



CITY OF FREDERICKSBURG, VIRGINIA

CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. KERRY P. DEVINE, MAYOR
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR
HON. JANNAN W. HOLMES, AT-LARGE
HON. DR. WILL B. MACKINTOSH, AT-LARGE
HON. MATTHEW D. ROWE, WARD ONE
HON. JOY Y. CRUMP, WARD TWO
HON. SUSANNA R. FINN, WARD THREE

February 24, 2026

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, February 24, 2026, beginning at 7:31 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Kerry P. Devine, Presiding; Vice-Mayor Charlie L. Frye, Jr.; Council members Joy Y. Crump; Susanna R. Finn; Jannan W. Holmes; Dr. Will B. Mackintosh; and Matthew D. Rowe.

City Council Absent. None.

Others Present. City Manager Timothy J. Baroody, Deputy City Manager Mark Whitley, Deputy City Manager David Brown, Assistant City Manager Todd Flippen, City Attorney Kelly Lackey, Assistant City Attorney Dori Martin, and Clerk of Council Molly Henderson.

Notice of Public Hearings (D26-60 thru D26-61). The notice of public hearings appeared in the local newspaper to solicit citizen input.

Resolution 26-10, Approving the Solar Facility Site Lease Agreement between the City of Fredericksburg and Community Power Group LLC for the development, construction, operation, and maintenance of a solar facility on the City of Fredericksburg's Cool Spring Landfill (D26-60 thru

D26-61). Deputy City Manager David Brown reviewed the background of the proposed solar facility for the Cool Springs Landfill and the consideration of the lease agreement with Community Power Group, LLC (CPG), noting that this information was most recently presented and discussed at the Council work session on February 10, 2026.

Councilor Mackintosh confirmed with Mr. Brown and Mike Borkowski of CPG that construction is expected to take about eight months and could be done by the end of 2028.

Vice-Mayor Frye asked if the panels are recycled when they are disassembled.

Mr. Borkowski stated there are recycling facilities for the panels including the glass, wafers, aluminum, steel, wire, and copper, and if there is an early retirement of the facility at year 25, the panels have a long useful life ahead of them which may include recycling for raw materials or being utilized for energy in third world countries for free.

Vice-Mayor Frye confirmed with Mr. Borkowski that when the panels are recycled, the owner gets paid for the value of the recycled items, and Mr. Borkowski added that the payment offsets the costs to CPG of removing the facility.

Vice-Mayor Frye asked if there is opportunity to split recycling profit between CPG and the City if there is overage, given the City is providing the lease for CPG to operate, so some of that money could benefit the citizens of Fredericksburg such as through the schools.

Mr. Borkowski said since CPG bears 100% of the financial risk of facility removal, if there were an upside from recycling, CPG would receive it.

Mr. Brown added that CPG is the sole owner of the facility infrastructure, even if it is removed.

Councilor Rowe asked about the nature of the landfill and how the solar panels will be installed, such as whether there is a barrier between the top and any other waste beneath it, and the depth of panel mountings, referencing concerns from nearby residents about disturbance to the landfill.

Mr. Borkowski said CPG is experienced with installing solar facilities on landfills, and they do extensive engineering up front to define the membrane. Mr. Borkowski said CPG does not penetrate the cap at all regardless of the membrane type, and instead they do per square inch studies to determine the weight bearing capacity, compaction, and erosion profile. Mr. Borkowski stated based on the weight bearing capacity, a large cement footer is sized accordingly and placed on the cap, and under the cement are often erosion control measures, depending on site and study results. Mr. Borkowski explained the studies and approaches are reviewed by third-party engineers and the Virginia Department of Environmental Quality (DEQ), and must show calculations that demonstrate there will not be any penetration or erosion measures.

Councilor Mackintosh asked if the panels will be visible to residents in nearby neighborhoods. Mr. Brown referenced the background image of the landfill in the presentation, and stated there is a tree line along the landfill property line with some sparse areas. Mr. Brown explained that due to differences in elevation of the landfill compared to nearby residences, residents would have to go to the property line and look down to see the panels.

