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Loudoun County Board of Supervisors, Business Meeting, Tuesday, January 17, 2023

Date Tuesday, January 17, 2023
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 8h 30m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7165>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7165

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[00:12:38] Well, good evening Loudon, good evening supervisors, and good evening staff. I'd like to call to order the January 17th, 2022 Loudon County Board of Supervisors business meeting. This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecom mode.

[00:12:54] If you need a headset, we have those available as well. Please see the clerk to my left to request one. This is our first meeting at four o'clock instead of five o'clock. And so we're all kind of an hour new into this, and we're going to get through this together.

[00:13:12] I have the great honor of giving words of inspiration and leading the Pledge of Allegiance. And I will say what I say almost every time this is my honor to do, and that is the serenity prayer. And if you know it, feel free to join me. God, grant me the serenity to accept the things that I cannot change, the courage to change the things I can, and the wisdom to know the difference.

[00:13:35] Would you join me in the Pledge of Allegiance, please? I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:13:56] Supervisors and Loudoun, as is my practice, when we have groups or organizations in the room, I take note of them, and today we do. We have ATU 689 who've come to join us in the room today.

Would you please stand up?

[00:14:13] ATU 689 are our transit workers in Loudoun County they move Loudoun without them we're not getting around one way or the other so thank you for joining us thank you for what you do thank you for who you are I appreciate you being here with us today thanks supervisors we have a long meeting and a long consent agenda so I would do the consent agenda first the consent agenda is as

[00:14:45] follows. Item R1, proclamation declaring January 2023 is National Slavery and Human Trafficking Prevention Month in Loudoun County. Item R2, proclamation to recognize January 16th through 20th, 2023 as Constitutional Week in Loudoun County. Item 1A, appointments and confirmations.

[00:15:06] Item 2, administrative items report for January 17th, 2023. Item 5, resolution of intent to amend the Loudoun County Codified Ordinances, Chapter 649, Nuisances. Item 6, Proposed Traffic Calming Measures in the South Bank Community.

[00:15:23] Item 8, Special Exception 2022-0001 and SIDP 2022-0002, Belmont Automotive Service Station. Item 11, Amendments to the Chapter 219 of the Codified Ordinances of Loudoun County, Revisions of Precinct Boundaries and Polling Places.

[00:15:42] Item 14A, Contract Award Job Order Contract for General Constructions. Item 14B, Contract Award Architectural and Engineering Services for General Government Office Buildings, Phase 1. Item 14C, Contract Renewal Roadway and Transportation Design Services.

[00:16:03] Item 14D, System Transformation Excellence and Performance BAFTE Authority. Item 14E, Construction Contract for Braddock Road, Summerall Drive, Supreme Drive Intersection Improvement Project.

[00:16:20] Item 14F, Contract Award, Mobile Data Computers. Item 14G, Award Authority Increased Information Technology Center Data and Public Safety Radio Systems Redundant Master Prime Site Co-Location Services. Item 14H, Affirmation of Personal Property Tax Rates for Year 2023.

[00:16:43] Item 14I, Commercial Property Assessed Clean Energy Program. Item 14J, CY 2023, Calendar Year 2023, Payment Standard for the Housing Voucher Choice, I'm sorry, for the Housing Choice Voucher Program.

[00:16:59] Item 14K, 2023, Utility Allowances for the Housing Choice Voucher Program. And Item 14M, Proposed Additions to the Codified Ordinance of Loudoun County, Chapter 6, 12, Dogs and Other Animals and Supervisors.

[00:17:19] Item 14M is simply to send that item to a public hearing. That is the motion on that item. So it's not a decision point tonight. It's a public hearing. Discussion on the motion. On the consent agenda.

[00:17:34] That's the consent agenda. Do I have a second? Second. Motions made seconded by Supervisor Amstead. Discussion under Cassina Jenner, Supervisor Brooksman. Thank you, Madam Chair. I appreciate my colleagues' support on the South Bank traffic calming measures. That was a really interesting process to go through, and I want to commend staff for all of their hard work on this.

[00:17:54] We had to have a community vote on it, and the community vote, despite the fact that this is my community, did not go the way I wanted it to go. weird. So that's, you know, that's kind of cool that the, you know, democratic process in that way worked, even though the supervisor lives in that community and would have wanted a different result. But we're getting a watch for children signed and no speed

hump in that community. It's very low cost, low investment. Secondly, I was considering a no vote on the Belmont gas station, but I want in the interest of time, I didn't want to pull it off of consent. And it was just sort of

[00:18:32] a stick in the ground no vote that I was going to take because I'm disappointed that the applicant appears to have not had discussions or maybe didn't have deep enough discussions in my opinion with the EV charging station provider that we asked them to talk to to maybe increase the number of EV charging stations in that application. I'm not going to follow my sword over it but I would like those who are considering gas stations in our county to hear us when we say we want to see more EV charging stations in these facilities. Thank you, Madam Chair. Thank you, Ms. Bricksman.

[00:19:11] Anybody else on the consent agenda? Seeing none, feel free to say aye. Any opposed? That motion passed 702 with Mr. Letourneau and Mr. Sains, both letting me know that they're going to be running late tonight. Supervisors, we have some additions and deletions to the agenda. We have one complete withdrawing an item from the agenda so let me do the two that I have that are deferred and then I will go to mr. mr. Turner or miss class I'm not sure who wants to you wonder the motion about mr. Hyde Park or I don't I don't care which one we do it to be honest so just put your line on if you want to I don't I - response to board member initiative for the project labor

[00:19:50] agreement is deferred to the February 7th 2023 board of supervisors business meeting i asked for the pla item to be deferred because the amount of information that i was working my way through i personally had quite a few questions my questions alone would have taken probably two hours and we and and so i needed more time to ingest and digest that the item and the information we received from mr rogers and so there's no other reason that's being deferred except for i needed more time with that item and then the county energy strategy is deferred to February 21st and that's only because today's agenda is a monster and so I was trying just to

[00:20:29] move some things off and so just give us a little bit more breathing space and so those that's why those two items have been not removed but deferred miss I don't care literally miss glass you want to do the high park you will make it you want to announce that it's being pulled we're not going to take any eye they've asked to withdraw the application okay thank you madam chair I just wanted to speak to the constituents of the Broadlands area who had contacted me about this application and how involved they were. We've had meetings. I had walked the doors

[00:21:07] and had spoken to people, and they told me, you know, their concerns. And, you know, I I know that, you know, some of them just had, you know, trepidation about it.

[00:21:26] And, you know, I just want to thank them for their patience and their understanding. And, you know, this was an abnormal application. It usually doesn't become as strenuous, at least as long as I've been here.

[00:21:46] So, again, thank you, Broadlands, and please continue to contact me with any of the concerns that you have. Thank you, Madam Chair. Thank you, Ms. Glass. Amanda, we're running the clock for this time. Thank you. Mr. Turner.

[00:22:03] Thank you, Madam Chair. I want to thank the applicant and the staff that has worked extensively in the side park application for quite some time now, almost a year. We received, at my last count, 125 emails of the 3,900 residents' homes in Broadlands that said they didn't want houses.

[00:22:24] Of those, I think 17 said they'd rather have a data center. It will be a data center. I've already talked to the applicant that has bought that property, and it is going to be a data center. They are very anxious to place the data center and design the data center in a manner that's compatible with the neighborhood, and I appreciate that.

[00:22:42] They have talked about, we've talked about substation and the overhead power lines to get to the data center. Their desire is to bury those power lines. I think overall four of that obviously would like to see that happen. But a lot of that remains to be seen. It's just the initial discussions.

[00:22:57] They were very good discussions. But just so the residents understand it, we'll be a data center. Thank you very much. Thank you. And I want to be a little bit more blunt about the high park application. Because I have a long set and I do believe that data centers don't belong in the middle of neighborhoods. and I don't believe they belong in the middle of neighborhoods.

[00:23:15] I was willing to vote for, I was ready and willing to vote for the homes. The applicant pulled the application, and they made the switch. And so that should be said. So when people start talking to us about the fact that there's a data center in the middle of the community, I wanted to be known that that was not the options or the choice of the board.

[00:23:34] I do hope that the design standards are very high. I hope that the setbacks are huge. I hope that they do a lot of screening in glass, in different colors, in different materials. I hope that it looks like, quite frankly, a very nice office building with a lot of greenery and foliage around it.

[00:23:52] But in the end, it's still a data center in the middle of a neighborhood, and that was not my preference. And I just want that to be on the record, that this was a decision of the applicant. So thank you, and thank you, Ms. Glass and Mr. Turner. Supervisors, as we talked about for the first time, we're going to do something a little bit different.

[00:24:11] So I will do my chair's comments, and then you all will do your comments later in the five minutes. So I handed you all a book that I actually want you to open and take a look at. It's the Building Momentum book from NVT, and this is where I want you to open it.

[00:24:29] Please first turn to, Mr. Buffington, I need you to be with us. Please turn to page 20. I'm not kidding. Open your books, page 20, and look at that chart and look at the regional funding by corridor. With the exception of the I-95 VRE blue-yellow line, Loudoun County Parkway Route 34 has received more money than any other program or corridor in all of northern Virginia.

[00:25:01] there is something to be said of being very involved in these regional programs. But even better, turn the page and look at the bottom where it says local distribution projects by primary mode per jurisdiction, and look at that graph, and look at Loudoun County on that graph on page 22.

[00:25:22] I'm saying, right, people? Right. You guys see that? Are you looking at that? We killed it. We absolutely killed it. I mean, we are like Fairfax County and Prince William County combined is how high our numbers are.

[00:25:39] And so I think so much, so much thanks and praise goes to the staff because when these projects come up, it is important that the staff gets it right. It's important we don't have to go back and do things two or three times. I was at a meeting one time, an MBTA meeting, where every other jurisdiction

had to pull money back or take money off of one project to another project, with the exception of Loudoun County.

[00:26:04] Our staff is incredible. They do it right. They do it by the first time. And the benefits are we are pulling in very, very nice money for our regional road projects here in Loudoun County. So thank you, staff. Good job. Yay. Yay, staff. I also want to say that tomorrow I will be going down to the Virginia Association of Counties for our legislative meeting and meeting with the legislators down there, I will be joined down at Vaco by Ms. Bricksman, Ms. Glass, Mr. Turner, are you going down to Vaco with us?

[00:26:43] Mr. Turner, I'm upset you're not going this time. We will miss you this time. You have TPB. Okay, so we'll all be going down there, and we'll give you a report on how it goes when we come back. All right, my voice for a cause today is A Better Life. A Better Life was founded in 2016 with a mission to eliminate hunger and food insecurity for local students.

[00:27:06] A Better Life believes children improve their study habits, and they are right, and increase their opportunities for success when they have food. It's really hard to focus on your algebra tests when you're hungry. And they want to do this without the worry of where their next meal will come from.

[00:27:25] The president of A Better Life, Elizabeth Ford, has joined us today. Thank you for being here, and thank you for this. So what inspired you to start this organization? And so I grew up without food, I grew up without school lunches, and I grew up asking for quarters at a 7-Eleven because we didn't have food pantries.

[00:27:44] Wow, wow. What are your organization's current needs? Our current needs are monthly donors. We definitely want to keep expanding and helping more children in Loudoun County, and we need the funding to do that. And tell people how they could contact you if they want to volunteer or donate.

[00:28:02] volunteers are great too yes absolutely betterlife.org um or they can donate on there um or they can give us a call 703 i'm sorry 571-777-0005 and they can contact us anytime betterlife.org better a life better a life yes ma'am thank you thank you for correcting me you're very well and do you have any upcoming events uh we do well every week right now actually we're starting our homework club this evening so the children are packing in they're getting a hot meal and they're having the homework club. We do that weekly. We have our gala, which is our biggest fundraiser of the year coming up in October. And then every month we go out door to door, making sure that

[00:28:38] no child is missed. So you all do, you make sure they have before school meals and you have a homework club for them once a week. Absolutely. Yes. And we teach them how to cook. Oh, wow. Yes. Do you have an age to just specifically focused on? It is all ages. It is all ages. Yes.

[00:28:55] Yeah, so preschool to college students. We just brought our first college student to college on July 26th, helped him do his applications and get in. He was homeless for five months. So this is not a question on my list that you knew about that I was going to ask you, so I apologize in advance. Do you find that when the kids come to you, they're dealing with any kind of a stigma because they need to have food assistance?

[00:29:20] And how do you help them through that? They do, actually. And the way we help them is letting them know that they're no different, teaching them those skills, those homework skills, the cooking skills, the skills they have, as well as giving them the meals to take home so they can go to school with a regular lunch bag.

[00:29:37] So we do that so they can get a lunch bag off our shelves any time they come in. Well, that's amazing. So I don't allow clapping in the boardroom for everything, but we're certainly going to clap for this. Thank you very much, Ms. Ford. Thank you, Chairwoman. I appreciate you. Ms. Amstreet, do you have any comments for us?

[00:29:55] Thank you, Madam Chair. I have four comments for this evening. The first is that Loudoun Fire officials are encouraging residents who have fuel burning appliances or heating equipment to install carbon monoxide alarms in their homes, especially now during the winter months when the risk of carbon monoxide poisoning increases. Often called the silent killer, carbon monoxide is an invisible odorless gas created when fuels such as oil, wood, and natural gas burn incompletely. Loudoun Fire and Rescue recently received a federal grant for a limited number of combination smoke and carbon monoxide alarms that can be installed for free through the county smoke alarm program. Details

[00:30:33] are at loudon.gov forward slash smoke alarms. Second, to reinforce existing policy, the Loudoun County landfill will require written documentation that commercial construction and demolition waste being delivered to the landfill comes from sources within Loudoun. In addition, all haulers of commercial construction and demolition waste must be pre-authorized to use the solid waste management facility. The new requirements are effective February 1st. Third, Loudoun County is hosting an in-person job fair this Saturday, January 21st, that will feature more than 30 local employers with immediate job openings in a variety of industries. The event will take place

[00:31:10] at the Claude Moore Recreation and Community Center from 10 a.m. to 1 p.m. The event is free, but pre-registration is encouraged. Details are online at loudon.gov or slash Loudon Job Fair. And then finally, for your awareness, the Loudoun County Continuum of Care plans to conduct the annual point in time count the night of January 25th. The annual count of people in the community experiencing a housing crisis or homelessness is conducted locally in conjunction with the other jurisdictions in the Metropolitan Washington Council of Governments.

[00:31:42] One of the key benefits of the count is that the results contribute to data-driven decision-making for specific types of housing needs and areas of program development that's my comments this evening uh chair randall thank you mr hamstring when we were at uh cog miss briggs when i were at cog one of the things i ask is why is the point in time study because it's only done once a year done in january because it just doesn't make any sense if you're homeless or you know without adequate housing probably january you're going to find a doorway to sleep in or a hallway to sleep or something, and you're not going to get a good count, I actually think the point-of-time

[00:32:19] study should be done in July, because you're going to be more likely to be outside if you actually don't have any place to sleep. And so, Supervisors, I actually might add this to our, because the answer was it's a HUD decision. So I might add this to our federal legislative program to change the point-in-time study from January to July, because I think we're getting a skewed count in January.

[00:32:45] If I'm cold, I'm finding some place to be in the middle of January, whereas in July, I'd probably be outside. So I'm going to ask for that to be changed. Am I wrong? I'm not. I'm right, right. Am I right? I'm right. So I'm going to ask for the Ledge Program for that to be addressed and changed.

[00:33:03] Okay, supervisors, it is 4.30, and we're going to our first information item at 4.30. Would staff for the maintenance code please come down to the table? Look how happy you all are. after this you all going home ready when you are I'm Keith Fairfax with the Department Planning and Zoning I'm the

enforcement program manager with me tonight is Amanda Johnson our assistant manager and you know mr. Galindo our

[00:33:38] department director spare with me one minute as you know I don't get to see you that often thank you we do have a presentation prepared but in the matter is up to the board do you want us to go through that entire presentation or do you just want to hit the meat and potatoes of this issue that's to the meat and potatoes part

[00:34:13] all right so good evening again and the reason we're here tonight is to talk about the virginia maintenance code what we currently have on file and adopted at the county level we were going to discuss also our memos of understandings with the town of leesburg and the possibility of you us expanding those based on interest interest from other towns and finally we're going to talk a about our proactive enforcement that we have been doing for a number of years within the county.

[00:34:47] So basically after the conclusion of tonight's information, this is only an information item, but we would come back to you at a later date to get direction based on your thoughts process tonight of how you want us to proceed on some of these issues. So currently in the county of Loudoun, we enforce only a couple provisions of the maintenance code. The Virginia maintenance

[00:35:21] code is an elective part of the building code whereas part one and part two are mandatory that we enforce by the state the maintenance code is something that is an elective for each jurisdiction to adopt so dating back to 2004 that's when we first explored using some of the maintenance code provisions and that was in response to an uptick in residential overcrowding complaints within the chapter four that we did adopt at that time has specific regulations for square foot footage requirements, windows for habitable bedrooms. So in addition to our definition of

[00:36:00] a family that's, or more than our zoning ordinance definition of a family that basically says you can't have more than four unrelated adults in a house, it gave us subjective numbers and space requirements to use in conjunction with that. Then in 2000, whoops, go ahead. Unrelated doesn't mean nuclear family does unrelated means second cousin first removed actually there's no nuclear family is a part of family under our current death sure but but but expanded family um blood or marriage adoption is your nuclear core group under the zoning definition thank you definition so in 2007

[00:36:39] and 8 those of you that have been around for many many years know that the county did a Potomac Sterling Outreach Initiative. And during that time, the county, different agencies met with the community based on the needs of what they would need in 10 and 15 years from that date.

[00:36:59] And one of the issues occurring that time were a lot of foreclosures in the Sterling Park area. Based on those foreclosures and discussions with the board, it was decided that because we had so many vacant houses at the time, the board wanted us to have a tool to deal with some of the exterior maintenance issues, such as peeling paint, gutters that are falling off houses, doors that are broken, windows that are broken in houses. So at that time, the board adopted chapter three exterior

[00:37:33] only provisions of the maintenance code. So that's where we are today. In addition to what we do have, The maintenance code also has other provisions that allow for some further exterior and interior requirements to be enforced.

[00:37:53] But once again, I would let you know that under the eyes of the building code, which the maintenance code is a part of, it requires a property owner to do the minimal things to get in compliance

with the code. So it doesn't mean they have to go out and rebuild a house or put entire new siding on it.

[00:38:15] If one piece of siding is missing, they just need to meet the minimum code requirements. Some of the other items available for enforcement or regulation are plumbing, your plumbing fixtures, your hot water heaters for the interior of the house, Your mechanical and electrical requirements, which consist of heating and cooling facilities, and basically if you rent a room or if you have an apartment building, you have to have certain temperatures from the summer months and the winter months that is regulated.

[00:38:50] I think we're hopeful that that happens anyway, but in some situations there might be an issue with folks not having functional heat, and that could lead to serious problems. It also covers electrical issues such as exposed wires, blown circuit breakers, your ground fault indicators, things like that.

[00:39:10] And elevators for our commercial and residential properties because we're getting more and more residential properties that have elevators. And finally, Chapter 7 would include fire requirements that meet safety conditions that require not so much that we can say you need a smoke detector, but we can suggest that you need a smoke and carbon monoxide detector and direct you, and in this case, to fire and rescue, and hopefully they can assist you with that.

[00:39:38] So in a nutshell, that's what we have available to adopt. It's entirely up to the board whether they would like staff to come back at a later date with more information on the adoption process, which would only include action on your part in a public hearing.

[00:39:56] This would not go to the planning commission because this is a part of a codified ordinance, not the zoning ordinance. Right, right. So, first of all, I'll take, we'll do questions. And secondly, I actually don't, I don't believe probably if we get all the questions answered right now, you do need to come back.

[00:40:16] I think this is kind of self-explanatory. It's all good stuff, but let's take questions first. Ms. Glass. Thank you, Madam Chair. So is the Virginia Maintenance Ordinance, could that be enforced alongside or instead of the Blight Ordinance?

[00:40:33] Blight is specific to just that, Supervisor Glass. If you have a structure that's unsafe, that's in danger of collapse, and is vacant, that's when we would use the Blight Ordinance. The maintenance code is basically situations where it's either owned by the property owner that has a tenant.

[00:40:51] Someone else files a complaint against the property owner for the outward appearance. Then we would go investigate those issues and get them in compliance with the standards found in that code. Does that answer your question? Yeah. And also, it's even a little more confusing because tonight, I actually was on the consent agenda that we'll probably end up doing it, have some involvement with.

[00:41:13] you're getting a new ordinance that will deal with unsecured vacant structures that aren't in danger of an intimate collapse because we found with our blight ordinance when we adopted that a few years ago, there was a little issue with the structure having to be totally unsafe, not only just unsecured.

[00:41:33] Okay, thank you. Ms. Hamstreet? Yes, Chair Randall. Just for the board's background, I had asked staff to bring this information item because we regularly receive inquiries from all districts except for, I think, probably Leesburg because of the fact that Leesburg handles many of these issues, although we do handle some of these issues through the Memorandum of Understanding with the town, along

elements or items that are relating to portions of the Virginia Maintenance Code that the board has not adopted.

[00:42:06] And so often we're having to tell either your staff aides or you directly that the county doesn't regulate whatever that situation is. And so bringing it here primarily to ask the board if this is something that the board wants to consider in terms of adopting additional elements of the maintenance code.

[00:42:28] So if there is an interest in that, it would be helpful to understand from the board if you want us to bring those options back to you. because we definitely can do that. And then the second piece of it, which Mr. Fairfax went over, has to do with how we enforce the maintenance code.

[00:42:44] So we do have proactive enforcement in one area or one district. Sometimes we receive requests from other districts to be more proactive about our enforcement, but we can't do that without the board saying that you want to expand that program beyond the Sterling District.

[00:43:02] Mr. Fairfax and Mr. Hempstreet, Would it be fair to say that, yeah, I'm just asking a clarifying question before I call my colleagues. Would it be fair to say that the maintenance code is really about health and safety? Definitely. I mean, that was why I was promulgated years ago, to protect the public health, safety, and welfare.

[00:43:25] And it gives us another tool to use in addition to our building code, which usually requires a structure to be totally unsafe. This steps in and gives us additional powers to deal with situations that might be a threat to a tenant.

[00:43:42] Okay, I'll come back. Ms. Brixman? Thank you, Madam Chair. So if we did want to expand under the state Virginia Maintenance Code, would that require an ordinance, addition to our ordinances? Okay.

[00:43:57] Yes, ma'am. You would have to adopt that and put it currently housed in Chapter 14 of our codified ordinance. Got it. Okay. And then how would this apply, say, to homes that are in an HOA, if at all? It would still apply because it would be county-wide ordinance.

[00:44:18] However, what we find is in your areas that have HOAs, they police themselves. And that's why we have not received direction from the board to discontinue our Sterling Area Enforcement Effort because it covers an area of about 3,100 homes, single-family homes, that are not part of HOAs.

[00:44:38] So that's what we're asking direction on, too, whether or not you want that effort to continue or if you want to expand that to other areas of the county because the whole communities are getting older. Yes, and I definitely have a few of those in my district.

[00:44:56] My other question is, and this relates to some complaints that I have received in my office, and I think I did work with staff on, and that is about folks who are kind of like hoarders and it's starting to kind of seep out onto the street or they're ordering a whole bunch of stuff and the packages are piling up on the porch and those sorts of things.

[00:45:23] A lot of underlying issues there, but would we be able to include something like that? If you talk to a lot of my colleagues in the Commonwealth of Virginia, no, but my interpretation of the maintenance code that it talks about if we should adopt the interior provisions that there will be, and I'm paraphrasing, a clear path without obstruction throughout the House.

[00:45:45] some of the situations I've seen exceed that as far as your your cases I'm familiar with those two because we also do the solid waste regulations for the county in my office and yes we cite those folks when these packages become trash because it becomes a health safety issue and we cite them and if they do not clean up themselves we have crews go out and do it okay all right thank you much thank you miss miss um thank you very much madam chair so two questions um one of which is

[00:46:24] if we were to embark on um expanding uh our engagement in um enforcing a maintenance code would it require a staff study to give us an indication of how much it's going to cost based on what i see in last year's complaints because right now these these inside the house complaints are going to either the health department the building official or our division what i'm seeing in our online complaint system is we're getting like 30 to 50 complaints

[00:47:01] if we adopted these provisions within the next six months i think we're okay at this point but Having said that, once we get into enforcement, and especially if it's the board's desire for us to work with more of the towns and enter into agreements with them, we're definitely going to have to have a conversation on the resources and what type of demands it's committing on staff.

[00:47:25] And then a follow-up to Supervisor Briskman's question about hoarding. How do the fire marshal's obligations interact with, say, your department's obligations?

[00:47:43] Yes, ma'am. There is a committee of multiple agencies within the county, including zoning enforcement, fire marshal, animal services. Who am I forgetting, Amanda? Mental health. Mental health, substance abuse. And they are coordinated through Mr. Hemstreet's office.

[00:48:03] Those complaints are sent out to the various agencies, and we all send people out to see. We try to do it in a coordinated effort, but as you know, schedules don't always allow that, and report back. And each agency ends up taking what action they can through their codes and ordinances that we have on the books.

[00:48:19] And one final, since I still have 54 seconds, how would we set up, or does one normally set up a fund to help those individuals whose house is falling to pieces because they just can't afford to keep it up?

[00:48:39] As you know, I think we had an incident on Meadowland in the town that we assisted them with that they ended up using their own local nuisance ordinance to take care of. but there are agencies out there such as especially in sterling there's christmas in july and i apologize i don't know them all i wish mr sanes was here to answer the ruittons there are some builders that donate their time i know on our building code appeals board we had folks offer their services to this particular property owner in the town to take care of some of his issues and he flat out did not follow up so that's the biggest part there are resources out there

[00:49:18] And even our Department of Family Services, which I always get confused now of whether or not they're in the Department of Housing and Community Development or if they're still with Family Services, there is a program based on income for folks to apply for assistance for renovations to their properties.

[00:49:37] Thank you. Mr. Buckingham. Thank you, Madam Chair. For the towns, can they do this themselves and participate in this program? And how does that relate to the county if we want to participate and we're getting complaints about something in a town?

[00:49:53] Do we need a memorandum of understanding to work with them on that? Can you just talk just a little bit about working with the towns on this? So if the town of Percival wanted us, the county, to enforce these regulations, as I said earlier, they are elective.

[00:50:09] So the town would take an official action at their level. Their council and their mayor would reach out to our county administrator and start the process. That item would then go through legal. Mr. Rogers would vet it, and it would come to you as an action item.

[00:50:26] You would have final say. But I would like to once again let you know that the maintenance code is elective. So each incorporated town could adopt that on their own and have their own staff member enforce it, Whereas the building code is a little different.

[00:50:44] If the town does not have a building official, then the county is required to provide that service for them. And I'm not trying to skirt relations or to get out of doing more work. But as you know, there's nine of you folks, and each of you have two aides.

[00:51:00] We have a lot of population increase over the few years. I just don't know how much staff we would need if Lovettsville wanted us to do the thing. Middleburg. Every town. Right. There's seven incorporated towns. So that's just something that I'd like to throw out there as a caution. It's ultimately the board's decision and it's up to the jurisdiction to ask. We did meet with the town of Percival staff, but we have not received an official request because the incident from this past summer basically involved interior issues

[00:51:35] and what we have on the books now wouldn't have helped them. Thank you. I, for one, am and would be interested in learning more about what we could adopt to expand this program. Thank you. Thank you, Mr. Kirshner. Thank you, Madam Chair. Just two questions as follow-up. First, is Leesburg the only town we have a memorandum of understanding at this time?

[00:51:55] As of today, yes, sir. Okay. So you've met with Perseville. Have you met with any of the other towns? No, not at this time. Okay, fair enough. You mentioned in the item that we have in front of us that there's been an observation in the calendar year 2022 and an uptick, I guess an uptick in complaints or issues. Could you elaborate on that a lot? When you call an uptick, are we talking about 10 more, 20 more, and where are they kind of focused? Actually, it's less than a dozen. But the problem is there were so many people trying to get help for the residents that this case was in

[00:52:30] the town of Leesburg, it just escalated. And once we were able to tell them that we don't have any tools to help them because in this particular incident the place was not unsafe under the building code's eyes but there were some issues that a tenant was expecting come to find out it's my understanding and mr buffington probably has a lot more information but they were going through an ownership change at this particular complex and some of the issues were had fallen through the cracks the new ownership came in and took care of them within a couple weeks so you're saying the uptake kind of revolves around one right and i know the chair and ms umstead went

[00:53:09] to some place some um apartments in sterling and as well as the town of leesburg probably about a year and a half ago is that correct and they saw some pretty deplorable living conditions but we haven't gotten complaints about those and it could be because folks don't want to get government involved okay or a number of reasons why they haven't contacted the county about this type of issues okay so that's why i'm hesitant to give you numbers because i don't know i don't know yeah and from a personal

perspective obviously there has to be a balance we don't want to go too far in one direction versus i think there is a real balance here and i'm really kind of the point

[00:53:47] behind some of my questions trying to figure out where that balance is so if the other members of this board decide they do want to move forward some information that'd be kind of the thing i would be looking at where does that balance come between too much intervention versus you know ensuring that we have some level of safety thanks so i think actually they did complain i think when they complained to me they complained to the county in their head that's what i'm that's what we're here for so i do think complaints happen i it was supervisor bricksman and i at one meeting supervisor um umson and i in the other meeting and the conditions in these buildings were and by the way um chief johnson can you come down to the table please the conditions in these buildings

[00:54:25] were very concerning, both health, safety, and welfare. Everything from reeling on the balcony that was so loose, people didn't want to go out there, to the stairs being torn up. And so if you're walking down the stairs, it was dangerous. One house had water coming through their fire sprinkler. It was a fire sprinkler of water coming through the fire sprinkler. And I am a former chair of Virginia's Fair Housing Board. And so I knew what to do. And when we started making the

[00:55:00] moves to fix some of this, because we didn't have it in our ordinance, the owner just sold the building. He just sold it. Rather than fix it, he just sold the building. And thankfully, the new owner is coming in, did a better job and things like that. But I mean, it was literally an invitation to come to their house to see the vermin, the mice and the rats, which I don't need to see. I'm going to believe you. I ain't got to see mice and rats. If you say you got mice and rats, I am believing you. I do not got to come view them for myself. So I did not. But others did go see, and they were very, very, very bad conditions, both health,

[00:55:39] safety, and welfare. I'd also be concerned about, I don't know how far removed we are from things like lead paint, but I'd be concerned about a lot of those things. And Mr. Kirshner's But more often than not, people, if they're having trouble affording a place to stay, they will remain in very bad conditions versus complain.

[00:56:07] And really, we should be aware of that, and we shouldn't have to make people beg to live in better conditions. It's just not appropriate. So I will be asking you all to come back so we can do an ordinance.

[00:56:23] Chief Johnson, thanks for being here. Did I hear Mr. Fairfax say that issues that are related to fire and rescue is different from this? Is that what I'm hearing you all say? I think what I was saying is there's a committee that we address.

[00:56:41] All of us have our own codes. In addition to the maintenance code, which is enforced by me as the code official and my staff, Chief Johnson has the fire code, which his inspectors and FAA fire officers. Okay, so let me stop. So, Chief Johnson, so when the waters come to the sprinkler, not, not, not the, it wasn't the sprinkler, it was the fire alarm, yeah, thank you, thank you.

[00:57:02] The water's coming to the fire detector, that's a you issue, correct? It depends what type of occupancy. So on a commercial building, yes, we would have the authority to go in and look at the fire protection system. On a residential home, that is Mr. Fairfax's responsibility. Oh.

[00:57:19] Yeah, we, basically, we have no authority in your single family home when it comes to far as safety. I'm sorry, Supervisor, but what about an apartment building? It's different, and that's a multifamily dwelling, and that falls under the auspices of the building code. Okay, okay, all right, thank you. I would like you to come back. Supervisor, is there any objection to them coming back to us? Do you need any more instructions from us than that? The only thing we really didn't elaborate on, I know the other night there were some conversations about proactive enforcement, and I didn't know if you had any questions about that, because I did want you to

[00:57:53] No, we are still doing proactive enforcement in the Sterling area based on board direction from 2010. Now, if you want us to continue that, we have the area split up in the sectors. Can you tell us what that looks like so we know what we're actually...

[00:58:10] Oh, let me get to the slide. Mr. Sands, we're here. Yeah, this is the Sterling area that aren't served by HOAs. We have divided it into seven sectors.

[00:58:25] There are approximately 3,125 houses, single-family detached houses that are in this area. And we have our inspectors spend time in these areas when they're not responding to the complaints we get. So this is not their priority.

[00:58:43] This is a secondary assignment because we have to be responsive to the complaints that we receive on a daily basis. So our folks go out. It could be anything from people parking in their yards, inoperable vehicles, commercial vehicles, businesses being run from residents, all kinds of different things that are in violation of the zoning ordinance, in addition to the Virginia Maintenance Code issues that we see with falling down fences, peeling paint, broken windows, gutters, that we do our best to communicate with the property owner, with a responsible person, ask them, advise them,

[00:59:20] show them the ordinances, educate them on what needs to be done, but in some instances it does lead to a notice of violation and we have to take official enforcement actions. What's your staff capacity to do proactive? Our numbers are really crazy, lack of a better word, because I can do 70 inspections in two hours because if that many houses I can ride around, but am I really catching everything so our capacity for example fiscal year 2021 we had 116 cases that were

[00:59:58] brought about because of our proactive initiative and then last fiscal year 22 it was down to like 101 cases so it's not a large number of complaints and like i say we do our best to educate folks and get them into compliance because that's what we want to see at the end of the day Well, this is a hard question without Mr. Sains here, is this is his district.

[01:00:25] So I'm going to go to, yeah, Ms. Bricksman, because you're not Sterling and Sterling Park, but you are a Sterling zip code still. So I don't know. I don't know. I don't know.

[01:00:42] Now I've said it three times, but now you really know that I don't know. Well, I will say our first proactive experience was in 2005. And back then, I don't know if a lot of you remember, but we were doing what was called the Gateway to Loudoun.

[01:00:59] There was a lot of improvements done on the Route 50 a quarter. But that initiative basically involved a lot of commercial uses and industrial uses that weren't legally established that we ended up having to take actions on. And it went on for like two and a half years. When we wrapped that up, we went right into the Sterling as a pilot program.

[01:01:18] And the board at that time wanted us to continue it. And that decision was made in 2010. So supervisors, my inclination would be to say yes to proactive only because of what I said. If someone is living in a rented space and they're, you know, for whatever reason, they don't feel comfortable reporting, they may not ever report.

[01:01:40] So unless we say yes, go do it proactively, it may never have a resolution. And so, and I hear you, the proactive is secondary. It's not the primary. And, you know, my inclination would be to say yes, but what do you all think?

[01:02:01] Yes, Ms. Bricksman? Yes, Madam Chair, I don't represent that district, and I know that Vice Chair Sains has probably spent a lot more time in those areas, but I have spent a good amount of time in those areas at, you know, ball games and, you know, friends from church and those sorts of things.

