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[00:00:00] Okay. Good afternoon, everyone. Welcome to the January 24th, 2025 meeting of the Legislative Committee. And before we get into our agenda, I just want to turn over to Chairman McKay for a quick update. Yes. So I just want to thank my colleagues for providing comments on the letter reference to the casino. We had the letter where we were on record last year. I was hoping we made couple minor tweaks to that letter, but I got mountains of stuff. Not going to point to the

[00:00:35] people who provided me the mountains, but a lot of feedback from the board, so we are still working on a draft of that. Hope to have it out. Claudia and I spoke about this. We're hoping to have it out on Monday, so I don't have it for here today, but we're still working on trying to incorporate as many of the comments that we heard from my colleagues as we can, and then we'll have it monday claudia will distribute it in richmond once we get it signed so i just wanted to give folks an update on that in case that was it's not on the agenda but it is the legislative matter and just wanted to give you an update of where it stands okay thank you mr chairman uh and we do

[00:01:11] have a full agenda this afternoon and the packets that board members have are a little bit complex so i'll try to help us follow along but the first item in your packet um should be this that says priority budget items for Fairfax County House and Senate member budget amendments and staff has

compiled a list of budget amendments for our consideration to to support all are consistent with our past positions so I'm

[00:01:46] going to recommend that we not go through each of them I'll note that there's one in here for opposition related to the juvenile detention centers. That might be no longer a concern. But let me turn it over to Ms. Arco and see if there are any others that we want to highlight. And if board members see any here that they specifically would like to ask questions about, they'll have an opportunity to do so. Ms. Arco.

[00:02:14] Thank you, Mr. Chairman. So as you said, last week we talked a little bit about Senate budget amendments, Senate member budget amendments, which are requests from senators for things they would like to see included in the Senate budget. The House goes through the same process and so this week we were able to see more of the Senate ones and also the House ones. We've tried to pull out ones that are consistent with board priorities, things that we talk about in the legislative program, things that some of our legislators are doing on behalf of the county. And so staff's going to just call out some of them. If you all have anything in here that you all want to hear

[00:02:48] about in particular, feel free to let us know. And yes, the opposition one that you're talking about in terms of the juvenile detention facilities consolidation, we'll be talking about a little bit. The bill that was meant to do that did not go forward today, but it could come back in the budget. And so we have it in here, and we will be continuing to follow that issue because that has been a concern.

[00:03:16] So I think Jennifer will start, and Ariel and Noelle will talk about their sections as well. And as I said, if board members have questions, feel free to call them out. Good afternoon. Good afternoon, Chairman Jennifer Vanney, Deputy Director. The first section you can see is Elections Administration.

[00:03:34] I won't go into each individual, but in different ways it's looking to help refund the counties, if you will, for the expenses we pay for elections. The second is Environment. I did want to call out the very first one, item 365 in the Senate, and then item 5380 in the House.

[00:03:54] This is Delegate Boulevard, and this is for the SLAF fund, which I know is very important. If you go to compensation, I wanted to go ahead and call out the second one, item 62, number 2H. Again, this was one that we requested.

[00:04:11] This is to make sure that our local directors of finances are being paid the same as commissioners of revenue and tax. There are additional ones that their organization has submitted that did include us this year. I don't think they all made it in here, but there is also, so it's our request to bring us up to equity and then a request for all three offices to go up again.

[00:04:35] The, there is a, the next, if you skip one, so the very last one on page one is about Commonwealth attorneys. And this is the, this was on the packet last week, but again, several years ago, we asked for a study of Commonwealth attorneys and payment and how many positions are needed. This would fully fund the results of that report.

[00:05:04] Mr. Chairman, members of the board, Arielle McAloon, Human Services Legislative Liaison. I'm just going to highlight a few items. The first is on page two, in early childhood. There are two amendments, one by Delia Boulava and one by Delia Austin, that provide \$160 million in FY2026 to address several early childhood care and education priorities.

[00:05:28] So I wanted to flag that one. And then the next item under health and human services is there were a number of members that introduced budget amendments to strike the language in the governor's introduced budget, capping the state's contribution to the Children's Services Act in the governor's introduced budget.

[00:05:50] So that was something that we were kind of, it was potentially of concern. So this amendment seems like it would be helpful. And then right under that, the next amendment by Delegate Sickles and Senator Deeds would provide \$8.7 million in FY2026 for community services boards to cover the onboarding costs for the additional support coordinators needed for the new developmental disability waiver slots that have been funded over the biennium.

[00:06:19] So that also is something that we had, the county had included in the legislative program, the need to look at that issue of providing support for support coordination. So that also appears to be helpful. Okay, Supervisor Palchuk.

[00:06:35] Thank you, Mr. Chairman. Thank you so much, Ariel. And I know we spoke a little bit today and at Vaco yesterday about some of the early childhood bills and trying to improve those, in addition to maybe trying to figure out what is meant by the deserts.

[00:06:51] If we could confirm, I think they're including \$10 million for mixed delivery program. I don't believe we have an official mixed delivery program in Fairfax County. I believe Alexandria is the only one. I think we have two other kinds of programs.

[00:07:06] So that's just something for us to maybe be aware of, perhaps expanding that to not the official slots or other. I don't know if you've looked at that with our staff. I think Supervisor Palachuk, thank you. I think that we will take a closer look at that, and we can provide some updates on that moving forward.

[00:07:28] Thank you. Okay. Ms. Dominguez. Mr. Chairman, Noelle Dominguez with the Department of Transportation. On page three, just want to mention a couple. Last week I mentioned the WMATA assistance.

[00:07:45] The House has also put in, Delegate Sickles from the House has also put in a corresponding budget amendment there. There are amendments from Delegate Askew and Senator Locke to provide additional general fund funds of \$50 million to address the state mass transit.

[00:08:01] Projections are that it's not as high as it needs to be to address some needs, so there are amendments to do a one-time infusion there. Delgit Cohen has \$1 million for bicycle and pedestrian programs. And then last week we also mentioned the Richmond Highway Amendment that Senator Survel put in.

[00:08:19] Various members also put in projects in the county, and those are listed towards the back. Okay. Any questions? Transportation? I'll just, just going back to the first page, you know, one point, the item 64 on the Commonwealth's attorney's offices.

[00:08:44] I mean, this is a big, if this were to get funded, I mean, it's already a big win. You know, we asked for the study, had, you know, I think a very substantive argument in support of the study. We got the study. The study, I think, showed what we thought it would show, that the current funding formula disincentivizes the kind of diversion programs that have been very successful here in the county.

[00:09:11] So, you know, we need to push hard on this one. On the Bulova Directors of Finance Amendment, and we spent some time on this last year, refresh my memory. I mean, at any point in the process last year or this year, has anyone raised a substantive objection to this?

[00:09:32] Chairman, not that I'm aware of. In fact, the organization that represents the other offices, the elected members, have been pushing for it as well. And I talked with a staff member of the House Budget Committee this week about it. said we have an excellent champion and delegate Boulava on this topic and it's just been a matter of priorities at this point. Yeah, this is one of those things that anyone who looks at it understands that it's patently unfair. The challenge is just getting enough people to look at it and pay attention to it

[00:10:05] amidst all the other budget issues. Okay, anything else on the budget amendments? Mr. Chairman, I would just say the next handout has the K-12 one. So if you're worried that it's missing in this one, I just wanted to point out it's in the next one. Understood. Okay, so Ms. Arco, we're through this handout. Board members, any question on this handout? No. So next, you have this that says K-12 joint legislative audit review commission-related legislation and

[00:10:38] budget amendments. We have worked with FCPS to identify the specific budget amendments that would address the key JLARC recommendations that would have the most impact for us, and they're listed here. Again, I don't think we need to go through all of it. The bills that you see here are bills we chose to support last week. Ms. Arco, anything else that we need to know or want to highlight on this handout? Yes, so I think that that covers it pretty well. This handout, we did talk about some of the bills last week, and we talked a little bit about some of the budget

[00:11:17] amendments. In this, we tried to do a little bit of a more thorough look at kind of everything that's out there, whether it's a bill or a budget amendment, and tried to kind of put them in one document. The beginning of this document is a lot of language from our legislative program, just sort of highlighting our priorities and how much of an emphasis the Board has placed on this.

[00:11:37] And a number of us were in Richmond yesterday for VACO, Chairman McKay participated in a panel discussion on this topic. And I can say, you know, local government officials are very united in advocating to address it this year and cautiously optimistic.

[00:12:00] Just real quickly, to that point, is it too early to tell if any of these are moving in the right direction? I mean, obviously we know which ones are most beneficial to the county, which ones we're supporting, but are you hearing, have any of these been moving?

[00:12:16] So in terms of the budget amendments, I think there does seem to be a lot of consensus around the support cap. I think that, you know, that helps every locality. We've been talking about it for a lot of years and chipping away at it little by little each time.

[00:12:31] So I do think particularly because they have a lot more surplus revenue, if you will, that that is more of a priority. And I think that we have a better chance with that one this year than we have previously. Again, they've done small amounts, but, you know, obviously we're trying to kind of get rid of that completely. In terms of the bills, there has been discussion about them. I think it's not really clear yet. You know, they had this sort of study group that met prior to the session that sort of studied the JLARC study. And so there are some omnibus bills that represent a lot of the items that were in the GILARC report, and then there's sort

[00:13:09] of discrete bills that pull apart different portions of it. I think there's a lot of discussion about it. I think right now, you know, sometimes it seems like when there's not a lot of funding available, it's going to be a tough budget. I think sometimes at the General Assembly, when there's a lot of funding available, it's almost more difficult because there's so many priorities and so many unmet needs.