Councilor Crump asked if there is an existing ordinance that addresses proximity of solar facilities to residences.

Mr. Brown said that is contingent upon Stafford County code because the landfill is in Stafford, and CPG is required to evaluate and comply with Stafford's code, which includes recent changes to address solar facilities.

Councilor Crump confirmed with Mr. Brown that as the landowner, the City is subject to reporting to DEQ regardless of whether there is a lease on the site. Councilor Crump asked if there is opportunity to compare land conditions before and after facility placement, and if CPG's study would reveal impacts such as contamination or emissions.

Mr. Brown said annual well monitoring and gas monitoring is part of the City's requirements with DEQ, and those are not expected to change because CPG will not penetrate the cap, so the facility would not disturb anything underneath.

Councilor Crump confirmed with Mr. Brown that it is the City's responsibility per its requirements through DEQ to monitor and maintain the landfill before and after the facility is in place.

Mr. Borkowski stated that DEQ reviews CPG's solar facility to ensure it will not have any impact on the landfill and its contents. CPG is required to address stormwater management, weight design, and erosion control to ensure the facility does not impact the existing site characteristics. Mr. Borkowski said if the facility causes an impact such as erosion, CPG is responsible for fixing it.

Councilor Crump confirmed with Mr. Borkowski that CPG's study will reveal that CPG will not install the facility unless it can be done with zero impact.

There were no public speakers on this matter.

Councilor Mackintosh moved to approve Resolution 26-10, Approving the Solar Facility Site Lease Agreement between the City of Fredericksburg and Community Power Group LLC for the development, construction, operation, and maintenance of a solar facility on the City of Fredericksburg's Cool Spring Landfill. The motion was seconded by Councilor Rowe and passed by the following recorded votes: Ayes (7) – Councilors Devine, Frye, Crump, Finn, Holmes, Mackintosh, and Rowe; Nays (0).

Adjourned. There being no further speakers to come before the Council at this time, Mayor Devine declared the hearing officially adjourned at 7:54 p.m.

Kerry P. Devine

Kerry P. Devine,
Mayor

Brenda T. Martin

Brenda Martin,
Deputy Clerk of Council
On behalf of Molly Henderson, Clerk of Council

Approved
03-10-26

[This page intentionally left blank]



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL
MINUTES
Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. KERRY P. DEVINE, MAYOR
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR
HON. JANNAN W. HOLMES, AT-LARGE
HON. DR. WILL B. MACKINTOSH, AT-LARGE
HON. MATTHEW D. ROWE, WARD ONE
HON. JOY Y. CRUMP, WARD TWO
HON. SUSANNA R. FINN, WARD THREE

February 24, 2026

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, February 24, 2026, beginning at 7:30 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Kerry P. Devine, Presiding; Vice-Mayor Charlie L. Frye, Jr.; Council members Joy Y. Crump; Susanna R. Finn; Jannan W. Holmes; Dr. Will B. Mackintosh; and Matthew D. Rowe.

City Council Absent. None.

Others Present. City Manager Timothy J. Baroody, Deputy City Manager Mark Whitley, Deputy City Manager David Brown, Assistant City Manager Todd Flippen, City Attorney Kelly Lackey, Assistant City Attorney Dori Martin, and Clerk of Council Molly Henderson.

Invocation and Pledge of Allegiance. Council was led in prayer by Vice-Mayor Charlie L. Frye, Jr., followed by the Pledge of Allegiance led by Councilor Jannan W. Holmes.

Officer Recognized. Mayor Devine recognized the presence of Officer Kasey Cash at this evening's meeting.

Consent Agenda Accepted for Transmittal as Recommended (D26-55 thru D26-59). Councilor Holmes moved to approve the consent agenda. The motion was seconded by Councilor Mackintosh and passed by the following recorded votes: Ayes (7) – Councilors Devine, Frye, Crump, Finn, Holmes, Mackintosh, and Rowe; Nays (0).