[01:02:19] What's your thought? I think yes. I think yes. But we, I mean, we don't have to make a final decision tonight. We're just saying yes to bringing back the idea of proactive. Yeah, but he doesn't know what we're bringing back, though. Yeah, I agree, yes. What's your thought, Mr. Buck? Are you just asking for the Sterling District where they're currently doing it or the whole county?

[01:02:36] No, for the Sterling District. I defer to whatever he wants, but I don't want proactive in my district. I'd rather just have, if complaint-based enforcement. You agree with that, Mr. Kirk? I agree with Mr. Buffington 100%. Okay, Ms. Glass? I would say yes. Yes.

[01:02:52] To your district or to where it's at now? To where it's at now. Okay. And that's it? Although there is a portion that you were just discussing. That was your district, wasn't it? That is my district. That was your district, yeah. Yeah. So, yes.

[01:03:09] Yes, for my district. Ms. Umstead? I would say complaint generated. Period. No, even in the Sterling District? I'd like to hear what Mr. Sains has to say about that. Well, listen. Yeah. No, I'm not going to go back around.

[01:03:25] Well, I didn't answer about Algonquian. I only answered about... Okay, so Algonquian, I assume it was... There are potentially areas of Algonquian that we might want to look at. So let's say yes for now for the Sterling, Broad Run, and Algonquian districts. And if that changes with Mr. Sains, we'll let you know.

[01:03:42] But we'll say yes for now. For not, for... Okay, but just as clarification, we're only currently... I know, so you're expanding. I understand you. If we want to talk about expanding that program... Are you doing Sterling District or Sterling Zip Code? Sterling, it's basically district. Even with the changes, and I had a slide on that.

[01:03:59] Because Sterling Zip Code's a lot more than the district. Right. But even with the election district changes, I think we took that slide out, it's not going to impact this from being in the Sterling District, this area that we're currently concentrated in.

[01:04:18] Yeah, are there financial implications to expanding? Definitely could be, yes. Oh, geez. Okay, I'm going to make a command decision.

[01:04:35] You're going to come back with information for the Sterling District right now, and you'll let us know if any of that is also included in the Sterling zip code. That's the command decision. Thank you, sir. Thank you. Thanks, everybody.

[01:04:52] All right, we are two minutes from public comment at 5 o'clock, and so I think we can go on and go to public comment at 5 o'clock. At 5 o'clock public comment time, we have eight speakers, so the entire public comment time is filled up.

[01:05:11] If I call somebody before 5, which is two minutes from now, and you're not here, I'll call you again, so I know you're here before 5 o'clock. Our first speaker is Robbie Ballarau, followed by, my gosh, I will not say your name correctly, and I'm going to apologize in advance, so let me spell it.

[01:05:32] G-U-R-B-I-N-D-E-R, Grubinder Singh, I think that's the name, and then followed by Reverend Jean Wright. Ravi, are you here yet? Oh, there you are. Come on down. Good evening, sir.

[01:05:50] Good evening, Madam Chair, Board of Supervisors. My name is Ravi Balaram. I'm an active duty Army aviator, a FAA commercial pilot, and a member of the Brambleton Community Association here to talk about the Airport Impact Overlay District. A few points today. You've heard from me before at the last meeting, but I think today is even more critical time. Even though I'm from Brambleton, this issue does not apply only to Brambleton or Birchwood residents. In fact, our analysis shows

[01:06:24] it affects 47,000 homes in Loudoun County, 135,000 of your constituents. That is approximately one in three. So we urge the Board of Supervisors today to vote against the staff's proposal on the AIOD. Our preference is to do a very deliberate and inclusive process, deferring action to this back on the CPAM to the Planning Commission. Understand there might be other constraints with

[01:06:58] this. So alternatively, we're looking for the board to adopt the CPAM, retaining the 1993 noise corridors. The 1993 noise corridors, oftentimes in the Brambleton-Birchwood area, for lack of a better term, they're called the Bunniers, extending past runway 30. We believe that's absolutely critical. Secondly, we think it is absolutely essential that an FAA community roundtable be formed and that the Loudoun County leadership lead on this effort to bring the community together

[01:07:38] for an inclusive approach to work with MLAW, to work with the FAA, to inform a data-driven policy for better legislation. I believe the board has received Congressman Wexton's letter urging the same and recommending both the FAA community roundtable as well as this inclusive approach.

[01:08:01] I understand Supervisor Turner is going to propose an amended legislation motion, and Brambleton HOA does support that effort in line with the comments that I just talked about. Thank you so much.

[01:08:18] Thank you, and you're actually speaking on behalf of the HOA? Yes, ma'am. Okay, thank you, sir. Grubinder Singh, followed by Reverend Jean Wright, followed by Amy Owen. Good evening, sir. And if I mispounce your name, I apologize. I want to thank the board for taking the opportunity for me, allowing me to speak with the board.

[01:08:39] And I'm speaking here on behalf of Bridges and Interfaith Group. Loud Interfaith Bridges, a 15-year-old organization, was built with loving and respectful relationships through gaining new understanding of others and faith through our own valuing each other's faiths.

[01:08:59] In these friendships, it's an expression of our thanksgiving of God's generosity while realizing that God's willingness and goodness is given to us not just for our well-being, but as a responsibility for others and a call to others, the stranger and neighbors and people of our community.

[01:09:20] So we applaud the Board of Supervisors as they promote equity that is practiced in departments of Loudoun County government and is examples for others to follow.

[01:09:30] We really appreciate the practical questions that are asked in implementing equity strategies, such as who benefits, who's missing, how do we know, how are we intentionally engaging others, and while keeping in respect the multiple perspectives that are present in this county, how do we remove the barriers to participation, and how does this board remove those barriers to address participation from everybody in the community and not to isolate anyone?

[01:10:03] We are asking these questions within our faiths and between our faiths. We believe that these are faithful questions, and they counter the bullying that is often heard in our schools and workspaces. They liberate those whose voices have been long silenced and whose abilities to contribute to the communal life have been repelled in our neighborhoods and even our houses of worship.

[01:10:29] They create equality and opportunity for all. I really appreciate the Board of Supervisors initiative, and we commit to increase our own practice of equity so that we may live the abundance of life that comes with the whole community work together for good. Thank you so much. Thank you, sir. Thank you very much.

[01:10:46] Reverend Jean Wright, followed by Amy Owens, followed by Lori Nguyen. Good evening, Reverend Wright. Good evening. Madam Chair Randall, along with my supervisor, Sylvia Glass, and the other members of the Loudoun County Board of Supervisors. I'm Reverend Dr. Jean Wright, co-founder, a co-founder

[01:11:18] of the Faith Alliance for Climate Solutions, FACTS, and lead of the FACTS Loudoun Hub. Thank you for the opportunity to be here this evening to speak in full support of the resolution of the Board of Supervisors regarding social and racial equity as fundamental values.

[01:11:38] First, I'm in full support of the important and unfortunately necessary resolution in support of every Loudoun County citizen. Why? Because as a person of faith, one of the greatest statements on social and racial equity as fundamental values was written almost 2,000 years ago by the Apostle Paul.

[01:12:00] Paul wrote his statement in the letter to the Galatian church, chapter 3, verse 28. The equity statement reads, Faith in Christ Jesus is what makes each of you equal with each other, whether you are a Jew or a Greek or a slave or a free person, a man or a woman.

[01:12:18] This is the fundamental value of our Christian faith, yet here we are in 2023, still trying to incorporate this great truth about equality into our social and racial history. So yes, I am in full support of this necessary resolution for it is reflective of faith's call to social and racial equity, not only in the Christian faith, but just as you have heard, with the faith traditions of many other communities.

[01:12:46] Secondly, I'm in favor of this resolution because you acknowledge within it the necessity of climate and environmental justice as an issue of equity, of health, and of policies. As your resolution puts it, utilizing an equity lens in developing and evaluating the county's budget, procurement, personnel decisions, plans, policy, programs, and services.

[01:13:12] We know that lower- and middle-income communities are often the location of plants, landfills, and other facilities that emit harmful chemicals and medicals from said facilities. Thirdly, I have a suggestion, if you do not already have it.

[01:13:31] My suggestion is to have equity emergency response teams available when and where the county may experience a hate crime or hate speech incident. Ms. Revanwright, thank you. I know you gave your comments to the clerk. Your time's up. I really do appreciate you being here.

[01:13:49] Thank you. Thank you. Amy Owens will be followed by Lori Wynn, followed by Kellen Orlania. Good evening. Good evening, Madam Chair and Board of Supervisors. As always, thank you for your leadership and commitment to community impact.

[01:14:05] I'm Amy Owen, President and CEO of the Community Foundation for Loudoun and Northern Fauquier Counties, and I reside in the Little River District. Our offices are in Leesburg, and the Community Foundation serves the entirety of Loudoun. I, too, wish to express my support and enthusiasm for the Loudoun County Social and Racial Equity Resolution.

[01:14:25] Your local community foundation is on this path and journey as well. Since 2017, the Community Foundation has been offering training and community convenings around equity and social justice, and we will continue that commitment in 2023 for the Loudoun nonprofit community through our Racial Equity Framework and Philanthropy Summit.

[01:14:48] Internally, after undergoing a racial equity audit, the Community Foundation reviewed and updated all of its policies, from grantmaking to procurement to employment practices to our marketing and outreach, to work toward our part to amplify and engender social and racial equity in this community we serve.

[01:15:10] As stated in our policy, diversity refers to the practice of involving individuals with a variety of backgrounds, Inclusion refers to proactively engendering a culture of inclusion, whereas stakeholders are heard, valued, and respected.

[01:15:28] Accessibility refers to providing, when reasonably possible, accommodations for those affected by mental and physical disabilities. Equity means giving people what they need to enjoy full, healthy lives with a particular focus on those who have been affected by bias, prejudice, bigotry, with the goal of expanding access and opportunities.

[01:15:50] to social justice so they may thrive. Tonight's resolution elevates and takes steps to change the narrative in a space that Loudoun County government uniquely fills and sets an important example within our community. As a Loudoun resident of a local philanthropic organization that thrives through community engagement and diverse investors, thank you for your commitment to this forward-thinking philosophy.

[01:16:19] Thank you, Ms. Owen. Lori Nguyen, followed by Kellen Orlania, followed by Sandra Vigil. Good evening. Good evening, Madam Chair and Board of Supervisors. My name is Lori Nguyen. I'm the founder of a nonprofit organization called Guardians of the Wolves.

[01:16:35] I advocate and educate about wolves and responsible wolf dog ownership on a national level. I would like to speak to you about the proposed addition to Chapter 612 and explain why wolf hybrids and wolf dogs should not be included in this ban that stems from concerns related to venomous animals.

[01:16:52] The wolf is classified as a canis lupus. Canis is Latin for dog. The scientific name for dog is canis lupus familiaris. Wolves and dogs live within the same genus of canis, a canine being a subspecies of canis. Per USDA, hybrid cross means an animal resulting from the crossbreeding between two different

species or types of animals. Crosses between wild animal species such as lions and tigers are considered to be wild animals. Crosses between wild animal species and domestic animals such as dogs, wolves, buffalo, domestic cattle, are considered to be domestic animals. Wolf dogs and hybrids are not exotic animals. They are treated just like any dog. When it comes to medical

[01:17:31] care, they're seen by regular veterinarians. They receive all vaccinations that dogs require. They take the same flea, tick, heartworm, preventative. They can be spayed and neutered just like a regular dog. Wolf dogs walk on leashes, ride in cars, play with toys, and live enriched lives just like dogs do. In reference to the concerns about first responders, I've had first responders come to my home on multiple occasions from my late father, a friend that could not breed, Loudoun County fire to install smoke detectors and more. I have personally owned wolf dogs for 21 years, four in total and two inside Loudoun County. As a responsible owner,

[01:18:07] I have a fenced yard, a contained dog run with shelter. In 21 years, I've never had an escape, a bite, an animal bit, any type of diseases. I've also in the last 12 years ran programs with my wolf dogs such as therapy with wounded warriors, at-risk youth, hospice calls, adults with disabilities, and more. With any dog, training and respect and love go a long way. I've heard people say that 99% of people should not own a wolf dog.

[01:18:31] In reality, those are the same people that probably should not own a dog. Wolf dog ownership is different as they are not pets, they are companion animals. This is a lifestyle and commitment, always putting the well-being of the animals first. There's tens of thousands of responsible owners in this country. My wolf dog, Rosemary, is my best friend. She's fully trained, social, and an amazing companion to me and has been as others have been before her. I hereby plead with you to remove the wolf hybrids and wolf dogs from your exotic animal venomous ban list. Thank you. Thank you very much. Kelly

[01:19:06] and Orlenia, followed by Sandra Vigil, followed by Lisa Saunders. And we're going to put five minutes on the clock. Buenas tardes, Junta de Supervisores. Mi nombre es Kelly Orillana. Resido en Sterling y soy parte de la comunidad de la Iglesia San Gabriel, representando una comunidad diversa y rica por su origen, raza, color, estatus migratorio, gastronomía y mucho más.

[01:19:32] Somos una comunidad de clase trabajadora que luchamos día a día para poder cubrir nuestras necesidades, pero lo más importante es pagar un lugar digno donde vivir. Y como cada mes, lidiamos para poder tener nuestra renta, ya que mediante la crisis que estamos pasando se nos dificulta.

[01:19:50] Por los altos incrementos de la renta, no hay medidas que controle. El problema en vivienda siempre ha existido, pero durante la pandemia salió a luz. Sufrimos desalojos, tuvimos que vivir asignados al aplicar a la asistencia de la renta, era un desafío, ya que los requisitos que pedían para poder aplicar eran complejos para nuestra comunidad.

[01:20:13] Gracias a la intervención de la Iglesia de San Gabriel y otras organizaciones como la nueva mayoría de Virginia, Muchos pudieron ver la luz al final del túnel. Necesitamos acción por parte de las autoridades que nos gobiernan. Tener programas de viviendas para todos, independientemente de tu raza, color, género o estatus migratorio.

[01:20:32] También es equidad y justicia. Las contribuciones de la comunidad también son significativas. Somos una parte muy importante que movemos la economía de este condado. Hacemos un llamado a nuestras autoridades de apartamento de viviendas. Estamos aquí.

[01:20:49] No queremos seguir siendo fantasmas, ni queremos ser desplazados al no encontrar opciones de viviendas para todos. Este condado debe de trabajar y comprometerse más antes con las comunidades. Gracias. Gracias. Good evening, Ms. Saeed.

[01:21:06] Good evening, the Board of Supervisors. My name is Kellen Oriana. I'm a resident of Sterling. I am part of the community of St. Gabriel's Church, representing a diverse and rich community by origin, race, color, immigration status, cuisine, and much more. We are a working-class community that fights every day to be able to cover our needs, but the most important thing is to pay for a decent place to live.

[01:21:30] Every month, we struggle to be able to pay our rent, since through the crisis we are going through, it's getting more and more difficult for us due to the high increases in rent, and there are no measures to control it. The housing problem has always existed, but during the pandemic, it came to light.

[01:21:46] We suffered evictions. We had to live in overcrowded conditions. Applying for rental assistance was a challenge, since the requirements they asked for the application were complex for our community. Thanks to the intervention of the St. Gabriel's Church and other organizations, such as the New Virginia Majority, many were able to see light at the end of the tunnel.

[01:22:06] We need action from the authorities that govern us to have housing programs for all, regardless of race, color, gender, or immigration status. This is also equity and justice. The contributions of this community are also significant. We play an important role in keeping the economy of this county running.

[01:22:23] We call on our authorities and the housing department. We are here. We do not want to continue to be ghosts, nor do we want to be displaced by not finding housing options for everyone. This county must work and make more commitments to the community. Thank you. Thank you. The last two speakers for this time slot are Sandra Vigil, followed by Lisa Saunders.

[01:22:45] Good evening. Good evening. Pull the mic a little closer to you. There you go. I've been working in Loudoun County for over 22 years. Seven of those years have been working in Loudoun Transit. As you very well know, we're in strike right now.

[01:23:03] Keolis came here April 1st, 2021. When they came in, we had great expectations for their contract and for what they were willing to offer us. They came in, they slashed our 401k from a 6% to 1%.

[01:23:19] Their health insurance, we are paying the third part of the premiums was increased, and we are now paying more out-of-pocket than we were before with the previous contractor.

[01:23:38] These people have stolen from us. These people have taken from us. We ask you to please, please do something on this. We ask you to take charge. We ask you to find them. We ask you to do whatever is necessary. We want to go back to work. we want to be able to transport our passengers it's not fair that our families our children and even our passengers are paying for their greed we need your help and we ask for it now thank you thank you all right so i don't allow clapping booing or cheering in the room because they can

[01:24:16] get out of hand really quick you can feel free to do jazz hands if you want to if you want to support but there's no clapping in the room unless it's voiced for a cause or a resolution so thank you hello um my name is lisa and i am a i've lived in lounhton county all my life um i've been a transportation

contractor in the county for almost nine years first driving route 55 in leesburg and now i'm working as parent transit operator uh at keolis now though um i

[01:24:50] wish i could be with my passengers who know me they trust me and they rely on me every day I'm on strike now, together with my co-workers.

[01:25:07] This is just part of us, because Keolis refuses to pay a fair wage and benefits to their workers. We have single mothers. Employees are treated horribly at Keolis, and there have been repeated safety violations.

[01:25:33] I myself got hurt. I was hospitalized. They're not following ADA or OSHA safety policies or guidelines. Keolis also did not honor the terms of the previous contract, and that means our retirement was cut. Now Keolis is hiring non-CDL licensed drivers to cover paratransit, and I'm worried about the safety of my passengers that I've known for almost four years. Wheelchairs. I take them to

[01:26:10] their dialysis. I take them to work. You know, I have children that have learning disabilities, and I know them. We want to do our best for our community, and we need your support to end this strike and get us back to working to service Loudoun County, our passengers. Loudoun County

[01:26:41] can modify the contract to make sure we are paid a fair, livable wage and have affordable benefits and a means to retire. You also have the power to hold Keolis accountable for the halt and the service.

[01:27:04] Put some pressure on them. Thank you, Ms. Saunders. Thank you very much. Okay, supervisors, you're going to notice tonight that I'm moving things on the schedule around a lot, and that is for a lot of reasons. I mean, this is our first meeting at 4, and I'm trying to understand the flow of the meeting.

[01:27:23] We can't start resolutions until 530, and since it's not yet 530, I want to do another item, and then we'll get down a little quicker. It is my plan, supervisors, and so hear me well, hear me very well to do this.

[01:27:42] We're going to have resolutions, we're going to have our board comments, and then we're going to do the equity item before we leave this dais. And so we're going to be in the dais for a minute, for a while. And so everybody just, if you've got to get up, take a break, whatever, you've got to do that.

[01:28:00] But we're going to be on this dais until we finish the equity resolution. After the equity resolution, we will take our dinner break, where we will do our closed session during the dinner break. And when we come back from dinner break, the first thing we will do is the AIOD item. That is the plan for today.

[01:28:17] Okay? So let's do this. Let's go to item number 12, which is an action item on our agenda so that we can keep moving. And then after that, we'll probably be able to go on and do the 6 o'clock, I mean, the resolutions. Okay, this is an information.

[01:28:37] Well, let's get it. Okay, do the staff know that? Okay. Number 12? Yeah, I'm number 12. Good evening, planning. I'm sorry. Give me one second. Let's get the room kind of cleared out.

[01:28:55] No, no, wait. I just wanted to get the room cleared out first. Well, I want to see what they know before you make them. Oh, okay.

[01:29:33] On item number 12, it's a NOVAC North Star substation. The district supervisor, Mr. Buffington, has been working with this issue and has an update for us before we go to a motion. So I'm going to go on to Mr. Buffington for his update. Thank you, Madam Chair.

[01:29:49] The update is that, colleagues, is that since our last meeting and the additional requests we made of NOVAC on behalf of the Willowsford HOA, NOVAC and the Willowsford HOA have had several meetings and conversations and came to an agreement on things, which is great.

[01:30:07] So I don't think the proffers, staff correct me if I'm wrong, I don't think you've had time to update them because my understanding is the agreement just happened in the lobby. So my plan is to make the motion that approves everything. That way we meet the February 6th deadline to approve the commission permit.

[01:30:26] So the motion that would approve everything, but I think it's the SPMI that would be sent to a future business meeting, And that would give you guys time to update the proffers. Am I right on all that? That's correct. An opportunity for the applicant to update the plat to reflect those changes as well. Okay, before that motion, Mr. Rogers, do you have any issues with that?

[01:30:44] No, Madam Chair. I just wanted to point a clarification. There's a special exception and a minor special exception. Would both of those be deferred while the action's taken on the comp plan issue? Yes. I would defer to you, sir. In the motion, it would be motion number two, which approves the commission permit and the specs and defers the SPMI.

[01:31:08] Yeah, it gives us more flexibility in terms of the conditions where they're going to be placed, but I'll look to the planning staff as to where their intention is to put these new conditions. So the conditions are primarily related to the visual impact, which I think most relates to the SPMI.

[01:31:25] The specs only has to do with the access easement on an adjacent parcel that would allow for a driveway to go through a section of a parcel. I think it makes the most sense to attach to the SPMI. And then your proposed course of action would be appropriate. Okay.

[01:31:40] Well, then, Mr. Bethany, let's go to a motion. Thank you, Madam Chair. I move that the Board of Supervisors ratify the Planning Commission's approval of CMPT 2021-0012, Novec North Star substation subject to the Commission permit Platt dated November 25th, 2022 and based on the findings for approval provided as attachment one to the I'm sorry attachment one and four to the January 27th 2023 Board of Supervisors business meeting action item. I further move that the Board of Supervisors approve specs 2021 - 0047 Novec North Star substation

[01:32:17] Subject to conditions of approval and based on findings for approval provided as attachment 2 and 4 to the January 17, 2023 Board of Supervisors business meeting action item. And I further move that the Board of Supervisors forward SPMI 2021-0007 Novec North Star substation to a future Board business meeting for action.

[01:32:39] Second. Madam Chair, before there's a vote on the action, I did have a question for the planning staff on the special exception. Okay, let me let Mr. Buffington make his opening, and I'll come to you for a question, Mr. Rogers. Mr. Buffington? Thank you, Madam Chair.

[01:32:55] The opening, whether we use this motion or change it to whatever staff is more comfortable with, is just that, as I said a moment ago, at the last meeting, NOVAC had already come forward and agreed

to do most of what we had asked him to do, and everything that I was aware of the Willowsford community had wanted at that time.

[01:33:15] But then that same day, we got more requests from the Willowsford community. So we turned around and asked NOVAC to do those other requests. And since that time, which has only been a week, they had several meetings with the Willowsford HOA. And I was just informed just prior to this meeting, actually, as the meeting was started, that in the lobby, they just came to an agreement on everything.

[01:33:38] And so we had asked them for a 12-foot concrete or masonry wall on all four sides. That's the only thing they did not agree to because of the exorbitant cost, which was a multimillion-dollar cost for that rather small facility.

[01:33:53] But the other things we asked for, ensuring the fence is the color green and building a berm along the northern side, north of the facility, and in between the facility and Willowsford so that there would be more buffer and it would be less—you wouldn't be able to see it from Willowsford.

[01:34:13] You'd be able to see less of it from Willowsford. And they agreed actually to build a 12-foot tall, 85-foot wide berm. And then on top of the berm, in addition to all the other landscape buffering they're going to plant, they're going to plant a lot of that landscape buffering on top of the 12-foot berm.

[01:34:30] So that's even more than we asked for. I think 12-foot berm might be the tallest one I've gotten in my time on the board from any applicant. So very excited about that. And this is in addition to all of the other things that they had already agreed to previously.

[01:34:46] to to provide so we were just told that the Willowsford HOA wanted us to agree with that they were happy with that because of the height of the berm and all of the other things that they were getting and so I think we're doing a good thing here for the community and for Novak I want to thank Novak and Willowsford HOA representatives for meeting several times and having phone calls several times since our last meeting and coming to an agreement which we did ask you to come to an agreement by noon today my office did so a little late for this you didn't exactly meet

[01:35:24] that but within four hours after that you came to an agreement so I'm very thankful and I plan on this hopefully we'll just be on consent next time we see it because it's just allowing staff time to update the proffers properly. So that's it. Thank you. Good job, Mr. Buffington. Mr. Rogers.

[01:35:44] Thank you, Madam Chair, for this indulgence. With regard to the specs and the minor specs, will the plat have to change to reflect the changes that you've just heard about and that we've agreed to with the HOA and NOVAC? The specs plat would not need to change.

[01:36:01] So it's a separate plat that's being referenced in the specs? I believe so. That's a good question. While she's checking that, one other note. In the item, it was noted at the end of the motion that Supervisor Buffington made that we need to extend the critical action date for the SPEME.

[01:36:21] So we've had that verbally from the applicant, but we do not have that in writing yet. When's the critical action date right now? The critical action date for the commission permit and the combined applications is the 6th of February. And they said that they will extend that?

[01:36:38] They've said it to us verbally. We don't have it written yet, if you'd like to hear from them tonight, just to put it on the record. Yeah, and if somebody could come down just to say yes to that, that would be really helpful. Just to get you on the record. Thank you for coming.

[01:36:56] If you don't mind introducing yourself. Yes, ma'am. Gifford, Hampshire, Blankenship, and Keith, I represent Novak. It's good to be before you, and we'd be agreeable to that. To extend the critical action date? Yes. Yes, okay. Thank you. Mr. Rogers, I have one. You're walking away.

[01:37:14] I only have one question. We're talking in the motion now. So this is inside the motion. I only have one question. Because this will be coming back to us, we're not concerned that this is coming to the board because it is a land use issue so late.

[01:37:33] This agreement has come to the board so late without having time for the public to see it or better it or anything. Is that a concern? Because, I mean, that is in our rules of order, but it's coming back, so that's okay? That's correct. Because it's coming back. The public will have an opportunity to look at it at the next meeting.

[01:37:49] And if I could have like a minute, Y'all are welcome to discuss the motion that's on the table. I just want to make sure that it's not referencing the same plat. If so, I'm going to recommend the specs and the SPMI be deferred. If they reference two different plats, then you can do them separately. Is there something else you think we should do with this motion?

[01:38:09] I need to know which plats are being referenced. If I can get that information, I can give you a better answer. Was that a whisper? Oh, here we go. Can I have a question? Just a second. Mr. Rogers, you are correct that we would need to forward the specs as well because of where the SPMI is referenced, both on sheet one where the specs is.

[01:38:29] Madam Chair, I can withdraw that motion and make the other motion. So is that motion one in the packet then, staff? It's motion two, three. Motion three. Okay. Madam Chair, I move that the Board of Supervisors ratify the Planning Commission's approval of cmpt 2021-0012 novex north star substation subject to the commission permit plat dated november 25th 2022 and based on the findings for approval provided as attachment one and four to the january 17 2023 board of supervisors business meeting action item i further move that the board

[01:39:08] of supervisors forward specs 2021-0047 and spmi 2021-0007 novek north star substation to a future board business meeting for action and i note that they did agree to the uh extension of the critical action date okay i'm assuming the second still miss umstead still has a second do we need to do any other opening i already gave my open okay thank you anybody else have anything else we're all all good? All in favor, please say aye. Any opposed? That motion will pass 801. Mr. Letourneau

[01:39:43] not being here for the motion. Okay, it is past 530, so we have one resolution. It is a resolution for the Constitutional Officers Week. Are all the Constitutional Officers, are the representatives in the room? If so, would you come down front and please join Mr. Saines and I?

[01:40:00] Can I have a proclamation for Constitutional Office this week?

[01:41:33] And Mr. Saines has not signed any of these, so after we finish, you want to sign these, sir? Okay, okay. All right. All right, proclamation. Whereas Article 7, Section 1 of the Virginia Constitution provides for the direct election of local officials charged with the critically important duties of maintenance and public records, operation of the circuit courts, prosecution of criminals, protection of the public, and the administration and collection of local revenues.

[01:42:02] And, whereas Loudoun County's Clerk of the Court, Commissioner of the Revenue, Come with Attorney, Sheriff, and Treasurer continue a tradition of local administration of government functions that predates the American Revolution. And whereas these constitutional officers, deputies, and employees who serve in their offices provide the people of Loudoun County with a direct link to their government at the local level, unfiltered by bureaucracy and responsive to citizen needs.

[01:42:33] And whereas the constitutional offices embodies Thomas Jefferson's ideal form of representative democracy, which provides for direct accountability to the people by virtue of the people's right to vote for their constitutional officers.

[01:42:48] And whereas the constitutional office in Loudoun County are setting new standards of customer service, innovative service delivery, and representation that fellow constitutional officers and other public service in Virginia would do well to emulate.

[01:43:05] Now, therefore be it resolved that the Loudoun County Board of Supervisors declare the week of January 16th through 20th be designated as Constitutional Officers Week in Loudoun County to coincide with the Commonwealth of Virginia state designation of Constitutional Officers Week in Virginia.

[01:43:26] All right. Before I start, I want to say that I met Bob Wirtz and Roger Zern in 2003.

[01:43:44] We were working the polls together for separate parties and spent like hours and hours just talking, just talking. And I remember after that, I wrote a letter to the paper talking about what an amazing experience I had with these two gentlemen who were not in my political party, like not really anything like me at all.

[01:44:14] And I got a good deal of flack for writing a letter about people in the opposite party. And Roger got a good deal of flack for accepting it.

[01:44:32] I said in the letter that I talked about how kind Bob Wirtz was. And I talked about the fact that Roger Zern was a kind of old-fashioned, dapper gentleman. So I didn't say like, you know, I just that's because it was true. It was true. It's still true. Since then, Gary and I have become friends. And, you know, there are times when political parties are the first thing we talk about. And there are times when they're just not.

[01:45:04] And I think sometimes people don't understand that no matter the political party someone's in, when you step away from the parties, there really are real friendships and a good deal of respect between elected officials.

[01:45:20] These five people standing up here and I are the only six people elected countywide. And so the work we do is countywide work. We also are all very jealous of Gary because he has an eight-year term, so only has to run every eight terms, and then he served 16 years.

[01:45:43] It's crazy. But I do thank you all for your long-time service to our county, and I will go down the line. First of all, good evening, citizens of Loudoun County, and ladies and gentlemen of the board, thank you for this distinguished honor.

[01:46:01] Constitutional officers statewide in Virginia do fulfill an important purpose. And as Chair Randall said, we're directly accountable to the people we serve, and we should be. And if we're not accountable, then we should be elected out of office. But it's been my joy to serve as your clerk of circuit court for many years.

[01:46:19] I hope to continue doing so this November as well because I love this county. It's been my home my entire life, and I love doing what I do. I love working with this board of supervisors and every mayor and every town council in Loudoun County, other elected officials serving the General Assembly, the county staff, Mr. Hemstreet and his great team, and, of course, every single person in Loudoun County I have partnerships with.

[01:46:44] So I enjoy doing this. It's a pleasure to serve the people, and it's a real joy to work with my fellow constitutional officers. And despite the fact you may run with different political parties, at the end of the day, our mission and our objective is to unite to provide the best services we can that are responsible, prudent, and fiscally prudent as well to fulfill our duties and make sure we're giving you, the people, the services you deserve.

[01:47:12] Thank you very much. I was going to start singing the national anthem there. I'm Bob Wurz. I'm the Commissioner of Revenue here in the county. I want to thank the voters of the county for the opportunity for serving in this capacity in the interest of keeping this meeting short, which the Board of Supervisors is interested in doing.

[01:47:33] I want to thank the Board of Supervisors for the recognition. It truly is an honor to serve. I will be running this fall. We talked about it this last January, and it was a total surprise. uh and i'm hoping that that voters choose um experience experience and uh anyway really appreciate the recognition and the honor thank you thank you sir thank you very much well first let me say that i remember that day very well and when miss randall says that we did not look the

[01:48:09] same i think she was referring to she had air and we did not but i i want to take one moment and say something that's really critical, particularly in this day and age. Politics should be competitive, but it doesn't need to be a blood sport. We need to remember that each one of us are individuals.

[01:48:29] We might have different thoughts, different ways of doing things, but at the end of the day, the key is, do you love Loudoun County? Do you want the right things for the people of this county? That's what everybody should be striving for. We can, we can, I mean, don't get me wrong. I'm as competitive as anybody you'll ever meet. I want to win, as does anybody who enters a race. But I don't need to tear down my opponent to build myself up. Nobody does.

[01:49:00] We ought to remember why we do this and what the ultimate goal is, which is to make this county better. I'm so blessed to have served this county. I love the way it's turned out. Let's continue this on. Vote for the people that are in it for the right reasons. Thank you. I'm Vida Bibari, and I'm the Congress Attorney, and I want to say thank you to the chair, the board, as well as to say that I have a whole lot of gratitude for the work that is done by our county administration.

[01:49:32] They are definitely the individuals who make our county great because they do the work, and it's a yeoman's task. I also want to say thank you very much to my team because they're the ones who end up doing the work day to day and making sure that we are ensuring that we provide safety and justice to the community. I happen to be very different than a lot of the other constitutional officers here. One, I am the only woman and I'm also the only Democrat and I'm also the only rookie. I just am in the tail end of my first term. Everybody else here has been, I don't

[01:50:05] know, 16 generations. But my intention is very much so that I will be here yet again in this next four-year term, and I am looking to make sure that we are able to continue to do what we've done, which

has been shared by my constitutional officers here, is to make Loudon better, bringing change, bringing stability, and most importantly, nothing but love for the county. So thank you. So good evening. I'm not Sheriff Chapman. I am honored to represent Sheriff Chapman, who's in Richmond this evening. My name is Chris Sawyer. I'm the lieutenant colonel for operations in the sheriff's office, and my perspective is a little bit different because I am not a

[01:50:44] constitutional officer but I get to work for one and you know so what I get to see and you know fortunately I get to work with you know with all the other constitutional officers and their staff on a very regular basis and what we see is that direct just commitment to service to the community across all the constitutional officers here so that commitment to community service and really being responsive to the citizens is really what makes this county great and it has led that partnership with the community has led to very, very successful things, including a very significant

[01:51:20] reduction in crime, very high citizen satisfaction here in the county as well. So on behalf of Sheriff Mike Chapman, just thank you for the resolution. And it's a pleasure to work with you. Thank you, everybody. I'm going to take a picture. I think we have to shift this way to take a

[01:51:39] picture, correct? We're too far. We should all shift a little left. Okay, everyone, I got a

[01:53:34] question about whether we or not we will take the six o'clock time speakers at six o'clock we will we will be there by six o'clock I think we can probably knock out one more item and before we get to the six o'clock before we get to the six o'clock public speaking time frame and so I believe we could probably get done with item number where is it at nine the Belmont Park item let's get let's try to let's try to knock that one out and then we'll do we'll start public speaking um would staff please come to the table good evening and this is in the ashburn district mr

[01:54:12] mr turner i'll come to you for a motion hi you guys have anything else to add that we that's not in the package or that is new i have no updates we have no updates supervisors do you have any questions for staff you have a question for staff that you can't ask in the motion oh um yes i can ask it in the motion okay wonderful thank you mr turner would you like to make a

[01:54:38] motion the motion is on page five of the item at the bottom of page five i have it okay no motion

[01:55:09] my apologies everybody lack of planning i move the board of supervisors zmap 2021-0005 specs 2022-0022 zmod 2021-0015 and zmod 2021-0046 belmont park subject of the proffer statement dated January 9th, 2023, and the conditions of approval dated January 11th, 2023,

[01:55:46] subject to the findings of approval provided as attachments 1, 2, and 3 to the January 17th, 2023 Board of Supervisors business meeting action item. Second. Mr. Turner, would you like to do an opening on the motion? Sure, very briefly.