[00:13:30] So certainly I think there's a lot of talk about it, how we're going to end up, you know, I'm not sure. And I think later we'll mention, you know, Jim Regibald did a presentation yesterday where he talked about how much of the surplus has been dedicated to local government, which unfortunately is not what the governor prioritized.

[00:13:52] And so obviously our legislators will be working to try to change that. Yeah, I mean, I just I asked that question because obviously we know what we support. But I think if there's critical junctures here, if we know it's going to a particular committee or there's a particular person we need to be, you know, speaking to or meeting with or pressing, we're like switching now from position to strategy.

[00:14:16] And so we just don't want to miss those opportunities and not let them get away without doing something here. And so we're going to need your guidance on, hey, you need to turn up the temperature on this person or this committee or send in testimony or whatever it takes just to make sure we're continuing to push that from a strategic standpoint.

[00:14:35] Understood. Thank you. Supervisor Alcorn? Thank you. Curious with you two that were at VACO yesterday. Local governments are all on board. Are we seeing similar support unanimity from school boards and the schools? Or are they at the table?

[00:14:52] do you want to start claudia certainly um i think yes they're very interested in this obviously sometimes their perspective is a little bit different because they have the option of coming to you all for funding versus only you know making those decisions on their own um yes i think that they i think that they're engaged and i think that they're very interested in this and they know that it's a big priority but i think sometimes there's a little bit of that push pull um in talking about it locally versus talking to the state as well i i hope they would understand they are the

[00:15:28] beneficiary yes of these efforts yes i mean period yes and i think the challenge is the challenge we've had with them from the beginning and that's just not fairfax county school board but school boards in general is that you know they're focused on policy things in richmond not so much the financial things i think they lose sight sometimes of the fact that you know a lot the policy things to happen have to be funded right and so i you know it is a struggle to get them focused and i think as claudia said i think in a lot of cases they want to keep their powder dry and if this doesn't move forward they just come to us and ask for more money right and we got to make sure that's not the easy out uh for folks in richmond so it's a good point but

[00:16:07] unfortunately uh they're engaged they're supportive of these things but we are the ones and vaco are the ones that are really acting on them okay thank you yeah i think you know know, in terms of the prognosis or prognostication, I'll try to avoid it, but the, you know, the key fights are, one, ensuring that both the House and Senate include as many of the JLARC recommendations as possible in the budget amendments that they send to the governor, then presuming that the

[00:16:39] governor will veto or amend some portion of them, ensuring that the General Assembly makes this their number one priority in the negotiation that ensues. You know, I think that's where we have to

really be advocating with our delegation. It is very, very, very easy for any member of the General Assembly to vote for any of these JLARC budget amendments. That's not the hard part.

[00:17:07] The hard part is when the negotiation occurs with the governor, is this what you fight for? And how hard do you fight? How far are you willing to go in that fight? That's going to be key, that's what I've been trying to communicate to our delegation. And I think one of the challenges is, you know, when you get down to those last few days of the session and the budget negotiations and everything else, even things that people prioritize as, you know, the hill they're going to die on when there's a million other things all at the same time, you know, sometimes that changes and shifts a little bit. And so, yeah, I think making sure that this is really the thing that

[00:17:47] gets pushed. And the more unanimity there can be from local governments and other groups and stakeholders, I think the better, because it does get kind of fast and furious at the end. OK. So that covers the JLARC packet.

[00:18:04] Next in our packet, you have the legislative summary, the thick pack here, if they're out of order. The legislative summary says Fairfax County legislative summary. Does everyone have that? Yeah, so that includes the positions we've already taken along with updates in terms of any action that's been taken on those bills.

[00:18:26] It includes updates on our initiatives. We won't go through them because there is nothing new on our initiatives from last week. So if there are no questions on the initiatives or the legislative summary, we'll move on to the next packet that is titled Specific Legislation and Legislation for New Bill List that everyone should have.

[00:18:51] Ms. Arko, am I in the right spot? Yes, you are. Yes. So pages one through three of this packet. It looks like. Yeah. Yeah, historical positions of the board.

[00:19:07] So pages 1, 2, and 3, the historical positions, these are new bills where staff is recommending a position based on our historical position, so their recommendations are consistent with the positions we've taken in some cases for many, many years.

[00:19:28] So, I'm going to suggest, unless there's any that board members would like to highlight, that we skip to page 4. That's titled New Bills. So, these are new bills for our consideration and staff has made recommendations.

[00:19:47] The first one is SB 1271. Mr. Chairman, Jennifer Vianney, Deputy Director. So, SB 1271 is one of the initiatives. There's several kind of throughout here that are going after some of the new updating the law to cover the technology of today in old crimes.

[00:20:15] So you could threaten someone physically. You could threaten someone verbally. Now it includes electronic communication. So it's bringing it's an effort to bring the code up to standards of how people are really communicating today. And we recommend support. Okay.

[00:20:31] The next bill here is a data center related bill. And we're going to skip that for now because after we get through this packet, we have a data center bill-specific packet that includes SB 1046.

[00:20:48] So let's go to SB 760. Mr. Chairman, Jennifer Vanney, SB 760 is another little small tweak on an election law that we looked at last year. So several years ago, they extended the deadline that to have your ballot counted, you had to send it before Election Day and had received by noon on the following Friday.

[00:21:13] This is bumping it back to 5 p.m. due to continued mail issues, that if someone's ballot gets there at 1230, it should still be counted. So it gives the full Friday versus just till noon, and we recommend support. Okay, and have we talked to the Office of Elections?

[00:21:29] Are they comfortable with the change? Okay. All right. SB, we're on page 5 now. SB 1093. Thank you, Mr. Chairman. Kristen Kanasky, Office of the County Attorney.

[00:21:46] This is a Loudon initiative, and it's positive for us as it provides the county and other localities that operate a municipal separate storm sewer system, an MS4, to enter public and private properties even if they do not discharge directly into the MS4.

[00:22:05] and that is to conduct surveys and investigations that are necessary for enforcement. These proposed amendments do not limit or modify the county's authority to comply with its MS4 permit. It preserves the county's right as an authority to enter establishments and property to perform investigations and to enforce the provisions of the act, which are necessary in order to investigate the sources of discharge that enter the stormwater sewage system.

[00:22:36] And so the recommendation from staff is to support. Okay. Health and Human Services, HB 1596. Yes, Mr. Chairman, HB 1596 is a bill that would change the definition of telemedicine services covered under Medicaid to include two-way real-time audio-only communications technology for any telehealth service provided to a patient at home.

[00:23:07] and this change would be helpful in providing flexibility for instances where using video technology isn't possible, so we would recommend supporting. Okay, good. 1762. 1762 would direct the Department of Medical Assistance Services, DMAS, to seek federal authorization to provide Medicaid coverage to Social Security disability insurance recipients not yet eligible for Medicare coverage regardless of income or assets. Currently, those individuals

[00:23:41] need to meet strict income and resource limits. And so while this bill could increase the Medicaid caseload, it would be helpful in removing barriers to those individuals accessing this assistance and also would result in workload savings for processing the existing cases with that Social security disability income or insurance income. Are there other states where individuals in this category are eligible for Medicaid? I think, I believe staff from the Department of Family

[00:24:16] Services is available, so they may be able to help answer that question. Okay, well, someone can get back to me on that. Or we can call up with you. Yeah, I don't want to slow this down. It's curiosity. Okay, let's go to HB 2534. Okay, so HB 2534, and I actually, there's a bill on the next page, SB 1304.

[00:24:41] These bills are getting at the same issue, and they started out identical. So I'd like to just talk about them together so that we're not kind of going back and forth. But I wanted to start with SB 1304, actually, because that bill directs DMAS to amend the Virginia Administrative Code.

[00:25:05] Okay, so we're on page six? Sorry, yes, page six, the second bill, 1304. To remove the prohibition that crisis stabilization services for non-hospitalized individuals cannot be provided in institutions of mental disease or IMDs, This is aimed at lifting the IMD exclusion, which would allow, well, lifting that exclusion would allow crisis stabilization facilities to have more than 16 beds, which would be helpful in providing crisis stabilization services in the community.

[00:25:40] And so we would support, we'd recommend supporting that. Okay. And to go back to HB 2534, it started out identical to SB 1304. It was amended yesterday in subcommittee and basically is getting at the same issue still, but it's directing DMAS to seek the necessary federal approvals to start the process for removing that prohibition. It looks like that's really a more procedural and technical change, so we would recommend supporting that bill as well. And just keeping an eye on both of them, I think that either approach would ultimately get

[00:26:18] us to the same goal. Okay. Yeah. After you described SB 1304, I was going to ask because my recollection was the 16-bed limit was a federal regulation. Right. Only the, only HB 2534 would address, attempt to address the federal regulation?

[00:26:44] So I think that HB, yes, I think that that's correct, Mr. Chairman. I think that HB 2534 is adding that step into the process to ensure that DMAS isn't trying to do something prior to seeking that federal approval.

[00:27:00] Okay. All right. So we will support both 2534 and 1304. That takes us to SB 841. Yes. So SB 841, patron by Senator Favola, that bill would direct the Board of Pharmacy in collaboration with the Department of Behavioral Health and Developmental Services to develop and implement a process to allow opioid treatment programs to dispense opioid use disorder treatment medications from mobile units.

[00:27:34] And this would be helpful in increasing the accessibility of that treatment, so we would recommend supporting. Okay. SB 1064. So I think that, Mr. Chairman, I think that this bill was actually supposed to be on our staff watch list.

[00:27:51] So if we can skip that bill, that would be wonderful. Okay. All right. We'll skip that. SB 1432. Yes. So, Mr. Chairman, this is the bill about juvenile detention centers. So I would ask that if we'd like to discuss that, that we bring staff up to talk through some of the issues with that legislation.

