunteer Fire Department, Northumberland Department of Emergency Services, Northumberland Sheriff's Office, Cople District Volunteer Fire Department, Lancaster Emergency Management, as well as State agencies such as the Virginia Department of Transportation (VDOT), Virginia Department of Emergency Management (VDEM), and Virginia State Police. Additionally, Mr. Tadlock thanked Sheriff Beauchamp, EMS Chief Balderson, and Captain Allen for their assistance during the tornado. He stated that there was one injury, however the individual refused transport.

Vice Chairman Brann added to Mr. Tadlock's comments and thanked Dominion Energy for their help as well.

Chairman Haynie asked staff to send a letter of appreciation to all the agencies who helped during the tornado storm.

Mr. Tadlock mentioned that Social Services and Red Cross also assisted during the storm.

Motion to ratify the local emergency at 4:45p.m. on April 3, 2024 in Northumberland County due to the conditions of severe weather and tornadic activity.

Motion by: James M. Long, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action, Discussion: B. Tornado Waiving of Permit Fees

County Administrator Tadlock stated in the past the Board has waived permit fees directly related to building and zoning permits for those involved with the tornadic activity.

Supervisor Fisher asked if the waiver of permit fees waives the inspection completion.

Mr. Tadlock stated that individuals affected would still be required to pull the permit, but there will be no associated costs with the permits.

Motion to waive the fee for residential building permits for those affected by the recent tornado.

Motion by: Richard F. Haynie, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action, Information: C. VMRC Grant Application

Supervisor Williams stated that he will abstain from commenting and voting due to the relationship with the individual involved with the following application.

Assistant County Administrator Basye explained that a boat was left at the end of Mr. Charles William's marina in Reedville for over two years without dockage pay. The boat was threatening to sink, so Mr. Williams purchased the boat and removed it from the water at the Reedville Marina while incurring costs of \$16,000. Mr. Williams reached out to VMRC and was provided information on the ADV Grant; however, while working on the application, he realized the grant must be submitted by the County on his behalf. Mr. Basye explained that since this is a reimbursement grant, the County would submit the application to VMRC on Mr. William's behalf and VMRC would reimburse the County. After that, the County would have Mr. Williams invoice the County to reimburse him for the expenses covered in the grant approval.

Motion to submit the VMRC Grant Application on behalf of Mr. Charles Williams in relation to costs incurred for the removal of a boat from the Reedville Marina.

Motion by: James M. Long, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, AC Fisher, Jr.

Abstain: Chip Williams

Action, Information: D. Sanitary District Training

Mr. Tadlock stated that the Sanitary District is requesting training on the vacuum system and several of the employees do not have training on that system. Typically, Airvac only offers this training in Indiana, so Mr. Woolard reached out and received an estimate for if they were to travel to Reedville and offer the training on-site. Provided in the Board's packet is a quote from Airvac for a three-day on-site training in the amount of \$8,000.00.

Supervisor Williams asked if it was a flat rate no matter the number of employees who attended.

Mr. Tadlock believed that it was a flat rate.

Supervisor Williams asked if we could talk with neighboring counties to see if they have any employees who would be interested in taking this course as well.

Chairman Haynie stated that could reduce some of the County's cost.

Vice Chairman Brann would like to move forward with the training either way and then see if other Counties are interested in attending the training and sharing the cost.

Mr. Tadlock stated that they'd check to see if there is a max number of participants on the training.

Supervisor Fisher asked if this was classroom training.

Mr. Tadlock stated that it's part classroom but also part hands-on training.

Mr. Fisher asked if there was a classroom down at the plant.

Mr. Tadlock informed Mr. Fisher that they have a lab, but not really a classroom.

Supervisor Fisher stated that they could have the classroom portion up here at the offices if necessary.

County Administrator Tadlock stated that he's unsure if they'll need to be close to their equipment for demonstrations, etc.

Motion to approve the quote from Airvac in the amount of \$8,000 for a three-day training on-site at the Reedville Sewer Plant.

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

4. Items Related to Closed Meeting

Action: A. Convene into Closed Meeting

Motion to Action: A. Convene into Closed Meeting: convene into closed meeting as permitted by Virginia Code Section 2.2-3711 (A)(1),(7),(29); 1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively. 7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. 29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action: B. Reconvene into Open Meeting

Motion to reconvene into open session.

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action: C. Certification of Closed Meeting

Motion that the Northumberland Board of Supervisors return to Public Meeting and certify by roll call vote that only public business matters lawfully exempted from open meeting requirements by the Virginia Freedom of Information Act, and as were identified in the motion

convening the closed meeting were heard, discussed or considered during the closed meeting.
The vote on the motion was passed by a roll call vote as follows:

Aye: Richard F. Haynie, AC Fisher, Jr., James M. Long, James W. Brann, Charles H. Williams

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action: D. Action taken from Closed Meeting, IFB Painting Services

Motion to enter into a contract with Stratus Painting Contractors for the painting of the Old Courthouse and the Extension Office in the amount of \$32,700.

Motion by: Chip Williams, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

5. Closing of Meeting

Action: A. Carry Over

Motion to carry over to the special called Joint Meeting with the School Board on April 10, 2024 at 5:30 p.m.

Motion by: Richard F. Haynie, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.