[01:56:03] I think this is a very good application. I've liked it from the beginning. This piece of land, I think, will do well with what's proposed. There's a very nice little park on the one end that I think accommodates the view shed, which was one of the issues that we had to resolve early on.

[01:56:20] They have connected with a shared-use path down to the existing shopping center, which feeds into the notion of a true suburban mixed-use neighborhood to help the retail down that area. And at my chief of staff suggestion, they have agreed to light the pathway down to that shopping center.

[01:56:40] And I'm more than happy to offer them, I believe it's \$112,000 regional credit against the regional transportation expense. I'm more than happy to do that. So all in all, I think it's a nice application. It's a little bit under-parked. My staff and I had developed sort of an informal guide that your ratio of off-site parking spots to total housing units should not be, it should be in the neighborhood of 0.6.

[01:57:02] I think we started at 0.4 and maybe a little bit, and we're up to 0.5 now. But I think that's a good faith effort to try and do that. So I'm very pleased to support this. Thank you. Thank you. Ms. Bricksman. Thank you, Madam Chair.

[01:57:18] Staff, I just wanted to double check everything the Planning Commission, except for this \$112 cap of facilities credit, everything the Planning Commission asked for has been resolved. The Planning Commission asked for the applicant to explore installing the streetlights with consideration for a credit.

[01:57:38] or the commission also asked the applicant to consider another small segment of another path further south the applicant did not honor that request okay that was an off-site improvement that did not ask for okay so otherwise all the planning commission issues were resolved and the only issue staff staff was recommending that we don't approve this but the only issue on that was the \$112,000 that you don't believe necessarily matches up for a cap facility credit, correct?

[01:58:08] I support the application. I don't support the credit request. Okay. So, yes. Okay, thank you. I'm happy to support. Thank you. Thank you, Ms. Umstadt. Thank you, ma'am. Well, there we go. I'll keep it short. It's going to cost us over a million dollars in annual operating costs for the schools with a capital cost equivalency of over \$4 million.

[01:58:35] So I will be voting no. Thank you. Thank you, Ms. Umstad. You are consistent. You are. Listen, if you look at the map on page two of the item, if you put up the map on page two of the item, across the street, across Route 7 are homes.

[01:58:55] There is nothing but homes around this, and this is an appropriate place. this is an appropriate location for for residences and truthfully we need residences we need more homes in the county and so this appropriate place for residents says with homes which is a need come school kids and so I mean I say this out of a time I'm sure at one point somebody objected to my home being built and here I am and here I raise my children and so I will support this application and support the district supervisor as well mr. Turner would you

[01:59:29] like a closing no ma'am I'm fine okay motion was made to Turner and I second the motion all people say aye opposed nay that much will pass 7-1-1 miss um step voting against the motion missile eternal not being here for the motion so by just let's do nominations real quick and then we're gonna we're gonna go into public comment student nomination if you have a nomination okay So if you have a nomination, put your light on, but we are not doing any voting today on anything.

[02:00:01] And Mr. Kirshner is actually going to make a motion to suspend the rules for the nomination for the Loudoun Water. So I'll come back to you in a second, Mr. Kirshner. But if you have any other nominations, and we're not voting on them tonight, please turn your lights on.

[02:00:18] Ms. Glass. Thank you, Madam Chair. I nominate Mr. Brian Cullen for reappointment as an at-large learner representative on the Dulles Town Center Community Development Authority. Thank you. Ms. Bricksman. Thank you, Madam Chair. I nominate Stephen Bradford for the plant-based production seat on REDC.

[02:00:37] I nominate Doug Cottrell for the fiber and livestock seat on REDC. I nominate Suzanne Musgrave as the outdoor recreation seat on REDC. i nominate amy becklin for the unmanned aerial system seat on redc and i nominate mike verts for the at-large for an at-large seat on redc all of them i believe have their applications into the system thank you mr street if you need i can send those to you yes ma'am we'll we'll confirm them per our normal practice following the meeting and reach out to your offices if

[02:01:15] we're missing any. Thank you. Thank you. Mr. Kirsten, would you like to make a motion for suspension of the rules? Yes, Madam Chair, thank you. I would nominate Terrence Allen. Wait, wait, wait, you're going to suspend the rules first. Oh, just, fine. You want to do that first? I move to suspend the rules to nominate Terrence Allen for the, I don't know what we're suspending it for, I suppose. Yeah. To nominate Terrence Allen for the Loud and Water Board. Second, discussion on the motion of suspension of the rules? No, Madam Chair, I just, the only thing I would, would sit, uh, discussion on the motion for suspension.

[02:01:44] No. All right. All the people who say aye. Aye. Any opposed? That motion will... Nay. Nay on suspension? Okay. That motion will pass 7-1-1 with Ms. Briggsman voted against suspending the rules and Ms.

[02:02:01] Lieutenant will not be on the dais yet. Mr. Kirschman, would you like to make another motion? Yes, I would nominate Terrence Allen to the Loud and Water Board. Second. Thank you, Madam Chair. Discussion on the motion. Madam Chair, the only thing I would say is I have... I know that there was a request to withdraw that while we had an opportunity to speak with Mr. Terrence Allen and also other members of the Water Board.

[02:02:23] I got glowing reviews of the work that he has done, the institutional knowledge he has. I'm glad that we have re-nominated and suspended the rules to move forward since I offered that to some of my colleagues who requested that that be removed at the last session until we had an opportunity to speak with him.

[02:02:39] So thank you for your support. Absolutely. And I did speak with him, and it was a very good conversation. Anybody else? All right. So all in favor say aye. Opposed? So the reason we're doing a suspension of the rules right now is because there would be a loud and water board meeting before our next meeting.

[02:03:03] And so we're suspending the rules so that he could actually make the next meeting. Otherwise, he wouldn't be able to make the next meeting. I'm just going to abstain, Madam Chair. Okay. Wonderful. Then that motion will pass 7-1-1 with Supervisor Brixman abstaining on the motion.

[02:03:19] All right. Madam Chair, if I may. Yes. So the motion that the board made and adopted was a motion for nomination. We would need to continue and have a vote for confirmation. Oh, confirmation. Okay. All right. For the gentleman to start. Mr. Kirshner? Move to confirm his nomination.

[02:03:36] Is that what I thought kind of did that? And I would second that discussion on that. All the people say aye. Opposed? Abstain? Okay, that would pass 7-1-1 as well. Thank you very much. All right, guys, it is 5.57, which I'm going to call that close enough to 6 o'clock.

[02:03:54] If I call your name in the next three minutes and you're not here, I'll go back to the top. But we're going to do public comments. And let me just say this one more time. After public comments,

directly after public comments, the board will have our board comments, and then we will vote on the equity resolution before we leave the dais.

[02:04:15] And so if you hang out for a while, you will watch all the public comments, all of our comments, and the vote. And after that, we will take our break. We will do our closed session while on break. And when we come back from break, we will do the AIOD item directly after break.

[02:04:33] But we're going to be on this dais until after the equity resolution discussion happens. All right. So our speakers. Our first speaker is Robin Burke, followed by Steve Burke, followed by Brian Viola.

[02:04:52] Good evening. Good evening, ladies and gentlemen. My name is Robin Burke. It's my pleasure to serve as the first vice president of the NAACP Loudoun branch.

[02:05:11] I stand before you today to speak in support of the county's diversity inclusion resolution. This resolution is a crucial step in building a more just and equitable society for all. Diversity and inclusion are not just buzzwords, but they are fundamental to the principles that must be upheld if we truly create a society where everyone has an equal opportunity to succeed.

[02:05:35] Our country is our home, and it's built upon a wide diversity of people from different backgrounds, cultures, and experiences. We must recognize the value of these differences if we want to build a community that is inclusive and welcoming to all.

[02:05:54] This resolution will help to ensure that all members of our community feel safe, respected, and valued. It will also help to create a more diverse and representative workforce, which will lead to better decision-making and more effective service delivery.

[02:06:11] Furthermore, studies have shown that companies with diverse workforce perform better financially. In today's world, it's more important than ever to ensure that we are inclusive and respectful to all members of our society and community.

[02:06:28] By passing this resolution, we're taking a step forward in creating a more equitable and just society for all, so I urge you to support this resolution. Together, we can build a community that is truly inclusive and welcoming again for all.

[02:06:44] Thank you for your time. Thank you. Steve Burke, followed by Brian Viola, and followed by Greg Finner. Good evening, Mr. Burke.

[02:07:03] Okay. Well, I will try to do it from my phone. I'll begin now. Thank you very much. My name is Stephen Burke, and I'm the husband of Ms. Robin Burke. I am a longtime resident of Loudoun County. I am here as an African-American who is in strong support of this resolution.

[02:07:22] I stand before you to speak about diversity and inclusion. That's what this resolution is about. I believe that this resolution is not only important to the community, but of a personal matter, as for me and many other people of color. As an African-American, I can tell you firsthand, I have experienced negative effects, negative effects of discrimination and bias.

[02:07:49] I have seen how these issues hold individuals and communities back for regardless of frivolous reasons. But I can also say to you, it doesn't have to be this way. It really doesn't. By promoting a resolution like this and promoting diversity and inclusion, we can create a community that is more equitable for everyone.

[02:08:13] not individuals, but everyone. This resolution will help to ensure that all members of our community are treated with respect, dignity, regardless of their race, ethnicity, gender, sexual orientation, or other characteristics that we're often used to hold people back.

[02:08:36] It also will help create a more diverse and representative workforce. And believe it or not, that makes us all much more productive, and our county would be much more productive. But this resolution is not only important to people of color, but it is important to everyone.

[02:08:51] It will help create a community where everyone has an equal opportunity to succeed, where everyone feels safe and valued. It is crucial, so I strongly urge this board to move forward and be in the current generation, be in the current time to put a resolution and pieces in place where all people have the opportunity, the opportunity to achieve. Thank you very much, Chair. Thank you, sir. Brian Viola,

[02:09:25] followed by Greg Fenner, followed by Pastor David Malam. Good evening, sir. How are you? Thank you. My name is Brian Viola, and I'm the president of the board of directors for the Brambleton Homeowners Association, and I'm here to speak to you about the upcoming vote on the proposed Airport's Impact Overlay District. I believe you heard from one of my counterparts earlier at the five o'clock session. I would first like to thank Chair Randall for her efforts in helping to put together a community meeting to hear our concerns, to hear the concerns of residents, and for her help in spreading the word about the impact to residents with other supervisors and their staffs. I would

[02:10:03] also like to thank Supervisor Turner for his continued effort in helping to find a resolution that would be beneficial to the county and we residents that may be affected by this vote. Lastly, I'd like to thank Blue Ridge Supervisor Buffington for taking the time over breakfast last week to discuss our concerns and issues and gain his support.

[02:10:24] By now, all of you have received a letter outlining the issues that the Brambleton Community Association and the roughly 20,000 people my board and I represent have with the AIOD as proposed. Given the limited time I have here, I won't go into every detail, but I ask that you take the time to understand the impact this proposed plan would have on existing residents, not future, but existing residents.

[02:10:48] including the potential for lessening our property values and other financial and property rights issues that we may be burdened with. The community I represent understands we live near Dulles Airport. Nobody wants to argue that point, even though I've seen such online. And we are all for the economic development of Dulles Airport and understand that you, as a board, would like to finalize and adopt an overlay district to the community plan that will help you with future zoning and building permits. All we ask is that you remember the existing residents, the folks that will be impacted if such things are taken into account.

[02:11:27] Therefore, we strongly urge you to adopt the motions to amend the AIOD that will be introduced later this evening by Supervisor Turner after discussions with us. Thank you. I appreciate your time tonight. Thank you, sir. Greg Finner, followed by Reverend David Millan, followed by Reverend Daniel Velez.

[02:11:45] Good evening. Good evening to the Board of Supervisors. Good evening, Madam Chair. I am here, Greg Finner. I am in support of the equity resolution. And I will tell you that I'm a Loudoun County resident of 25 years. I have two children who were educated in Loudoun County public schools.

[02:12:03] They also attended James Madison and Old Dominion University. I am deeply invested in this community. My son is also a teacher in Loudoun County public schools, of whom I am very proud of. I've watched other ethnic populations grow year after year, and ethnic opportunities grow with them.

[02:12:23] However, no other ethnic group in our nation has been systematically discriminated against like African Americans. You'll recently note that the Department of Justice announced a \$31 million settlement against City National Bank in Los Angeles for redlining. In 2022, redlining.

[02:12:40] And so I believe that adopting this resolution is a significant step in leveling the playing field and continuing to remove many of the social, environmental, economic barriers that continue to limit the upward mobility of black residents of Loudoun County.

[02:12:56] Loudoun County is a progressive county, and it's a great community, and it needs to adopt this resolution and establish equity as a fundamental value, thereby ensuring equitable and prosperous future for all of Loudoun County's residents. More rights for one group does not mean less rights for another group.

[02:13:16] please adopt this resolution. Thank you. Thank you, Mr. Finner. Reverend David Milam followed by Reverend Daniel Velez. Good evening, sir. Good evening. With respect, Chair Randall, it's David Milam. Milam, I'm sorry. If you think of it as a pirate, My-rum would be kind of a similar pronunciation. Reverend David My-rum. Milam. Start his time over, please. Thank you. First of all, I wanted to say that I appreciated New Virginia Majority and the folks here that were here earlier

[02:13:53] at five o'clock. And I want to be supportive of them in a sense because of the equity purposes that the board is putting before it, because I think housing is an issue of equity, and I want to support them. Secondly, I also know from Supervisor Umstadt about an edit, what's the right word, an addition that will be before you. And being the executive director of Loudon Interfaith Bridges, I think to cast that sense of equity as large as possible is a wonderful idea.

[02:14:29] So I want to add my support to that. I was here a month ago when the public comments were about equity before, and I listened to the dozen and a half comments against it. And I thought people spoke in maybe a coordinated way. I didn't know it wasn't really clear. But I do understand that there's perhaps a congregation that is very supportive of opposition to this equity agreement.

[02:15:01] So it drove me home to think about the places where equity is in the Bible. And I think about Isaiah 40, where the mountains are brought down and the valleys are raised up. I think of the Exodus itself is a redemptive kind of equitable kind of peace. I think of Ruth, the great grandmother of David, who was a Moabite woman who was brought into the people of Israel because of God's welcome. I think of Jonah under the plant that melts behind him when he's spoken against the Ninevites and God has mercy on him. And God says, what do you think? Do you think I

[02:15:40] would not be kind to these people. I think of Jesus leaving the one, or leaving the 99 to go after the one as a condition of equity. I read from the book of James, for if a person with gold rings and fine clothing comes into your assembly, and a poor person in dirty clothes comes in, and you notice the one wearing the fine clothes and say, sit here while you say to the other one, stand over there be lost have you not made distinctions among yourselves and become judges with evil

[02:16:16] thoughts i think of jesus saying as you did it to the least i'm so sorry i have you did it to me thank you thank you thank you sir reverend daniel velez followed by followed by lawrence buxton good

evening sir good evening good evening board good evening friends here in Loudoun County. I am the Reverend Daniel Velez Rivera, and I am the priest of St. Gabriel's Episcopal Church. We are an Episcopal congregation that worships God in two languages, Spanish and English. I speak in support of the diversity, equity, and inclusion resolution before us as a

[02:16:54] fundamental value of all Loudoun County constituents and institutions. The demographic of Loudoun County has changed significantly in the past 20 years. It has become a rich, multicultural, multilingual, and multi-ethnic county, among other dimensions of diversity, including human sexuality. This rich diversity is one of the county's great treasures, and it's what draws people to it. From a faith and humanitarian perspective, embracing diversity, equity, and inclusion means being one body with all of our unique and necessary differences. This

[02:17:33] resolution calls for the diversity we see at Wegmans and Giant, at the restaurants, at the post office, in our schools, in our playing fields. A body with different functions makes the whole operate as one unified system. Here in Loudoun, we have a community called One Loudoun. Well, depending on your perspective, that could mean a homogeneous community with all the biases and restrictions that comes with homogeneity, or it could mean what God intended for all of humanity to be diverse as the God who created us in God's own image, rich in our inclusion of all

[02:18:08] people and just in our integration. One Loudoun could have two meanings. I call upon Loudoun County residents to follow the direction of the one who created us and to therefore support the diversity, equity, and inclusion resolution. I commend us all not to fear the richness of the diverse people that we already have in Loudoun, but to support it and welcome it at every level in our county. Thank you. Thank you. Thank you very much. Lawrence Buxton, followed by Mike

[02:18:42] Coughlin. Good evening, sir. Good evening, Chairman Randall and members of the board. My name is Larry Buxton. I'm an ordained pastor in the United Methodist Church. I've lived and worked in Northern Virginia for 35 years, and I've been a Loudoun County resident since 2016. And I'm also speaking in support of the board's resolution from the perspective of my own Christian faith.

[02:19:07] The Bible says that God's clear hope for human beings at the end is that we live together at one with God and each other as a united community of faith, a community of love and justice. Since it focuses on outcome, the biblical goal is one of equity. Psalm 98 says God judges the people inequity. But en route to this equitable outcome, which we call salvation among other names, we all experience different treatment along the way. Nothing is ever equal for us across the board,

[02:19:43] but God uses our dissimilar experiences to lead us all to this right outcome. So when 1 Corinthians 12 uses the metaphor of church members being like a human body, Paul makes clear that our diverse parts are not to be treated equally because eyes aren't treated like ears and feet don't get the same medicine as noses, but he insists instead that God is forming us diverse as we are into one strong body, differently treated, but built in equity and prospering together. We understand then that

[02:20:22] equality focuses on being treated the same, and it emphasizes the short game, but equity focuses on the outcome. It emphasizes the long game, just as God focuses on the long game. My last year in high school, I took calculus. I hated it. I didn't understand it, but my friend Nathan loved calculus and got it very quickly. When the class was working calculus problems, Ms. Duke would move among us, check over our shoulders. Nathan usually got a very brief comment, but Ms. Duke would often

[02:20:57] spend several minutes with me, helping me to understand the problem and see a way to tackle it. She did not carry a timer allocating everybody the same 92 seconds, but she used her time unequally so that the outcome would be a whole class that knew calculus. Nathan still got the highest grade in the class, as he should have, but at no cost to him, Ms. Duke also taught me valuable skills and taught me and helped me not to fail. Thank you, sir. Thank you very much. I appreciate the board's aiming for long range to build a just and equitable community.

[02:21:30] Thank you, Pastor. Thank you very much. I'm sorry. Mike Coughlin, followed by Dennis Boykin, followed by Arlene Cruz. Good evening. Good evening, Madam Chair, members of the Board of Supervisors.

[02:21:47] My name is Michael Coughlin. I'm an attorney working for Brambleton Community Association here to speak on the AIOD amendments. In addition to the thanks that were provided by the president of the Community Association, we also want to thank staff for working with us to try and reach a resolution.

[02:22:08] The process, as we've outlined in our letters that we've provided, that the amendments are going through are backwards, in that the flight patterns from Dulles Airport have changed absent meaningful community input, and now there are ordinance amendments that are seeking to codify those changes as if they're acceptable.

[02:22:35] We've outlined our specific issues with the text amendments that are proposed, and we appreciate staff's efforts to try and address those concerns, but we do believe that they fall short. So, in essence, we continue to oppose the zoning text amendments.

[02:22:57] Brambleton is most focused on the LDN 60 to 65 area. We believe that the staff in the future could still interpret those amendments as requiring acoustical treatment because of something like an addition to an existing home.

[02:23:12] In addition, we believe that the ordinance can be interpreted to require navigation easements being granted because of an existing, in addition to an existing home or renovation. we submit that that would be an unconstitutional exaction.

[02:23:28] In addition, the HOA disclosure requirements, in effect, in addition to the existing statutory requirements, still would be required under the text amendment, and we don't find that to be acceptable either. So we ask that the board defer action on the ZMAP and the ZOAD, and that they ask that a community roundtable be formed and that a part 150 study be undertaken, and that if the Board feels inclined to move forward with a comprehensive plan amendment, that it would be consistent with figure two in the staff report.

[02:24:07] However, we do request that the existing comprehensive plan amendments, or I'm sorry, nose overlay maps are retained because they include what we'll call the fingers off of the western facing runways.

[02:24:22] - Okay. - Thank you very much. you very much sir thank you dennis boykin followed by arlene cruz followed by um i think it's nelly cruz good evening good evening madam chair members of the board unaccustomed as i am to public speaking and that was strictly for supervisor amstead uh dennis boykin representing the brambleton community association as an aviation consultant uh and i'm going to be really brief i know we're between you and dinner uh this is again the cart before the horse discussion

we've had a lot of input from a lot of members of the board but I'd like to call out my VFW colleague Supervisor

[02:24:59] Turner for the great work that he's done. He's going to have some ideas about this. I need to highlight that the existing AIOD protects flight paths that are currently in the FAA structure and in the FAA Metroplex plan for air traffic control that will be part of that FAA community round table discussion that is so important and so critical to this process. So it's important to understand that our position is we think that there's a lot more work to be done on this, but if you have to move on this, we are not recommending that you do, but if you feel like you have to move on it tonight, Supervisor Turner, I believe, has an alternative motion that would at the very least

[02:25:35] retain the 1993 noise contours and encompass the new noise study, and then we could look at the reason why we didn't do an FAA Part 150 study, and Dulles would become one of only two airports in the nation that's done a total capacity study good for long-term planning but you've got a lot of existing homes where things changed and that's basically our input and my advice to Brambleton is that we need to retain that 93 contour line as well thank you very much thank you Mr. Boykin Arlene Cruz and I'm not sure if it's Neely or Nelly Diaz good evening

[02:26:13] Buenas tardes, respetable Junta de Supervisores de nuestro condado, Loudoun County. Mi nombre es Arlene Cruz, vivo en Maynor Apartment de Leesbeth y estoy aquí como parte de la comunidad que estamos sufriendo los altos aumentos de la renta.

[02:26:37] Soy madre soltera de dos hijos que aún están en la high school y aunque yo trabajo tiempo completo y ellos trabajan un part-time después de la escuela, Al final del mes, nos es difícil cubrir todos los gastos debido a que gran parte de mi salario se va en renta, ya que son \$2,100 en un apartamento de un solo cuarto y un estudio que hemos adecuado como habitación para mi hijo, puesto que él ya tiene 18 años y necesita su privacidad.

[02:27:08] Pero mi otro hijo ha adecuado su cuarto en la sala, ya que siendo aún estudiante, no les es posible independizarse todavía. Llegué a este país hace 4 años desde El Salvador, donde soy una profesional, pero debido a la situación económica me vi obligada a emigrar con mi hijo y un sobrino del cual ahora soy madre adoptiva porque su mamá murió de cáncer.

[02:27:29] Desde que llegué a este condado he trabajado duro para salir adelante en restaurantes, como pintora y en limpieza de casas de construcción. Yo soy parte de esa clase trabajadora que contribuye a la economía de este Estado. Pago mis impuestos, pero siendo madre soltera no es justo que no pueda cubrir otras necesidades familiares importantes por los altos costos y aumento en el alquiler.

[02:27:56] Debido a ello, considero urgente que nos tome en cuenta en nuestra situación a toda la clase trabajadora, la cual yo represento ante ustedes y que dé inicio el programa de ayuda de asistencia de la renta Thank you.

[02:28:26] Good afternoon, respected Board of Supervisors of Loudoun County. My name is Arlene Cruz. I live at the Manor apartment in Leesburg, and I'm here as a part of the community that is experiencing high rent increases. I'm a single mother of two children who are still in high school, and although I work full-time and they work part-time after school, at the end of the month it's still difficult for us to cover all the expenses, since a large part of my salary goes to rent, since it's \$2,100 for a one-bedroom apartment. And a study that we have adapted is a room for my son, since he's already

[02:29:03] 18 years old and needs his privacy. My other son has adapted his room in the living room, since being still a student it's not possible for them to become completely independent yet. I came to this country four years ago from El Salvador where I was a professional but due to the economic situation I was forced to emigrate with my son and my nephew for whom I'm now an adoptive mother because his mother died of cancer. Since I came to this country I have worked hard to get by in restaurants as a painter and as a construction house cleaner. I am part of that working class of the working class that contributes to the economy of the state.

[02:29:38] I pay my taxes, but being a single mother, it is not fair that I cannot cover other important family needs due to the high costs and increased rent. Due to this, it's urgent that you take into consideration the situation of all members of the working class, which I represent before you, and that you implement a rental assistance program and a buy-down program that will help us deal with this difficult situation.

[02:30:00] That's why I'm here, to ensure that we, the working class, are included in this rental assistance program because many of us are suffering and need this help. Thank you. Thank you. Buenos tardes, Senorita Cruz, and you will be followed by Chris Candace Tuck and Rabbi David Greenspoon.

[02:30:26] Senorita Díaz, buenas tardes. Buenas tardes, Juntas de Supervisores. Mi nombre es Nelly Díaz. Vivo en Lisboa. Represento a la comunidad de inquilinos que estamos cansados de los incrementos incontrolados en el alquiler y la no opción de encontrar una vivienda que sea pagada de acuerdo a lo que ganamos.

[02:30:53] La renta en el área está entre \$1,900 a \$2,100 en un apartamento de dos cuartos más viles. Como comunidad de clase trabajadora, sentimos ese impacto en la economía de nuestra familia. Exigimos que nuestro gobierno, al momento de aprobar un proyecto o un presupuesto en vivienda, tomen en cuenta la familia de clase trabajadora que gana menos del 50% del ingreso mediano del área, que lamentablemente somos los trabajadores esenciales de este condado.

[02:31:30] Sentimos el impacto cuando nos suben hasta 500 dólares a la renta. Mi jefe en mi trabajo no me sube el sueldo, primero me despide. Es ahí donde nos tenemos que limitar a comprar medicinas y buscar a los bancos de comida.

[02:31:48] Nos limitamos a los gastos básicos esenciales para sacar adelante a una familia. Cuando hablamos de equidad, tenemos que también pensar en la justicia de la vivienda, independientemente del color, raza, género, origen o un estatus migratorio.

[02:32:08] Necesitamos más compromisos en proyectos que incluyan a más comunidad, no solo para la comunidad de ustedes, sino también para la mía. Thank you. Gracias. as student translate. Good afternoon, Board of Supervisors. My name is Nellie. I live in Leesburg, and I represent the community of tenants who are tired of out-of-control rent increases and of not having the option of finding housing that can be paid according to what we earn. The rent in this area is between \$1,900 to \$2,100 in an apartment of two bedrooms plus bills.

[02:32:47] As a working-class community, we feel the impact of that on our family's budget. We demand that our government, when approving a project or a housing budget, take into account the working class family that earns less than 50% of the area median income. And unfortunately, we are Loudoun's essential workers. We feel the impact of the high rent when our rent is raised by \$500.

[02:33:11] My boss at my job doesn't raise my salary. He'd be more likely to fire me first. And that's where we have to limit ourselves from buying medicines. We look for food banks. We limit ourselves only to the essential basic expenses to keep our family going. When we talk about equity, we also have to think about the fairness of housing, regardless of color, race, gender, origin, and immigration status. We also need more commitment to projects that include more of the community, not only for

[02:33:45] yours, but also for mine. Thank you. Thank you. And I need to just clarify that when Ms. Hayd is speaking, because you've seen her speak more than once, she is interpreting, so if she's not get an opportunity to speak several times. She's interpreting for the people who just spoke in Spanish, just to clarify that.

[02:34:04] Chris Tuck, followed by Rabbi David Greenspoon, followed by Carolyn McCulley. Good evening. Good evening, Chair. Good evening, Board of Supervisors. I'm here this evening with my colleague to represent Equality Loudoun and the more than 20,000 queer members of our community here in Loudoun.

[02:34:23] I'll be brief. We are overwhelmingly in support of this resolution that aims to improve the diversity, inclusion, and racial and social equity. Our organization has worked for over 20 years to improve the sense of belonging in this community, to improve the safety and opportunities for our gay, transgender, and queer neighbors.

[02:34:44] For decades, we have seen slow growth in public acceptance, in advancing rights, and a chance to live equally and fully. Across the country, we are under attack. And this is because we are in desperate need of leaders who will do exactly what you are proposing here today.

[02:35:01] Lead. Lead by example. We need leaders to stand up for these basic ideas that all people are equal. Equity drives us forward, not backwards. In order to pass policies such as these and practices in our community that ensure equity, we must make sure that our community is visible, that LGBTQ people and other marginalized groups are centered, and that all of these movements and efforts are part of our everyday community and culture.

[02:35:27] We have unique needs caused by our interlocking manifestations of the oppression. And this resolution will help ensure that these systems are named and addressed. I fully urge you to pass this. Thank you. Rabbi David Greenspoon, followed by Carolyn McCulley, followed by Christine Loser.

[02:35:47] Good evening, Rabbi. Good evening, Madam Chair and Board. Thank you, supervisors, for your continued service and commitment to us, the residents of Vaughan County. I stand here tonight a faith leader among several in support of the equity resolution in front of you.

[02:36:03] In the Jewish tradition, the Torah starts with the absolute insistence in Genesis that all humanity, in its infinitely diverse presentation, is somehow a reflection of the divine image. Therefore, human dignity for all individuals is an absolute biblical mandate.

[02:36:21] The Torah's closing book of Deuteronomy makes clear that society is commanded to protect its functionality with the establishment of a justice system founded on equity. Indeed, the Hebrew word often translated for justice in Deuteronomy 16.20, justice, justice, you must pursue, is best understood as equity, as noted by the biblical scholar Everett Fox.

[02:36:46] The Jewish tradition's biblical commitment to societal equity is the logical conclusion of a commitment to individual dignity. I offer three quick observations. Equity points out that many of the systems and structures of this country have operated for the benefit of some to the diminishment of others.

[02:37:04] Equity squarely and resolutely faces an imperfect past and inclusively calls us all to create a better future together. Equity does not assign various or collective guilt for past decisions and does not automatically make white people oppressors, as was angrily claimed last month in this forum.

[02:37:23] Equity, too, is still a pressing need despite advances since the 1960s. Equity in issues persists in housing, health care, the legal system, workplace opportunities, educational disparities, and those affect people beyond race. They affect people in issues with gender, age, physical and cognitive ability, religious identity, national and linguistic origin, education, sexuality, income, and these are all artificial limits.

[02:37:50] Yes, Virginians, when you then add race to the issues in the school-to-prison pipeline, the disproportionate incarceration rates for sentences of similar crimes, racism is still an active issue. Equity is not a net-sum issue. It is the rising tide that truly lifts all vessels.

[02:38:08] I will be grateful to see Loudoun County formalize its commitment to equity in this resolution. Thank you. Thank you, Rabbi. Carolyn McCauley, followed by Christian Loser, followed by Charles Lamb.

[02:38:24] Good evening. Good evening, Board of Supervisors. It is a pleasure to be back with you again. And I want to thank you for the experience that we have had as the Loudoun Aircraft Noise Mitigation Committee to be able to speak to you all and hear from you all over the last several months.

[02:38:41] We have found the board to be very responsive to our emails, our many emails, and our meetings and our time before you. Thank you for making this a profitable and pleasant experience interacting with our county. So I do want to thank you all for that tonight.

[02:38:56] I will be brief, and probably the first time I will finish before I run out of time. I simply want to say that as one of the members of LANC and a representative of the 2,200 people who have signed our petition, the 2,200 Loudoun residents, we do urge you to support Supervisor Turner's amendment this evening to the AIOD.

[02:39:18] He has worked very hard in what we've seen over the last few weeks on the entire county's behalf. So we thank you and ask that you would consider that this evening. Good night. Thank you. One minute and 25 seconds left. Yay.

[02:39:36] Kristen Loeser, followed by Charles Lamb, followed by Lori Daly. Good evening. Good evening. My name is Christine Loeser, and I am a member of LANG. When we first had a meeting with Chair Randall, I mentioned that having moved from Fairfax County to Loudoun County not long before LANC, L-A-N-M-C, was formed, I was disappointed that Loudoun seemed to care more about people considering moving into the county than the current residents.

[02:40:04] What you have before you tonight is an amendment by Supervisor Turner that will demonstrate your willingness to serve current residents as well as welcome new residents. Not only does his amendment address the problems encountered at all levels, it also includes populations through southern Loudoun County and most of your districts.

[02:40:24] I encourage you to vote for the amendment Supervisor Turner has proffered. Thank you. Thank you. Charles Lamb, followed by Lori Daly, followed by Phil Lopresti. Good evening. Good evening, Chair and Supervisors.

[02:40:41] My name is Charles Lamb. I'm also a member of the Loudoun Aircraft Noise Mitigation Committee. I am disturbed and concerned with the amount of misinformation this board has received with regard to disclosures, navigation easement, and soundproofing, residential soundproofing, given to you by your staff, unfortunately, and EMWA.

[02:41:17] I come before you representing over 135,000 residents affected by the AIOD, asking if you reject this 2019 AIOD proposal in its current form, asking if you would delay approval of this AIOD.

[02:41:42] Also, we'd like you to know that I and the 135,000 residents that are affected by this AILD support Supervisor Turner's alternative that he hopefully will get the opportunity to present to you tonight.

[02:42:08] Thank you. Thank you. Mr. Lamb, just with respect and just to be clear, are you representing all 135,000 people? Unfortunately, Chair Randall, I cannot say that I am officially formally representing them.

[02:42:30] All right. Thank you. Thank you. Lori DeLay, followed by Phil Lopresti, followed by, oh gosh, Mercedes, I always miss your last name, Azada, I think.

[02:42:49] Good evening. Hi, everyone. Good evening. Good evening. My name is Lori DeLay, and I chair the Loudoun County Disability Services Board. I believe most of you already know me. I'm here representing the Disability Services Board to support the resolution of the Board of Supervisors regarding social and racial equity as fundamental values.

[02:43:13] Part of our mission is to work with county staff, community partners, and businesses to make Loudoun a more accessible and inclusive community for all people. So thank you for this resolution, and thank you for including as one of the values that quote-unquote persons with disabilities can and do lead typical healthy lives when they can access appropriate care, services, and fully participate in our community.

[02:43:42] Very important, given people with disabilities are the largest diversity population in our country and not specific to a particular race, gender, age group, or sexual orientation. According to the 2021 American Community Survey, 29,109, 6.8%, Loudoun County residents have at least one type of disability.

[02:44:05] And the word access is key. I want to point out that people with disabilities often encounter the following barriers to access. Physical, communication, theological, organizational, and attitudinal, which is the main one. Stigma, stereotyping, discrimination, and prejudice are just some examples of the attitudes that can make it difficult for someone with a disability to be able to participate in everyday life.