[00:28:12] I know that that bill itself failed, but I think we wanted to talk about some of the issues that were raised by that idea. It is revived. Why don't we get a quick explanation of the challenges that it would present for us?

[00:28:30] Yeah, quick. Good evening, Morton. Matt Thompson, Director of Court Services for the Fairfax County Juvenile and Domestic Relations District Court. This bill, had it moved forward, would have required several regional detention centers to close and to consolidate with Fairfax County and our juvenile detention center.

[00:28:50] There was a component to that, that if Fairfax refused to accept residents from those closed facilities, that we would lose state funding. So that bill was heard this morning and was passed indefinitely.

[00:29:09] My understanding is that it may come back in some other form as a budgetary amendment, but for the time being, it appears that this one is not moving forward as written. And what would be the challenge for us in being forced to accept additional juveniles?

[00:29:28] The proposed bill would have had Loudoun County, Prince William County, and the Northern Virginia Detention Home all close. And so we, in essence, would have taken all of the Northern Virginia resident's detention population within our facility here. There's a number of challenges associated with

that, just in terms of scaling up our facility to accept that additional capacity, but also just the concerns to the residents and that it's not good for kids and families moving them out of their communities where they're connected to their natural supports, faith communities, service providers, transportation also being a consideration,

[00:30:06] That this would impact some of our most marginalized populations that already struggle with transportation And so having to travel further distances to meet with their kids Legal services attorneys to meet with their clients would all be impacted by this bill And if they we were to accept the additional Juveniles the expectation that we would fund the additional cost required to to serve them Well, presently, we receive block grant funding from the state that covers a portion of our

[00:30:45] operating costs. Under this proposed bill, the jurisdictions would have to negotiate in good faith to reach some type of a funding agreement. If that funding agreement couldn't be reached, it was proposed that the department would set that amount, and that if that amount wasn't accepted, that state funding would not be available to the locality.

[00:31:07] Mr. Chairman? Just for the benefit of our colleagues who weren't at VACO, surprisingly, they told us there's nobody in the state that supports this bill. So we're talking about, you know, what it would do to Fairfax. I think every jurisdiction has a different reason not to support it. Some are related to transportation, some are related to fiscal impact, some are related to other things that may concern them. But it was repeatedly said there there was nobody they could find anywhere, any jurisdiction in Virginia that came forward and supported this. Supervisor Patrick. Thank you, Mr. Chairman. I'm so glad Chairman McKay also

[00:31:45] mentioned that. I think the big thing we heard yesterday, and it seems like whether it's jurisdictions like ours where, you know, just getting a couple miles can take a long time or rural areas where they'd have to go very long distances, there seems to be no operational improvement, merely the state trying to maybe save funds?

[00:32:09] I believe the intent was to, as these facilities close, is to reallocate that block grant funding. There was no language included in the legislation that would indicate that that block grant allocation would be redistributed if Fairfax were to take on additional residents.

[00:32:25] So it appears that there is potentially cost savings to the state, but by passing on that responsibility to the localities. Thank you. Yeah, definitely opposing that. Okay. All right. Thank you. Thank you both. That takes us to page 7 in HB 2293.

[00:32:46] It's Kristen Kanasky, Office of the County Attorney. This bill seeks to follow Fairfax County's model currently in the practice of site plan review where land development services administratively reviews the plats and plans.

[00:33:03] That's the first part of the bill. which is, of course, not problematic, but the second part would seek to change the times that are allowed for transmittal of plats and plans to state agencies for review. Currently, it's 10 days, 10 business days, and the change in the bill would be for five calendar days for paper submissions or three calendar days for electronic submissions. The proposed three calendar days from receipt of the plan is impossible to meet.

[00:33:41] And in large part, that's because the county does a preliminary content review to make sure that what they're passing along to the state agencies is complete. And so to be able to do that and get it out

the door in three days is impossible.

[00:33:57] So it does seem that this is an unintended consequence of the bill because that practice of doing that preliminary review benefits everyone. And if we were to eliminate that, we could arguably be causing further delay.

[00:34:14] So the recommendation is to hopefully seek an amendment of the timeframes in the bill to allow sufficient time for employees to still do the completeness check before sending it to the state agencies. And again, because all parties seem to benefit from that practice.

[00:34:33] So, obviously, in Fairfax County, the review process for Platts and Plans is an administrative process, but am I understanding your description to be that that's not the case in other jurisdictions?

[00:34:48] So, you have planning commissions and even governing bodies reviewing Platts and Plans. That's correct, and it ends up turning into another legislative act and opening up the public hearing process that had already been completed. Okay. I wouldn't want to be part of that process, but I guess that is their local option.

[00:35:08] They have a lot fewer cases. Yeah, yeah, yeah. Okay. I will say I've seen Delegate Coiner speak on some of these issues, and I think she's a land use attorney, right? So she is reasonably knowledgeable and perhaps has a personal experience that's driving her enthusiasm for this.

[00:35:32] And her bill ended up passing by for the day. I'm not sure that it'll be heard again, but Senator Van Valkenburg's bill will likely be up next week on Senate local government. Okay. Okay. Let's go to HB 2124, Information Technology.

[00:35:53] Mr. Chairman, Jennifer V&E, the next bills are basically they are the same. They're companions, and they are another one of the bills I mentioned at the very beginning to kind of bring some of the crimes that we currently have into the digital age.

[00:36:10] So this is specifically going after synthetic media or deep fakes, as they're mostly known as, both audio and visual. So I know, Supervisor Lusk, you've brought up the phone scams that can be happening. And so this is an effort to combat those as well as doing a work group to look at enforcement and how we can enforce.

[00:36:33] Because while I think everyone, there's a lot of people who would agree that we need to enforce, it's also very tricky. So it's both putting it in the code and a work group to really look into how to do this best. So we recommend support. Okay. And I guess the work, the legislation doesn't specify the membership of the work group, constitution of the work group.

[00:36:53] So one suggests it go to JCOTS, which is a joint commission on technology and science. So that's made up of both House and Senate members as well as has some professional staff. The other one doesn't, but I've been told is going to be amended to go to JCOTS.

[00:37:11] Okay. I guess my thought was going to be trying to ensure that there is at least a local law enforcement perspective on that work group. But you're saying the work group would likely be members of the General Assembly.

[00:37:38] J.COTS is not a new commission. It is becoming more and more active. And so this summer there was four separate subcommittees within J.COTS that met. And they referred things to standing areas such as procurement.

[00:37:55] So my guess is that the actual smaller group that looks at this is probably going to be state officials and legislators, but we can definitely talk about trying to get VACO or VML represented on there or one of their members.

[00:38:12] Either represented or consulted, I think, would be important because I suspect in most cases you would have local law enforcement who would be enforcing the applicability of the provisions listed here. Okay. And Mr. Chairman, we're recommending supporting these bills, but we can also include a note on there that it's important that local law enforcement perspectives are part of that discussion or study. Okay. All right. Mr. Chairman. Oh, yes. If I could just add, I appreciate the point that you just made because it's the point I was trying to make originally is that having

[00:38:47] local law enforcement helping us ensure fraud and abuse and some of the other kind of activities that are occurring don't happen and taking action to prevent that. So thank you. Okay, so that covers both HB 2124 and SB 1053, taking us to HB 1721.

[00:39:15] Thank you. This bill will create the Uniform Easement Relocation Act, which allows the owner of real estate that is burdened by an easement to obtain a court order to relocate the easement if the relocation does not materially impair the utility of the easement holder, the physical condition, use, or value of the benefited property.

[00:39:41] And although this bill has certain exclusions and protections for existing easements and easement holders, it does not explicitly exclude from its scope those easements that are held by the county. And so it does actually address railroad easements, facilities operated by a public service corporation, telecommunications easements, and easements held by the Commonwealth of the Virginia Passenger Rail Authority.

[00:40:08] So it appears there is an intention to exclude certain public easements, and so hopefully the patron might be amenable to certain amendments to include that. The definition, we believe, should be expanded to include any easements held by or benefiting a locality or possibly any public authority.

[00:40:32] And the definition should also be expanded to include drainage and access easements in the definition of railroad easement. Today, I presume an easement could be relocated if the local government or entity that secured that easement agreed to relocate it.

[00:40:59] Correct. So there's a process, and presumably we have done that or do that in cooperation with landowners. This bill would just create a legal presumption, I guess, and strengthen their... It would no longer be a voluntary decision on behalf of the local government or other entity.

[00:41:23] That's correct. They could seek a court order. Well, it might be useful for us if we have some cases where we have worked with landowners to relocate, where we have voluntarily worked with landowners to relocate an easement, assuming it does not materially impact.

[00:41:46] I presume we have looked at situations like that and determined relocating the easement does not materially impair the utility of the easement holder or the physical condition or value of the benefit of property. We have done that historically. And if we can share some of those situations with her, maybe it will ease her mind.

[00:42:08] Supervisor Proucher? Can I ask a technical question? Because I think in that line, I'm wondering-- I know we've definitely worked to vacate easements. if that's also in the same area when it's

no longer necessary, is that the same as relocating? I'm not sure if that is actually addressed in the bill at all or if that would be going outside the... We've definitely done that recently and that's often more helpful than a relocation if there's no place to relocate the easement. I wonder if adding to relocate or vacate to the bill language, would that solve or do we... I don't know. I just think it's a little silly. There's Chris Harrington that it's not

[00:42:48] included here because I know we've definitely... been able to do that more easily with residents. But I want to make sure we're not making it even harder for us to be able to vacate easements when necessary. Supervisor Paul Jack, Chris Harrington, Director of Public Works and Environmental Services. So that would be our current process, as Supervisor Walkinshaw was alluding to, is that we would, if we consented to the movement of our easement, then that would be, we would vacate and then the landowner would grant us a new easement. What this does would put us into a cycle of litigation. If someone believes that our easements, that relocating our easements does not impact our ability to use our easements, which we would like to make that determination.