- **5A. Resolution 26-08, Second Read,** Amending the Fiscal Year 2026 Budget to Adjust Appropriations in the Rappahannock Area Office on Youth Fund (D26-55).
- **5B. Transmittal of the Board and Commission Minutes**
 - 300th Anniversary Blue Ribbon Steering Committee – January 7, 2026 (D26-56).
 - Board of Social Services – December 4, 2025 (D26-57).
 - Economic Development Authority – January 12, 2026 (D26-58).
 - Public Transit Advisory Board (PTAB) – December 3, 2025 (D26-59).

Public Hearing (D26-60 thru D26-61). The regular session was recessed to conduct scheduled public hearings and immediately reconvened upon their conclusion.

Comments from the Public. There were no speakers.

Council Agenda Presented. The following items were presented to Council for discussion:

- **8A. Greenbrier Place** – Councilor Finn

8A. Greenbrier Place – Councilor Finn stated that Greenbrier Place is the official title for the preliminary subdivision plat that is currently in review with the City's

Planning staff and open for public comment, and the plat is on the site of the current Greenbrier Shopping Center on Route 3. Councilor Finn said that it is a by-right development of what currently exists that fits within the City's ordinances and zoning codes. Councilor Finn said she has spoken with many neighbors about this change, and she and Councilor Holmes have met with Planning staff and the applicant to address public concerns, including buffers, traffic, green space, bus access, and more. Councilor Finn said the public comment period has been extended from February 23, 2026, to March 14, 2026, in effort to collect valued input. Councilor Finn said City staff will include Frequently Asked Questions (FAQs) about this project on its website for anyone who wants more information.

Adoption of Minutes (D26-62). Councilor Mackintosh moved to approve the following minutes as submitted: Regular Session – February 10, 2026; Public Hearing – February 10, 2026; Work Session – February 10, 2026. The motion was seconded by Vice-Mayor Frye and passed by the following recorded votes: Ayes (7) - Councilors Devine, Frye, Crump, Finn, Holmes, Mackintosh, and Rowe; Nays (0).

Transmittal of Council Priorities Updates (D26-63). Mayor Devine referenced the 36 Council Priorities from 2024-2027 available on the City's website which staff is working to complete, and many of which have come to fruition. Mayor Devine encouraged the public to contact City staff with any questions on the Council Priorities.

Council Calendar (D26-64).

Closed Session: Legal Matters per Virginia Code § 2.2-3711 (A)(7).

Motion to Convene the Closed Session. Councilor Finn moved to convene in closed session for consultation with legal counsel and staff pertaining to actual litigation, specifically a Circuit Court case in which the City is a defendant, where such consultation in open session would adversely affect the negotiating or litigating posture of City Council pursuant to Virginia Code § 2.2- 3711(A)(7). The motion was seconded by Councilor Frye and passed by the following recorded votes: Ayes (7) - Councilors Devine, Frye, Crump, Finn, Holmes, Mackintosh, and Rowe; Nays (0).

Return to Open Meeting Approved. Councilor Finn moved to return to open session. The motion was seconded by Councilor Rowe and passed by the following recorded votes: Ayes (7) - Councilors Devine, Frye, Crump, Finn, Holmes, Mackintosh, and Rowe; Nays (0).

Resolution 26-11, Approved, Certifying Closed Meeting (D26-65).

Councilor Finn moved to approve Resolution 26-11 certifying the closed meeting. The motion was seconded by Vice-Mayor Frye and passed by the following recorded votes: Ayes (7) - Councilors Devine, Frye, Crump, Finn, Holmes, Mackintosh, and Rowe; Nays (0).

Adjournment. There being no further business to come before the Council at this time, Mayor Devine declared the meeting officially adjourned at 8:47 p.m.

Kerry P. Devine

Kerry P. Devine,
Mayor

Brenda T. Martin

Brenda Martin,
Deputy Clerk of Council
On behalf of Molly Henderson, Clerk of Council

Approved
03-10-26

[This page intentionally left blank]