[02:44:30] The DSB members are here to advise and support the BOS and staff, and with that said, please let us know any assistance you might need as you have our support to raise awareness, and together we can make this community accessible and inclusive for all.

[02:44:46] Thank you very much for your time. Thank you, and thank you for your service to our county. Phil Lopresti, followed by Mercedes, and then followed by Michiel Jaca. Good evening, Mr. Lopresti.

[02:45:04] Good evening, Chair Randall and Board of Supervisors. Phil Lopresti, broad run in Blue Ridge Districts, or I guess we've changed the name, maybe Little River or something. But in any event, I want to thank you for the opportunity to speak tonight.

[02:45:20] I'm one of the residents that was the original owner-purchaser of a home in Ashburn Village. I have a farm also off Route 860 Watson Road, and we thank you for all the improvements you've made in that corridor with Evergreen Mills. I was also one of the people that spoke out when the LDN-65 noise contours were changed in the 90s due to the elimination of Stage 1 aircraft and a couple studies that showed that the noise wasn't as bad because the fleet was being replaced.

[02:45:53] But at that time, my advice to the Board of Supervisors then was not to change the contours because it gives us margin. And as an engineer, we like margin. But for whatever reason, and there was a lot of economic issues in about 1991 where the market had dropped, some developers wanted to build basically east of Ashmore Village Boulevard with noise disclosure, mitigation, and other things.

[02:46:22] They reduced some of that contour, and we built homes there. But with the knowledge and disclosure that these people, if they bought these homes, were going to be under the flight path. My home was on the west side of Ashman Village Boulevard. There was no disclosure. Now, I know there's an airport. I don't have a problem with planes.

[02:46:38] I'm actually an aviation enthusiast. I've been on the flight line at many Air Force bases, even on a Navy carrier. I have no problem with noise. The problem I got, and I can show you guys pictures, is when the FedEx flight flies over at 5 a.m., comes right over to Belmont Country Club and over a section of Ashton Village that they weren't supposed to fly over at 5 a.m.

[02:46:57] And we also see it with some of the red eyes from L.A., San Francisco. None of us that moved to Loudoun County or Eastern Loudoun has a problem with the airport. We really don't. We know it was there. You know, we know it's about compatible land use. But we can clearly see before that last hearing you had, and I went to the meeting, I'm very appreciative that you guys met with these folks from Brambleton because they've done heroic work I've looked at their stuff and they have a real problem because they were not under the flight path yes they're close to the airport but they tend to be in that crotch where there's not as much traffic in any event I would just urge you to push pause on this because we don't want to

[02:47:35] make this worse thank you thank you um miss Azadi followed by Michael um Jacka followed by Ray Daphner. Good evening. Good evening. Thank you for this time and long story with two glasses so never mind my two glasses. My name is Mercedes Izadi and I speak as a long-time resident of Loudoun County over 30 years. I raised my family here. I happen to be a member of the Multicultural Advisory Committee of Loudoun as well as the Interfaith Bridges. Were it not for equity

[02:48:13] policies, my son, who has always been using a wheelchair in order to experience life around him, would not have the opportunity to reach his full potential. Going through educational system with all its flaws for disabled people, yet the imperfect equity policies allowed him a somewhat level field to thrive and graduate from college and become a productive member of our society.

[02:48:44] And each, as each, and every one of us are created differently, yet equal, and we firmly attest that we are endowed by our creator with certain unalienable rights such as life, liberty, and pursuit of happiness, then the onus is on us to create public and private policies that would provide equal and fair

opportunities, which is the bedrock of American democracy, to enable all to thrive and transform to the best version of themselves.

[02:49:24] And therefore, I'm supporting this equity plan of Loudoun County, and I thank you very much for your time. Thank you, ma'am. Mikael Jaka, followed by Ray Daphner, followed by Chris Rowland. Good evening.

[02:49:43] Good evening. Peace, salaam, shalom, satsri akal, greetings in all languages and faiths to the community. My name is Mikhail Martinez-Jaka, and I am here as part of the Interfaith Coalition and as a member of the Muslim community, speaking in support of the Loudoun County Equity Resolution.

[02:50:04] Freedom is not a pie. By giving someone freedom, no one ever had to take away from their own. The same goes with equity. It's not a finite resource. By lifting each other up, you do not have to put yourself down.

[02:50:19] Equity only adds to the strength of our community and the fabric of our nation. In all cases, whether it's racism, bigotry, anti-Semitism, Islamophobia, homophobia, in any case, by countering these issues with equity and support of our fellow humans, we are simply strengthening our nation and the promise of a more perfect union.

[02:50:44] In chapter 49, verse 13 of the Holy Quran, the Muslim holy book, God says, quote, You have been made into nations and tribes so that you may get to know one another. And verily, the best among you are those who compete in good deeds and remain conscious of God's.

[02:51:06] Here, with this equity resolution, we have the opportunity to compete in good deeds, to extend our hand in helpfulness, kindness, and compassion to all those underprivileged, underserved, or overlooked in our community. Thank you to the Board of Supervisors for your public service and leadership. We must continue to work to counter inequities, racism, and bigotry in all forms, and this resolution is one step in that journey to freedom and a more perfect nation.

[02:51:38] Thank you all, and please vote in support of the equity resolution. Thank you, Mr. Jocka. Ray Daffner, followed by Chris Rowling, followed by Joanne Chase. Is Ms. Chase on the WebEx? Is she on the WebEx? Okay. We're going to take her in order, so let her know she should be up in a couple. Okay? We'll take her in order. Good evening.

[02:51:59] Hello, Chair Randall and Supervisor Kirchner and the rest of the Board of Supervisors. My name is Ray Daffner. I've lived in the county for 25 years, raised my kids here. They all went to the public schools. I'm a member of Beth Harvey Ream Reform Congregation Synagogue in Ashburn, and I also serve on the Board of Directors of Loudon Interfaith Bridges, and I'm active in the interfaith community.

[02:52:20] I've also served two terms as the president of the Waterford Citizens Association, and we appreciate all your support in our little village. First, I'd like to speak from the faith perspective in support of the DEI proposal. The Jewish community is a very small community in Loudoun County, and we've appreciated the consideration we've received from both the county and Loudoun County public schools to support a variety of needs of our faiths, and we commend such equitable considerations to the rest of the communities in our diverse county.

[02:52:55] I'm also a business owner here in Loudoun County, and I'd like to speak in support of the DEI proposal from the perspective of businesses. I raise financing for businesses and projects, and what all of

my clients want is they want equity. That's what they want. They want an opportunity, and when I look up a definition of equity in the dictionary, it talks about opportunity. To share a few data points from a Google search with you, all of the Fortune 100 companies in the United States have DEI policies. All of the Standard & Poor's 500 have DEI policies.

[02:53:31] To move a little further down the line, News Corporation, which owns the Wall Street Journal and is owned by Rupert Murdoch, has a DEI policy. To take one step further, Fox, which owns Fox News and is owned by Rupert Murdoch, has a diversity and inclusion policy.

[02:53:50] And even to step a little bit to the side and move away from business, Liberty University has an office of diversity and inclusion. When I think about Loudoun County, it seems that in order for Loudoun County government to compete with the private sector in a relatively tight job market, that a DEI policy would be very helpful, in addition to being fair to Loudoun's diverse residents and employees.

[02:54:15] From my perspective, I'm really not sure what this debate is about. This seems to make sense, and it seems to be good business. Thank you. Thank you, sir. Chris Roland, and then we'll go to the WebEx for Joanne Chase, followed by George Lambert. Good evening. My name is Chris Rollin, and I'm from the Catoctin District.

[02:54:37] The debate's not about whether or not there should be an equity policy or whether or not people should be treated properly. The debate's about what definition are you actually using. We were blessed by Mr. Turner to have provided us the appropriate definition for equity from the Merriam-Webster Dictionary.

[02:54:59] And it seems now that we're stuck with a definition of equity from the Metropolitan Washington Council of Governments. And we have to ask ourselves why. Why are we using that definition instead of the one from Merriam-Webster?

[02:55:15] Is the one that's been, in fact, for all these years inefficient? So you start taking a look at what's going on around the country. As an example, if you look at what's going on in our schools and how they define equity, we can look to Fairfax, where they're saying trading materials used in Fairfax County Public Schools define the purpose of equity as the incorporating the idea of need.

[02:55:41] Distribution of resources and supports is purposefully unequal. that is the starting important factor why is that important because when you take a look at fairfax county schools as we're finding out in the news today that we're up to what 14 schools between fairfax and uh loudon have not helped their students get their awards on time they're hiding these things so if we're going to talk about equity let's let's talk about all parts of equity in the way that you plan to implement it which is yes it is going to hurt people it

[02:56:19] absolutely is. It is right now. So how do we meet in the middle? Because this policy with this bastardized definition that you all took from a different place, instead of the one that's in the Merriam-Webster dictionary, that's the problem. If you want other people to support your idea, why don't you come together in the middle, and let's use the traditional definition of this,

[02:56:54] because this is absolutely going to hurt people. Joanne Chase would be our next, and he should be online followed by george lambert chase are you there yeah i'm here can you hear me we can hear you just fine ma'am good evening chairman randall members of the board of supervisors staff mr crony all of the guests that are here i i wanted to start by thanking all of you for the amazing work

[02:57:30] that you've been doing not only in this specific application but in all the different issues that you deal with in our county. Thank you very much. As you all know, I've been speaking on this issue since way back in June, I think July 2022, the AIOD application for rezoning. As a resident of Loudoun County since August of 2004, I would respectfully request that you vote no on the initial proposal for rezoning. Very specifically, like I've mentioned in the past, the one-mile

[02:58:06] buffer notification which is not mandated by federal or state law. I also would like to support my Brambleton Homeowners Association, incredible work that they've done, all of the research as well as Mr. Lamb and Carolyn. I believe that everyone is trying their best to do the best for our homeowners, and I support what you're all doing, as well as I've heard that Supervisor

[02:58:41] Turner might be bringing a proposal tonight that will be compatible with my request. Thank you very much, and please remember, I am not for this application based on my experience of being a real estate broker agent for the past 30-plus years.

[02:59:02] Thank you kindly for all the work that you've done. God bless you. Thank you very much. Thank you, Ms. Chase. You will be followed by George Lambert and followed by Aparna Madaretti, followed by Mike Taylor. Good evening, sir.

[02:59:18] Good evening, Chair Rando. Good evening to the members of the Board of Supervisors. I am George Lambert. I'm a resident of Loudoun County since the year of 2000. For the record, I am speaking on behalf of myself, representing myself. I am delighted to have my voice at this hearing, particularly hearing regarding diversity and equity in outcounting.

[02:59:39] I want to begin by applauding the board for introducing this resolution. Imagine a world where there are no equity gaps. In my view, that is the overarching intent of this resolution. Moreover, to embrace your equity vision and, in no uncertain terms, putting Loudoun County on a path towards closing and eliminating equity gaps.

[03:00:01] Thank you for your courage to take a deeper look at the practices and the decision-making through an equity lens. You must be intentional about removing built-in biases and long-standing patterns of discrimination that impede progress.

[03:00:18] We cannot cast our fate to the wind and hope for the best. Based on my lived experience, I'm going to say that again, based on my lived experience, here's why. Every black person in America spends a career fighting racism.

[03:00:34] Every facet of black life is touched by systemic racism, from being shut out of the economy, to being over-policed, to an election system that has been weaponized, attacking our democracy through voter suppression practices.

[03:00:50] Let me leave you with this thought. Sometimes we subscribe to substance, and other times we subscribe to form. Here is a difference. When we subscribe to form, we become complacent to stay the course of the status quo.

[03:01:05] When we subscribe to substance, we are intentional with shaping strategies, aligning our resources to succeed. This is a defining moment. I urge you to take the journey of unpacking what equity does really look like, more particularly what can and should it look like for Loudoun County.

[03:01:25] Each of you have an opportunity to be a leader and show other municipalities the importance of protecting and certainly advancing racial equity. In closing, progress is not easy. It is, unfortunately, too often not timely.

[03:01:44] I'm hoping this time will be different. Respectfully, I urge you to support this resolution. Thank you very much. Thank you, Mr. Lambert. Aparna Madharedi, followed by Mike Taylor, followed by Jim Wishmeyer.

[03:02:01] Good evening, ma'am. Good evening, Aparna Madharedi, a resident of the Catoctin District. I also serve on Loudoun's Multicultural Advisory Committee. I had spoken to Carl Rush, our Chief Equity Officer, about this at one of our meetings because I was confused as to why we are having this resolution at this time when we already have such a well-established, very diverse multicultural committee in the county that has done some amazing work over the years and has also partnered with the county multiple times. As an Indian American woman, I really applaud your efforts to make

[03:02:39] Loudoun more inclusive, but I would strongly recommend you do this in a multicultural way and not with the equity resolution simply because of one reason. Because I take my job as a committee members. Seriously, I have in the past few weeks been talking to several small business owners and individuals just to get their input about our committee and this equity resolution and take it back to our next committee meeting as we prioritize our goals for the upcoming year. What I repeatedly

[03:03:13] heard from these people was their strong support for multiculturalism, any form of it, but when it came to equity or equity resolution, many said it felt non-inclusive, many more said it felt divisive, something that they cannot support anymore. When I heard this and when I looked at the demographics of Loudoun County at this time, it reminded me of diverse San Francisco from where I have relocated from California, where the voters who voted for multiculturalism ultimately voted to remove three school board members when those school board

[03:03:51] members began advocating for equity policies, regardless of how well-intentioned those policies were. I'm here to support your efforts for multiculturalism if you need that help. I have a lot of experience with that because our collective goal, yours and mine, is to move Loudoun County forward in a very positive, connected way where residents feel united, they feel they can celebrate each other and not feel divided. As I see it right now, many residents are already divided with this equity resolution, regardless of how well-meaning

[03:04:26] it is. And as more residents find out, they're going to get even more divided, which I don't think is your goal at all. So I urge you to reconsider this and approach it with a multicultural lens that will unite the community. Thank you for your time. Thank you very much. Thank you very much. Mike Taylor, followed by Jim Wishmeyer, followed by Matt Chalowski. Good evening, Mr.

[03:04:52] Taylor. Madam Chair, members of the board, good evening. It's ironic that we're discussing this topic the day after we celebrated a man that implored all of us to judge people by the content of their character and nothing else. The term equity is often used in a pretty bad way on a national level. Equality, I'm right there with you, shoulder to shoulder. I've never met anyone that I didn't consider my equal, regardless of station in life, regardless of where I was.

[03:05:25] But when you start talking equity, often it is used to put in what's sometimes called the soft racism of low expectations. The last time I spoke, I talked about the Redskins having that asterisk next to

that Super Bowl win. And that's what happens a lot of times when you start looking at things through what's nationally defined as the equity lens. Again, the equality, I'm right there. But you've got to do something about the wording in this thing, because it leaves it too

[03:05:59] far open to arguments down the road as to what was meant by it. There's just too many definitions out there. There's so many people that have gone so far in spite of any discrimination, whatever, they've rose above it. And I celebrate those people. I truly do. I was actually harassed after I spoke here a couple months ago by a woman in Wegmans who called me a racist SOB and a few other things. I say woman because she certainly didn't have the vocabulary of a lady. I told her

[03:06:35] I truly felt sorry for her and moved on. Anybody that's known me over the years, in fact, if any of y'all want to go upstairs and find the concrete vault they've got my HR records sealed in, you'll find that I've treated everyone fairly, equally, with respect. Equality, dignity, respect, I'm all over it. But the whole term equity is just too open. You're putting a burden on people that do succeed because everybody wonders how they did it. Oh, you must have been hired under such and such.

[03:07:10] So I don't want to see anybody saddled with that. I am speaking in opposition to this particular resolution. The underlying thoughts that have been described, I'm on with, but the way it's worded, no. Thank you for your time. Thank you, Mr. Taylor. Jim Wishmeyer, followed by Matt Zyrowski, followed by Trofilia Parker. Good evening, sir. Good evening. Madam Chair, members of the board, thank you for this opportunity to speak in favor of this resolution for social and racial equity as fundamental values of our county. I'm the Reverend Jim Wishmeyer.

[03:07:46] I'm a United Methodist pastor here in the community. And even though all of my congregation may not fully agree, as United Methodists, I know that our denomination stands for racial and social equity in all its forms. And so I join with others who have shared already in genuinely desiring to see true equity in all systems and institutions, including our hearts.

[03:08:12] And there's heart in this document, there's soul, there's life, and there's a lot of room to work with this document and this resolution that can help propel us forward. You know, Jesus spoke in word pictures, and when I thought about equity, I searched for a word picture, but not too far, because I was in my house, and I thought of home equity.

[03:08:35] And what is home equity? It's the value in our homes. And what do I do as a homeowner? I want to add to that value. I want to preserve that value. And should we not also want to add to the value of human equity and preserve that value among this community?

[03:08:55] I also thought about what Habitat for Humanity calls sweat equity, a value that a future homeowner adds to their home through helping to build what will be their home eventually. Value added, value returned, value enjoyed, value that benefits all.

[03:09:14] So the value added and returned here doesn't just happen. It takes intentionality. It takes the right building materials. It takes collaboration and cooperation. It takes a belief that life will be better as a result. Home equity, sweat equity, human equity.

[03:09:30] recognizing the value of each and every human being, realizing that each and every person adds value to every other human being. And so I believe this resolution is a huge step forward for Loudoun County that will not only add value, but also benefit all of us. So I don't get to vote on this resolution. I can only give my voice and support. And so what comes next? It's not perfect, but it's something that we can

work with. And it's something that we can grow with and grow through for the benefit and betterment of all.

[03:10:00] Thank you very much. Thank you, sir. Matt Jelowski, followed by Trudvilia Parker, followed by Bruce Romani. Good evening. I am here for the second time in opposition to this resolution. And I am a, as an immigrant, as somebody who has been a taxpayer here for 40 years, a poster child for wanting to be treated the same way, like everybody else.

[03:10:27] I came here with \$10 to my name. It was \$10 in the right-hand side pocket of my jeans because there was a hole in the left-hand side pocket of my jeans. My first job was with Barber and Ross, that company that doesn't exist anymore, \$4.25. I want the same treatment, 100%.

[03:10:47] But your resolution, Supervisor Randall, is offensive to somebody like me, immigrant, to the promise of America. This is not what America is all about. It's very divisive, as somebody said before me.

[03:11:04] What it also tells me, because you have to start this resolution, is that K-12 schools are failing our kids. Why do we need this equity resolution if K-12 schools are not doing their job? Maybe you should get interested in what schools are doing that are not helping some people.

[03:11:24] There's one more thing that really troubles me about this. I call it culture war resolution that Supervisor Randall, with all due respect, I have seen with other resolutions that your staff has done. And that is, I expect a justification, a strong justification where a rich county, we have to have well-reasoned arguments, well-reasoned documents.

[03:11:49] I expect that. For example, your resolution has no success criteria. It's like, hey, let's have discrimination forever. Somebody will lose. And lastly, what I want to say is, Supervisor Randall, again, with, sorry, Chair Randall.

[03:12:08] No, no, no, no, no, keep going. With all due respect, when there are no strong logical arguments, and there are not, I read your documents, okay? You know, I am sorry to say it, but you come across as a dictator who doesn't care about people, and it really is insulting where we see all of these arguments, and they just don't make sense. Okay. So yes, we want equity, but please do your job. I oppose this. Thank you,

[03:12:40] sir. Trefilia Parker, followed by Bruce Romani, followed by Stuart Curley. Good evening. Good evening. My name is Trefilia Parker and my family and I have lived in Broadland since 2008. We are committed to making sure our family, friends, and neighbors are educated and empowered to participate pay as voters in every election. In 2021, Virginia Code was amended to allow the general registrar or electoral board of a locality to offer early voting on Sunday at its discretion.

[03:13:13] As we celebrated Dr. Martin Luther King Jr. yesterday, we learned that the new Loudon Electoral Board voted down early Sunday voting. This means no more souls to the polls, which is a concentrated effort at black and brown churches to get its members to the polls on the identified Early Voting Sunday. The Soul to the Polls event occurs nationwide and increases voter turnout by hundreds of thousands of voters who would not have voted without it. This can change election results, especially in tight races. What changed? As reported by Deputy Director Richard Keech at the January 12th meeting, the purpose was to determine whether early voting would be offered

[03:13:53] on Sunday in 2023. The new electoral board voted that Loudoun County not offer early voting on Sunday for elections in 2023 in 2021 693 voters participated on Sunday voting in 2022 387 my position in many in Loud and in the Loudoun County community is that the responsible and civic-minded answer for the electoral board is to direct staff to offer early voting on Sunday for both the June primary and November general election in 2023 it is imperative that we speak up and out when we see

[03:14:28] these attacks on voting rights. Regardless of what the numbers say, Sunday voting is crucial for many citizens. Its removal leaves them with unnecessary challenges, and in some cases, having to make a decision between voting and work, as Virginia does not currently require time off for voting. Our community must not be silent on this decision. We must not allow the rolling back of voting rights to continue unabated. We will not go backwards. Thank you so much for your time. Thank you, Ms. Parker. Bruce Rahmani, followed by Stuart Curley, followed by Louis

[03:15:02] Wesky. Good evening. Good evening, Madam Chair, members of the board, Mr. Hemingstreet. My name is Bruce Rahmani. I'm the chairman of the Multicultural Advisory Committee to Loudoun County, and also I'm the president of one of the large businesses in Loudoun with more than 120 employees.

[03:15:23] I'm here to support this DIA resolution, and would like to express my own personal opinion on this, and also our experience. Diversity, equity, inclusion, and accessibility are important concepts that can benefit individuals and organizations in a variety of ways.

[03:15:44] By promoting diversity, an organization can attract and train a wider range of talent, which can lead to increased creativity, innovation, and productivity. By focusing on equity, an organization can ensure that all individuals are treated fairly and have equal access and have equal access to opportunities and resources.

[03:16:13] By promoting inclusion, an organization can create a culture in which all individuals feel valued and respected, which can lead to increased engagement and job satisfaction. And by focusing on accessibility, an organization can ensure that these products, services, and spaces are usable by people with disabilities, which can lead to increased customer satisfaction and legal compliance.

[03:16:45] Overall, all focus on DEIA can lead to a more inclusive and equitable workplace, which can be a benefit to everyone involved. We are leading by example. Our company has put this policy in place over two and a half years ago.

[03:17:04] First hand, we have seen the success and we have seen the level of motivation between our employees. And also we are trying to pass this experience to other organizations, whether through Multicultural Advisory Committee or Chamber of Commerce or other source of information resources.

[03:17:26] Thank you. Thank you, Mr. Romani. Stuart Curley, followed by Louis Weskey, followed by Mackie Christensen. Good evening, sir. Good evening, Madam Chair. Thank you for this opportunity, Madam Chair and the members of the board. I'm a resident of the Brambleton community. I'm here speaking on my own behalf this evening.

[03:17:49] In 1993, the current contours were established. The county passed its zoning plans and land use and properly put homes where they should be and where they shouldn't be and avoided putting them where they shouldn't be at the end of the runway.

[03:18:06] Now, 25 years later, 25 years, now that 90% of the development has been completed or at least approved, they're now coming back and saying, well, we'd like to change it. We want to, you know, retroactively not honor our deal, and we want to fly where we want to.

[03:18:29] We often reference that there are two airports that follow the full capacity model in their planning and their studies as opposed to the more traditional FAA Part 150 studies. That other airport is Denver.

[03:18:46] Denver's in Adams County. They used that model, the only other one, but they provide an update to that full capacity model every two years. 25 years, two years.

[03:19:03] Were they trying to work with us, trying to give us updates in a timely manner so that we could act appropriately? I don't think so. Effectively, now they're just coming back and asking us to codify their mistakes going forward. At a minimum, I'd ask that we maintain the fingers, or as I like to refer to it, the rabbit ears, at the end of the runways so that there's an opportunity that we could still go back to the straight, longer takeoff and avoid the problem altogether.

[03:19:34] The other topic is I'm not quite sure why this has been expanded to resales as a part of this new update. To put these crazy numbers that would require a 330% capacity increase in the airport, that's not a meaningful number to a new buyer, but it sure is meaningful to the airport because they always can raise their hand now and say, hey, it's much lower than it could have been.

[03:19:56] So please, in the notice, at least include something in there that says this is not actual, planned, but is a full capacity model so that the new owners understand how that calculation has been made. Thank you. Thank you, sir.

[03:20:14] um waski followed by mackie christensen followed by susan cox good evening yes thank you uh i'm lewis waski i'm a resident of colina heights virginia i've kept um citizens parrots for over 20 years i've served as a legislative i served as a legislative specialist for the american federation of aviculture i've also uh brought a packet here tonight i have some information of comments from USARC, which is United States Association of Reptile Keepers, that I've left

[03:20:47] over here with the clerks. I'm a member of several national organizations that support the keeping and breeding of non-native parrots in the United States. Me and my family specialize in raising blue-throated macaws, the second rarest macaw in the world. Only surpassed by a spix mcall which is rio from the movie um and i'm here to talk about um the changes to

[03:21:23] to 602.2 and 612 i believe 29 and i'm concerned about some wording in there i gave in my packet uh proposed changes to some wording but near the end of the of the section there in hh um i propose that you remove uh one section and i gave a replacement there but basically

[03:21:54] with a lot of exotic animals uh there's no documentation that they're captive raised domestic raised or they're imported legally and y'all are referencing that these animals uh need need to be captive bred and the reason this documentation is not kept is because on a lot of these animals there's no state or federal requirements permits required or documentation or anything even on endangered and threatened species in the state of virginia

[03:22:33] so i propose that you look at my changes there and and adapt accordingly so it's not confusion on those. I appreciate your time. Thank you, sir. Thank you. Thank you. Mackie Christensen, followed by

Susan Cox, followed by Lori Walker. Good evening, ma'am. Hi, good evening. I'm Mackie Christensen. I'm here to stand strong opposition to the Board of Supervisors' Resolution of Equity.

[03:23:02] Although the intention is well meant, as evidenced by the religious leaders who have spoken here tonight. It fails in many of the ways stated in the resolution. Whereas, quoting, the county seeks meaningful and thoughtful ways to heal the wounds of our past, reconcile the differences of our present, and unify around the path forward towards a future of a more equitable and inclusive community. This resolution has the opposite effect of promoting a forward path that we have been on and takes a fork in the road down a lane full of potholes of resentment and distress.

[03:23:35] Equity cannot be metered out by a paid hire of the county government because no one knows exactly every contractor's or person's starting point. The power you are proposing to hand to an unelected individual is astonishing. It is not possible for the equity director or any person to know who overcame poverty or a bad family life or who lived a charm life and was given extraordinary opportunities.

[03:23:58] Equity is going back to building walls. Because if you give a promotion to someone less worthy on a sliding scale, person passed over will justifiably be resentful. It is an absolute misjustice to those who do work their way to the top on their merit, no matter their ethnic background or disability. With the equity nonsense being applied, the rule of unintended consequences will apply. Even the person who might have earned the promotion or company that submitted the best contract, there will be the veil of equity and doubt and suspicion thrown over them of this accomplishment, because it will be believed by many that the contract is awarded or the promotion given by tip scale and

[03:24:37] the candidate was unable to succeed without the thumb on the scale now that is racist this is so embarrassingly racist and insulting to imply that some people just aren't competitive and need protection from the equity police please lay aside this our county's successful growth diversity history conduct has been well made it this well-intentioned about data history a waste of taxpayers money and detrimental to the residents of this county and the employees of the county the charter of our elected officials you is to take care of the fiscal plant and fund safety of

[03:25:10] louden county we taxpayers trust you to spend our hard money wisely and prudently investing in pop culture and social speak is way out of your lane thank you for your time thank you ma'am susan cox followed by on the webex lorraine walker and then our last speaker is tom marshall good evening miss Cox. Hello. It was wonderful to take part in Loudoun's march to honor Martin Luther King Jr.

[03:25:38] yesterday. What a great way to pay respect to the civil rights leader. It is our duty to truthfully convey his message of love, forgiveness, and content of character over skin color. Quote, I am afraid that there is a certain class of race problem solvers who don't want the patient to get well, because as long as the disease holds out, they have not only an easy means of making a living, but also an easy medium through which to make themselves prominent before the public, end quote, Booker T. Washington.

[03:26:06] I'm all for programs that promote Martin Luther King's message of valuing people for their content of character. I'm concerned that equity, as promoted by kindly and like minds, doesn't do this. We can't afford any more division. Say no to toxic equity programs if there is any chance that this equity plan is racist and views and divides people by their skin color.

[03:26:28] say yes to martin luther king's message of unity love and content of character i want myself and others to be judged on merit and actions not on sex or skin colors i am validated to know that i got my

jobs and awards because of my qualifications not because of a quota make sure this satisfaction is not taken away from future generations be aware and beware of equity practices that may lead to racist actions. We need clearly defined definitions to avoid confusions and potential lawsuits because equity means different things to different people. Equal opportunity over

[03:27:06] equal outcomes will serve humanity because we are all unique with different talents and interests. It is this diversity that helps communities. We need people who excel. We should honor merit and individual achievement, not downplay or hide accomplishments. Let's make sure we are headed in the right directions. Quote, the time is always right to do what is right. Martin Luther King Jr. Quote, the arc of moral universe is long, but it bends towards justice.

[03:27:36] Unquote. Martin Luther King Jr. I am concerned equity may only be a facade for equality. But I do want to thank you for your efforts to hold the school board to account by acknowledging that the independent investigation report would be a start, its release would be a start at restoring trust in the community.

[03:28:01] Thank you for that. Thank you, Ms. Cox. On the WebEx, we have Lori Walker, and then our last speaker would be Tom Marshall. Wait, wait.

[03:28:17] Good evening. Good evening. Greetings. No, no, no, Mr. Marshall, give me one second. I'm sorry, I'm sorry, sir. Just hold up, hold there, hold there. Ms. Walker, we can hear you. You can go. Okay, thank you very much, Supervisor Randall.

[03:28:34] I appreciate the opportunity to speak to you and the board this evening. My comments are for Supervisor Turner's proposed AIOD amendment that he'll be present before the end of the meeting.

[03:28:50] I am a resident of the Birchwood community in Brambleton. Previously, I lived in Loudoun Valley for six years, so I definitely am aware that I live by the airport, and I appreciate the comments of my fellow residents in the area that we just didn't anticipate some of the changes being proposed.

[03:29:10] So I do support Supervisor Turner's proposal for the amendment, and again, I appreciate the time this evening. Thank you. Thank you. Mr. Marshall, now you. Thank you very much. And believe me, as Bill Clinton would say, I feel your pain.

[03:29:31] But today I would say greeting to you, esteemed members of the Board of Supervisors. I think you know me from my days on the school board, but believe it or not, I have other interests. I'm also an aviculturist and a hobbyist breeder on a very small scale of parrots.

[03:29:46] I have baby kayaks, which are a type of parrot from South America, in the nest currently. As a former life member of the American Federation of Aviculture and the president of that organization, and also life members of the World Parrot Trust and the Loudoun Wildlife Conservancy, I do have some concerns about the new regulations for venomous animals that you're concerned with.

[03:30:15] I would like, really, to ask that we have non-native bird populations to be excluded from any animal proposal. I think the section under HH definitions, wild and exotic animals, the last sentence does state that they are excluded.

[03:30:39] So I hope that position remains in the adopted version presented to you for the board for consideration. I'm so nervous. Why am I so nervous? I am here today to caution you in embracing such

broad regulations that could have an adverse impact on law-abiding citizens in our great county of Loudoun.

[03:31:02] My suggestion is to address any known problem without creating a bureaucracy hoping to find a problem to justify its creation. I am suspect of humane society's involvement as they are often peopled by animal rights individuals that don't believe that people should have pests and have taken other extreme positions in the name of animal welfare.

[03:31:26] Those of us who keep birds actually practice animal welfare. The mission and purpose of the American Federation of Aviculture is to promote the advancement of aviculture through educational programs and enable better husbandry management and living conditions for exotic birds, promote avian research and conservation of exotic birds, and keep legislatures aware of fair and equitable regulations.

[03:31:50] The goal of AFA is to ensure long-term, self-sustaining exotic birds in captivity and in the wild. And I appreciate your attention. And I don't know why I'm so nervous, but I'm so glad you're here. Thank you so much, Mr. Marshall. Thank you very much. Supervisors, we're going to do board comments, and then we're going to take up the equity resolution before we leave this dais.

[03:32:11] And so, board comments, let's start today with Ms. Umstead. Madam Chair, I have no comments, but I do have one disclosure, and that is I met on January 9th with Colleen Gillis of Cooley, Amanda Williams of Cooley, John Stevenson, and Ryan Dorsett of Vantage on Vantage data centers, and that's all I have.

[03:32:33] Thank you. Thank you. Mr. Kirshner. Thank you, Madam Chair.

[03:32:48] I have one disclosure, if I can find it. On January 4th, I met with the Dominion Energy about the Goose Creek substation. And just a couple of updates on the news from Catoctin as to what will be coming, if those of you who would like to come out to the western part of the county and enjoy.

[03:33:04] On January 22nd at 7 p.m., there is a piano concert for Ukraine refugees at the old Waterford School Auditorium. There is the Leesburg Winter Farmers Market on Saturdays at 9 a.m. on 30 in Catoctin Circle. It's technically in Leesburg, but I thought it worth mentioning since many of the farmers from Catoctin will be there.

[03:33:21] Yes. On January 28th, the Loudoun County District Golf Club will hold their 12th annual Loudoun County Ice Bowl fundraiser playing disc golf in January. It's interesting. That's why they call it the Ice Bowl fundraiser for Loudoun County Hunger Relief. It will happen at Morvin Park and it will have two temporary disc golf courses and the proceeds will go to help fight food.

[03:33:45] I lost my place. Food insecurity here in Loudoun. Any kids who are interested in trying hockey, please head out on over to the ION International Training Center. It's free, and all equipment is provided. That is happening on February 18th, 3, 10 p.m.

[03:34:04] In Middleburg, Middleburg will be having a winter week. Again, this is Mr. Buffington's district, but I think it's worth mentioning. We're having a winter week in sale. Shop Downtown Middleburg from February 17th through the 20th from 10 a.m. to 5 p.m. And last but certainly not least, we have two upcoming shows in the Lockett's Bluegrass Concert Series.

[03:34:23] January 28th, the Hillbilly Gypsies are playing at 7 p.m. And on February 11th, Nick Chandler and the Delivered will be playing at 7 p.m. If you're interested, go to Lockett's Bluegrass for more

information.

[03:34:40] And that is the news from Catoctin. Thank you, sir. Thank you very much. You're done? Very good, very good. Ms. Umstead. I'm sorry, Ms. Bricksman. Thank you, Madam Chair.

[03:34:56] For regional updates at COG last week, we got a briefing on homelessness strategies from Montgomery County, and we endorsed our legislative agenda, which for the most part aligns with COG's regional goals for the environment, housing, and high-capacity transit areas. By way of disclosures, on January 6th, I met with Aaron Swishelm on the Route 7 brewing application.