[00:43:22] So we don't want to fight these in court endlessly. Okay. Yeah, I mean, you know, I think there might be an opportunity here to communicate to Delegate Watts that we do have a process where we work with landowners in a mutually agreeable way to relocate or vacate an easement.

[00:43:48] If we don't need the easement, we have no interest in maintaining it. I don't think there are a lot of situations like that, but I'm sure there are some. Okay, let's go to SB 1181. I just think this is a can of worms we don't need.

[00:44:08] Yeah, that's right. I'm trying to close it. I'm trying to figure out how to close it. I'm trying to put the worm. All right, SB 1181. SB 1181, Mr. Chairman, Jennifer Vaney. This is kind of a rework and addition to bills we've supported in the past.

[00:44:27] It's essentially a ban on assault-style rifles and feeding devices, something we've supported. It has the raising the age to 21, some of the exceptions carved out for law enforcement and military. The one thing that's added to this one that's a little bit different is a buyback program.

[00:44:46] Right now, it's local option by ordinance. This would just make it local option, no ordinance required. So I know we already have interest or have a program going, but it's just a little bit different. So again, we've historically supported these, so we recommend support. Okay, great.

[00:45:05] SB 1296. Mr. Chairman, this bill is, we covered this budget amendment last week, and it is one of the public grant funds that they are trying to set up that would prioritize high socially stressed areas over other counties.

[00:45:23] And so you had, the board had mentioned wanting to make sure that these kind of resources were open to all counties. So we recommended amending and trying to work with a patron to include all counties and not, and to get rid of some of the prioritization in there. That's interesting philosophy from Senator Oban.

[00:45:44] Kind of like equity he's talking about, I guess. Some counties need more help than others. All right. And then the last one, SB 1389. This is an expansion of a tax credit that we supported two years ago in 2023, essentially trying to incentivize people to buy locking mechanisms for their firearms.

[00:46:10] So we recommend support. okay uh sb 1466 so um some this is basically a law we've talked a lot in our legislative program about the law that passed about sealing and why while we feel philosophically we believe in a lot of the sealing documents it was put into a fact that it's going to be very hard and a lot very costly for localities to do it this bill is came out of the crime commission and is their way of trying to fix some of the problems from the original one. Some new information has come out,

[00:46:47] so I'm not going to actually recommend a position today on this, but we are watching it and we'll be getting further information, but we don't actually, we've decided not to take a position on this today. By new information, you mean there are changes being made to the bill? Okay, so we will discuss it next week all right uh hb 2666 so hb 2666 is a proposal for a study

[00:47:23] to change the hb 599 a to local police departments to um be more in favor of distress well give more money to distress localities with high crime rates and poverty rates so we've historically been against budget measures that have tried to do this so we recommend oppose yeah this this idea just won't seem to go away to punish jurisdictions that are actually succeeding in maintaining public safety. Unfortunately, the governor continues to throw it out there,

[00:47:57] so we need to voice our strong opposition to it. Okay. SB 1337. This is another study. So this is a way to look at how state and localities can better work together and fund the feasibility implementation studies for federal projects on coastal areas. So a lot of great coastal storm risk management is a lot of time. When you get federal money, it's on the locality to really

[00:48:34] match and do a lot of this other stuff. This is looking at a way that state can take some of that That burden has been at least expressed the intent to take some of that burden off localities to share between the two since the state is benefiting from that work. So we recommend support.

[00:48:51] Okay, great. SB 1385. So one final study. So this one is looking at emergency management regions, state health regions, and local health regions, and looking at is there a better way to align them.

[00:49:09] So when things happen like the flooding from the hurricane or COVID-19, emergency management response, whether it's with public health or their different partners, can better engage in streamline processes. Okay.

[00:49:27] We recommend support. Okay, HB 2764. So, Mr. Chairman, this first bill shouldn't be in the transportation section, but it's actually a companion to a bill that we took a position on last week.

[00:49:43] So last week we talked about SB 917, and the position that the board took was to oppose unless amended to eliminate the applicability of the bill to Fairfax County. This legislation seeks to create more of a statewide collective bargaining group and regulations around that.

[00:50:06] Of course, we've already used that authority here, and so we don't want to undo it. And so this is really just a companion to that, and it'll show up in our tracking chart together. We don't need to talk about it further. Okay. SB 1007.

[00:50:22] Mr. Chairman? Sorry. No. Did I miss somebody? Okay. SB 1007, you all talked about this last week. This was the bike ped, Senator Surveill's bike ped bill. It changed substantially.

[00:50:39] So that's why we are recommending support. Now, I think he heard concerns voiced by several, and now what it does is has NVTa coordinate with VDOT, localities, and other stakeholders look at

the report that came out last year from VDOT, and then submit a report of findings and recommendations on sources and how to distribute the funds, and that's what it does now.

[00:51:03] So I think he did listen to us and others. It's a study? Ah. It's a study of studies is how they referred to it this morning. Okay. All right. Mr. Chairman. Supervisor. Alcorn. Yeah. Could we go back to page one? There was one thing I wanted to just ask a quick question about at the bottom. This is, I agree that we should oppose this. This is the- Which bill? The HB 2445, the election, basically restricting early voting to only 14 days. Got it. So we're back. We're on the historical position. Yeah. I should have brought this up when I missed it. Does that

[00:51:40] bill have a chance? I hope not. This is because we've kind of gotten used to doing this early voting and been very popular. Mr. Chairman, Supervisor Alcorn, several of these have already died. Okay, good. Things with the water situation in Richmond and the effect of the GA and the deadline for bills was last week. Friday, things are dropping. And so normally they would have maybe a committee where they kind of took some action on bills that they did not like.

[00:52:11] um those bills are trickling in slower and not all at once and so that's why these popped up this week but wasn't more here all right thank you i appreciate that okay um i think we are on page 11 the legislation provided for discussion and we'll start with sb 1054 yes mr chairman sb 1054 on this one i do want to ask staff to come up to help address talk through this a bit but essentially we wanted to bring this to the board to discuss and actually the

[00:52:49] there shouldn't be a recommendation on it we wanted it to be a board discussion bill but essentially we have in the past the county has taken a position on the bills that kind of set up a framework for regulation of retail cannabis that we support with an amendment to essentially ensure strong local government, land use, and taxation authority. This bill by Senator Eben takes a bit of a different approach from two bills that we put on as historical positions last week that are essentially identical to that framework that we usually are looking at. This bill by Senator Eben instead

[00:53:26] directs the Virginia Cannabis Control Authority to draft regulations regarding retail cannabis, including application and license fees and transaction limits, and specifies that those regulations should be modeled after those in the medical cannabis program. And then once those regulations are drafted, they would have to be reported to the General Assembly, which would then have to act on them before they become effective. So I wanted to bring up staff to just talk through some of the implications of that so the board was aware of this sort of alternative approach. Or we're trying to get a bit more information about whether this would be

[00:54:04] solely an alternative to those more like framework bills or if it would be complementary. So we are trying to get some clarification on that, which is partly why we may come back with more information later, but wanted to at least have an initial discussion now. Okay. Anything to add to that?

[00:54:24] I mean, you know, we have expressed over the last several years the importance of retaining local land use authority and there being a strong local taxation component. And I guess those issues are a question mark in this bill. Laura Gorey from the Office of the County Attorney. With respect to land use, I would say that they're a question mark. This refers to regulations that govern medical cannabis, and those regulations do recognize local zoning authority and local laws

[00:55:00] and ordinances. So presumably these would do the same, but since they haven't drafted them yet, we don't know for sure. And if this is a companion to the framework bill, as she referenced, that already takes away local authority over manufacturing, processing, et cetera. But it does build in local recognition of local zoning authority over sales and other aspects.

[00:55:25] And I guess- I mean, I'm sorry, location, not sales specifically. I guess this is a question about then the existing regulations for medical cannabis. Can they be singled out in a local zoning?

[00:55:41] Can those facilities be singled out in a local zoning ordinance, or are they treated like any other retail use? Tracy Strong, Department of Planning and Development.

[00:55:57] Our ordinance does treat them the same as retail uses in terms of if they could be singled out. I think that's perhaps a legal question. but our ordinance today definitely does treat them as retail. Okay. I think when you go beyond, one could have different views on this, and I'm not necessarily advocating for it, but I think you could make an argument that when you go beyond medical cannabis sales to broad commercial sales, you may want to, some might want to take a look at that in the zoning ordinance and see whether they should be treated differently.

[00:56:32] So I think it's important for us to drill down to see whether that would be an option for localities under this or any other legislation. It sounds like we don't know yet here. I would agree with that, that we don't know, but we could certainly take a closer look at that. Just to be clear, the way I read this, this authority is tasked with coming up with a report by November 15th, and nothing can be enacted unless it's enacted by the General Assembly.

[00:57:00] So nothing happens until next, not this General Assembly session, but next General Assembly session, the way I read this. And if that is a correct read, are we clear on how we're going to provide input to this group to make sure that, you know, what comes out in the report reflects some of the issues that we've raised here?

[00:57:20] Mr. Chairman, that's a good question. I don't think that we know currently, but I think that that's something that we could look into or bring up to the patron, I mean, or just, you know, get some additional information about.

[00:57:40] Yeah, I don't know what the Virginia Cannabis Control Authority is made up of, who's on it. Are local government representatives on it? Does VACO have a role? I mean, we need to understand, you know, how we're going to provide input over the course of the next year because what I'm concerned about is they come out November 15th with a report.

[00:58:01] Then there's going to be legislation coming forward to implement those regulations. Now you're fighting legislation as opposed to making sure that the concerns you have are a part of the report so that maybe we don't have fights on our hands over some of the legislative acts. Mr. Chairman, I would only just mention, and I think the board will probably remember this, a few years ago when the General Assembly went through their process of decriminalizing and legalizing, they set up some of the structure and some of it they sort of left for a future General Assembly. And then there were a lot of changes in the General Assembly before that happened. And so there's been a lot of efforts to kind of complete that process, but they haven't

[00:58:41] really come to fruition. And so I think this is this year's effort to try to move it forward without laying everything out in a bill from the beginning, which is how they've done it before. And so I think that

there's some hope that this might be more successful. I think at least from part of the reason we put it on for discussion and part of our concern is that what we've talked about a lot here is local taxation locally and these things like that. And it's not totally obvious how much you could do that through a regulatory process if there wasn't some kind of specific authority from the General Assembly. And so I think we're going to have to get into this

[00:59:19] a little bit more and keep an eye on it and have a better sense about where this is going if this ends up being the solution. Yeah, agreed. Okay, thank you. Okay. So it sounds like, you know, we have some internal, some questions to be answered about how we kind of interpret the existing law related to medical cannabis establishments in the zoning ordinance if we could treat them differently. I'm not suggesting we do, but if that framework is going to then be applied by the General Assembly or this control authority to retail sale of cannabis, I think

[00:59:56] we want to have the option to treat those establishments different than other retail uses. And it sounds like we don't know quite yet whether we feel like we do or would have that authority. I don't personally know that. That's not something I've been involved with, but we can certainly look into it and get back to the board. Okay. And good afternoon. Martin Deja O'Donnell with the county attorney's office. I just want to follow on Ms. Arco's comments regarding taxation since that's, we've been talking mostly on the land use side. This bill doesn't really contain any elements of a taxation program, so Ms. Arco's points are well made that it would be

[01:00:35] unusual to impose a taxing regime through regulation, and the other bill that's being referred to as the structural bill does include specific taxation language, so the question of whether this is a complementary action to that other bill or intended as a sort of substitute is, I think, important in regards to taxation.

[01:00:55] Okay. All right. So I think we have kind of the principles that we continue to advocate for, one of which I think is the authority, and obviously a lot of considerations to make with respect to this, but the authority to, in the zoning ordinance, treat retail establishments that sell cannabis differently than other retail uses.

[01:01:24] Whether we would want to do that would be a decision for a board or a future board, but I think we want that as a local option, and it's a complicated question as to whether we have it or whether this bill or others would get us there, but we need to advocate for that. Okay. All right.

[01:01:41] Thank you all. HB 2050. Thank you, Mr. Chairman. The next two bills on this list actually go together, and they both deal with the issue of PFAS. As we discussed last year about PFAS, they're a threat to human health, and we should be taking action to be protective of our drinking water supplies. The EPA regulatory approach pushes the financial burden to remediate PFAS onto utilities as the end recipients of the contaminants rather than the for-profit entities

[01:02:17] that are often the ones producing the contaminants. As a result, the increased costs for Fairfax water, for county wastewater, and for the county solid waste operations must be passed on to our customers, which is why this is such a critical issue. SB 1319, the second one on the list, is a monitoring bill for industrial wastewater discharges to a wastewater collection system.

[01:02:46] There is no treatment requirement as part of this bill. It will have a slight fiscal impact as we will have to increase PFAS monitoring for some county facilities, but staff says that it gives us DEQ and

Fairfax Water more information about where these PFAS are coming from. And it is positive in that regard. HB 2050 is also a monitoring bill, but for both industrial wastewater and industrial stormwater specific to the Occoquan watershed. And it does require treatment when

[01:03:20] concentrations are above the drinking water standard. This bill is being pushed by Fairfax water, and it is positive in that it does help to address contamination of the Occoquan from PFAS, which is the drinking water supply for about half of the county.

[01:03:38] But the problematic part of the bill is that, as written, it would apply to both our I-66 transfer station and I-95 landfill, as well as other industrial stormwater dischargers in the Occoquan watershed.

[01:03:53] Solid waste has estimated treatment costs, and it would be at least \$10 million in new one-time capital costs and \$1 million in increased new annual operating costs if this bill were to go into effect.

[01:04:11] But breaking news, and that is that the director of Department of Public Works, Chris Harrington, who spoke earlier, spoke with Fairfax Water this afternoon. And it was not their intention at all to include our solid waste facilities in this bill because they are a pass-through and not the ones generating PFAS.

[01:04:34] They're open to amendments and to clarify that we're excluded. So the staff recommendation is to work with both the patron, Delegate Bulova, and Fairfax Water on those amendments to ensure our solid waste facilities are excluded from the bill as it was not their intention.

[01:04:54] Supervisor Alcorn? Yeah, that's very good news. I thought that might be the result if there was some conversations. Fairfax Water is very close to meeting the MCL for water coming out of the Occoquan. And so something like this could actually get them into compliance, and the numbers they're talking about are much higher than even the ones that you mentioned.

[01:05:15] So I am very sympathetic to what they're trying to do. So if we could get this to support, I think would be a good thing. But I think we have a strong moral argument in that there's a big difference between an industrial facility that is discharging waste that includes PFAS and a transfer facility that is trying to get those materials to a safer place so they don't make their way into the watershed.

[01:05:44] Okay. Yeah, I think it's been worked out. So, yeah, are we ready to recommend support with those amendments? With those amendments. Okay, but we don't know yet whether those amendments are being made, right? Delegate Bolivar hasn't received or accepted them yet.

[01:06:00] Yeah, yeah. So I think, you know, next week we'll take a look at it, but right now we'll seek those amendments. Okay, great. All right, so that covers page 11, takes us to SB 962 and procurement.

[01:06:19] Mr. Chairman, I'm going to have some staff come up to talk about this one and what? some of the impacts might be we have another a number of folks here so whoever would like to join us and a couple of board I will say a couple of board members asked that this get put on the agenda for discussion today and so that's why this is here why don't we

[01:06:53] start with the summary can someone give us the summary I'll do my best so the bill obligates us for administering large capital projects for non-transportation purposes to ensure that a certain percentage twelve and a half percent of the labor associated with the project is or the hours of that are in an apprenticeship program. I think our concern is we're not aware of the capacity amongst our contracting community to fulfill that requirement. We have no administrative abilities in the capital

facilities in DPWS for us to ensure that that requirement is met and we're also concerned about the potential impacts to smaller disadvantaged

[01:07:33] contractors and subcontractors. And so I think that's the public works perspective, but I would certainly have my comments if I want to chime in. I would agree with everything that Mr. Harrington said. Leanne Pender, DPMO, sorry. But I would agree with everything Mr. Harrington said, especially as it might relate to disadvantaging our SWAM businesses.

[01:07:55] Just a question, because when I looked at the bill, and I recognize the summary suggests otherwise, but when I looked at the bill, I read it as an option. right that's what um but but that doesn't seem to be your impression this is a non-mandatory provision of the virginia public procurement act okay so if the bill does pass it's the county's option as to whether or not we would include it or um some component of it in uh the fairfax county purchasing resolution got it okay so um if the bill passed and if we chose to implement it

[01:08:35] which would require the board amending the purchasing resolution, then it would potentially have the impacts that you communicate. Okay, Supervisor Alcorn. Yeah, thank you. Thank you for clarifying that it's optional. I think this is the direction we need to go.

[01:08:50] I understand we may not be able to do it right now. But, yeah, I would say we, you know, should support it as long as it's optional. And, frankly, we could, you know, work with folks to build the capacity over time because these apprenticeship programs are very important for the long run.

[01:09:09] Thank you. Supervisor Beerman? So it's optional, but does it also give us the option? You said 12.5% of graduating that at any time. Like we'd amend our purchasing agreement, and we'd start with something that was 7% in the first year or 8%.

[01:09:27] Like does it give us those options, or is it like you get one blunt instrument, which is you can amend it and say now 12.5%. Patty McKay from the county attorney's office. Typically when the county is presented with non-mandatory authority that it wishes to implement, kind of keep that as a ceiling.

[01:09:45] So kind of working that together with the idea that we can't do anything inconsistent with the VPPA is kind of the outlying proposition, but you would have more flexibility to bend it in, to build it into the program as you want it to. So you could do, as you're saying, like a phased-in approach to that.

[01:10:03] I would also, if I could just say, I think there is a disconnect between how it's described and how it's currently drafted. I don't think that it's drafted this way intentionally, but as it's currently drafted, because of the way they've edited it, it actually applies to all non-transportation construction procurement, which would capture all non-construction procurement as well.

[01:10:25] I don't think, given the subject matter of what they're trying to do, that this seems to be trade-focused apprenticeships. I don't know that that's the intention there because I think you're going to potentially capture other procurements because it's focused on the method in which you're buying something, not the service that you're buying, the amendment that they've made.

[01:10:43] So if it's something that the board is interested in, there might need to be a bit of a cleanup in the language. So it could apply to purchasing pencils. Correct. And you would then require potentially your contractor to certify us to their apprenticeship program, which they likely.

[01:11:02] The one confusion point I have, how does that reconcile with the point you had just made a moment ago about wouldn't it fall in the same category that it may be written that it be all, but when we put it in our purchasing resolution, wouldn't the same standard apply that we wouldn't have to put in all?

[01:11:18] We could be specific with which ones we wanted to add to that. You could. As the lawyer, if you all, I like the language to be precise and correct and not have that ambiguity in it. But, no, you would not be, unless, you know, there was a change to the mandatory provisions, no, you would have the flexibility to set the boundaries of which services and goods it applies to.

[01:11:41] Okay. Supervisor Patrick. Thank you, Mr. Chairman. Yeah, and I'm comfortable, like was said, if it's an option. Just to clarify, because I know we've had this conversation, I'm not aware of the Virginia Public Procurement Act. Would this include all state procurement acts as well?