[03:35:17] On January 17th, my staff met with Colleen Gillis, Michael Majestics on the Cascades Marketplace revitalization, and today I spoke with Ben Miller and Michael Capretti about the AIOD and the Arcola School application. I would also like to express my disappointment with the outcome of the Hyde Park application.

[03:35:39] I too was prepared and ready to vote for the housing application there. And if we think by, allowing, and I don't know that we, I know that we didn't allow by, by having, I'm just not happy about the price of the land. And if we keep having land sell in Loudoun County for three and four million dollars an acre, then we will have a continuous problem with the rent and home values and prices of folks trying to get into homes in this county. As of today, our nation has suffered

[03:36:16] 1954 total gun deaths, 1,122 were suicide, 832 were homicide. We have already experienced this year 30 mass shootings. 16 children on the age of 11 have been killed, and 74 between the ages of 12 and 17 have died at the point of a gun. We had a horrific shooting of a teacher in Newport News, Abby Zwerber, by a six-year-old using their parents' unsecured gun that the student brought into the classroom. That teacher apparently was telling all the other kids to run away

[03:36:52] when the firearm was presented in her classroom. I am horrified that some of our state legislators are not moved by these numbers and incidents we have suffered in the state of Virginia from the UVA football players gunned down on a bus to the six-year-old shooting his teacher. We have bills now in the General Assembly that would remove local authority to prohibit firearms in our county Buildings and Parks, an initiative that I championed a couple of years ago. That terrifies me. They would also allow open carry, basically, even onto someone else's property. This is not

[03:37:26] gun sense. This is gun insanity. I will be making a motion during our conversations of the legislative agenda that we oppose these types of measures to roll back gun sense in our state. I am also appalled that the Loudoun Electoral Board has effectively eliminated Sunday voting in Loudoun County. As it was, we had only one location in the county that had Sunday voting. That was in Leesburg. In my mind, that actually was not nearly enough. Leesburg is central geographically to Loudoun County, but as I say over and over again, two-thirds of our population live east of Route

[03:38:01] 15, and I would have liked to have seen also Sunday voting at Ridgetop Circle. We would definitely get those numbers up above hundreds of people voting. This is blatant voter suppression from a party that knows they cannot win in Loudoun County on the issues.

[03:38:18] Likewise, we have bills in the General Assembly attempting to roll back measures that increased access to the ballot box in the Commonwealth. I hope that we will oppose such measures that seek to shrink participation in our democracy rather than expand participation in our democracy.

[03:38:36] I will reserve my comments on the equity initiative when we have that motion, but I would like to say if anyone wants to use Ibrahim Kendi's name in their comments in this room, I highly recommend that you read both of his books.

[03:38:55] Actually, there's three of his books. One was written for children, so if that's the one you need to start with, I strongly recommend you do that and then move on to the two books that he has also authored. Thank you. Thank you. Ms. Glass.

[03:39:16] Thank you, Madam Chair. I'd like to thank the Registrar's Office and the Department for mapping, for making the precinct changes that we had discussed at our last meeting.

[03:39:35] Those changes at Belmont-Chase and Ashburn-Chase communities, this is going to make it closer for those to go to the polls. I really appreciate that. Yesterday, I was a part of the march in Leesburg for Martin Luther King Jr. Day.

[03:39:59] It was a wonderful day. I saw so many people. It was very exciting to see so many people coming together for community, for service, and to remember all the things that he had done for this country.

[03:40:25] And I'm really thankful that we, at this point, are talking about equity for our community. It's a wonderful day. And I'm really glad that so many people came out to speak today.

[03:40:45] It really touched me to see that, you know, all kinds of people want to see equity for all of Loudoun County. This is a great day. It saddens me a little bit that some people still don't see the need for equity or to feel that they're getting cut out of the American dream, and this is what we're doing.

[03:41:14] We're just trying to make sure that all people are able to see that, and to hear the words of Martin Luther King Jr. a little bit skewed today, it really it I was like really okay so you know um he there have been oh man I I was like debating

[03:41:45] on whether to say you know speak on this so it was I think I really do have to you know I I think the you know when they say that they really believe it you know they they believe that um that using those using his words to skew what he really wanted for this country and to say that we don't need equity that you know racism doesn't exist okay so you know maybe yeah maybe my sister

[03:42:21] had a misunderstanding when she tried to integrate the schools back in the 1960s you know maybe they really did want her there. And, you know, oh, you know, my family was just, you know, confused about that. You know, maybe, you know, George Floyd wasn't, you know, maybe, you know, it was a misunderstanding how he died. You know, it's, come on now. Come on, people. Thank you, Supervisor Riskman, for those two books that, two, three books that you had spoken on, because I think

[03:42:59] we need to broaden our, we need to broaden and understand what's going on and not just being in a bubble. Thank you, Madam Chair. Thank you, Ms. Glass. Thank you.

[03:43:15] Mr. Buffington. Thank you, Madam Chair, and I'm sorry for knocking over your recycle bin under the desk just now. I promise I will pick up every item that fell out of it and put it back in there. The mess under there. I'm going to save you guys most of my five minutes. I'm going to save my comments for when we get to the items, and my mandatory disclosures are that I met with Mr. Michael Cooper since the last meeting to talk about the AIOD issue from the airport's perspective, and I met with Rick Stone and Brian Viola from Brambleton, and I also had several telephone conversations with both of them.

[03:43:52] Thank you, Madam Chair. Thank you. Mr. Turner? Thank you, Madam Chair. A couple of disclosures. Regional meetings, I met NBTC at its first meeting of the year. it was largely an introductory meeting and bringing on new members, saying about old members.

[03:44:09] The big discussion was around Metro, I'll let Supervisor Leuterno cover that. On January 6th, Friday, January 6th, my staff and I met with Kirk Crouch from Novec, Guilford, Hampshire, from Blankenship and Keith, as well as Jake Holmes from Stratacom to discuss the application for the Novec North Star substation.

[03:44:27] On January 13th, 2023, I met with James Brothers from Westbrook Properties to discuss the application for Hyde Park. And then just very briefly, I had the real pleasure on Saturday, along with Ms. Beth Erickson, of attending the world qualifications for para fencing at the National Conference Center. I fenced in college, I fenced Epe, and it was fascinating to see these world-class athletes. There were 19 Americans in the group, 330 total athletes, and it was real world caliber fencing one of the reasons you never see fencing on tv is because it is so fast

[03:45:06] you honestly don't see what's happening you cannot follow the blade and being there knowing what i was looking at and being close up i couldn't follow what was happening it was so fast i couldn't i mean it's best of five touches and i would they had one match that lasted all of two and a half minutes five touches the light would go off i had no idea what had happened or who had touched who So it's lightning fast.

[03:45:28] And what's really interesting is I fenced step A, which was one weapon, and it took all of my time and effort. These world-class athletes, in order to really be serious and compete, have to compete in all three weapons, which have different strategies, different rules, different ways that you can score a point.

[03:45:45] And it was a real pleasure. As always, the National Conference Center did a phenomenal job. It's a great venue. The fencers really loved it. The U.S. Olympic team was really favorable, and we're going to see if we can't do it in a wider scale in the future.

[03:46:00] And the chef at NCC, as always, managed to come up with a culturally appropriate menu for all the world-class athletes from all over the world in the cafeteria there. So it was just a great event, and I really compliment NCC for another great job. Thank you. Thank you. Mr. Sainz.

[03:46:18] Thank you, Madam Chair. Mandatory disclosures. A member of my staff met with a representative of Dulles Cloud South on January 5th. Me and myself, my staff, excuse me, met with Novak North Star substation applicants on January 9th. And as always, I'd like to take this moment to thank everybody that came and spoke in person over at WebEx to tell us a little bit about an issue that you have of concern that was near and dear to your heart.

[03:46:47] As always, I say you could have been anywhere else, but you chose to come out here to be with us and take the time to do that away from your friends and family this evening. So we appreciate you doing that and saying your piece. I will say, well, I'll also just say real quickly, I attended the Martin Luther King Junior March yesterday, as I always do every single year, rain, sleet, or snow.

[03:47:11] It was a great showing. The weather actually was beautiful, actually, yesterday. Very beautiful day. And it was great to see so many smiling faces of all walks of life, different generations and numerous organizations that are here in Loudoun County that they call home.

[03:47:30] So it was great to see everybody walking in their colors, carrying their different banners, everybody talking about why they care about Dr. Martin Luther King, what he did, not just for this country, but actually for this world, and how they are continuing to carry his legacy.

[03:47:45] So I encourage everybody to not just go to the famous quotes that are out there that you can easily Google or that you see, you know, this time of year on different political pages and politicians say it.

[03:48:01] Most of them actually say the exact same thing every single year. But if you dive into his work, his body of work, and Chair Randall, I encourage everybody to go to Chair Randall's Facebook page. He posted a very nice commentary about this, that, you know, he did a lot in a very small window of his life.

[03:48:20] Unfortunately, he was taken away from us way too short. But he did a lot in a very youthful age, Nobel Peace Prize, doctorate, master's degree, bachelor's degree, was a senior pastor at his church, organized different events throughout this country from the bus boycotts in Montgomery.

[03:48:42] A lot of people don't realize he actually went to Chicago and spent a summer in Chicago because, again, Chicago, Illinois is considered the north. But guess what? There is a lot of issues for the blacks and the brown folks that were there in Chicago in regards to housing. Martin Luther King packed up his family for a whole summer and then some in Chicago and lived with the poorest of poor, humbled himself.

[03:49:10] A lot of people don't realize this. So I encourage you, don't just cherry pick those couple of words that you hear and see every day, but actually really do the research into Dr. Martin Luther King's life. Read about that summer and then some in Chicago. You'll open your eyes to a lot. Also, the march on Washington was more than just the speech or the couple of lines in the speech.

[03:49:33] The speech is actually about 40-something minutes long if you actually listen to the whole speech. I mean, there's a lot that he covers, but that whole march covered a lot of things, and some of it's actually in Washington. What we're talking about today in our equity resolution. So if you champion Dr. Martin Luther King and champion the march on Washington, then you should be championing the equity resolution and not going against it.

[03:49:58] But that tells me you really don't know the true history and everything that that man was talking about and what he was preaching. Look up the Poor People's Campaign. He was part of that. And that Poor People's Campaign is actually still being championed today by Reverend Barber.

[03:50:15] So look him up. There's a lot that he did that people glaze over because they don't want to talk about it, a lot. So please do the research, dive a little bit further.

[03:50:36] And I'll just say it was interesting, I saw a news article the other day that there was one school system, it wasn't Loudoun County, but it was down in the Commonwealth area, I believe. They banned 29 books recently. Three of them were by Toni Morrison, two by Anne Rice, one of them being the interview with the vampire, which was interesting.

[03:51:00] I saw it on the list. I was like, well, interview with the vampire got banned. I was like, oh, that's interesting. I was like, must be talking about a whole bunch of controversial stuff. Must have a different interview with the vampire book than what I remember. But anyway, I just wanted to bring that up. But do your research on Dr. Martin Luther King.

[03:51:16] There's a lot more to him than meets the eye. Thank you. Thank you, Ms. Sainz. I will talk more specifically about Loudoun County when we get to the equity resolution.

[03:51:37] And I will talk about other marginalized groups, disabilities, women, other groups when we get to the resolution. But I want you all to hear some numbers as it pertains to African Americans in this country.

[03:51:54] African Americans are 13% of the population, 19% of people living below the poverty line. Our white counterpart poverty rate is 8.8%. In health care, black mothers are three times more likely to die in or shortly after childbirth.

[03:52:12] I have the reasons for all these things I can give until you don't have time right now. Black men are 24% more likely to get colorectal cancer than white men and 47 times more likely to die from it. Black women under 50 have death rates twice as high as white women of breast cancer.

[03:52:30] African Americans are 60% more likely to be diagnosed with diabetes and two times more likely to die from diabetes after they get a limb extracted. Black and Hispanics on education, black and Hispanic kids in America, six-year graduation rate is 51.5%, 51.5% compared to 70% of white kids.

[03:52:57] Here in Loudoun County, our Hispanic kids are 7% more likely to drop out before graduation. And here in Loudoun County, our kids of color are much, much less likely to graduate with advanced degrees or become members of an academic honor society.

[03:53:13] Again, I can talk about all these things. In housing, redlining is and still has existed. As someone said, there was recently just a lawsuit against it. Home ownership rates in America, 75% for white Americans, 45% for black Americans, 48% for Hispanic Americans.

[03:53:31] That number is unchanged for the past 30 years, so please do not tell me how much better it's getting. That number is unchanged for the past 30 years. Home ownership generates generational wealth. If you don't own a home, you can't pass it to the children.

[03:53:48] It's a generational wealth issue. In the justice system, black Americans are 13% of the population and 38% more likely to be incarcerated. Black Americans are 48% more likely to serve sentences that are life sentences or death sentences and far more likely to receive a harsher sentence for the same offense and for people who have the same record.

[03:54:14] And this maybe is the most heartbreaking stat of today. African-Americans are 19 times more likely to be wrongfully convicted, 19 times more likely. We're just being thrown in jail for nothing, literally.

[03:54:31] We are 19 times more likely to be wrongfully convicted. These are systemic race issues in America, systemic race issues. Now, if you know me, if you know me at all, you know that I'm the child of the military, and my mother and father raised us to love this country.

[03:54:51] I love this country with my whole heart, with my whole heart. But loving something does not mean you overlook its troubles and problems. Loving something means you look at them, figure them out, and decide that you want to try to work on them.

[03:55:10] Being colorblind is ridiculous. You cannot celebrate what you cannot see. That's never the goal, to be colorblind. And please believe me, as a black woman, I would never, ever, ever hire a black person who was not qualified.

[03:55:29] In fact, most people, black people, as we're hiring other black people, we're hiring them and they are so far more qualified because we know, we know the argument would be they just got the job because that's what we know.

[03:55:48] Equity is not a pie. You don't get less because somebody gets theirs. And perhaps the issue is when a person is used to getting everything they wanted or when the things that have hampered you, one of the things has not been your race.

[03:56:07] And that's not saying that there are not things that hamper people. People don't work for things. But usually one of the things that would hamper me is my race and my sex. If you're not used to that, maybe somebody else gets getting more, makes you feel like you're getting less.

[03:56:23] You're not. You are absolutely not. I will talk more about this in the motion, and I'll talk more specifically about Loudoun County in the motion, which I'm going to make right now. First of all, there's a supplemental sent out.

[03:56:41] Ms. Amstatt, thank you for the supplemental and for the words of the supplemental. I think it made for a more... Madam Chair, you want me to read the additional wording in the supplemental? Let's read it before the motion, sure.

[03:56:58] Let's read it before the motion. Thank you, Mr. Rush. Come down to the table. The motion is, the resolution is largely as it was originally drafted, but it adds the language in a few places, such as, whereas the county recognizes the work of our community partners in the business, nonprofit, education, and faith-based communities, focusing on eliminating barriers to progress and access due to race, color, ethnicity, religion, gender,

[03:57:35] sex, including pregnancy, sexual orientation, or gender identity, national origin, language, age, 40 and older, disability, and genetic information, including family medical history, and socioeconomic status.

[03:57:55] Thank you, ma'am. The changes were largely to include those. There were some changes. The changes were to make things more inclusive, yes, to put in other marginalized groups. I move the Board of Supervisors approve a resolution to affirm equity as a fundamental value of Loudoun County, providing an attachment one to the January 17, 2023 Board of Supervisors business meeting a supplemental action item.

[03:58:24] Motion is made and seconded. Ms. Bricksman, with due respect, I'm going to give that second to Ms. Glass. Didn't you say second? I'm going to give that second of the musical answer. First of all, this is an intra-county document.

[03:58:43] People have come up to me and said, it's going to ruin my business. One person said, it's going to ruin my family. This is an intra-county document. I don't know what to say to you if it's going to ruin your family. I can't help you with that because it's how we function inside county government.

[03:59:02] Secondly, the word opportunity and the word equity are not the same thing. A person can have an opportunity to have something, but they have much more ability because of what their life has given them.

[03:59:19] So they're not the same thing. And I can give some examples if you'd like me to. When I came to this county as chair in 2015-16, we had one person of color in senior management.

[03:59:35] One. One. It wasn't because we were a racist county. We're not. It wasn't because we had racist administration. we certainly do not. It was because we were casting our nets so narrowly. We were not casting a wider net to get a wider array of people applying for the jobs. Once that net was cast wider, we got much more diversity in people applying. So it doesn't mean that somebody who's qualified doesn't get the job. It means you have the ability to interview more people. And you better believe

[04:00:10] that everyone who sits in senior management right now, and we have much more diversity, are very well qualified. But we weren't talking to HBCUs, and we weren't talking to other places. We just cast the net wider. We didn't lower any standards for anybody. We would never lower any standards for anybody. Upon my election, I became not the first woman and not the first person in this county, I became the first person in the Commonwealth of Virginia to be an elected chair.

[04:00:45] Now, part of that is very, very humbling. And, you know, the fact that I stood on other people's shoulders to make history is pretty amazing. But on the other hand, it was 2015. Are you kidding me? Are you kidding me? When Mr. Sains and I walked on this dais, go out there and look at the pictures.

[04:01:06] Never any color on this day as before. Never any other way of looking at things before. Just a different discussion to have wasn't being had. Having that discussion is important. And if, Mr. Taylor, thank you for always coming here with respect.

[04:01:25] Whether we agree or not, you are always respectful, sir. I'm sorry that the word equity is the issue, but we're not going to change that word. Because if it wasn't the word equity, it'd be another word, and that would be the issue. There used to be an issue with the word welfare homes, and then we changed it to affordability.

[04:01:42] Now there's an issue with that. Now we see accessibility. I'm not going to change a word, but I appreciate how you approach the board. I will have a closing. I will have a closing. Ms. Bricksman. Thank you, Madam Chair, and thank you, Supervisor Umstead, for the amendment to this, and thank you, staff, for all of your hard work.

[04:02:06] So I've been thinking and reflecting on this. I think Chair Ranzel and I started talking about this a couple years ago, actually, the inequity resolution. I'm really glad that it's coming to fruition. I have to wonder, as a nation, how we can be brave enough to put a man on the moon and fight two world wars for democracy, but we can't be brave enough to give up some of our power for the benefit of others.

[04:02:34] How can we not be brave enough to learn about and publicly acknowledge bad, racist, and sexist policies and their impacts, And then work to resolve the legacy impacts with our policies, hiring practices, contracting and all operations that can provide a more equitable, more equitable outcomes for everyone in our county.

[04:02:55] How can we be smart enough to create the Internet and put the equivalent of computing powers and mainframes into the palm of our hand, but not be smart enough to know that you can't pull yourself up from your bootstraps if you don't have shoes?

[04:03:12] It's not rocket science. It's common sense. It's common sense that truth and reconciliation heals and, in fact, benefits all of us and leads us to a more just and peaceful world. How can we have compassion enough to save endangered species, to feed the hungry across the globe, donate time and again to victims of natural disasters and government shutdowns in our own community, and not love our neighbors enough to work for freedom and equity for all of them, all of them?

[04:03:48] I have faith that we can do this and be an example for others to follow. It's been a long time coming. Our counterparts have done this across the region. MWCOG, we did this. We declared racial equity a fundamental value. I'm proud that we're following. Visit Loudoun, and Loudoun Chamber of Commerce, by the way, have equity in their mission statements because it's good for our residents, it's good for families, it's good for our economy, and it's good for our community.

[04:04:17] Thank you. Thank you, Ms. Bricksman. Mr. Turner? Thank you, Madam Chair. I'd like to address Mr. Rowland's comments just very briefly. He quoted my, quote, several meetings ago, the Merriam-Webster definition of equity and said, well, why isn't that one good enough?

[04:04:35] Why do we need this one? Well, based on the voluminous data that Chair Randall just presented, the reason is because the Merriam-Webster definition ain't working and hasn't worked for 300 years. And it's pretty obvious that it's not working.

[04:04:53] So we kind of need to say, okay, if you're in Loudoun County, that definition is not working. So we're going to give you this definition. It's going to be very precise and very specific about the way we expect citizens of this community to treat each other.

[04:05:08] It's really that simple. And I got to tell you, some of the comments I heard in this room tonight absolutely verify for me why we so desperately need this resolution. Thank you. Thank you. Ms. Umstead.

[04:05:24] Thank you, Madam Chair. I'm going to keep this very short. It is an honor to be able to support this, and I deeply appreciate the chair's hard work and the hard work of county staff on putting this together.

[04:05:42] And the chair is right. When we first got on this board, there was only one individual of color as part of senior staff,

[04:05:58] And she's right. It's not because of racism. And she's right because we weren't casting a wide enough net. Now things have done a tremendous turnaround. And it has been an absolute pleasure to work with all the superbly qualified people, regardless of gender or race or color or religion, who have been part of this county government.

[04:06:28] So I am very much looking forward to what this county will continue to become. I think it will be the best county in the country. Thank you. Thank you, Mr. Buffington. Thank you, Madam Chair.

[04:06:44] I'm going to abstain from what I do believe is a very well-intentioned effort and resolution, mainly to be consistent with our own Board of Supervisors rules of order, which have been in place throughout our term, and which we recently reaffirmed just two weeks ago on January 3rd of this year, which states that resolutions simply should not be controversial.

[04:07:10] And as we know from the speakers we heard tonight even, but also the media coverage, the fact that this resolution coming before our board got media coverage outside of Loudoun County, It was in national news, both people speaking for it, both people speaking against it, just as we have here tonight.

[04:07:31] And all of the social media comments, the letters to the editor, all of this stuff, there's people for it and against it. Clearly, it's controversial. It's not something that we're all going to vote unanimously on when we're representing our constituency. But also, a couple of the issues that I have with it, because it does say when defining equity that we're promoting fairness and justice, but it doesn't define what justice

means and our definition of justice or how justice would be achieved, and it does do that for equity and racial equity.

[04:08:09] So there's an unknown there, and I would rather know what I'm voting on than that unknown, and also because of the unknown impacts of what it means to look at everything we do to include our budget and our capital improvement program or plan through an equity lens.

[04:08:28] So what would that mean to projects in the western part of the county, in the northern part of the county, in the southern part of the county, in all parts of the county? Does that mean certain parts of the county where a certain racial or other type of person lives are going to get more of those projects than other parts of the county.

[04:08:49] So that's another unknown that I'm not sure about and don't feel comfortable voting on this. Because of also the unknown and seemingly overburdening impacts of all of the directions within this at the end of this that we give to the county administrator that he's going to have to do on an annual basis.

[04:09:09] I don't know what the financial, budgetary impacts and other impacts of that will actually be. So there's some unknowns here that I'm a little bit uncomfortable with, but the main thing is that this, like many other things that I've done this on throughout this term, is controversial.

[04:09:27] I don't think anybody would say that it's not controversial, simply because we're hearing from so many people on both sides of the issue. So I want to thank everybody who came out on either side of the issue to speak to us, but I don't think this is appropriate as a resolution because it is controversial.

[04:09:43] Thank you. Thank you, Mr. Burlington. Um, Mr. Kirshner. Thank you, Madam Chair, and thank you for moving this resolution off so I had an opportunity to meet with Mr. Rush. Mr. Rush, thank you for meeting me the other day. I really appreciate it. We had a great conversation, and even though I am not going to support this resolution today, I do appreciate a lot of the kind of discussion that we had back and forth.

[04:10:03] It gave me a little more clarity, but there are some things that I continue to be unclear on, and so I want to thank everyone who came out and spoke. The last time this was up, we had a lot more on the other side. This time we had a lot more on those supporting the resolution side, so we've heard a lot and I very much appreciate it. Let me just tell you that I think my concerns really boil down because there's a lot of good stuff in this resolution. I mean, for example, the statement that says the Board of Supervisors unequivocally rejects racial inequalities and exclusionary practices and prevent members of our communities from feeling free to live, work, etc. Of course we reject that. And there's a lot of great statements in here. But there's other statements

[04:10:38] in here that I just don't see any evidence. And when I even spoke with Mr. Rush or I've asked my members of this board. I mean, there are statements in here. I said, well, where is this happening in Loudoun County? Where is this happening in Loudoun County? Where is this happening in Loudoun County? I can't get any answers. So I'm really kind of confused why we're moving forward. But the biggest thing I'm having with this resolution is the fact that we are injecting the actual idea. We are going to be getting to make decisions with an overview, with a lens on based on race. We fought a whole war in this country because government was making those decisions based on race.

[04:11:16] And we fought that war. We went through the civil rights movement. We went through so much in this country. And we've brought to ourselves, are we perfect? No. Have we changed some of that? Yes.

Are we moving in the right direction? Correct. But guess what? Now we're going to have government is going to be looking at all these various areas with the lens of race. So for example, we're going to make hiring decisions with the lens of race on that. We're going to be making, based upon this resolution, we're going to be making purchasing decisions based upon the lens of race. We're going to be making policy development decisions based upon race. Is that

[04:11:55] like education and scholarships and those sorts of things? Programs and services through parks and rec, family services, transit and community services, mental health, substance abuse development services will be functioning on a view based upon race, not equality, not making sure we have an even playing field. So we're actually, as a government, beginning to inject this stuff back in, which is what I thought we had fought forever to get rid of, and that is the idea that we favor any sort of type of racial inequality. Now, I hope I'm wrong. I hope I'm wrong, but I really fear that

[04:12:32] we're beginning to drip in this direction. There are many examples in this that I could give. I have limited time to speak. I have 10 seconds left. I really do appreciate the sentiment behind what I think we're trying to do here I just fundamentally disagree with the approach that we're taking and so for those reasons I'll oppose this resolution thank you mr. Kirschner miss glass thank you madam chair I want to thank chair Randall for all the hard work and thank you mr. Rush for speaking

[04:13:03] to my office speaking to me regarding regarding this resolution I I've really enjoyed our conversation that I actually I could have I could have talked a little bit more just because we we started talking about a whole bunch of things and I think that is one thing that we also need we need to talk a little bit more i think um some folks are they're nervous when someone starts to talk about

[04:13:39] race and it's it's what we're trying to do i i think people need to listen to other histories other people's um stories backgrounds there's so much um i'm looking even in this room i'm sure You know, there are lots of stories to be told, and I think this, although this is, we're talking about inside the county, inside our county government, when we talk about equity, I think this will also open up the door for others to have conversations which are needed.

[04:14:20] And I'm sorry, when I'm looking at this resolution, I see racial equity is a fundamental value that is defined as the process of eliminating racial disparities while improving outcomes for everyone.

[04:14:37] Maybe I'm seeing the opposite of what you're seeing, Supervisor Kirshner, but that's all I have to say. Thank you, Madam Chair. Thank you. Mrs. Andrew, do you have anything? No, I'll just quickly say, Supervisor Christian, I'm glad to hear you took the time to meet with Mr. Rush.

[04:14:58] I appreciate that. I'm glad to hear that. I'll just simply say, I'm obviously supporting this resolution. I think it's well crafted, so a job well done to all those who had a hand in the various iterations. Chair Randall and Supervisor Emset for adding some commentary and anybody else that was involved.

[04:15:19] This definitely is needed. It's warranted. We have seen some improvements, as mentioned, throughout our history, but we still have a long way to go. And this this document with the information that's in it will keep us honest and keep us on on a track to continue to evolve and do do what is right and do not just for blacks and browns,

[04:15:46] But those, as you heard earlier, from who are disabled, who, you know, the LGBTQ plus community, a whole lot from age, different ages, male, female, everything, everything, a little bit of everything here is going to be covered and examined and worked on.

[04:16:06] So I think this puts us on the right path. And I hope I appreciate my colleagues who are going to be supporting it. Thank you. Thank you. And Mr. Kirshner, you met with Mr. Rush one time. Mr. Buckley, have you met with Mr. Rush at all? So I was asked to put this off six weeks ago so that questions could be asked of Mr. Rush.

[04:16:26] Mr. Kirshner, you met with Mr. Rush one time very recently. Mr. Buckley hasn't met with Mr. Rush at all, yet both of them are saying they have questions. Well, if you have questions, you have more than enough time to get those questions answered. And quite frankly, there's one thing not to know, something else to not want to know. Those are two very different things.

[04:16:44] Mr. Kirshner, listen, you and I talk all the time. If you have any questions about what is happening in this county as it relates to this issue, we can go out to eat any time you want to, sir. I am more than happy to have that discussion with you. You and I talk every single week. So telling me you don't know something that you asked me to put off so that you have time to learn, and now on the day you say you don't know, that excuse, because that's not a reason, it's an excuse, falls flat to my ears.

[04:17:13] That's the first thing. Secondly, this is a largely historical document. A lot of the things in this document are just flat history. This is a document that was written not by me, in fact, and not by Ms. Bricksman, who had a very heavy hand when we started this process, but by contractor Mr. Rush as a historical document.

[04:17:34] So let's be really clear about how we did this and the very methodical way we went through doing this and for that reason. And if I never want anything controversial to happen, I probably shouldn't be sitting in elected office.

[04:17:50] Because that's just not the place for not controversial things to happen. We do hard things. And hard things sometimes are controversial. And hard things sometimes are painful. And hard things sometimes are ugly. But we do hard things in this county.

[04:18:07] We did not become the county and the country with the highest median income without doing hard things. We did not become the 12th healthiest county in the country without doing hard things. We do hard things in Loudoun County. Finally, let me say once more, I was raised in a military family.

[04:18:25] I was born in Stuttgart, Germany, on a military base, raised on a military base of my whole life. My mother and father instilled in all of us, and as I have a lot of brothers and sisters, this is the best country in the world, period, the end, hard stop.

[04:18:42] This country is worth fighting for and dying for. I love this country, but those stats that I just read tells me my country is not loving me back, and it is most definitely not loving my children back. You make something better by doing the hard things. This is the right thing to do. Ms. Brixman, thank you. Ms. Umstad, thank you. Mr. Rush,

[04:19:25] Thank you so much, sir. Supervisors, I'm going to do a roll call vote. This is going to be a roll call vote. If you are in favor of the resolution or nay, Ms. Umstadt. Aye. Ms. Glass. Aye. Mr. Kirshner. Aye. Mr. Sains. Aye. Mr. Buckingham. Abstain for the reasons mentioned. Ms. Brixman. With my whole heart, aye. Mr. Turner. Aye. Aye.

[04:19:55] I am an absolute I. That motion will pass 6-1-1-1 with one abstention, one vote against, and one person not in the dais. Thank you very much. We're going to, that's right, we still can't clap.

[04:20:17] No, we still can't clap. We can't clap. There is no clapping. I got to gavel down the clapping, because if I don't gavel this clapping down, then next time people are going to be closed, so I got to gavel down the clapping. Supervisors, we are going to take a five-minute break and then come back and read into closed session, because we have been on this day since 4 o'clock, and it is now 8 o'clock, so we need to have a break.

[04:20:39] Let's take a break.

[04:34:04] Okay, Mr. Sains.

[04:34:31] Okay, I'm sorry, we're back. Mr. Sains, will you please read us into closed session? Will do. I move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2-3711-A-8 of the Code of Virginia to consult with legal counsel employed or retained by the public body regarding a special, a specific legal matter pertaining to contract negotiations requiring the provisions of legal advice by such counsel.

[04:34:55] Second. Second. Discussion on the motion? Hearing none, I want people to say aye. Opposed? That motion passed 8-0-1. Mr. Turner has joined us.

[04:35:05] Mr. Kersten has left us went home not left us but we're back in closed session

[05:32:00] Mr. Sains will you read us out of closed session please with pleasure I move that the closed session be adjourned excuse me that the Board of Supervisors reconvene its public meeting that the minutes of the public meeting should reflect that no formal action was taken in the closed session and further move that the resolution certifying the closed session be adopted and reflected in the minutes of this public meeting motions made by Ms. Bricksman discussion

[05:32:22] on the motion, would you please affirm Mr. Letourneau.

[05:32:43] I affirm. Ms. Umstead? Affirm. Ms. Glass? Affirm. Mr. Buffington? Affirm. Ms. Bricksman? Affirm. Mr. Turner? Mr. Sains? Affirm. And I affirm as well. I'll be able to say aye. Any opposed? That motion will pass 801. Okay. We're going to do the AIOD item. Good evening, staff. How are you? Good evening, Madam Chair. Let's go ahead and have INWAR come to the table or whomever from INWAR or the M.Y. wants to come to the table, come to the table. Hello, Mr. Cooper, how are you?

[05:33:10] Okay, so I would ask as to anything new, but I mean, I guess the bigger question is what don't we know from what may have happened last time, which really is probably not much, but what do you think is pertinence to tell us that you think we may either need to know for this discussion or we don't know already?

[05:33:37] So there were, since the public hearing, there were three updates to the item, and they were all included in the staff report. Let's just do the presentation. Let's just do the presentation. It's 11 slides. Let's just do it. Yeah. Okay. Well, then here we go. So as you just mentioned, we were last before you with this item on November 9th for the public hearing.

[05:34:00] And at that time, staff is recommending adoption of the 2019 contours as they're presented in the noise study. Um, and we are bringing forward a very similar recommendation, but with a couple of, uh, nuances in it as I'll, as I'll kind of step through. So I won't spend a whole lot of time on background slides, but I will just, um, just note that we have an airport impact overlay district that has been a longstanding component of the zoning ordinance. Uh, we adopted the existing, uh,

[05:34:34] boundaries of the overlay district in 1993, and this would be the first update to the AIOD since it was adopted in 93. This slide walks you through the existing rules. So in our overlay district, as the board is well aware, we have three different designations, and they correlate with the various levels of noise that you would expect from the aircraft overflights if you're there on the ground. So closest end to the airport, for those who are new to this discussion. Closest in, we have LDN 65 or higher. That is the loudest noise zone where new residential

[05:35:12] development is prohibited. A little further out, we have a zone called LDN 60 to 65. Residential development is permitted there, but subject to a couple of additional requirements, which you see in the bullets there. And then furthest out is the one mile buffer where residential development requires a disclosure with each sale. So those are the existing rules. And the graphic that you see on the right are the boundaries of the existing overlay district. So, of course, you have Dulles Airport, which is the large airport with its overlay district to the right, and then the much

[05:35:47] smaller Leesburg with its associated overlay district to the top left. We are only talking about boundary changes for Dulles Airport tonight. So, the proposed amendments, very similar to what the board has directed as we went through the CPAM initiation process and then the resolution of intent to amend the zoning ordinance. Point number one is to update the noise contours for Dulles Airport based on a noise study that was published in 2019. I have there as an asterisk

[05:36:27] that we have additional revisions proposed for this meeting and so I will show you a graphic of that in a moment but still update the noise study at the request of the faa is that a correct statement i would actually this is probably an important point but i could i defer that answer to mr cooper sure madam chair we were notified we being excuse me michael cooper state and local government affairs for the metropolitan washington airports authority uh the metropolitan washington

[05:37:01] airport authority is the operator of washington dulles international airport we were notified in 2017 that the FAA, as part of implementing NextGen, moving from a radar-based system to track airplane arrivals and departures to a global positioning-based effort, the FAA notified that any airport in the country with dual or triple capacity for arrivals

[05:37:40] and departures to occur in all weather conditions, the assumption would be in the implementation of NextGen that FAA would do so. And that is a material change to the way FAA used to operate triple simultaneous arrivals and departures at Dulles used to be only in good weather conditions.