[01:11:58] are projects or is it just low locality projects? Do you know? The way it's written, it does, it only carves out transportation procurement. So VDOT should work, should be included? VDOT is not currently included in it. And I would say that that is common when discussing construction under the VPPA. My under, I would have to double check this, but often VDOT's construction requirements are I think actually in title 33.2. I don't know if that's the reason why they're

[01:12:32] carved out, but commonly when we're looking at VPPA and construction, non-transportation is the language that is used. But no, this language would not apply to VDOT. That's unfortunate. Thank you. So I think where we are sounds like an option that the board is interested in. Obviously, We want to ensure and be confident that it's an option.

[01:12:59] I think we should reach out to the patron and make sure that the language reflects what it seems to be intended to reflect. And we want to be absolutely 100% confident that we would have the flexibility to determine the appropriate percentage.

[01:13:18] If they want to have the ceiling, they can have the ceiling. And if that requires changes or amendment, then we should pursue them. If not, okay. and if we can meet those standards then it sounds like something that the board would like to support. So we can certainly reach out to Senator Carol Foy and talk to her about this and we can also include a note you know that the board supports the concept and just want to ensure flexibility and implementation and things of that nature so. Okay all right thank you all. SB 1158.

[01:13:53] Thank you Mr. Chairman. This bill although it's in transportation it does deal with land use as well. It is an eminent domain bill. In its original form, it would have made major changes to the procedure for eminent domain cases. And as a result, it would have been extremely costly. The patron has been working with VML on a number of amendments to take out those costly provisions. The only issue of major concern that remains is a part regarding what is required to

[01:14:29] be filed at the time of taking, at the time of certificate of take. And it's because those requirements in the current substitute language would also be extremely costly and are pretty vague. And so the recommendation is to work with the patron because he has been amenable to working on amendments to limit what would be costly in those requirements at the time the filing of

[01:14:59] certificate of take is required. I can go into specifics as to what the bill would require at the time. Yes, I believe so. If those amendments were not, if he wasn't amenable to make those amendments, it should be opposed. Okay. Okay, so we're opposed in its current form. So sometimes

[01:15:37] Mr. Chairman will put a note saying oppose unless amended to do. Yeah. And so we can do that. Yeah. SB 1233. Mr. Chairman, if I may, I'm going to move that. It's kind of related to 2041 and 1209 on the next page. Okay. So if I could start with 1332. Okay. HB 1332, and actually there's a companion, or sorry, SB 1332, and there's a companion called HB 2214. This repeals the authority for localities to establish trespass towing fees. As you all know, there are bills regarding towing almost every single year in Richmond.

[01:16:15] This would take away our authority to establish the initial towing fee for vehicles under 7,500 pounds. It does retain the authority to establish tow fees for vehicles over 10,000 pounds, as well as administrative and storage fees.

[01:16:33] The reason we wanted to bring it up to you all is generally we do not recommend getting rid of authority. However, due to the code, you all don't have a lot of authority left with charging that initial towing fee. Right now, your authority is between 135 and 150.

[01:16:51] That's all that is allowed in the code. This would instead send it to SCC, have them set the rate, and then annually update it based on the CPI transportation. So I do have staff here to kind of help and discuss things.

[01:17:08] I think, you know, again, it removes local authority, which is generally opposed. But going back to my other previous statement, there's not a lot to begin with, and it does retain some of our authority. So I did want to bring it to the board to discuss. I guess the question I would have is, is it if you change to that CPI-based formula, presumably then the rate could exceed the 150 cap that we currently live under?

[01:17:37] Oh, no question. It will go up. There are some questions that we're trying to figure out. There's the Bureau of Labor Statistics has a CPI transportation, and so does the Bureau of Transportation Statistics. Both of them have a good 15% to 20% increase in the past couple of years.

[01:17:56] So they would set the rate, and it will, I can almost guarantee you, would likely go up when the SEC sets it, and then from there on out. I will say there have been discussions between the patron and some from the towing industry and some local stakeholders, and there's been some thought of possibly the SEC starting a baseline, allowing a little bit of flexibility for localities within there, with a range there, but then after that, it would be tied to the CPI transportation.

[01:18:32] Okay. So the cap is \$150,000, and what is our rate today? \$150,000. \$150,000. And in order for that to increase under the status quo, if this bill or some other bill wasn't passed, they would need to pass legislation to raise the cap.

[01:18:52] There's no administrative process to raise the existing cap. Right. Per current code, the board has the authority for initial between 135 and 150. Anything else would require change. If you are of the view that the rates should go up to keep pace with inflation, This is the only game in town.

[01:19:14] At the moment, yes, sir. Right. Anything to add? Rebecca Makeley, Director of the Department of Cable and Consumer Services. We are recommending that there be one amendment to the bill as it's currently written.

[01:19:33] The rates that would be established by the State Corporation Commission would only apply for vehicles with a gross tonnage weight of under 7,500 pounds. And then, as Noel mentioned, there would be additional local authority granted for certain rates above 10,000 pounds, but there's a gap of the 7,500 to

10,000 pound rate. It's not a large amount of our toes. It's only about 4% of our toes. But if we were to change just that 10,000 to 7,500, it would fix that gap and allow local authority for anything above 7,500 for us to set

[01:20:05] rates. Okay. So obviously we should advocate for that. Perhaps, I mean, given the importance of just preserving the principle of local authority here. And in our belief that we're best positioned through a public hearing held across the hall to determine the appropriate rate, why not suggest that the cap, it's currently 150, be adjusted upward for some CPI-based formula, and then local governments can decide whether to increase their rate along with that cap or not?

[01:20:44] Mr. Chairman, we can do that. I will let you know VACO is opposed because it does remove local authority as well as I believe some... What I'm describing would preserve the local authority. So from the tower's perspective, if you keep it at 150 when we've had inflation and costs have gone up and you can never go above 150, they're looking for a way out of that. Why not suggest that the cap go up, but we preserve the local authority to decide whether to increase our rates along with that cap or not we can we can suggest that we can offer that um to the patrons and um

[01:21:20] see if they're amenable mr chairman the only thing probably we should talk to arlington county too i know they feel very strongly about this so interesting that you mentioned them um i think that part of this is designed to make sure that localities do raise their rates and so i understand we have maxed out not everybody has and so i think that's why this approach has been selected right Okay. Well, yeah, obviously, you know, I think we have to oppose just the elimination of any local authority.

[01:21:52] But right now, our local authority is limited by the \$150 cap. So if we're going to articulate local authority, it's got to be in both directions. So why don't we touch base with Arlington and see whether they would be supportive or at least not vehemently opposed to that approach?

[01:22:15] We can do that, Mr. Chairman. Okay. All right. HB 2368. Mr. Chairman, this is actually about toll facilities. And I know Supervisor Alcorn had asked us to, he'd asked if there were any bills about this.

[01:22:32] So we did bring this forward. This bill would limit to \$200 per month the tolls charged on residents in the Commonwealth. It would also allow TANF, recipients of TANF to use all toll facilities for free.

[01:22:50] The reason we have this up for discussion is, as you all know, express lanes in our area are based on congestion and the prices go up so that less people get on.

[01:23:06] If people are aware there's a full-time limit, I don't know what that means for the express lanes operations. I'd also add, how does this work? You all have heard the term compensatory event. I don't know how that works with the contract.

[01:23:22] So, and then there's also, what does this mean to commuter choice? Those are all questions that I think are out there. It's also, the toll relief money would flow almost directly to the operators of the lanes. Because if you have more people on the lanes because there's a \$200 limit, they're going to raise the rates.

[01:23:47] So the \$200 goes directly to the operators of the various managed lanes. I will say a similar bill that was in the Senate was tabled yesterday, so I did want to let you know, and there was a similar bill last year that met a similar fate.

[01:24:06] But yes, this is an option for toll relief, but the mechanics on our toll facilities up here are a bit complicated. Yeah, obviously, it is frustrating to hear about the constant push for toll relief in Hampton Roads when folks in Northern Virginia are paying a lot.

[01:24:23] The challenge is the Commonwealth of Virginia has created a very different kind of tolling system here that doesn't lend itself to this kind of relief being effective. I wish it would be, but it just wouldn't work here.

[01:24:41] My recommendation is we just monitor this bill. I don't think this is a fight that we necessarily need. I think NVTC and others maybe will be opposing it, but I don't know that it's our fight.

[01:25:01] Okay, HB 2041. So, Mr. Chairman, I'm going to take the next three in a block. We have HB 2041, SB 1209, and from the previous page, SB 1233. So, HB, sorry, I want to get the summary. 2041. This is Delegate Seibold's bill. It deals with speed cameras, speed monitoring cameras.

[01:25:26] It expands the use of the authority for speed cameras for localities to highways where a speed limit of 45 miles per hour or less located in a priority pedestrian corridor as identified by VDOT in their pedestrian safety action plan, or high-risk pedestrian corridors designated by the commissioner of highways. So it does include an expansion of the authority. However, it puts in place more requirements. I'm not saying these are bad. I just want to make the board aware of them.

[01:26:03] It has some new requirements for having to publish a lot of the materials of how decisions are made. If there are changes are made, it requires a new advisory group that would talk over proposed changes. But the biggest difference I wanted to bring to the board is, well, there's another one before I get to the big one.

[01:26:23] It also changes a bit of, it says that contractors could no longer charge an additional fee or an administration fee for mailing the violations. And then lastly, it says any fees, excess of the operating the such speed safety cameras, all fees will essentially be directed to the Commonwealth's Virginia Highway Safety Improvement Program.

[01:26:57] So they would, so that's, so there are a couple of things here. There's questions about how that works with existing contracts. There, we're not the only locality that has these programs in place. So changing these contract terms, what does it mean for the contracts currently in place? This, again, localities are concerned about setting these cameras up and then having the funds go to the state to allocate as they would.

[01:27:23] Essentially, what we have heard is there are some jurisdictions, I would say, a lot smaller than us making a lot more money on these. And those have been used as examples of why the money should be sent to the state to decide where it goes.

[01:27:38] we've heard references to. It's not about making money. It's about safety. So that's one bill. Right below is SB 1209, which initially dealt with the calibration of the devices and again with administrative fees. However, yesterday in committee, it was amended to send all the money to the Virginia Highway Safety Improvement Program.

[01:28:07] 2041 lets the locality retain the money for operating the cameras. It's not quite clear for the rest of the process, for the officers to review, for the setting up the advisory group, the publishing of all that

information. SB 1209, it all goes to the state and they would, for the Virginia Highway Safety Improvement Program.

[01:28:30] So there's that one. And then lastly is SB 1233. And what this does, it sets up, allows for camera programs for pedestrian crossings and for stop signs. It's a fairly new technology. There's not a lot out there about it. I think there are questions on how exactly this will work.

[01:28:48] The reason I'm putting this in the group is this retains the current funding structure. And it's the only one of this sort because it's built into the same code section. I don't think we have that one in the package. It's a 1233, the page before. Oh, got it. I had already forgotten that you.

[01:29:03] Sorry about that. All right. So this one allows these new cameras at stop signs and crossings. And I think there's questions operationally about how that would work with some things. However, this is the bill that has not said all of the money goes to HSIP.

[01:29:20] So we wanted to talk about all three as a whole. I will say that VACO and VML got up and did oppose 2041 in committee, essentially saying, oh, there's a lot of good in the bill. However, concerns about the funding going to the state, a jurisdiction asked if there's a way to say that the same amount comes back to the locality, or is there an equity problem where the locality has a program, sends the money, and then it gets spent somewhere else?

[01:29:50] How does that all work? So I'm bringing these all to you. There's a little bit of good in some of them. There's a lot concerning in others. So I brought it to the board to discuss. Yeah, this, you know, 2041 is very frustrating to me.

[01:30:07] We've spent a lot of time with Delegate Siebold outlining our program, how it works, the fairness of it, the minuscule amount of revenue that is collected relative to our budget, the significant already administrative costs to implement the program, And my take on this bill is if this were passed and signed into law, it would jeopardize our ability to continue to implement the program.

[01:30:41] School zones in Fairfax County are safer today than they were before we implemented our program, and this bill would put that at risk. I also think given the amount of money that Fairfax County residents already send to Richmond and don't get back, the idea that we would send money to Richmond for them to administer via the HSIP program, and all of us probably have experience with that program and the challenges of getting projects in Fairfax County funded through that program, because projects here are more expensive than projects in other parts of the state.

[01:31:20] And for a delegate from Fairfax to argue or to have a bill to send more money from Fairfax to Richmond that we wouldn't get back is frustrating. You know, I think we need to oppose it.

[01:31:38] Obviously, you know, if there's a path to amend it, to include just the elements of expanding the authority, that would be great. I don't think – I doubt that there is, but I think we have to oppose this.

[01:31:53] It would put our program in jeopardy, Mr. Chairman. Yeah, just a question. Take me back in time a little bit and remind me, in the original enabling authority, is there a cap on fines? Typically there is.

[01:32:09] And so I'm having a hard time understanding the jurisdiction. if the bill is partly written because a jurisdiction is collecting what a particular state elected official thinks is too much money, did not they set the total, the cap on what we could charge in the way of violations? Mr. Chairman, I'm trying

to read the code right now. It does look like it says such civil penalty shall not exceed \$100. So I'm having a hard time with the part of the

[01:32:45] conversation about a jurisdiction that seemingly is collecting too much money. I mean, to the point that Supervisor Walkinshaw made, I mean, we took a long time to get this authority in the first place. And then the state put in place very prescriptive rules that jurisdictions had to follow if they were to implement this program. And we are following their rules, and we are within their financial cap. So I'm having a hard time understanding the part, the excuse that might be made that some people are making too much money off of this and therefore the state should

[01:33:21] get that money instead. And Mr. Chairman, I believe a recent report that was shared with me was I think statewide over a year, maybe about, I want to say between 20 and 30 million statewide. I think based on the fact sheet we gave to the delegation in December, I want to say we brought in about \$1 million in penalties and about \$450,000 went to the vendor, the county retaining about \$600,000.

[01:33:48] I don't have the numbers in front of me, but that's what I remember. I mean, if the state needs that kind of money from us on top of what we already said, that's a problem. I mean, it's a small amount of money, but the principle behind this is this is straight up a heist.

[01:34:06] I mean, you don't put rules in place, we implement them, we're trying to protect people. Well, if VDOT felt so strongly that they wanted revenue from these programs, then they could have implemented them and put them out on their streets. You know, I mean, they pass this authority on to us. We follow their rules.

[01:34:21] And then after we establish it, they say, now we want your cash, too. I mean, this is that it is it's it's rich who proposes this and thinks that they go and others aren't going to be opposed to this. I mean, we're doing all the work here. I will say, Mr. Chairman, just so the board is aware, the House bill got out of subcommittee five to three.

[01:34:45] That Senate bill that I mentioned that takes away all of the funding, it got sent to another committee, but several members, bipartisan, or at least a couple of members from both sides of the aisle liked the fact that it was going to the H-sip. So I don't know what will happen at the end.

[01:35:01] Yeah, I think it does put our program at risk. For board members who haven't been around long enough, we put in photo red light equipment because the state gave us the authority to do it a long, long time ago. We spent a lot of money on it, and then right after that, the General Assembly changed their mind and revoked that authority, and we were left with we had spent all this money to put the equipment out there.

[01:35:25] And so you can't tell jurisdictions that you have a right to put these kind of programs in place. and then we've built our whole performa around their requirements and then say, yeah, never mind, now we want to change it and either take the money or revoke the authority.

[01:35:42] I mean, this is a lot of capital investment in some of these things that happen. And so I think that the principle here is very problematic, that this is a brand-new program. We have followed the letter of the law, the rules they wrote for how we do it, and now they seem to not like their own rules and want to change those.

[01:36:00] And I do think it puts in jeopardy because under this scenario, I wouldn't sit here and support further expansion of these in the county. If the revenue that we collect from these to help pay for the cost of it and the revenue that we collect above that, we are using for other needs in the county, including pedestrian safety and public and pedestrian safety improvements.

[01:36:24] Why would we keep doing this and sending the money to the state? And why would any jurisdiction do that? And I'll just add to that, you know, I think the intent here is a recognition that it's important with this kind of program to have strong protections, guardrails around it, so the public has confidence that it's not a revenue grab.

[01:36:51] The worst thing you could do for the Fairfax County public's confidence in this program is tell them the money's going to Richmond because they understand when the dollar goes to Richmond, a dollar doesn't come back here.

[01:37:08] So, you know, I think this would make it difficult, if not impossible, for us to continue to implement the program, and it would severely diminish public confidence in the program, which, at least in my experience, is relatively high, actually.

[01:37:25] Not a significant number of complaints about how we have operated the program here. Supervisor Alcorn. Yeah, my suggestion, yeah, we obviously don't want this. My suggestion, perhaps for next year, we should consider making this a county initiative and bring some attention to it very early to help some of our delegation members craft legislation that does work, that does address all the comments.

[01:37:53] I know you spent a considerable amount of time, as I did, a little, you know, trying to do that. But maybe we need to raise the visibility of this a little bit. Yeah, Ms. Arco is smirking because I have advocated for that over the last several years. And she has wisely counseled me that when you open this can of worms in Richmond, there's a risk that you get worse outcomes.

[01:38:18] And that's maybe where we are. But definitely we need to educate our delegation about our program and maybe some of the materials that we prepared and shared with Delegate Siebold about our program we should share again with the rest of our delegation.

[01:38:37] And if there's a problem in some other jurisdiction, they should write a bill that's specific to that jurisdiction, not a bill that threatens our program. Mr. Chairman, just one more thing. Could we also make sure that we're accounting for the non-vendor costs that we're incurring in Fairfax County?

[01:38:53] Because I know we spent a good amount getting it ready, setting it up, you know, so thank you. All right, Supervisor Palcic. Yeah, if I may, number one, you know, I wish we could amend this enough. It sounds like we can't.

[01:39:10] She's citing, she has cited, I think, in the committee, Oakton High School. Speaking of non-vendor costs, it's taken a lot of time, staff time. The schools have to do the school zone first. They had to hire a consultant to help them because it's a difficult process.

[01:39:26] And then it required police time and, as you know, a lot of coordination, which is why it took so long to get it up. So I think we need to be very clear that it's working and that any change that would impact that or expanding to existing schools, which our PTAs are asking for, is a concern.

[01:39:45] I just want to make sure we're not saying we don't support expansion when we do that. We'll definitely make sure to try to do some more educating and talking about this. It is one of the interesting

things about a program like this that, obviously, when you're trying to deter behavior, theoretically, you make less money over time, but that's the idea because you're increasing safety.

[01:40:06] And so we'll definitely try to think about ways to talk more about this. Thank you. Supervisor Stork, sorry. First off, I agree with all the comments that have been made. I think a 10-mile-per-hour threshold above the speed limit is tough to argue that that's a money grab.

[01:40:23] Sorry. But anyways, the other argument I would make and maybe you can use, particularly with the delegates and senators in the south county, eastern part of the county, is that's the problem we're having right now with the George Washington Memorial Parkway.

[01:40:40] They won't do cameras because their governmental system means that if you do it, you take your money, you spend all the money, you put it all up, and then none of it flows back even to pay for your costs. And they already are poor. I mean, if you ever drive down the GW Parkway, you'll realize how poor they are because the thing is it's got so many holes and concrete, everything.