[05:38:04] So in all weather conditions, that was a material enough change. The flight path didn't change, but the use of the runway in triple simultaneous arrivals and deployments. It was a long way around saying yes, it was the FAA. Okay, thank you. Josh, you want to keep going?

[05:38:20] Sure. So that was point number one, to update the noise contours for Dulles Airport. Point number two was to clarify two points within the zoning ordinance. One was for disclosure requirements, which we've talked about quite a bit, and the other one is to make sure that previously approved residential rezonings, If they were to become located in that loudest noise zone where residential development is prohibited, make sure that those rezonings are protected.

[05:38:45] They would be able to develop as they were approved. So those are the amendments that we have discussed all along the way. And so this is really, this is the updates section, which is probably most

pertinent to the board's discussion. And so this first update is that staff is now proposing that the board consider this revision to the LDN 65 plus impact area of the 2019 contours.

[05:39:12] And so if I can draw your attention to those red outlines, these are areas that were approved for residential development through the Profford rezoning process. And so we've spoken a lot with the Birchwood and Brambleton communities.

[05:39:28] Those are the folks living up in this area. In this red outline, this red outline represents the portion of those rezoning approvals that would become located in the loudest noise contour under the noise study.

[05:39:44] What staff is recommending is that these areas actually be designated as LDN 60 to 65 on the zoning overlay district. Now, this is an important distinction. We're not talking about any changes to the noise exposure map because that's already been published.

[05:40:03] That was published in 2019. That remains. What we're talking about is lines on the map that determine where certain rules will be applied. And so as we look at these areas that are in red, these are areas that were already approved for residential development.

[05:40:22] And in every case except for one, the units are either on the ground or being built right now. In these cases, they would be under the rules of LDN 60 to 65, which is the same rules of land adjacent to them, but on the far side of the airport.

[05:40:42] So that is the major mapping update. Why do this? Well, the reason is this. If the primary reason for the LDN 65 designation is to keep residential development out of those areas, but it's already been approved, There is a reasonable accommodation that can be made that we designate those areas similar to the LDN 60 to 65.

[05:41:10] We recognize that those homes were already approved. They become subject to the rules of LDN 60 to 65, which were the disclosure, easement, and acoustical treatments. So what is the effect of that mapping change from an operational standpoint?

[05:41:29] The only real change here is that those areas, since they're carved out of LDN 65 plus, they would have the ability to request additional density in those areas. That's what's precluded by LDN 60 to 65. So there's a little bit of a compromise here, but I think it is a reasonable response, especially to residents who remained concerned about that LDN 65 plus designation being on their properties.

[05:41:58] So that's the mapping update, and that's the biggest one. The next two are shown on this slide. These are minor revisions to the proposed zoning text. The first is applying to navigation easements, and this is a revision in the zoning text so that accessory uses and structures would not trigger the requirement for an easement.

[05:42:28] So the basic idea is this. Anybody who is already living in an area where an easement is required, if their home was legally established, they're not going to trigger some sort of a requirement for an easement by looking for a zoning permit to build a shed or something like that.

[05:42:47] That's what this revision really clarifies. Somebody brought it up ahead of the last meeting. We actually called this out as a housekeeping item that really needed to be addressed before we came back. So we've come back to you with this being addressed. The other one is just dealing with professional licensures.

[05:43:09] So who is certified or who is qualified to submit an acoustical certification for those acoustical treatments that we talk about? We just dialed in the language so that it lines up with our facility standards manual. That sort of information would need to be submitted by a professional engineer or architect.

[05:43:30] So it's not exactly a material change, but it is a change in the language. So those are the three updates, the map update and these two zoning clarifications. This is something we can come back to.

[05:43:47] We have a slightly larger version of the map, but the important thing is we have the web application viewer. So if board members are interested in a more parcel-based discussion, we can actually open up the web viewer, the web application viewer, and look at certain geographies.

[05:44:03] The staff report provided discussion on a couple of different topics. This graphic compares the LDN 65 contour of the existing overlay district to the unrevised LDN 65 contour of the noise study.

[05:44:27] And so what you see here really is if this orange line is the LDN 65 noise contour of that new noise study, you see a couple of different clusters of residential development.

[05:44:43] And these correlate with those carve-out areas that I showed you just a couple of slides back. And I actually want to pan back to it for a second so you can see it. If you see these carve-out areas here, this is Brambleton, Birchwood, Arcola Center. This is the recently approved but not yet built Avonlea.

[05:45:04] and then down in the far right is Eastgate. And so if I come back to the graphic that shows where those structures are, you can see why those carve-outs would be put there, this being Birchwood, Arcola Center, Avonlea, not yet built but approved, and then Eastgate.

[05:45:24] So 900 units are already built on the ground in these various locations. Around 1,100 more are already approved but not yet built. So that represents about 2,000 units that will be kind of inside this noise study LDN-65 contour.

[05:45:46] Well, LDN-65 carve-out area. I don't think I got your question. LDN-65 carve-out area. Yes? No? So I said about 2,000 units.

[05:46:04] Right. That would be carved out from the LDN-65+. I think that was a good correction. Additional conflict areas. If the overlay district is not amended, not adopted, what would we expect to see?

[05:46:22] Well, we've seen significant growth pressure kind of on the south side, right along the Route 50 corridor. Applications that have been filed in the last 18 months or so, we've seen between 1,300 and 1,400 additional units that have been proposed in these areas.

[05:46:45] And then thirdly, areas that would become available for development if the board moves forward with adopting new contours. Well, if the board were to adopt the proposed amendments, it would preclude those active rezoning applications for putting more units in.

[05:47:03] So those 1,300 to 1,400 units that I mentioned, those would be precluded if the board moves to adopt. And conversely, we would see about a net reduction in residential development right around 32 acres.

[05:47:26] And we would see about a 17-acre plot of land open up for residential development in an area that's currently encumbered. That's just a very high-level overview of some of the land use changes that you would expect to see.

[05:47:43] We can come back to that in discussion because I know I rattled off a lot of figures. This slide should be very familiar. These are the public comment themes that we've heard all along the way. The one that is new on this slide is item number five, the FAA community roundtable.

[05:48:00] That has been a theme that has come up, I'd say, in the last couple of weeks, especially since the public hearing. We know that there's a significant portion of the community that is requesting a community roundtable through the FAA's format.

[05:48:20] When we closed out the public hearing on November 9th, the board directed that staff come back to this meeting on this date and also requested that staff return with a strategy for noise attenuation, but also to address some of the complaints that we've heard from communities that would be mapped into that loudest noise area.

[05:48:45] Now, the staff report offered kind of discussion or it's almost like a brainstorming list of about half a dozen or more things that could be done as a as a multipoint strategy for this. But what staff is recommending is that we we open dialogue with the FAA to talk about how to address complaints for these communities.

[05:49:09] This is related to the very specific request to go ahead and convene a roundtable. Staff is generally supportive of the roundtable concept. I think it's probably a good idea and very well may be the thing that the FAA would recommend.

[05:49:27] The staff recommendation is that we begin with a dialogue with FAA to see if the roundtable is their recommended course of action, and if so, proceed, but there may also be other courses of action. So really the only reason that staff is not recommending that we go straight to the roundtable is we don't want to get marching orders to do the one very specific thing, but then gather feedback from the FAA and realize maybe we should be doing something a little bit broader or a little bit differently.

[05:50:02] And that really, that leads into the recommendation. So the Planning Commission did recommend approval on a 6-3 vote. And this is the two-part staff recommendation to approve the overlay district as it's presented this evening, which would include those carve-out areas for land that was already approved for residential development.

[05:50:23] And then, number two, as the beginning of this strategy to address concerns of the community, open a dialogue with the FAA and report back to the board once we've had a chance to gather guidance from the FAA.

[05:50:40] And so that concludes the staff presentation. Okay. Okay, thank you. Okay, we're not going to go straight to a motion. We're going to do a round of questions, and perhaps if we need to, we may even do two. And I know I don't normally do that, but this issue is complicated and important, and whatever we decide here has long-lasting results.

[05:51:04] Okay, so if you have questions, comments, thoughts, whatever, please put your light on it. Ms. Prixman? Thank you, Madam Chair. So it seemed in the item that staff believes we can still move ahead with a Part 150 and additional noise evaluations even after we pass this.

[05:51:34] I believe it was in the item where you guys, you said that we could still do that. That's the case? That is the case. A Part 150 would not be precluded by adoption of the overlay district amendments.

[05:51:50] Here it is on page 10. We can do the noise monitoring, open a dialogue with FAA, have a community noise survey, and a Part 150. And staff's recommending we would move forward with those, I'm sorry, on page 10, even if we completely pass the item tonight.

[05:52:09] That's correct. It would be both of them together. So we believe adopting the amendments would be important so that we are putting a stop on that growth pressure within the loudest noise area. But then at the same time, we can engage with the FAA to talk about the existing complaints in those areas.

[05:52:27] And did the Planning Commission give an opinion on the carve-outs? They did not. Okay. So that seems to be quite a gap for me if we have significantly changed this and the Planning Commission didn't look at it.

[05:52:45] I mean, what's the critical action date on this? It's like the 4th or 5th? It is the 5th. The 5th, okay, okay. I mean, that seems to open us up to some questions maybe if the Planning Commission didn't look at it.

[05:53:07] I don't mean to interrupt you, but I understand that the Planning Commission made a recommendation on the noise contours as they're presented in the study. your concern is that they have not weighed in specifically on the carve outs. I'll be frank, the carve outs make me a little bit nervous. I kind of understand the existing residential homes, but they would not have a requirement to disclose to the next buyer, even though they are technically in the 65 plus. They would still have a requirement for disclosure. A requirement only for 60,

[05:53:44] 60 to 65. It would identify that designation within the overlay district. That's right. Yeah. Also, are you suggesting that on page nine, the yellow patches near the carve outs, are those also carve outs? The yellow patches are, I believe you're saying approved development where homes have not been built.

[05:54:05] Yeah, that kind of yellow, tan, shaded area. I'm sorry, would those be carve outs? Yes. Yes, they would be. I'm going to have some more questions, Madam Chair. Okay. Before we go on, before I call somebody else for questions, can you just do me a favor, because I don't know that everyone is somebody I know used to say, let's just level set everyone. Can you tell everyone what a Part 150 study is, and you can tell everyone what an application easement is?

[05:54:35] Sure. So the Part 150 study is, and I may need some help from the MWAS staff, but my understanding of the Part 150 study is that the FAA, the Federal Aviation Administration, lays out a voluntary process for airports to publish noise exposure maps as the first step.

[05:55:03] And there's a very defined process and method that goes into that part 150 study map. And once that part 150 study map is created, then there is a noise compatibility program that is the second out of two steps in the part 150 process.

[05:55:23] The overall goal of Part 150 is to identify those areas in the community that would sustain the most significant noise impacts. It is identified as the LDN 65 or higher because that's what's generally understood to be not compatible with residential development.

[05:55:50] So that's what the Part 150 study is. It's the FAA's format for accomplishing that. Do you guys have anything you want to add to that? I saw you walk down. Anything you want to add to that? Madam Chair, we'll let staff continue for the moment.

[05:56:06] We have been joined at the table by Mike Jack. I know, I saw him. As soon as I said part with me, he jumped up like a jack-in-the-box and walked down. Please, Josh, you're doing a great job. Thank you. So just very quickly on the navigation easement. It's an easement that grants the right of flight over the property, and it's granted to EMWA.

[05:56:25] It's a vertical easement. It's right of flight over. Okay. Point of clarification, Madam Chair. Point of clarification, yes. That the easement is granted to an initial developer of a residential complex, not to individual homeowners, correct?

[05:56:42] It could be either the easement is granted to EMWA. It could be granted by either the developer for a development at large or the individual property owner as the situation calls for. But usually it's the developer on a large scale.

[05:56:59] Okay. Thank you. Thank you. I'm sorry. I need to know that everyone knows the same information before we go on, so that's all. Mr. Letourneau? Thank you. So I wanted to just jump into the discussion. So the staff recommendation is not specifically to do a community roundtable, but a community roundtable is part of the strategies that were put forward for staff consideration.

[05:57:26] Is that fair to say? I think that's fair to say. Okay, is there a reason why staff didn't specifically recommend a community roundtable at this juncture? Yes, because as a first step, I think our thinking is that it's appropriate to check in with the FAA and grab a broader understanding of what maybe the approach should be.

[05:57:44] So it could be the roundtable. The roundtable is a term of art, right? It means something specific to the FAA in terms of process. And once you start that process, you're sort of locked into that particular approach as opposed to other approaches that other communities have used in these type of noise situations. I think that's all fair. Okay. And Mr. Cooper, do you agree with that?

[05:58:07] Yes, President Letourneau, we agree. Okay. So is part of the thinking behind the carve-out that the homes in question that are existing are not actually currently in the 65 plus, and so by designating them in the 60 to 65, that's probably a more accurate depiction of where they are now? It's actually a little different from that. So the reasoning here is that the point of the LDN 65 or higher designation is to prohibit residential development. But once it's already

[05:58:42] there, it does beg the question, what is being achieved by having that designation on these homes that are going to be there? Well, one thing that it could achieve is that it precludes any additional density from happening there in the future. And that's beneficial from a county perspective and from a mitigation of conflicts perspective.

[05:59:03] However, in a sense, the damage is already done because the homes are there where we wouldn't want it. But we've heard from the community that having that designation on their homes is a concern. And so I think as we wait it, is it an appropriate response to avoid putting that designation on a home?

[05:59:26] What actually is the harm? And so that's the reason. 60 to 65 still does require attenuation if it's being built as new development. The three requirements that we talk about constantly. One last question. From a timing perspective, the engagement with the FAA, both what we expect and what our experience has been in other communities, how long does that engagement take typically?

[05:59:52] We've been told it could take over three years. So it's unlikely that, say, by April, we would have any meaningful dialogue with the FAA. So I think I may have misrepresented that just a bit.

[06:00:07] On the three-year-plus time frame, that was in specific regard to pursuing changed flight paths. Right. Okay, so then yes. Okay, come back.

[06:00:24] Mr. Turner? Thank you, Madam Chair. Can we turn to page 9 in our item, and I think it's slide 8 on your slides, the little dot map, yes. I got a math problem here. Can you explain it to me? 676 housing units on the north, 447 housing units on the south adds up to 1,123 units.

[06:00:45] Your legend says 991 units, and in your presentation you said up to 2,000 units. Can you help me with those numbers? Yeah, yeah, I can. And so if you look down in the legend, and it's easier to see on your actual item, the 991 housing units, those are existing today.

[06:01:05] And all of the orange points here, this is a GIS, so a software-based spatial selection for all of the existing structures. Those added up to 991 units.

[06:01:23] Now, these other couple of numbers that you called out, the 447 housing units, those are approved but not yet built within this development. Similarly, 676 up here are approved. Those do add up to about 2,000 all total.

[06:01:39] Got it. So there's 991 housing units that are already identified, and there's another 1,123 units that are slated and approved but are not yet approved, or they're approved and they haven't started to build yet? They are already approved, they have rights, they will eventually build.

[06:01:56] So we're talking basically 2,000 units that will be inside the new LDN-65? Of the noise study, yes, sir. My next question is going to sound like a gotcha, and trust me when I tell you it's not a gotcha, it's not its intent. I'm trying to establish, because there's a larger, I think we've sort of been drawn into a premise that is, I don't want to say flawed, But it's a natural, inertial premise for the last 60 years.

[06:02:24] Did anybody, before the community mentioned it or before I started screaming from my rooftops, ever in staff seriously talk about approaching the airport to change the flight path? Or was the thrust of the entire conversation for months and months and months, do we draw the lines here, do we draw the lines there, do we noise mitigate, do we navigation ease?

[06:02:47] Was the whole discussion by staff up until when the community raised it or I raised it about lines on the map and noise contours with no serious discussion about approaching the airport to change flight paths? I will say that staff did not have discussions about trying to change flight paths.

[06:03:05] Thank you. Ms. Umstead? Thank you, ma'am. It strikes me that one of the things that is confusing about this is we're using noise contour lines in two very different ways.

[06:03:23] We're using it as a way to depict the measurement of actual noise, which is going to exist regardless of where lines are. And we're also then, in the alternative, using it as a way to guide development, especially residential development.

[06:03:47] So those two get a little bit confusing. And I wish we did not have to use the same terminology for two very different reasons, but we are.

[06:04:06] I understand where the residents are coming from. They appear to be very concerned that having their homes put in a higher noise contour area is going to make it tougher for them to sell their

homes.

[06:04:28] We've also heard arguments that they'll have trouble with insurance. anyone at the table address those concerns? Because the noise is going to be there regardless of where lines are. And then the only way to solve that potentially is through a totally different process, which is to work with the FAA and MOA to change flight paths. But can

[06:05:02] you address the insurance argument, the resale argument, I think primarily those two. If I can start with the naming conventions. So you point out that we talk about noise contours in the context of the noise study, and then we also talk about noise contours in the context of our overlay district. And I agree that that can get a little confusing. Part of the reason that that happens is because when we have an overlay district like that, we have to have a rational

[06:05:38] basis for it. And the noise study, which publishes those noise contours, provides the overarching rational basis for our overlay district existing. Up until now, our overlay district has coincided exactly with published noise contours, so it made sense for the naming conventions to be borrowed exactly. I think it still does, but as we talk about these carve-outs especially, I know there's

[06:06:13] been some concern about designating an area 60 to 65 when, in fact, the noise exposure map is showing it as 65 plus. I understand that, but I think the important distinction is the noise exposure map, the 2019 noise study, it continues to exist as it was published, and we still make reference to it within our policy documents as the basis for what we're doing. What we're proposing to change is a line on an overlay district zoning map that says which rules should go in which place.

[06:06:44] We do still borrow from the naming conventions of the noise map. It's a regulatory designation, so it is a little confusing. I agree, but also there's a lot going on, and I think if we had it back we could potentially designate these areas designation A designation B designation C however I think that would start to diminish the value of understanding the noise zones for what they are because they do still

[06:07:20] coincide very closely with those noise designations of the noise study so I would say it's still appropriate to keep them and just note transparently that we are suggesting a revision thank you thank you mr. Sainz thank you madam

[06:07:37] Chair. I'll ask in regards to the community roundtable that's being proposed.

[06:08:01] Have we seen that, and I guess staff or EMWA or both, have we seen that at National Airport? Has there been a community roundtable group and how did that work? How long has it been in existence? Have you seen it at other airports or areas and how long have they been in existence? Walk us through that. Can you give us more detail on the roundtable? So Supervisor Sainz, I'm going to start at a very brief level to suggest that the answer is yes.

[06:08:16] We've seen that work in other communities, but not to necessarily address the same set of problems that the community has brought forward. Let me suggest this. If I understand the matter that's in front of the board right now, the residents want some dialogue with the FAA about changing the flight paths.

[06:08:40] And Supervisor Turner has a very specific understanding from his own professional experience about how that could be accomplished and within the land use of the area off of the existing runway 1230.

[06:08:59] If we can agree to that, what the staff is recommending is to take the county's idea and bring it to the FAA and let the FAA determine of its many strategies to accept and look at the proposed change in the flight paths, which of the strategies would they recommend?

[06:09:18] Is it a community roundtable? Is it part 150? Is it taking the specifics of the flight path and running it through the traps at the FAA for operational and safety matters and then getting back to the county? We don't know at this point how the FAA would respond.

[06:09:36] It's just one of the strategies. Let me redirect them, but just general. Does the national have a community roundtable with the FAA and NOAA? Yes or no, and then how long has that been in existence or working? The FAA came to the airport authority and asked us to convene a roundtable because two different states, communities from two different states on each side of the Potomac River and the District of Columbia were having some issues regarding where the planes were flying along the center of the Potomac River.

[06:10:08] How long has the roundtable been together? The roundtable has been together since at least 2015, 2016 or so. So since 2015, 2016? 2015 or 2016. Actually, October 2015 was our first meeting at the ECA Roundtable. Was it stood up to be this long going, or was it an understanding to have a certain deadline, or no, there was not a deadline?

[06:10:29] The initial charter had a one-year time frame on the working group, yeah. Wow, okay, and I guess we're going to have another series of questions. Yeah, I'm going to stop you, but that little ooh was hilarious. Okay, one second, I've been moving around, so I lost my questions, hold on.

[06:10:51] But to say a little differently and maybe not so elegantly what Ms. Umstad, I think you just said, is the carve-out won't change the experience of people who are living there.

[06:11:07] If the departure lines don't change, we can carve them out, and that will help in some other things. It may help if there are insurance cost issues, it could help there. If there are disclosures that have to be made upon selling, it could help there.

[06:11:25] But given that Birchford especially is a retirement community, it's very possible. People are not going to want, they didn't move to sell. A lot of people moved into what they hoped was their last home. And the carve-out itself won't change their experience on the ground, right? It will still, the experience of how planes are going over their head will still be their experience, correct?

[06:11:42] The carve-out would have no bearing on the lived experience. Okay. Mr. Cooper, and again, I could be wrong, I believe you told me that the FAA only helps, it helps in parentheses, homes get money for noise attenuation if those homes are in the 65. Is that correct?

[06:12:08] If the FAA has accepted the... Right, but they have to be in the 65. They have to be in the 65. If we do a carve-out, even though they're technically in the 65, they're not in the 65. And so it won't change their experience, and then we take away from them any opportunity to get money from the FAA if accepted for noise continuation, right?

[06:12:30] No, ma'am. No, I'm sorry. Go ahead. So we are only talking about a carve-out in our zoning overlay district. So they're still in the 65. I mean, I know they'd be in the 65. I'm saying, what will the FAA look at?

[06:12:46] The FAA won't look at our zoning map. They don't care about that. Right. Okay, so they would still have that opportunity if they wanted to, if that's the way we went. Mr. Cooper, my concern, and I'll need some more time, too, and it could be completely incorrect, but my concern is, we passed the AIOD tonight.

[06:13:09] Doesn't the FAA lose all their motivation to come sit down with us if we pass it? I mean, what are they motivated to do if we passed it at that point? It's an excellent question. The truth of the matter is that the FAA recognizes that land use is the exclusive domain of this board, and the FAA has no role in suggesting that land use is.

[06:13:34] No, but the FAA does have a role, according to EMWA, in departure lines. And if we actually just accepted the AIOD as it is, why would they come to the table to talk about departure lines?

[06:13:54] In a nutshell, it's because the FAA does not recognize these contours. The FAA will only recognize a contour out of a Part 150 study, an environmental assessment, or an environmental impact statement. We just changed the whole conversation just now, then.

[06:14:10] Hang on just a second, please. Well, you're going to say it like that. Madam Chair, Madam Chair, if I may. One second, please, Mike. You have in front of you, the county has a 2006 EIS that we did that was FAA-approved that shows where the 65 contour is up through about the year 2025.

[06:14:35] That contour line does not yet reach Brambleton or Birchwood in the map that's approved by the FAA. If the FAA redid another Part 150, if the airport engaged with the FAA to do another Part 150, they would only look out over the next five years.

[06:14:55] It is highly unlikely. In fact, there is validity to assume, based on what's in front of you today with the 2006 EIS that looks out to the year 2025, That the 65 LDN contour that would be approved at that moment based on the operational impacts in 2025 of the airport would not yet reach Brambleton.

[06:15:21] And therefore, if the FAA move forward at that point to say Brambleton and Birchwood are excluded from that study of the 65, they would no longer be eligible for any federal money for insulation.

[06:15:47] My colleague is asking me if he can clarify something. I don't know what you just said to me. I understood the words, but I don't know what, and I was listening. I promise to God I was listening. I'm a good listener, but I have no idea what you just said to me.

[06:16:04] Could you say it again using, you know, I mean, I don't know what you just said to me, Mr. Cooper. Can we try again? What was your question? Well, I was asking about whether, okay. Chair Randall, if I may try briefly.

[06:16:20] The zoning map in front of you, the countries we've been talking about at this for months, are extremely long-range in nature. A Part 150 study will look at a very short-range time frame, so the lines you see up there will get pulled in based on the number of departures and the scale of flights happening now and the very short-term future.

[06:16:40] So Mr. Cooper's saying is that based on that, he does not believe, based on the 2006 study, that Brambleton or Birchwood would fall within 65 plus in the next five years. Oh.

[06:16:56] Want a clarification? Okay, so I'm going to, we're going to do another round because everybody's, I think, a little more confused than we were when we started this, to be quite honest. So let's

do another round. If you want to ask your point of clarification in the second round, Mr. Turner, you certainly can.

[06:17:13] But let's do a second round, and I'll start with you, Ms. Bricksman. Thank you. What's the distance between, like, where a plane takes off and it would be over these carve-outs? And how high would the plane be?

[06:17:29] I can get the distance here in just a second. I don't know it right off. Does anybody from M1 know how high the planes are going to be when they're here? There's a couple of factors that influence altitude, aircraft type, wind direction, weather, wind speed.

[06:17:46] Can you just give me a range? Departures off runway 30, existing runway, are crossing over Birchwood between, on the low end, 900, and on the high end, 2,000 feet. Okay. When does the airport intend to do another study?

[06:18:09] If the FAA makes any material change in the airspace again, we would do a study. The material change the FAA made in 2017. Would opening a fifth runway cause that?

[06:18:28] The fifth runway was part of the EIS when we did the fourth runway, and we will probably eventually have to do a new EIS prior to the time that the fifth runway would be under construction unless we begin this construction within the next couple of years.

[06:18:48] And do you know when the construction is going to begin? It'll really be market-driven, Supervisor Briskman, and we do not know at this time. We don't build it, and then they come. We let the market dictate when it needs to be built. Okay, staff, on page 20, attachment 2, page 20 of the item, seems to specifically allow noise level 65 or higher for residential or mixed-use development.

[06:19:11] to me when i first read it or is it setting rules that development must fall outside of the 60 to 65 i think i'm still trying to catch up to you it was page 20 and attachment to the item which action it specifically refers to arcola the village of arcola f strategy one seven actions f so the did you want to go ahead no so so the point of that statement what is it is that your question? No, my question is, is it setting rules that development must fall outside of the 60 to

[06:19:51] 65 or just outside the 65 plus? It's saying that residential could develop in Arcola if it's located outside of 65 plus. So it could be in the 60 to 65 as long as it has noise attenuation and those sorts of things? It would be at least consistent with our zoning, I'm sorry, with our airplane related policies. Correct. It's still subject to other land use policies. Okay.

[06:20:16] This page is from the plan, so it's not regulatory. Just to clarify, is a roundtable the same as a Part 150? Two very different processes. Thank you. Would you like to answer that question further for her?

[06:20:32] Sure. So the roundtable being a forum for discussion, and it's designed to be a multi-stakeholder group of government officials, MOA officials, FAA would be invited, and, of course, community members.

[06:20:51] That's the community roundtable. They would generally meet on an ongoing basis. They would form their own bylaws, similar to a standing committee, and they exist to create the forum, basically.

[06:21:09] There's no specific outcome associated with the roundtable. The Part 150 is the FAA's format for the noise exposure map and noise compatibility program. So it sets actually the format that our 2019 noise study from EMWA, they followed somewhat closely the part 150 process, but the part 150 process has a

couple of very, very specific components, which would include that you only are calculating airport volume and associated noise based on infrastructure that's on the ground.

[06:21:48] Whereas we've been talking about with our noise study, we're anticipating this fifth runway that's not built. So that's the part 150, and then the round table was what I described a couple of minutes ago. Okay, Mr. Turner. Thank you, Madam Chair. Correct any of what I'm about to say, if anybody on the panel, if you would, if it's in error. So the FAA does not recognize any of our noise contours, not the 92, not the 2019. Those are capacity studies that we conducted, that EMWA conducted, and they do not qualify as part 150 studies. Is that correct? Correct. A part 150 study

[06:22:25] is a five-year lookout. The airport's currently operating about 800 operations a day. Its full capacity is 2,000 operations a day. It's reasonably assumed, since an LDN 60 and 65 measurement is a full 24-hour measured period over duration of time, that if we're operating at 40 percent capacity, then that noise level over that duration of time, the ambient, the average level is going to be considerably lower. In addition to which, we've got less operations and a 65 for a part 150 study, which is only a five-year lookout, is, as you said, going to dramatically shrink those lines It's inside the lines that we are right now.

[06:22:57] So isn't it correct that any discussion about federal grant money which would be given to the airport after a Part 150 study and which would be a voluntary program that the airport doesn't have to participate and requires a match by the airport in order to get that federal money, that the chances of any of these residents ever seeing federal money in any of this discussion is probably pretty close to zero.

[06:23:20] Is that correct? That is correct. And I would say that what's missing from the assumption is the county is not considering other sources for noise mitigation.

[06:23:38] For instance, the county in some communities may set up a revolving fund that developers can contribute to when they're coming to the county and they're asking for exemptions for existing zoning that then they build residential in, in high noise impact zones.

[06:23:55] So that's something that's not been discussed at all. The second thing I want to ask is how many other community roundtables has MLOM been involved with besides National Report? I've been invited to talk to the New York roundtable and the San Francisco roundtable.

[06:24:15] There's probably 30 more of them out there, but the only two that I've ever actually communicated with are New York and San Francisco. Okay. To your knowledge, are there any other cases that you can name in the United States where a change in flight paths resulted from something other than an FAA community roundtable?

[06:24:38] The change in flight paths that has occurred in the airspace in our region sometimes is a result of a recognition of the P-56 restricted airspace around Washington, D.C., and the FAA has to make certain changes.

[06:24:55] Those changes, though... But that was not a community-based discussion, correct? They were not part of a roundtable. Okay. Thank you. With respect, Mr. Cooper, I don't think you answered Mr. Turner's question, really. Can you ask that again?

[06:25:14] Because I need that answer. I'm not sure I remember the question I asked. Oh, yes. Have flight patterns ever been changed in the United States, that your knowledge, that did not involve an FAA

community roundtable? Or maybe the better question, is it more likely that they involve a community roundtable?

[06:25:32] I was just speaking about the D.C. airspace and what I'm familiar with. I'm not familiar with all across the nation, Madam Chair. I'm not qualified to stand there. That's a fair statement. That's fair. Thank you. Mr. Letourneau. Okay. Let me just try to get at this 150 versus what we're doing.

[06:25:49] So the reason why, for the purposes of our zoning ordinance, because that's what we're talking about, We wouldn't look at a 150 study is because it's only a five-year lookout, right? And land development, I mean, heck, the land application process sometimes can take almost five years between the time something's been approved and actually on the ground.

[06:26:09] So the reason why we've engaged and EMWA has done this type of study is for a longer lookout to prevent future development in areas that may cause a problem over time, right? I agree. Okay. And that's the fundamental difference between the Part 150 study.

[06:26:28] So then when we were talking about the Part 150 study, I think what you were really saying, Michael or whoever, was today those communities are not probably in the LDN 65 as it would be identified in a Part 150 study, right?

[06:26:45] Much better said. Thank you. And they probably wouldn't be in the next couple of years. Correct. Which would mean they probably, as Supervisor Turner said, would not be eligible for federal funding through that avenue? Correct.

[06:27:01] Okay. So the community roundtable does not necessarily lead to a 150 study. It's a forum for discussion of these issues. Correct. But there are potentially other dialogues that can be had with the FAA about flight patterns that occur outside of a community roundtable?

[06:27:21] Correct. Okay. And staff at this point is agnostic as to whether it should be a community roundtable or some other type of process? Correct. Okay. The left side of the dais is asking what other types of dialogue can there be?

[06:27:39] Could we simply just ask? Does it have to be through a community roundtable? You have a very specific flight path change you would like the FAA to consider. I think the staff recommendation gives the county, this board, the opportunity to take that very specific idea to the FAA and have them react to it.

[06:28:03] And they may react with the process that they recommend, or they may react by saying, hey, let's take a look at that, or let's take a look at that at only nighttime, or can we clarify a little bit more about what you're trying to achieve? We don't know how the FAA is going to respond.

[06:28:21] We're not the FAA, but staff recommendation gives you, as a policy-making board, the opportunity to put your good idea forward and let the FAA define how to proceed from that point. Okay, and that's really the bottom line for all the confusion that we're having about different types of studies and all of that.

[06:28:41] That was helpful. That was helpful. Thank you. Mr. Sainz. All right, thank you. So can you elaborate a little bit further? Why is the National Airport Roundtable Committee been going on for so long? Is it because they have not come to an understanding, an agreement with all the parties involved?

[06:29:00] It's a complicated political, technical issue that involves citizens and elected officials from Maryland, D.C., and Virginia. You know, to sum up the working group, in February of 2016, the working

group issued recommendation number two.

[06:29:25] And in October of 2022, we got to see the draft proposal. There's a tremendous amount of frustration felt by the members of the community who just want the flight path to move.

[06:29:43] It solves all their problems. Okay. So in order for you to go to the FAA, and this is my understanding from what I heard, and correct me if I'm wrong, you can't go back to the FAA until everybody is in agreement with changes. Is that how that works? Yes. Yes. So the FAA wants phrase I heard is wide body consensus.

[06:30:06] So if a proposal impacts, let's say, Akikik, Maryland, well, the folks in McLean, Virginia, Bethesda, Maryland, Washington, D.C., Mount Vernon, everybody has to agree that this is a mutual. It has to be a majority.

[06:30:26] So hypothetically, my time is running low here. So hypothetically, say if we, you know, we have the different groups and organizations, they, you know, say if we were to go with the roundtable, they get together, confer, meet for a couple of meetings. But then when they take their vote, say it's, you know, four groups over here with this idea, and then the other five or six are saying, you know, we want this, and another two or three saying, nope, we want this, then we can't go to the FAA and say, hey, this is our recommendation from the committee.

[06:30:53] Is that how that works? That is exactly how it works. and there are numerous in-depth conversations over every teeny tiny little impact of every recommendation. It takes a long time for the working group not only to formulate the initial recommendation, but then when FAA does respond, there can be numerous follow-up meetings that just never get completely resolved. So, and I'd like to get a response from staff and and more if possible so would you so is it safe to say you you would recommend you would you would

[06:31:30] think with your knowledge from the other committee meetings that 45 days or 90 days is probably not enough time after seven years with the dca noise working group i i originally thought we would have this figured out in a year but it just became clear that uh a year wasn't going to be enough Now that's for the working group. That is for an already established working group where we had jurisdictions, like I said, we had numerous communities on both sides of the river.

[06:32:07] Can I get staff's response? Yes. Staff, did you like to, well, I'm sorry, we might be finished. Okay. We were trying to respect this, the supervisor's time, Madam Chair. Staff, would you guys like to answer that question? I would just say, I don't, based on what we know at this point, we don't believe that there'd be a resolution in 45 to 90 days.

[06:32:26] I don't think anyone thinks there's going to be resolution in 45 to 90 days. I think the question is, can the discussion start and can we have our first meeting in 45 to 90 days? I don't think there's anyone in here who believes resolution is going to be had.

[06:32:43] I'm hearing first meeting so that they at least know it's underway in 45 to 90 days. That's what I'm hearing. I have four goals, and the goals may be, they may contradict one another. They may. I want to first protect residents who are here already.

[06:33:02] I want to not repeat mistakes made in the past and put new residents who will be coming in in this situation. I want to continue the strong and important relationship we have with the airport, who has

up to now been a good community partner and so important to our county.

[06:33:23] And there is a development sitting out there that will absolutely give needed housing and needed affordable, attainable homes, I'd like to see that happen. So those are the four things, and they may fight one another.

[06:33:40] But those are the four things, and pretty much kind of those things are important to me. Let me ask a question because I just want to ask the question and get one answer. Who decides departure lines?

[06:33:56] Is it EMWA or is it the FAA? The FAA. And so when we got an email that said, from the FAA, that said, IMO, that was incorrect. I assumed it was incorrect when I saw it, actually, but it was incorrect.

[06:34:12] I'm not certain that I've been apprised of the email that you received. We can send it to you. I can send it to you. I can absolutely send it to you. FAA determines flight. And that is what I've assumed. I would, I would, I always assume that, but we will send you the, from, from the FAA that says it is a decision of EMWA who decides to part your lines, because that just, I was just like, I'm so, yeah, my, yeah. She had airlines. It wasn't an airline, it was the FAA that sent us that.

[06:34:41] FAA is responsible. It was the FAA that sent us that, so we will, we will, we will absolutely send you that. Okay, so first of all, thank you to everyone. Thank you to everyone. I have no idea where this motion's going to go. I really honestly don't.

[06:34:57] But in deference, I know, Mr. Turner, I know you've done a lot of work on this, and I know how you feel about this, and I do respect that. But I still try to go to the supervisor's district, whose it is. And it's a little bit of Mr. Letourneau's, but mostly it's Mr. Buffington's district.

[06:35:14] So, Mr. Buffington, do you have a motion? If not, I will go to Mr. Turner for a motion. I would defer to Mr. Turner, and I plan on supporting his motion for the reasons he's going to articulate. Okay, well, so that is Mr. Letourneau. It's Mr. Buffington's district. If he would defer to Mr. Turner on that, then I would go to Mr. Turner for a motion.

[06:35:32] Thank you, Supervisor Buffington. I move the Board of Supervisors approve CPAM 2021-0001 as provided in Attachments 1 and 2 to the January 17, 2023 Board Business Meeting Action Item. I further move the Board defer action on ZMAP 2021-0011 and ZOM 2021-0002 and retain the 1992 AIOD noise corridors in the zoning ordinance until not earlier than the second business meeting in April or until a final determination is made by the Board of Supervisors based on the results of an FAA community roundtable

[06:36:07] whether to continue to seek a change in departure procedures for all current and future runway 30, departure runways, parentheses, runway 30, 30 right, and 30 left if the fifth runway is built. I further move the Loudoun County Board of Supervisors take immediate steps to form an FAA community roundtable, parentheses roundtable, in collaboration with the Metropolitan Washington Airports Authority, MWA, and all interested community stakeholders to include the FAA and hold the roundtable's first meeting not later than February 2023.

[06:36:37] The goal of the FAA roundtable will be to change all current and future Runway 3-0 departure procedures to minimize overflights and aircraft noise affecting existing or approved as of January 17, 2023

residential developments. The Board of Supervisors will be represented on the roundtable by at least one supervisor and one county staff representative.

[06:36:57] I further move staff report to the Board of Supervisors on the progress of the roundtable and any recommendations made by that body not later in the second business meeting in April 2023. Second. The longest motion ever made has been now seconded by Supervisor Buffington. Mr. Turner, would you like an opening on that motion?

[06:37:17] Yes, Madam Chair. I should not take more than 20 minutes. Quick historic recap. So we have a 92 capacity overlay. It's based, MWA is conducted, it's based on the ultimate capacity of Dulles Airport. In the intervening period, we have made land use decisions based on that 1992 overlay.

[06:37:36] and it is clear that flight operations obviously change sometime between then and now. I don't want to get into the details of how or why or when. It is clear that the flight operations change fairly significantly between then and now. Hence, you have an overlay with the bunny ears from 92, and you have the overlay with the butterfly wings, which we are talking about right now.

[06:37:57] So where are we? The new overlay district obviously reflects accurately where planes are actually flying. So if you go to that slide, and staff, could you go to the slide for me, your slide number eight? If you go to that slide, this is an accurate depiction that right now 2,000 homes of Loudoun County residents are being subjected to high power, low altitude, 900-foot overflights 15 to 20 times a day.

[06:38:24] That's actually what's going on right now, and that's what the new AIOD reflects. So then, this is the epiphany I had tonight as we started the discussion. I realized this entire discussion for the last year has been framed around lines on the map and noise contours and disclosures and noise attenuation.

[06:38:43] That is not the problem. The problem is we are allowing major airlines to fly at 900 feet over houses 15 to 20 times a day every single day of the year. And it's happening to 2,000 of our homes. That is not an acceptable state of affairs right now, and that is what needs to change.

[06:39:04] We are putting the cart before the horse and trying to adjust lines and fix lines to reflect current operations. When the underlying premise is flawed to begin with, we don't agree with underlying operations. Now, that does not mean anybody the bad guy. M-LON did not deliberately go out to change flight operations, and the F-A did not deliberately go out to change flight operations to screw the community. That's not who they are. They are very good community partners.

[06:39:30] I was proud to go to the 60th anniversary. We've always worked very, very well with the airport. They are terrific community partners. But for the first time in 60 years, Loudoun County is now in a position where if we are going to hold good faith with those 2,000 homeowners, we need to approach the airport and say, in partnership with you, let's approach the FAA. Please work with us to change the flight path. Well, how do you want to change the flight path? First of all, what's the way to do that? Everything I've read says that the FAA will sit down with us, look at us, smile sweetly after an hour and a half and say, you need to form a community round

[06:40:06] table. So let's cut to the chase and form the community round table. What's going to happen with that? We're going to call the FAA. We're going to say we want to form a community round table. And what are they going to say? Why do you want to form a community round table? Because we have a very specific flight departure path change, and you already have that departure in your books.

[06:40:23] We just want you to implement it and make it mandatory on Runway 3-0 all the time. Thank you. I'm going to stop you right now because your time is up, and you have a closing. You have a closing. I have a closing. I'll figure it out. You have a closing. To be continued. Thank you. Mr. Letourneau. So from the opposite end of the dais, I will be opposing Mr. Turner's amendment, but giving him nothing but kudos and appreciation for the amount of work and time.

[06:40:49] And I think both of us approach this conversation, understanding a lot of this, having done a lot of the research. The problem I have with the amendment is a couple things. The first thing, and a very significant thing, is that it puts us in a situation where the comprehensive plan and our zoning ordinance are in conflict with each other.

[06:41:10] And staff has been very clear to us, and Mr. Emstreet, I'll just ask for a yes or no, you do not support putting us in this situation, as this amendment does, that will split our zoning situation. correct i do not and why is that for the reasons you just articulate you said yes or no okay i did i thought it might be better coming from me maybe it would be a little more persuasive because i don't recall a situation when staff has really been this clear on where we have been from a land use standpoint and not wanting to be there i support going to the faa and having whatever

[06:41:47] conversation we need to have under whatever format it is. The staff recommendation does not preclude us from having a community roundtable. It simply gives our staff the opportunity to have a dialogue to determine if that is in fact the best path for us, given some of the unique circumstances that Supervisor Turner himself just outlined. This is not your average community discussion in which the community isn't exactly sure what it wants or is divided in what it wants. In fact, we have something specific. So I would not want to put us and subject us to a community roundtable if that isn't, in fact, the best way to accomplish this. But Supervisor Turner's motion locks us into that.

[06:42:26] And I don't think that that's appropriate, as staff doesn't, because their recommendation recommends a different path. Getting back to the zoning and the comp plan situation, the bottom line is I agree with a lot of what he said, but nothing materially is going to change in the short term about what's happening over our skies. And we have had this process going on for literally years. The development community, residents, landowners have all been watching this unfold. Kicking the can down the road, leaving uncertainty where we have a comprehensive plan that says one thing, and a zoning ordinance that stuck in 1993 just creates uncertainty. There are

[06:43:03] applications that will come, including ones of the Planning Commission within this period, that will not be permitted by the zoning. And that's a concern. So what I would rather do is what staff is recommending, which is to go full force into the FAA dialogue, but to at least finish this process that we started, adopt the comprehensive plan, adopt the zoning on its amendments with an amendment that I will be offering if we get to that point to address some HOA concerns and move forward as a community with a clear understanding of exactly where we are

[06:43:37] instead of more uncertainty. Thank you. Mr. Buckingham. Thank you, Madam Chair. I'll be supporting the motion that Supervisor Turner made. I appreciate all of the work that you've put into this. I appreciate Brambleton, the residents at Birchwood, Brambleton HOA, and everyone that they've worked so hard to get so intricately involved in this. And I appreciate them for also educating me on this issue because at first I was ready to just pass everything because I was sick of having two different set of lines and having the old lines or current lines be so damn old,

[06:44:14] excuse my language it should be current so that we can make current decisions based on current information but the more i learned about this the more i learned that it's not just about lines on the map it's about property values navigation easements and all of this other stuff i appreciate the airport uh what's the first thing i told you all when you came to me on this i don't want to do anything that might possibly harm the airport right slowly after learning more and more i realize okay this makes sense where you're coming from and i understand because at first it was they moved in right next to an airport that's on them that's their problem why would you do that and how could you not know you move right in next to an airport and there's gonna be planes flying over

[06:44:53] your head now i realize the issue is different than that and and i get it and i think old mistakes have caused this problem um and back to the airport you guys are great partners that my my support of this motion is nothing negative on you all and thank you for meeting with me on this issue You've been straight shooters the whole time. I've always been a supporter of the airport. I still am On this one particular issue. I just feel like the more we pass of this tonight of what staff wants to do The less chance of changing something in the future I'm convinced of that right now until something else changes my mind. So right now. I feel like we need to go with

[06:45:33] Supervisor Turner's motion because we have the most chance of making some changes after that that will positively impact the existing community members and future community members in that area. And for me, that's a lot of folks that live right in here in this little area that are in my district. That's a large portion of the people that I represent.

[06:45:56] There's no way I can vote against this, what they want to do, especially after all of the work they put into it. So I appreciate both sides. And right now, I'm in support of Supervisor Turner's motion. Thank you. Thank you. Ms. Brixman. Thank you, Madam Chair. This has been really difficult. I've kind of been going back and forth for a couple weeks on this. I do appreciate the community speaking up and bringing this to our attention and all the work that you've

[06:46:27] put into it um i i am going to vote no on this motion uh from supervisor turner although i do appreciate all the work you've put into it um and i believe actually that a round table here would be a lot less complicated than the round table you guys have been talking about because it's just us right it's not really other jurisdictions that are going to be involved in this round table so i do think that it would be a lot less complicated. Maybe we could get it done in a year. I want to

[06:47:02] support us gathering, you know, doing the noise monitoring and doing the community noise survey that could support us. It would give us the data to either ask for a round table. I actually think based on what was said tonight, I think a part 150 is way too premature. We're not going to get anything out of it. Because if I might ask real quick, in my time, the airport is operating at what capacity? Is it 30 or 40%? 40% capacity. So we don't have even close to the noise happening

[06:47:40] right now that we're planning for. So I want to gather all that data before we decide that we want to ask for a roundtable or for part 150. You know, we could be completely wrong. We've changed their flight patterns apparently and things are happening that we didn't expect would be happening but i want i'd like us to be directing staff to go out and do the noise monitoring and the community noise survey and then come back and push for whatever we think

[06:48:14] we need out of that whether it's a community round table or a part 150 um i don't love having our um general plan and our and our zoning being out of alignment that's really really difficult I am a little

bit concerned about putting homes sort of artificially in a 60 to 65 when the noise could be effectually, if that's the right word, effectively a 65 plus.

[06:48:42] But I am comforted in that, you know, disclosure as if they're in a 60 to 65 will be required and noise attenuation for the new homes we've already proved in there will be required because they're in the 60 to 65. um so that gives me a little bit of comfort that we're not you know just building homes in a 65 plus where there's going to be a ton of noise so while i appreciate everybody's work and and supervisor turner you have done yeoman's work on this i don't think i can support the motion thank you

[06:49:12] thank you miss umstead thank thank you madam chair um i will despite my deep respect for Mr. Turner, I will not be supporting his motion. As I think Supervisors Letourneau and Briskman have said, I also do not think we should have our comp plan and our zoning ordinance out of sync.

[06:49:38] Our efforts to get the zoning ordinance done this year is to try to make sure that we get those two documents in sync as effectively and quickly as possible. I don't know if the schedule outlined to set up a community roundtable is realistic in the motion.

[06:50:01] It seems to be, you know, an aspirational schedule, but I very much doubt the FAA is going to have its first meeting, not later than next month. And as Supervisor Turner said, if the problem is the flight paths, then that's a separate issue from syncing the zoning ordinance with the comp plan.

[06:50:29] But on the whole issue of a community roundtable, I'm looking right now at an article from July 2018, headline, FAA abruptly cuts communication with BWI Marshall community roundtable.

[06:50:45] So you can set up a roundtable, and if the FAA isn't happy about how things are going, they can just end it right there. So I do tend to prefer staff's more flexible approach that may well be more effective in the long run.

[06:51:03] I also would support keeping the old lines and the new lines for the LDN 65 and LDN 60 to 65 because no matter which of those sets of lines you choose, it's going to be very noisy under all of those lines.

[06:51:25] And I think it's unfortunate to allow more homes to be built in areas that are certainly going to face a lot of aircraft noise. So I sadly, because I really like Mr. Turner, sadly I'm a no.

[06:51:44] Well, I'm going to vote for this. And I completely understand the idea that you don't want to complain the zoning out of alignment. But I will say what I always say. when we're having these discussions I always go back to in the end what if it were my home that's the that's just a place I go what if it were my home what if it were my peace what if it were my sleep what if it were my safety what if it were me and again I lived right I mean we when I was going to probably live basically on the on the runway of Stapleton airport you know but we I was

[06:52:23] used to it. And that was that. But I don't know that we can let the perfect be the enemy of the good. This is not a nothing. We're not going to get the perfect on this. It's just too much going on. We're not going to get the perfect. But my larger commitment is to residents who are there now than to a comp plan being out of alignment for as long as it might take for it to get back

[06:52:55] in alignment if we do something more. And what is being described to me by residents are people who can't talk to one another sitting at their kitchen tables in their homes. The comp plan being out of alignment cannot trump that. That is a quality of life issue. And in the end, truthfully, I'm here to

enhance people's quality of life. And truthfully, this is no one up here's fault. All these things were put into place well before we got here. These homes were

[06:53:34] entitled and this is no one's fault. But here we are. So it looks like this motion is going to go down. Let me ask one question that has not been asked yet. Mr. Cooper, no matter what happens with this motion, will the airport commit to going with the county and the residents to the FAA. Will INWA commit to doing that? Madam Chair, the FAA is going to respond to the county and ask the airport to be a part of the discussion, and I can't imagine a scenario where we wouldn't

[06:54:09] be a participant when the FAA does that. We're a federal airport. We will do what the federal government says. Will the airport respond to the county and the constituents? I'm not, you just answer, you'll do what the FAA says. I'm asking you, will the airport respond, will you all respond to the counties and the constituents' requests? I hope that we do respond to our local community and we respond to the local governing bodies of those communities. Madam Chair, if you're asking for a commitment to support... I am asking for a commitment. Excuse me, Madam Chair, if I may, please.

[06:54:49] If you're asking, please, for a commitment on the specifics of the flight path that is not what I just said Mr. Cooper you are restating my words and you are misstating my words I did not say that Madam Chair we will work with the county in every way we can to be an active participant in the county going to the FAA thank you Mr. Turner would you like a closing yes please well this is beyond disappointing it's a shame we got hung up on the whole FAA roundtable I think it's red herring and I think it was deliberately used as a red herring to really bog down the conversation if you go to

[06:55:27] the faa and say i want to start a community round table the first words of them out of their mouth are going to be why because you want to change the departure procedure well we're not going to do that without a whole lot of discussion really you have a capital one departure right now at dulles airport which is an approved standard instant departure and it reads as follows take off on runway 30 climb heading 301 that is the runway heading as assigned by atc thence expect radar vectors to a filed, assigned route, or depicted fix, maintain 3,000 feet. If we do nothing more than get the FAA to say, mandate that instead of making it voluntary, we have solved 90% of our

[06:56:06] problem. 90%. If we tell that to the FAA, they are very likely to come back and say, you don't need a community roundtable. Let's just have a meeting. We'll talk about it. We will have that response sometime in the next 90 days to find out if that's a viable response. By turning down this resolution, we have now made the two rabbit ears on the existing overlay disappear. In about five minutes, they will no longer exist. And we have a pending housing application right in the departure flight path for runway 30. Now, how do you think the FAA is going to react when we say, we would really like you to change your airport operation and modify your flight path and fly right down

[06:56:41] the runway heading on runway 30? And they're going to look at us and go, you just approved a major housing development right on that flight path, and you're asking us to now go through the procedure of changing our departure procedure, sure, we'll get back to you on that. It ain't going to happen. And that's why this is so disappointing. We have a solution staring us right in the face, and we're about to vote it down. As soon as we vote this down, those rabbit ears go away, and there is no motivation for Dulles Airport to change those departure flight paths. And 2,000 homeowners are going to get to live with 900-foot overflights 20 times a day in perpetuity. I think it's disgraceful. I really think it's disgraceful. I think this board has really dropped the ball and it's a responsibility to Loudoun County.

[06:57:22] Thank you, Madam Chair. Thank you. The motion was made by Supervisor Turner, seconded by Supervisor Buckingham. All in favor, please say aye. Aye. Opposed? Nay. Okay, so aye. Miss, you voted aye.

[06:57:38] So that's a five, no, that's a, oh, that's a four, four vote. Well, it fails, but it's, the motion, the motion fails. The motion fails.

[06:57:54] Well, no, no, no, no, he was, It is not. Mr. Turner? Stop, stop. Nope, nope, nope. First of all, we don't impugn our colleagues. And secondly, those facts are literally wrong. Okay, Mr. Letourneau, do you have a motion?

[06:58:17] Well, wait, wait, wait, wait, wait. Do you have another motion? It is still your district. Do you have any other motions you want to make? I would be making the same motion that we just voted no on. So I guess my goal at this point would be to try and improve whatever this motion is.

[06:58:35] Mr. Letourneau, do you have a motion? I do, Madam Chair. And I would like to point out, I understand your point, that if by pure volume of residents in the AOD, the Dulles District, I believe, has actually got the most. Okay. Okay, but it's still his district. It's still his district. Well, no, but anyway.

[06:58:53] Okay, I move the Board of Supervisors approve CPAM 2021-0001, ZMAP 2021-0011, and ZOAM 2021-0002 Airport Impact Overlay District Update as provided in attachments 1, 2, 3, and 4 to the January 17, 2023 Board Business Meeting action item with modifications to section 4-1405 of the zoning ordinance text reflected in attachment 4 as follows.

[06:59:16] so this is an amendment that i'm making a delete the phrase this is the green sheet as well as in homeowner association documents and b add the following to the end of the paragraph at the time they are created homeowner association declarations must clearly state that the community is located near an airport may be impacted by overflight noise and subject to the regulations of the airport impact overlay district of the loudon county zoning ordinance in addition homeowner associations may include a statement in their resale document packets as follows.

[06:59:46] Homes in this community are located near an airport and subject to aircraft overflights and noise due to the aircraft. Contact Loudoun County Government to verify whether your home is located within the Airport Impact Overlay District and the regulations that apply. I further move that the Board of Supervisors direct staff to open a dialogue with the FAA to better understand the range of options available to address community concerns and report back to the Board at a future business meeting as outlined in the strategy section of this report.

[07:00:13] Motion is made and seconded by Ms. Umstadt. Discussion on the motion, Mr. Letourneau. So the most important thing to start with is what's different from this motion than the staff motion, and that is the language related to homeowner associations. So an issue that was raised by Brambleton, South Riding, and Stone Ridge was about the clarity of the original staff draft on what exactly a homeowners association would be required to do.

[07:00:37] So what this amendment does is specifically state that the requirement only exists at the establishment of the HOA. And that is where the county's authority is. We do not have authority to require things of existing HOAs. In addition, it recommends language.

[07:00:54] It says they may include a statement which follows in here. That statement is actually in the resale packets of both the South Riding and Stone Ridge HOAs as it is today. It is not in Brambleton's. Under this ordinance, they could choose to. They could choose not to.

[07:01:09] it's entirely up to them. The county does not have the authority. But it clarifies, as the HOAs were asking, exactly what that requirement is. Moving to the rest of the issue. This is not a theoretical issue for me. I live in the Airport Impact Overlay District, and I live in an area that's going from the one-mile buffer to the 60 to 65, which is not an insignificant thing. So this isn't theoretical. This is me. To the chair's point, it is my home, and I do care about it.

[07:01:41] And the noise in the 60 to 65 is not quite as enough as it is in the 65, but it's still pretty bad. What staff has put forward, and what we all must remember, is a good faith attempt to address the issues that have been raised by the community. So I understand we have emotions over how these things go and we all get a little overheated but let's not try to impugn what staff did here because staff made a good faith attempt to address what the community concerns were we fixed issues related to navigation easements and clarified that that's something that happens only at the

[07:02:17] beginning and then the carve outs were meant to specifically address what the community has been concerned about which is the stigma potentially associated with having a home that's in the 65 plus today and that no longer would be an issue it wouldn't be an issue for insurance or anything else at the end of the day we have to adopt lines that reflect what the reality is until we change it until we get it changed we can debate what the best strategy is for trying to get it changed this motion is agnostic we very well may end up in a community round table as has been suggested but it allows our staff and i would remind the board we have a lobbyist for specific purposes

[07:02:53] like this. So this isn't just a matter of county staff, but these are experienced professionals that have experience working with the FAA and regulatory agencies that we can lean on, that we have never directed before to go do this, that we are going to be directing to go do this and have this discussion with the FAA and figure out the best path forward. And so I think this does accomplish our goals. It accomplishes both the notification, restricting of future development, and treating the existing residents fairly. I will push back. I don't believe anyone has impugn staff. Okay, I just want to make sure that that's not being said. Ms. Bricksman?

[07:03:31] Thank you, Madam Chair. If I might ask counsel a question. Sure. Mr. Rogers, so I'm concerned about HOAs disclosing. Is it true that we have to say may and not shall in that statement, or is it true that we can't direct HOAs to notify buyers? There's a provision in the code which says what HOAs must do, there's nothing in the, and I'm talking about the Code of Virginia now. Currently, there is a provision in the Loudoun County Zoning Ordinance that requires it.

[07:04:10] However, that's only been interpreted to apply to new construction. So we're currently not applying it that way. This language would clarify the way that staff has interpreted the language. I think it is really uncertain whether we could require an HOA to do this.

[07:04:28] So I would have some legal concerns in that. Okay. All right. Great. Thank you for that. I was going to provide a friendly, but I'll leave it at that, that it will be in the documents of the HOA. You know, I'm going to vote yes on this motion.

[07:04:45] I think that if we are directing staff to open the dialogue, to do the noise monitoring, and to do the community noise survey, if we actually come up with data that shows these homes are experiencing 65-plus noise that interrupts their life and lifestyle and all of those things, then we have reason to go for the Part 150 and for some remuneration from EMWA and or some combination.

[07:05:17] And so I don't think it's a lost cause at this point that we might be able to get a roundtable or an F-150 done at some point. So I'm hopeful that we will engage in that. But I am also, and I think that changing the flight path might not be the only solution.

[07:05:36] There may be other solutions that we just haven't thought about. Anyway, I'm going to support the motion. Thank you, Madam Chair. I'd be curious to figure out what those are, Ms. Bricksman. Mr. Buffington.

[07:05:52] Thank you, Madam Chair. I would offer a friendly amendment that in doing this, we also maintain the current lines wherever they are that are outside of these lines. So the two bunny ears or fingers, whatever different folks call them, different things, that currently exist that are the 65 or 60 to 65 and then the lines that are currently the 60 to 65.

[07:06:15] I'm sorry, the 60 to 65 and the 65 plus and the one mile buffer. We keep all of that. I don't think, well, first I'll offer that as a friendly amendment. I'm sure it would be okay if I ask the advice of legal counsel, because I have had this conversation with counsel.

[07:06:32] Sure. Mr. Rogers? So what you have is you have two different studies, and the two different studies give you two different noise zones. The boards can draw lines, and those lines that are drawn are going to impact the property owners.

[07:06:49] So my concern is that a property owner could challenge this if you're using two different noise studies and blending them together. What you really need is a rational basis for any change that you're doing to one of the noise studies or the other. What staff's recommendation does is it eliminates those where existing homes are already existing. So to me, that's a rational basis for a change from the most recent noise study. I'm concerned that might be called into question. We'd have to have a basis for why we would draw lines differently than the study so for that reason I would not even though I'm

[07:07:28] sympathetic to what you were asking okay um I am going to abstain on this vote for very parliamentary procedure reasons if I vote no and something happens differently I can't bring anything back because I'll be in the losing side of a vote if I abstain I can't so that's going to be that's the reason for my abstention on this vote I think this may be my second abstention since I've been in the days, I don't abstain.

[07:08:03] But it's a parliamentary tool that I'm going to use right now. I'm going to abstain. Listen, I don't know that there is any other solution besides the departure lines. I mean, we're not going to move the homes, right?

[07:08:19] I can't think of any, that this solution is fixing the departure lines. You know, and first of all, staff, you all really have worked hard on this. And as I said, you know, the carve out doesn't change their experience, but it does change some of their other concerns, the insurance concerns and some of those other concerns.

[07:08:43] It does change that. And so I do very much appreciate what you've done and why you've done it. And that's always true. But I'm, yeah, I'm going to, I'm very concerned just by their everyday experience with this many airports going over their head at this place.

[07:09:11] Is there, and this is a discussion for maybe us to have off the day, because I think we can't get any answers right now, but Mr. Cooper, Mr. Hempstreet, you know, is there any place, if nothing else works, Is there any place to go to for funds to help them attenuate the noise in their homes?

[07:09:35] And so that would be a discussion for us to have an off-the-dance discussion. And I'll talk to staff about that and talk to the airport about that. I can't think of any as I sit here. And I have no idea how much it would cost, to be quite honest, as I sit here. But if nothing else works, is there any way we can maybe do some noise attenuation in that way?

[07:09:58] So I will go back to Mr. Letourneau for a closing. Thank you, Madam Chair. And I do want to say, I don't think I'm speaking out of turn. Supervisor Kirshner did communicate with me that he does support the staff motion and would have voted against the previous motion.

[07:10:16] That he had to leave for another commitment. So I do think there's a majority support on the board for this. I'm not going to beat a dead horse at this point, except to say if this is the end of this part of the process, Thank you to everybody who put a lot of time, effort into it.

[07:10:33] There's a lot of staff work that was done here through several years. There was a lot of work on the airport side. There was a lot of work for the individual board aides, for myself, for Mr. Turner, for others who worked on this. That said, this is not the end of the process.

[07:10:50] This motion, I believe, has just a good chance at solving the issues that the Brambleton folks have had about overflights, as any other approach would have because it's specifically directing staff to go do that and to develop that strategy, to bring it to the board, and then work together as a group to do that.

[07:11:09] So I appreciate your support for this motion. All right. The motion was made by Mr. Letourneau, second by civil advisor, I'm stopped. All people say aye, oppose. Okay, one oppose and abstain.

[07:11:28] All right, I think we're missing somebody. So that would be 6-2-1-1. No, 7-1-1-1. No, yes. No, 6. Oh, my God, I'm sorry, guys. If you said aye, raise your hand.

[07:11:43] 6-1-1-1. Yeah. 6-1-1-1 with Mr. Buffington opposing. I'm a standing and Mr. Kirshner being out off the desk. 6-1-1-1 is how that vote went.

[07:11:59] Thank you very much. Mr. Cooper, we should talk tomorrow or soon. Thank you, Madam Chair. Thank you, Supervisors. All right, Supervisors, you all need a break or you're cool?

[07:12:07] I actually think we need a break let's take let's take five minutes we have two more okay we're back

[07:27:07] we're going to do the um the housing ARPA item first because hey I guess you just knew that huh because it actually shouldn't take too long and that was item number 14 L yes and I'm going to go straight to a motion and then I'll talk about things within the motion how's that sound sir that works thank you okay the motion is i move the recommendations of the finance government operations and economic development committee that the board supervisors approve the proposed activities and funding allocations for the preservation of affordable housing and displacement

[07:27:44] services as shown in table one of the January 17 2023 board supervisor business reason action item all right motion main second by supervisor Brixman all right so if New Virginia majority is listening I hear what you all want. You want us to do a rent pay-down program, and I hear the reasons.

[07:28:07] My concern is the rent buy-down program or pay-down program, you're asking for a two- to three-year program to buy down rents for two to three years. The number of residents that we can assist with that program is going to be a much smaller number than the number of residents that we can assist with rental assistance and displacement services if we can help people for up to six months with rental assistance because of whatever crises or whatever they might have going on in their lives

[07:28:43] it gives them breathing room to figure out what's next and of course displacement services we know that's likely to happen especially in our mobile home parks especially in the mobile home park in Luck. It's because we believe it's going to be sold. And so the displacement services actually has, it's for anybody with a priority on the mobile home park. So I don't think with all due respect, New Virginia majority, it's fair to say that we're not helping or that, you know, because we don't, we actually don't control evictions. However, we are working really hard and we have

[07:29:23] as a board, worked really hard to have rent stabilizations, to have eviction prevention. We put the eviction prevention issue literally down the General Assembly. That was actually our initiative from the board down the General Assembly from this board for eviction prevention.

[07:29:43] We are literally doing everything that's being asked of us with the exception of the buy-down program. And again, I, you know, it will help a smaller number of people for a longer period of time, but a smaller number of people. And so I agree with the staff's recommendations.

[07:30:03] I've had long, long discussions with the staff about this. I've done some research myself. I have had some discussions with New Virginia Majority. So I do understand your issues and I do understand your question. I also want to say that there are other nonprofits that may not have the issue of housing as part of their nonprofit mission that also are looking for ARPA funds. You know, if you have a person fleeing the domestic bond situation, they may have some place to go live, but they may

[07:30:39] need a lot of other services too. And so we have to, and we wish we had, we wish we had more money. We do but with the money that we have we also have to think of you know other non-profits that may need that money also and I'm talking about life-saving non-profits not so core non-profits not life-enhancing non-profits so that's why I made the motion that's why I support the motion any other miss Brixman thank you madam chair um I'll stand by the comments I made on this during um finance and you know just the bottom line is staff said that if we had such a buy-down

[07:31:14] program that we would be allowing folks to jump the line in our Section 8 program, but Ms. Turner sent an email actually earlier today about the amount of money that we did spend in rescue and ARPA funds was about \$20 million into Loudoun County for 2,350 applicants for rental assistance, if I'm saying that correctly, Mr. Hall, and also, though, there were 817 applications that were denied or not processed prior to the program exhausting

[07:31:51] funding, the state ARPA program for rental assistance. So speaking of maybe getting more money, and I don't know if I would need a motion for this or not, but what I would like to find out is the 817 applications, how much money was that that was initially approved but then not funded because the state

exhausted their ARPA funds before those applications were funded? And can we work with perhaps Mr. Freeman to ask for maybe

[07:32:27] some sort of a budget amendment or a surplus infusion for those 817 applications that were not funded because the state ran out of their money that's a mouthful yes um so a couple of clarifying uh remarks here so all everything you reference is from the state's uh department of housing community development their program so they paid 20 million to 2,350 applicants um

[07:33:01] actually to 200 and 200 2,234 it was 230 50 applicants so the difference is 126 so 126 households were not funded that had that was in queue the additional 817 applications they received they didn't even process them because they'd already run out of money so they didn't even look at the applications interesting so that's the the clarifying remark okay so maybe we try to recover for the 132 the 126 or 126 right and plus a probably a slither of

[07:33:40] the 817. The way I estimate from the proposed amount that we would have to use with the 5.6 million and maybe a portion of that 1.5 would overlap with some of these numbers. We would probably be able to service anywhere from 500 to 600 households based on the median rents that the state said that these applicants from Loudoun County were in need of. I'm out of time. Maybe we can talk offline about it.

[07:34:09] I didn't even realize Mr. Bevington left. He's gone. I didn't realize that. Miss, are you putting your light on? Yes. Yes. Madam Chair. When you talked about 500 households, are you talking about 500 households for the six months that would, okay.

[07:34:27] Yes. Okay, thank you. Okay. So in closing, Ms. Bickman, turn the light off. Julie. In closing, you know, I would say you guys have done great work in this item. You know, And I think the other thing we should remember is ARPA money is not forever money, right?

[07:34:47] So once we start down things like buy-down programs, when the ARPA money runs out, what happens then, right? It's because it's out. It's not forever money. And so I do think it's more logical to do rental assistance and definitely more logical to do displacement services because it costs a lot of money for someone to be displaced from their home, especially if they have children.

[07:35:14] So, you know, this may be the first time that, you know, I think this is the first time that New Virginia Majority didn't get exactly what they want. I understand what they're asking. And truthfully, they're supposed to be advocates for what they want, and they are being advocates for what they want. And I respect that very much.

[07:35:30] But this is how much money we had to use, and we wanted to stretch that money as far as we possibly could. And by doing the staff recommendation, that's what we're doing. So all the people who say aye, any opposed, that motion will pass 702 with Mr. Buffington and Mr. Kershner staring at the chair.

[07:35:55] Mr. Kershner being gone. Okay. Thank you. Thank you very much. John, come on down, sir. We're going to be here for a minute with you.

[07:36:17] Oh, yeah, but I didn't even see you gave us a supplemental. I didn't even see that. Oh, darn. Would you like us to look at the main or the supplemental? Because really, on the main item, we only have one action item.

[07:36:35] Yes, but there's one thing that we need to do for each. For the main item, HB 1398, there was some confusion between the public and versus private applicability of that bill.

[07:36:53] There's some language at the end of that bill, and so staff wants to continue looking at that. but we want to pull that out of Section 3. So wait, but that's not 1390. No, 1398. 1398. But 1390 was our action item.

[07:37:10] Yes, 1390 is still on the list for the board to take action, and that would be good to start with, Madam Chair. John is just pointing out in that item that went out last Thursday, on the opposition we list HB 1398, And that's about carrying a concealed handgun with a permit relative to private property.

[07:37:35] And so we need to continue to look at that one and evaluate all of the staff comments. And he's just remarking that that one will have a little bit, probably a little bit more information as we move forward. Okay. Okay, so let me just start off before we do anything else.

[07:37:54] Let me just start off with HB 1390 because it's so easy and it's an action item. We can get that moved. We can get that done, and then we can go through everything else. How does that sound? That works. It's such an easy item. I'm going to vote supervisors approved the staff recommendation position to support HB 1390 as found in Section 1 of the January 17th Board Business Meeting Action Item.