[01:41:06] It desperately needs money to fix it. But that's the other part of the argument that I reinforce that. That's a good point. Thank you. Yes. Okay. Supervisor Beerman, last point. Did you have something? I just wanted to not pile on to everything, but just to say that if the money weren't an issue, I mean, finding more opportunities to utilize this technology, I think is just really, really important.

[01:41:37] And I think it was a very early board meeting. Supervisor Waukesha, I think you pointed out that there's something like 240 schools in all of Fairfax County. So if we had one at every school zone, that actually would be a lot. But having them outside of school zones because we've seen as we came to a Safety and Security Committee meeting and we saw that they were bringing down speeds, I think we want that.

[01:42:02] So, you know, again, opposed, but, you know, if there were a way to amend and fix the money issue, I think we'd want some expanded authority. That's all. Thanks. Okay. That takes us through all of the legislation provided for discussion with the exception of the as promised package of data center bills that we will now work through.

[01:42:31] And the first is SB 1046. Yes, thank you, Mr. Chairman. This bill pertains to noise abatement, and it requires that any siting of a data center be approved only in accordance with certain noise and notice abatement requirements.

[01:43:01] As part of the noise abatement, And it requires, we incorporate sound mitigation, or the data center incorporates sound mitigation methods sufficient to prevent sound levels that would exceed ambient noise levels at the time of pre-construction.

[01:43:23] And it's a mandate across the board, and it would also require amendments to both our noise ordinance and our zoning ordinance. We already require that noise studies be performed. And the requirement for noise levels to not exceed pre-development ambient noise may not be reasonable for all locations, and it exceeds standards that are applied to other development, including other commercial and industrial uses.

[01:43:50] And the bill, perhaps contrary to its intent, would limit local authority to require more expansive sound and noise studies based on more than just the closest property planned or zoned for residential use, which is the current benchmark.

[01:44:08] By requiring that any data center mitigate noise to the pre-construction baseline, the bill might not, or the bill might unreasonably restrict a locality's ability to approve a data center whose noise impacts cannot be fully mitigated.

[01:44:25] And, of course, as you know, there's a number of factors that must be weighed in deciding whether to approve a data center, and this elevates noise above all other considerations. LDA, Land Development Services, also notes that there would be, it would require changes to the building permit and non-REP processes.

[01:44:51] The design specifications for noise abatement would need to be included as part of the building process review, building permit review. And there's also a note, the requirement for backup generators that's included in the bill would allow for testing only from 9 a.m. to 5 p.m., and that conflicts currently with DEQ standards that limit DEQ standards for air quality in non-attainment areas, which does not allow testing from 7 a.m. to 5 p.m. May 1st to September 30th. So there is a conflict there,

[01:45:30] and the recommendation is to oppose. Okay. All right. SB 1045. Yes. This bill by the same patron addresses data centers and allows them only as an industrial use and zoned in industrial areas.

[01:45:52] Fairfax County amended our zoning ordinance in March of 2024. In addition to allowing data centers in industrial zoning, it also allows for these uses in certain commercial areas.

[01:46:08] And for very small data centers that are permitted by right in certain commercial areas, for the large ones, it still requires a special exception. This bill would essentially require a rezoning of those existing when the same mitigation that's intended by the bill could be achieved by a special exception.

[01:46:31] Okay. The recommendation is to oppose unless there is an ability to work with the patron to see if the intent of the bill could still be accomplished. without strictly taking away local authority. I'm not sure what that would look like.

[01:46:49] A little carve-out unless, you know, yeah. I mean, it seems, obviously, as you noted, it wouldn't prevent any local government from rezoning a parcel to industrial.

[01:47:06] So I don't know whether it would achieve a lot. Perhaps the goal is to just add that additional process. Okay. HB 1601. Yes, and I don't know if it's showing up on the sheet as amend. Yes, it does say amend.

[01:47:25] As I sat here, I thought maybe, you know, this might be an opposed one too. It has some good parts of it, but the negatives might outweigh the positives. It is, let's see where I want to, yes, and this, so this bill would require locality entertaining a rezoning application, special exception, or special use permit for a data center to require the applicant to perform certain work. It does limit flexibility. The positive that I was referring to is that it gives

[01:48:01] the county clear authority to require important information about the energy demands and certain other impacts of a new high-energy use facility, but it also implicitly could limit authority to require or consider other relevant information. The bill notably would also apply to a siting of a new high-energy use county facility other than data centers. I don't know that this is the intent of the bill, but even though the reviews required might be appropriate, it would still apply to

[01:48:37] county facilities such as new wastewater treatment facilities or new solid waste material recovery facilities. The other critical part of this is that there's a part that would allow or require the

locality to obtain information from Dominion directly.

[01:49:00] Normally, this information is shared with the SEC, and the SEC determines whether or not the information shared meets certain standards or is appropriate. That would put the onerous on the county to determine whether or not what's being required is correct and we don't really at the current time have the resources to do that and the SEC is better positioned to do that? The elements of the bill here that create requirements for

[01:49:37] localities, are they all things that we currently have the option to require of a high energy use facility. In other words, can we require that an applicant perform and submit a site assessment to examine the sound profile? I assume that is the same as the noise study that we currently require in the zoning ordinance, or is that something, is a sound profile different than the noise study

[01:50:11] that we, what I'm trying to get at is if you were to amend all of the shalls to May, would it give us additional tools that we don't currently enjoy? Tracy Strunk, Department of Planning and Development.

[01:50:31] I'll have to look a little bit more closely to answer that question. We do think that the sound profile is the noise study that we do. I'm not sure if it's exactly the same as their details in there, but we do, with our ordinance, currently require both for by-right, which this does not cover, I believe, if I'm keeping them straight, and for entitlement cases that there be noise studies provided.

[01:50:56] Laura Corey from the County Attorney's Office. Just a quick glance, I'd still be concerned about changing shells to May because then there's still the implication that perhaps we couldn't require more than what's allowed here. So I don't want our universe to be limited. Okay, good point.

[01:51:13] Supervisor Smith? So I'll surprise you and say I would oppose this bill. You know, we've done really great work with changing the zoning ordinance and looking at all these pieces, and it is with the buy rate and the ones that go through the process. The other concern I have is getting us into this field looking at energy because that is not our area of expertise, and that does fall with the SEC and with Dominion or whatever energy company.

[01:51:41] So I think we have the tools we need in place right now, and I suggest that we oppose it. Okay. Well, obviously, this bill we have to oppose. You know, I do think we should keep an open mind and an eye for bills that might give us additional tools. I agree with respect to power. That's maybe a bigger issue than we're prepared to tackle.

[01:52:08] But as we look at these bills and talk to patrons, let's work to identify if there are local option authorities that we might want to consider and could support.

[01:52:26] Okay. That takes us to HB 2026.

[01:52:40] And am I correct that this was laid on the table? Are there bills that have been laid on the table that we can skip here? Okay. Yes, so I was going to say, Mr. Chairman, so we tried to note where we were recommending positions. But we tried to include everything on here because this is an issue that you all have been interested in So Kristen can certainly talk about all of them ones that have died probably not as worthwhile But that's up to you all but we tried to separate them that way if that makes sense. Okay

[01:53:11] All right. Well, then let's skip to SB 1305. I mean, I mean I will say some of them specifically those related to energy efficiency I think we should take a closer look at, if we haven't already.

[01:53:31] Just as we have consistently supported stronger state building codes with respect to energy efficiency, really my view, but it would be up to the board, I think we should also support stronger state codes with respect to energy efficiency for data centers.

[01:53:52] And I know there are bills that attempt to go in that direction, but I'd like us to look at them to see whether they're some that we should specifically support. But for now, let's go to SB 1305. Yes, thank you, Mr. Chairman. And this is an update from last week.

[01:54:09] SB 1305, in its original form, would have put a stay on any zoning ordinance amendments or any approvals until those challenges to those decisions were finalized. The patron was extremely amenable, worked with us the next day on Saturday because it was up on Senate local government on Monday morning and removed all of those provisions so that all that remained was the stay on tax collection, which the county already does voluntarily.

[01:54:43] And so the recommendation is to monitor at this time. Okay, great. Good work. That's a success story. And I appreciate our work and Senator McPike for working with us on a Saturday. Okay. Are there any others? Data center? I don't think there are. No. Okay. The only other thing I just wanted to highlight, board members have in their packet a presentation that some of us saw Jim Regibald give on the state budget yesterday.

[01:55:21] And, you know, the big takeaway for me is, and, you know, I think this is what he said. It's not me saying it's what he said. You know, the governor has been systematically understating the state's revenue projections.

[01:55:44] You know, one could draw your own conclusions as to why that might be. But the economic growth data that the governor and his team have been using seems designed to understate the revenue so that they will be pleasantly surprised with the surplus and can tout the surplus and perhaps avoid making the long-term commitments in new spending, such as addressing the JLARC recommendations.

[01:56:22] because when the money appears late in the process, they spend it paying down debt or on one-time expenditures and not commit it to paying our teachers and funding our schools. And that seems to be what's been happening over the last couple years, and we need to be pointing that out to our delegation.

[01:56:45] They do have the money to make a very significant amount of progress on the JLARC recommendations this year, and it will not be a surprise that the revenue estimates continue to increase and increase and increase, as we just recently learned.

[01:57:00] So I recommend this presentation to everybody. If there's nothing else? The only last thing in the packets is just the overview of VACO items that some of you all received yesterday, but we're providing it to all of you because it kind of gives a highlight of local government issues across the state, and we thought you all might like to take a look at it.

[01:57:22] Okay. Thank you, everyone. Thank you all for staying. We'll see you next Friday.



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