[07:38:14] All right, motion has been made and seconded by Vice Chair Sains. And obviously, that's the fire negligence recovery of cost of firefighting. And so that's an easy enough item just to take it off. And it was the only action item.

[07:38:31] So for now, that's why I did that. Okay, and then we can go into everything else. So, all right, any discussion on that? All right. All in people do say aye. Aye. Any opposed? That motion will pass 702.

[07:38:48] Okay, so the action item's done. Now let's go on to whatever else you believe you need us to know and questions that we might have for you. Yes, so for HB 1398, again, That should be on the watch list, so we would need to pull that out of Section 3 in regards to opposition and the main item.

[07:39:13] Okay. John, what page is that on? That's on page 5. That's page 5 of the main item. HB 1398. Carrying a concealed handgun for permit on private property. Oh, that one.

[07:39:30] Okay. That took me a second. Sorry about that. Okay. You're saying we're not doing anything, but what are you saying about that one? Say it again to me. So there was some debate among staff in terms of the applicability of that bill due to the language all the way at the end of the bill that talks about parking lots and some other things in terms of, you know, concealed handgun.

[07:39:56] So, you know, we wanted to make sure that we continue to watch that. That should not have gone on the opposition list. I think that there was some confusion due to the fact that it's so close in terms of language for HB 1427 and HB 1428, which applies directly to eliminating Chapter 484 of our ordinance or part of it anyway.

[07:40:23] But isn't the 1398, isn't that when I went to the LIS, isn't that the one that says that if you have a concealed carry permit, you can carry your gun on anyone's private property? Isn't that that one? something like that yes it has to deal with the handgun man and the automobile i think we want to oppose this we we agree we're just saying for the for this point in time we had listed it in the oppose and we had some conflicting comments that were raised during the review of it that we think confused the intent with public property this bill actually speaks to private property so all we're

[07:41:03] All we're saying is we're going to monitor that and come back to you, and it will likely still be opposition. I think we should take a vote on whether we want this to be opposition right now. That's what I

believe. So you want to give any more information about this one, and then we'll make a motion for this?

[07:41:22] Because I think this is a—I don't know if we need to monitor this. You want to give any more information about this, Bill, that you have? Well, I think the approach that staff was taking in regards to this bill was just looking at the intent of the bill as it regards to county property.

[07:41:42] And so I think that was the reason why we wanted to go back and reevaluate it, because it wouldn't pertain to what we were originally debating. And so, but if the board wants to take any action on it, that's, of course, up to you all.

[07:42:00] Can I ask a question real quick? Yeah, yeah, yeah. Who's answering the bill again? March. Marie March. I have no idea who that is. March. So let me just read the introduction.

[07:42:16] That has a question, too, when you have a second. Carrying a concealed handgun from private property prohibits an owner of private property from prohibiting a person who has a valid concealed handgun permit from storing a firearm or other weapon in a mobile vehicle if such vehicle is located in a parking lot, traffic circle or other means of vehicular ingress or egress to such private property that is open to the public. Under current law, the owner of the private property where the vehicle is located may prohibit possession of any handgun or other weapon on his property. All right, so let's go to

[07:42:54] questions on this item, and then we'll go to a motion. Questions, Mr. Letourneau. So is the debate that staff's having, though, is we don't own private property. We own public property. So this bill, as much as you all may oppose it, doesn't actually apply to us, and it doesn't invalidate any of our ordinances, right?

[07:43:11] That's correct, and I think what we had picked up in the staff review, we're on a quick time frame, was that they were confused that it was referencing public property just because of the access issue at the end of the bill language.

[07:43:29] But we don't currently, we don't have controlling language about this anyway, because we don't have that authority, right? it is different than um the the other bills that we listed for yeah the other bills are in direct conflict with correct policy correct that's this one is sitting outside you may all oppose it but it's not it's not going to invalidate anything that's on the county's purview right that's correct okay let me run it run it mr saints okay so mr rogers if you want to pay attention so hypothetically this for this bill this is like say if somebody parks across the street at the

[07:44:06] tuscarora mills and has a gun in their vehicle the owner of that parking lot has this is pretty much it's saying the owner of that parking lot cannot prohibit from somebody parking there with the with the gun in their in their in their possession is that what the bill is saying yeah because it says parking lot and then there's some additional language beyond parking lot like the vehicle access that you may take that's generally open to the public come out of the That's where the confusion occurred, we believe.

[07:44:37] Okay. Yeah, so it's really, okay. All right, that clarifies. Thanks for me. Thank you. Ms. Umstead? Thank you, ma'am. Mr. Rogers, pay attention. Yes, you did.

[07:44:53] Well, I did say it, but you didn't try, Ms. Umstead. I'm assuming I said it. I let it out right. Ms. Umstead. Oh, my God. It does seem to me that if you were the owner of private property, even if it is a parking lot, you should be able to make rules for what sorts of items are brought onto your private property.

[07:45:18] What I find really kind of disturbing about this proposal that private property owners would have their property rights taken away from them under this, it's not just a handgun.

[07:45:37] we're talking about it's any firearm or other weapon so you could have a trunk full of whatever weapons you wanted and have it on a private property parking lot and that would be okay under this this bill i assume if i read it correctly is that how you read it i didn't track that with the words that you were saying, it says that you cannot prohibit firearms or other weapons

[07:46:15] stored in a motor vehicle may not be prohibited in a parking lot, traffic circle, or other means of vehicular ingress or egress. So I think, I don't know that you were saying that. This would be a new law and it would prohibit the private property owner from prohibiting. Yeah, I think that's exactly what i was saying if that's what you said it's just really late and so um but yes so market station across the street privately owned parking lot if this bill passes then i can

[07:46:52] bring a van full of weapons and have it on that property even if the property owner doesn't want me to do that am i reading that that part i don't agree with you because if this passed the private property owner would be prohibited from prohibiting weapons.

[07:47:15] That's what I'm saying. Okay. That's what I'm saying. Okay. I guess that we would agree, but I think the restriction is probably better stated as the private property owner can no longer restrict that.

[07:47:32] Correct. Okay, so we're in agreement. Yes. And, Madam Chair, just for the board's impatience, the reason Mr. Freeman mentioned it is that it's listed under bills to oppose. But for the reasons that staff, we believe, was confusing the intent with the other bills.

[07:47:54] So we just wanted to make that clear and bring that to your attention the best way we could. I understand, although I understand it was a mistake for staff to list it under the opposed for the reasons you stated. but actually I'm glad it's underopposed and been brought to our attention, to be quite honest. So good job, Mr. Freeman.

[07:48:12] Ms. Glass, questions? Yeah, I'm sorry. I'm just totally confused on this one. You're not confused. You're just perplexed.

[07:48:31] I'm uncomfortable voting for or against right now just because I'd like to have a better grasp of understanding if I'm going to say yes or no to something. Right now, I don't know, it's not even 12 o'clock, but I'm still...

[07:48:47] It's still a little bit... Yes, I'm perplexed. Let's try this. Would anyone like to make a motion? I'd like to make a motion. Make a motion. But I'm going to add a couple other things that I want us to oppose. Well, let's do... That has to do with firearms, that have to do with firearms.

[07:49:04] Somebody's going to divide the vote, but let's just do this one because we've actually had this discussion. Let's do this one first, Ms. Brixman. I move that the Board of Supervisors oppose HB 1398 carrying a concealed handgun with a permit on private property. Postions made in second by Mr. Turner.

[07:49:21] Ms. Brixman, do you want to? Thank you, Madam Chair. I am appalled by some of the bills that are down in the General Assembly right now, and at least two of them are from our Mr. LaRock. You want to talk about this bill, Ms. Brixman? Yes, trying to roll back some of our stuff. But you know what? No, this is just ridiculous.

[07:49:36] I think Supervisor Umstead described the most ridiculous, as I said earlier, it's not gun sense, it's gun insanity. Okay. Mr. Anybody? Well, I'm sorry. I'll just say, again, I'm not passing judgment on these bills.

[07:49:53] Yeah. I am strictly going off of what's relevant to the county. So for that reason, I'm not going to support the motion. So, yeah, Mr. Turner, I hear you. I think, though, the truth is the county government and we talk a lot about property rights.

[07:50:10] You know, when we talk about whether or not we're going to do a taking of someone's property rights, when we talk about PDR programs, when we talk about conservation needs, we do a lot of discussion on property rights on this board. And so, yeah, I understand exactly what you're saying, that it's not in the program right now.

[07:50:31] But this is, in my opinion, a property rights issue, even if the county doesn't own private property. And, I mean, the reason we haven't, you know, taken White's Fairies is because it's a property rights issue. And so I don't think that, I do think that there's a lot of times when the county, in one way or the other, takes an opinion or has an opinion on private property rights of constituents in our county.

[07:51:04] So I get what you're saying, but I think this is a completely appropriate bill for us to oppose our support. and vote on, and not at all out the line of what we do as a concerns property rights. So, yeah.

[07:51:20] Just real quickly, as far as our economy and our businesses go, I think that we want to support our local businesses in being allowed to make rules about, you know, the kinds of things, i.e. firearms, that they might want to allow or prohibit on their property in front of their businesses and on their private property.

[07:51:44] So it's also, to me, an economic issue that our businesses should be able to make those decisions. Thank you. All right. Motion made by Supervisor Brickson. Second by Supervisor Turner on the paper. Say aye. Aye. Opposed? This motion will pass 6-1-2 with Supervisor LeTerno being against the motion of Supervisor Buffington and Kirchner being absent for the vote.

[07:52:04] Do you want to bring anything else to our attention before we just start throwing things at you right now? The only other thing that I would draw attention to is on the supplement. So I guess we could do the main item first before we go there. Well, we've done the main, we've done the main item.

[07:52:23] So we've done that. So show, show, show me the supplements. What, oh, I do want to go back to it. I do have a main item. Well, wait a minute. No, no. I mean, he's, he's saying on the main. I do have a main item question. And it's just, it's just an issue of verbiage. On page six, on the stadium authority, do you think, and Mr. Rogers, this may be a you moment do you think it's wise to actually name the washington commanders in theirs versus a football stadium or even the washington football team but but i don't know that we want to have

[07:53:02] authority language that is that is specific to the washington commanders when you know a new owner comes along they may change that name so i know who we're talking about and what we're talking about but i'd rather say a professional football team or even maybe just a professional football team but i think the washington command is so specific i wouldn't actually have that in there so that's just a suggestion to change that if that's if anyone if there's no objection on that one right okay all right cool a point of clarification madam chair yeah um i'm confused

[07:53:38] what you mean by main item versus the supplement i have a number of um yeah but he sends us a supplement. I know, but I didn't look at the supplement just like you, so I'd like to ask a point of clarification. If I wanted to make motions that we either oppose or support bills that are listed in the original item, is that the main item or is that the supplement? Yes, that's what I mean when I say main item. Okay, so I do have some motions. And I know, and I'll get through just a second.

[07:54:06] Main item. Yeah, yeah. Okay, thank you. Cool. All right, so then, yeah, so just maybe a professional football team we would have to work with um the general assembly in terms of budget language because that's the language that came out of the government they have the washington commanders in their language and the governor's proposed really that's not wise to me but okay i mean i'm not gonna follow my sword but i'm surprised that they have that they're that i'm surprised yeah that's not wise um i mean supposedly we were here by the end of march who will own the team

[07:54:44] And he may want to come in and change the name altogether. Right. So now we're so. OK, so anything else on the not the supplement, but the item you want to tell us to say to us before we start asking you or asking for motions on this item, not the supplement.

[07:55:05] The only thing that I will add is that Senator Vogel, Delegate Reed, and Delegate Delaney did put in the \$16. 1 million request for the Crisis Receiving Stabilization Facility, and those budget amendments will be made public tomorrow.

[07:55:26] Okay, wonderful. All right. Supervisors, if you have looked through the package and you have questions or want to make motions on anything that we put into our agenda or have questions about on anything, please put your light on. Mr. Turner. Thank you, Madam Chair. I got a text this morning from Josh Levy, the head of the Data Center Coalition, that HB 1770 and Senate Bill 1265, which is the Dominion Power Bill, it's an omnibus package, I think it's pretty complex, pretty big.

[07:55:57] But buried in that bill are provisions that prohibit a Dominion customer, I believe, from entering into third-party contracts for sustainable energy other than Dominion.

[07:56:14] And the data center industry is pretty upset about it because they will not be able to achieve any of their sustainability goals if the only way they can get sustainable energy is through Dominion. And I personally suspect that the reason it's in there is because Loudoun County pursued a community choice aggregation option, and they don't want that to happen anywhere else in the Commonwealth.

[07:56:35] I really think we ought to oppose that, personally, just in theory, but also because it really, the debt center industry is pretty engaged against this. And I don't know where we ought to have research, and I want to blindside you. I'm told by Delegate Reed today that they're going to cross over on February 4th, so we're probably not going to meet again before they've already crossed over.

[07:56:54] So I'm not sure how to proceed with it. If I could respond. Sure. So, Supervisor Turner, as you were finding out about it, we were pretty much getting the same information ourselves. What I was concerned about in taking action today or at tonight's meeting is that we really would like the staff comments to come in after they review it so we can give you the best information we have.

[07:57:23] It does look like it will be something we'll recommend for opposition because of the points that you made. We agree that that type of language is in there, that that could really restrict the data center industry and those seeking to look for renewable energy sources on their own from someone other than the energy provider that they have, that they are a customer of.

[07:57:48] So we believe we're going to bring that to you. The comments just hadn't come in yet as of earlier today. We also know that it's at Commerce and Law Subcommittee tomorrow. That report has to come back to Commerce and Law anyway.

[07:58:05] So we may have a bit of time, and we would be issuing a straw poll to you. Okay, good. So that we can act. I was going to ask you what's the mechanism, but the straw poll, that's fine. Great. Thank you very much. Thank you. Ms. Bricksman. Thank you, Madam Chair. I have two bills that I'd like us to oppose.

[07:58:28] I have two that I'd like us to support. Well, you've got two minutes and 45 seconds. Get going. Tell us what they are. Okay, so I think that we should be opposing the HB 1394 that repeals red flag laws because we supported it before. And I would like us to oppose House Bill 1401 that repeals the Community Policing Act, which I believe we supported when it came up.

[07:58:53] I would like us to support House Bill 2078, which is the transfer and sale of firearms and locking of firearms that would put in provisions that it's required to lock up firearms. And then I would like us to support SJ-240, the Department of Energy study on the impacts of data center developments on Virginia's environment, economy, energy resources, and ability to meet carbon reduction goals.

[07:59:21] So I understand opposing SB 1078 because that looks as if they're trying to take away land use decisions from localities. However, I would like to see a study on the environmental impacts of data centers, especially because we are the county that has the most in the state, at least, if not the nation.

[07:59:44] And then lastly, I would like to give a motion on reproductive rights. It's hard to do all those together. I know. I was thinking I could do the gun stuff together, maybe. You can do the gun stuff together.

[08:00:01] So how about you make that motion? Okay. I move that the board oppose HB 1394, repeal red flag laws, and oppose HB 1401, repeal Community Policing Act, and support House Bill 2078, transfer sale of firearms and locking of firearms.

[08:00:21] That's a Kathleen Murphy bill. Okay. I will second. Mr. Turner has seconded that. Okay. Discussion on that motion, Ms. Brixman? Thank you, Madam Chair. Well, as I said a moment ago, we supported the red flag laws when they came about, and we also supported the Community Policing Act.

[08:00:40] Although none of the Community Policing Act applies to sheriff's departments, disappointingly, I still think that we should oppose repealing it because it's a very important and it's just a very important act in our state. And then our delegate Murphy put forward the transfer and sale of firearms laws and locking up of firearms. I don't know if it's directly in response to the six-year-old that shot the teacher, but it is absolutely apropos right now because that firearm was, you know, accessible by a six-year-old.

[08:01:18] And we hear time and again where access to firearms causes severe injury and or death. You have two more motions to make. You may want to hurry. Oh, I'm sorry. You want me to make all? No, I mean, we've got a vote on this. That's fine. Go vote. I'm done. Thank you, Madam Chair.

[08:01:34] I have a question. Since these have been in our program before, do we need to do this right now? Because this is already in our program. To support red flag laws is already in our program. To support community policing is already in our program. So wouldn't we automatically oppose these because it's already in our program?

[08:01:51] That's what we're in the process of doing is confirming what's in the program and then getting the commentary back on all of the individual bills. So you can, some of the ones you've mentioned, they show up on the list that we're tracking. We're just maybe a step behind you because we're trying to evaluate and give you the best information on the bill.

[08:02:11] Those comments are coming in from staff. Well, I do know that those two have been in our program, and so we haven't changed that position to oppose those two bills. So it would make sense that we don't need a new motion to oppose them. Yeah, if they're in concert with the program, then you wouldn't.

[08:02:33] Now, the new one, she said, so, Ms. Bricksman, you may want to withdraw two of those from your motion, And so we'd just be voting on the new one from Kathleen Murphy, because those other two are already in our program. I would just like the motion to stand if it's already in the program.

[08:02:56] Staff can confirm that if there is a major. No, with due respect, if it's in the program, we're not going to start voting on things in the program a second time. Actually, that's a good point. I had an issue with that back before. So I'll amend my motion just to be to support HB 2078.

[08:03:15] And, Ms. Attorney, you still support that, still second that? Okay. All right. Do you want to have any discussion? You've already had some discussion that. You're good? Okay. Discussion on that part of the motion, which is just HB. Say it again, ma'am. 2078. HB 2078.

[08:03:32] Do you know what page it's on so people can look it up? That's okay if you don't. You can look at it in a second. Ms. Umstead. I don't, offhand. So I'd like to get a chance to read this bill before I vote on it.

[08:03:48] I don't know what's in it at all. Fair. That's fair statement. We're not Congress. Mr. Letourneau? Well, beyond that, I don't think it's in our packet at all. She wants to put it in the packet.

[08:04:05] No, it's in the packet. I would not have seen it. If you could tell us what page it was listed on. That's what I'm looking for right now. Oh, you mean you don't think it's listed here at all? Oh, oh, oh, oh, I'm sorry. So I don't know how we can be expected to... Oh, to even look at...

[08:04:20] Yeah, yeah, I got you. I got you. I'm sorry, I misunderstood what you were saying. There's no place else I would have seen it except in our packet. Tell me what it is again. Oh, okay, I found it. What page is it on? It's on page 12, but I didn't read it. 12.

[08:04:37] So just to be clear, staff is saying that all these bills listed are bills they're tracking and will come up with an analysis or recommendation on to see if they fit an existing board position? That's correct. Okay, and you just haven't done that yet because all the bills were just dropped? That's correct. Okay, so could this be something we could handle on a straw vote then?

[08:04:57] We could. So that some of us could read it. Thank you. Okay. Mr. Turner. Madam Chair, I seconded this, but in line with Supervisor Letourneau's comments, how does staff know what to bring back for a straw poll vote?

[08:05:19] So, for example, I would like to just make a motion that directing staff that on all gun bills that you look at the bill and bring it back for a straw poll vote, whatever the gun bill is, I want to see it. But is that an unordinate working load, or does that make it easier because it's kind of a broad class?

[08:05:38] It's actually, we're going to take it as being helpful for the same reasons on the renewable energy bill. We would like the opportunity to completely review the bills that are dropped against the

program and then the multiple staff comments that come back into us so we can give the best information to you.

[08:05:59] I'm fine with that explanation. And then, Madam Chair, I'm going to withdraw my second. connect well okay so i i think i think we need to let me try to help so i understand what miss fixman's trying to do she's saying she didn't want to track this she just wants to oppose it i understand that what staff is saying is it is very possible that we'll you know we'll track it you'll track it and it will just die and if you and if it doesn't we'll do a straw poll and then take a position correct not necessarily it's going to die i think we're too early to be able to

[08:06:37] do that if you identify a bill that you want us to ask for the board's position on then we'll do that but we'll provide as much information about it to all the members we can do that in the straw poll between now and the next business it also means that when we go down to the general assembly on thursday if we have voted to oppose this bill we're actually opposing this bill actively when with down at Vaco in the General Assembly on Thursday.

[08:07:06] It means that as well. So I respect what Ms. Brickson's trying to do, and if she wants to, and you know what? I will second her. If she wants to just go in and impose this right now, out the box, I will.

[08:07:25] The problem, well, maybe I won't, because they haven't read it yet. People want to have time to read the bill. Can I make a suggestion? Yeah, you can make a suggestion. For, I don't know who else. Reading the bill is a reasonable request. Yeah, I don't know how many other of our colleagues are bringing bills for them for us to vote on tonight or something.

[08:07:42] But maybe make the suggestion that we, you know, make a general statement or say, hey, staff, can you please look at this bill, this bill, have staff do their due diligence, talk to other staff in the departments, bring us back, they can track us, and then give us a full briefing, and then we can have straw polls.

[08:08:00] Let me try this even better. How about we send to one another what bills we want to have one another look at? Because I have some, too, but I wasn't going to put anything up for a vote. It's really hard to tell staff, go track this, go track. I mean, they're tracking all these anyway. But we're basically saying we really want you to track this closer.

[08:08:18] So what we could do is say to our colleagues, could you guys look up with this, this, this, this, and this? So then when the straw poll does come up, people know what they're looking at. And then they're looking at it. So I withdraw my second. I would draw my second because, Ms. Frickson, I do think what Ms. Umstead is saying is valid.

[08:08:36] I don't think we can ask people to vote on the bill, no matter how much you probably will vote on in the end, without having read it first. So we will say right now the concerns we have, we'll tell you all, but then we'll send them to one another so that we can actually look at them.

[08:08:52] Because there are a bevy of bills down there right now that I'm having some heartburn with. So, okay. Clarification, Madam Chair. Yes. So you want each of us to go through all of the bills currently moving through the legislature? I don't have time.

[08:09:08] Well, I have. I mean, the ones here, I have. It took me about an hour and a half. I did. Yes. As a matter of fact, I did. So, all right. So if anyone has any other bills that they'd like to send to their colleagues

and have staff take a look at, let's take a second and tell them those right now without any votes.

[08:09:30] Do you have anything else, Ms. Bricksman? Not specific bills, just the reproductive rights motion. Okay. Anybody else? I do. I'd like for you to take, I do, to take a look at, on page two, House Bill 1416, the sexually transmitted infections, testing of certain prisons, a person's following arrest or indictment.

[08:09:54] I want to know who pays for that because, or is it an unfunded mandate? So that's House Bill 1416 on page two of our program. House Bill 1497 on page three of our program, teachers required to be compensated at or above the national level.

[08:10:13] I love the idea that we're going to compensate teachers, but again, it's an unfunded mandate question. I'd like to take a look at that one. Big one for me, big, big, big one for me. Page four, Senate Bill 1191, the Education Savings Account Program to establish an education improvement scholarship tax credits.

[08:10:34] I did go read that and do some research on that. That's basically taking public money and putting it into private and parochial schools and religious schools. I'd like for some research to be done on that and how that even looks and how that even works, because I will tell you I will be absolutely opposing that.

[08:10:53] House bill, I mean, Senate, S.J., I'm sorry, I'm still on page four. It's the last one, SJ-254, Constitutional Amendment, First Reference Charter Schools. Please help me understand that.

[08:11:13] And same page on the bottom, House Bill 1414, ballots, party identification of candidates. Does that include supervisor candidates? So I know it says local, but I don't know.

[08:11:28] It does. If it includes us, I think it does. It does, I read it. Page five, House Bill 1499, the absentee voting, the limits availability of absentee voting in person. That's a problem. Let's look at that one.

[08:11:45] Yeah, I know. I spent hours in this. There's so many. There are, but let's start with, but no, but a lot of them are the same. And sometimes you look at one that has almost everything that the other ones have in it, and that one does. I've spent a lot of time in this, guys, a lot of time.

[08:12:04] That's what you do when you're in insomnia. well okay well then that's cool um uh and then all the rank choice voting bills i just like some more information so so on page five house bill uh 2118 i'm not against rank choice voting at all i just don't know the cost of weight of rank choice voting and that if that is an unfunded mandate as well i'm not against it just don't know the cost of it uh so that's the ones

[08:12:39] I have, and that's the one I will send you all to look at as well. Yes, yes, I did spend some time in this because I, you know, couldn't go to sleep. Anybody else? So we've done the one action item.

[08:12:56] Mr. Freeman, I have one more question. How would you like to conduct Thursday? What would you, what would be easiest for you? Because you have the responsibility of wrangling your elected officials sir which is a really hard job so what has been done in the past and you can do this or not do this is um you know we have the schedule of of which supervisors of which legislatures legislators we will be seen we can also we can sit down tomorrow you and i and matt and attach

[08:13:33] supervisors names to those legislative meetings and so we can kind of divide and conquer and then do like a little blurb for each one so everyone has their own talking points because and you know

this, you work down there. What will happen is we're going to get down there and it's going to be Delegate Delaney at 245. We're going to get to her office and she's not going to be there, right?

[08:13:56] So now we're going to leave two people to hang out at her office or talk to her aide while two more people leave to go to the 3 o'clock meeting, right? So it just gets kind of crazy. So if tomorrow you want to sit down and we assign And I know my colleagues, like what things like move them, right?

[08:14:13] I know what's in them. Attach supervisors to timeframes and legislators and give a little blurb. That might be the, unless you want to do it differently. No, that sounds good to me.

[08:14:29] And I have a string of meetings with legislators set up for board members. So those meetings are already set up. I know, I know. Did the BOGL meeting change or is it still 1045 in the morning? It's still 1045. Okay.

[08:14:48] All right. Anybody else? Going once, going twice. We did the one action item. You got all that you need from us. Are you driving on Thursday morning? Well, we have a supplemental as well. Oh, yeah. Are you driving on Thursday morning?

[08:15:06] Yes. What? I'm not going to go down on Wednesday after all. I'm going to go down on early Thursday morning. And there are some rules about me in the mornings that you and I have to discuss. Right, Mr. Hemstreet? There are some rules. there's rules all right for the supplemental what what would you like to do for board action so in section one starting with HB 17 65 so we also have

[08:15:41] fire chief Johnson on the line on WebEx if you all have any questions but this seeks to change the definition of fire company to include support services units and this was recommended to be opposed. Can I ask him why? Can I ask you why, Chief Johnson?

[08:16:07] Good evening, Chair Reynolds. Absolutely. So what this does is change the definition of a fire company by adding, increasing the definition. They want to add like self-imposed or self-regulated rehabilitation units and canteen type and support organizations. So we have those as part of our Fire and Rescue System here in Loudoun County, they fall under the Fire and Rescue Department.

[08:16:36] Making them separate, they would become their own company. They could be subject to health benefits. They could be subject to asking for funding on their own. It's the foundation of our staff that feels they should be part of the Fire Department.

[08:16:53] In some places around the country, they are separate and apart, but I don't know of many in Virginia that are certainly not in Loudoun County. So we feel if they're performing a service such as rehab or support a service function, they should fall under the fire and rescue leadership and the fire company.

[08:17:09] I understand. Happy to support your opposition. Number 507? So for H.J. 507, that's to direct the DHCD, the state DHCD and representatives of the governor's office to streamline and enhance predictability and local development review processes and alleviate the effects of local policies or ordinances that contribute to increased housing costs.

[08:17:44] And, you know, when you look at 15.2-2200, so basically chapter 22 of title 15.2, that is planning subdivision of land and zoning.

[08:18:00] And so this is probably one of the closest things we've seen to the Make Virginia Home Plan. And we have Ms. Betsy Smith on the line. Ms. Smith, yeah, I'm happy to oppose this. Ms. Smith, do you have anything else you want to add? No, I think he expressed pretty well, it's really taking your authority.

[08:18:26] Yeah, I agree. I agree. Okay, happy to oppose this one. And then do you think we should support SB 1046 and HB 1993?

[08:18:45] Yes. That provides fire marshals who have been appointed with police powers and for them to be included in the definition of law enforcement officer. And we also have Chief Johnson here to support that as well.

[08:19:03] Wow. Okay. And have we asked Mr. Sheriff Chapman about that one? We asked for a comment, but we did not see any comment in LBRS.

[08:19:19] We can double check to see if there was any that was put up between the start of this board meeting. Okay. Chief Johnson, you have something you want to add on that one? I want to ask Chief Cogger. He's done a lot of research on this. I can tell him yet, but Chief Cogger is online as well.

[08:19:36] Okay. You there? Is anybody else there? Good evening or good morning.

[08:19:54] So reference to this, this was a product of fire marshals from across the state. Currently under Title IX with DCJS, fire marshals are not listed as law enforcement, although under Title 27, it lists us as having specific law enforcement hours to be able to do our job, which is consistent with sheriffs and other local law enforcement officers throughout the state.

[08:20:29] Okay, so this is consistent with what's done in other places already? Is what you just said to us? By name is fire marshals are not included under Title IX, and this would take away the ambiguity with that.

[08:20:51] Okay. Okay, I'm just going to trust Chief Johnson on this one, But I would like us to get an opinion from Mr. Chapman, from Sheriff Chapman, if we could. But, yeah, what? But for now, I think we can.

[08:21:08] Is there any opposition to supporting this for now, unless Sheriff Chapman says something different? Ms. Brooksman? I would absolutely support this. I had a case recently in my district where the fire marshals investigated the case, and they did an excellent job and they provided all of the information and evidence to the Commonwealth Attorney's Office and the case went through very, very quickly.

[08:21:33] And so I think that this is something that I would definitely want us to support. Thank you. Okay. All right, Section 2. These are information only, correct? Oh, there was one more. There was one more? Sorry, I missed it. SB 1246, which basically clarifies the boundaries for EMS services, the geographical boundaries by which a primary service area is enacted within a locality.

[08:22:05] And we have Chief Johnson on the line to speak to support of that as well. Okay, so this is for support. Okay. Chief Johnson? So believe it or not, this really has no effect on Logan County.

[08:22:22] you already provide EMS as an essential service, but this is a nationwide effort and an effort in Virginia to classify it. Nationwide, EMS falls under the Department of Transportation, believe it or not. Here in Virginia, there are departments that don't classify EMS as an essential service, and that is over half the country doesn't do that. But here in Virginia, if they're not classified an essential service they don't have funding opportunities they are really at a loss when it comes to legislative efforts and funding from the financial standpoint they're at the um

[08:23:00] a negative uh implication with that so this is really not about loudon county you already provide ems as an essential service but um it is helpful throughout the rest of the parts of the state in other

areas that don't okay all right so you're just supporting you're just we're just supporting firefighters in general got you okay i had no issue with that anybody got you with that okay next one and then is uh are you doing f hb 17 1878 too yes okay uh and this just provides greater protection to individuals who complain about violations of local ordinances this this

[08:23:39] is wait a minute wait what say that again to me this provides greater protection to individuals who complain about violations of local ordinances. So basically, you know, when you have to provide personal contact information, such as home or business address, email address, telephone number, or any other comparable number to any other electronic communication device, basically this is exempt from FOIA.

[08:24:15] So in other words, you don't have to give out the address or a telephone number of, say, somebody who signed up to speak or sent a... Oh, okay, okay, okay.

[08:24:31] Wait, let's try to meet your organization. Yes, sir. So what this is, is, for example, when people file... So our zoning ordinance enforcement is complaint-based outside of the Sterling District. So what often happens is when a complaint is filed, the individual or, for lack of a better term, I'll say the offender, will often ask who is the complainant and so what this would do is provide protections under foia that we would not have to release the complainants information if they don't want us to so right now

[08:25:10] though that's public so if they well zoning is protected but this would expand it to other types of complaints that we respond to that are violations of either our codified ordinances or other regulations that we enforce i understand i like this this is good okay anybody have any issues supporting this okay mr bricks i mean miss um so you still with us all right and those are all the those are all the action items correct all right so then i need to go to a motion on this um i move the board supervisors approve staff recommendations

[08:25:45] position on legislation found in section one of the january 17 2023 board business meeting supplement action item. Motion is made seconded by Supervisor Sains. I think we've discussed it enough. We all understand them. I feel fine about these. Anybody else want to have any more discussion on this? No?

[08:26:02] I'm afraid to say aye. Aye. Any opposed? The motion passed 702. Everything else is just information only, right, Mr. Freeman? Yes? Yes. Okay. You and I will talk tomorrow about a bevy of things, including going down and how we're going to do it and all that kind of stuff, right? Yes, ma'am.

[08:26:22] Okay, we'll have a meeting tomorrow. All right. I think that might be it for tonight. I think we're done. Madam Chair, my motion. Oh, no. What? Woman. What? What are you shaking at me?

[08:26:37] The reproductive rights. Okay, make the motion. Thank you. I move that the Board of Supervisors supports state legislation or budget amendments that expand the right to reproductive health care and improves access to abortion, including adding language to the Virginia Constitution that protects the right to reproductive freedom.

[08:26:58] I further move the Board of Supervisors oppose any proposed state legislation and budget amendments that restricts reproductive rights for pregnant people and reduces the accessibility of abortion care. Motions made. Second, Supervisor Umstadt, Supervisor Briggsman.

[08:27:16] Thank you, Madam Chair. This, of course, is because of the Dobbs v. Jackson decision. I have a plethora of statistics that show why we need to have access to the full spectrum of reproductive health care in our nation.

[08:27:35] Our county is also impacted by this because it could prevent folks and families from choosing when and how big their families are. It impacts the ability for parents to get into the workforce.

[08:27:55] It impacts our ability to make choices about our own bodies. And so I think it's imperative that we as a county oppose any further restrictions.

[08:28:11] And a lot of restrictions have been proposed from an abortion ban from conception, 15-week abortion bans, prohibition of public funds for care, a total ban with no exceptions for rape, incest, or the life of the mother.

[08:28:33] We also have a budget amendment toward criminal penalties to enforce a 15-week ban and also potentially charge and convict providers. It's outrageous, it's ridiculous, and I would appreciate my colleagues' support.

[08:28:54] Thank you. Thank you, Mr. Letourneau. So I think you know what I'm going to say. I do. But I really do think, in particular, this item is well outside of the scope of the Board of Supervisors. I think it's pretty troubling we're taking it up at 1220 with no prior notice or discussion on an issue that we all know is one of deep passion for a lot of people, including some of our colleagues who aren't here.

[08:29:22] So I won't support this. It's really a reflection of what the role of the Board of Supervisors is and what the role of our legislative program is and the staff resources that go into that legislative program, which, as we've just discussed, are very, very, very exhausted.

[08:29:41] So at some point, when you spread it so thin and you take positions on so many bills, it really dilutes the effectiveness of the county when there are items by which we really are the central player and need to be heard by the General Assembly. And that's a consistent position for me on a lot of these type of issues.

[08:30:01] Okay, anybody else? Ms. Brickman, would you like a closing? In the interest of time, Madam Chair, while I could go on about this issue, which is an existential human right, I will save us a little bit of time and just hope my colleagues support.

[08:30:19] Thank you. All right, motions made by Supervisor Brickman, seconded by Supervisor Umstead. All in favor say aye. Opposed? All right, that motion will pass with Supervisor LeTerno opposing, Supervisor Kirshner and Buffington being off the dais.

[08:30:37] Do we have anything else? Nope. Okay. Thank you, everybody. We are adjourned.



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