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Loudoun County Board of Supervisors, Business Meeting, Tuesday, February 7, 2023

Date Tuesday, February 7, 2023
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 6h 32m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7178>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7178

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-20. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:07:09] Okay. Good evening, supervisors. Good evening, supervisors. Good evening, staff. Good evening, Loudon. I'd like to call the February 7, 2023 Loudon County Board of Supervisors business meeting to order the meeting.

[00:07:26] This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecom mode. If you need any other assistance for hearing, we have those, like a headset, we have those available as well. Please see the clerk to my left to request one. Mr. Sainz, would you please lead us in the Pledge of Allegiance?

[00:08:04] Kristen, she won't be here. Okay. Ms. Gless, if you, I mean, Mr. Latourne, if you want to move in one seat, you can. Otherwise, if you're nice and comfy down there, you can hang out. Okay, cool. She's not coming tonight. Supervisors, the consent agenda has changed, I don't know, about four times.

[00:08:23] So I'm going to read it, and I'm pretty sure I got it right. But if something does not sound right, please let me know, and we can adjust it. So, as of right now, the consent agenda is as follows. Item R1, proclamation to recognize February 2023 as Black History Month in Loudoun County.

[00:08:41] That is for approval and presentation. R2, proclamation for Loudoun County Chamber of Commerce upon their receiving the five-star accreditation from the United States Chamber of Commerce.

That is for approval and presentation. one, item one, appointments and confirmation. And so the way the confirmation item is done, it's in two parts. So item one is appointments and confirmation that does not have, that a vote is not needed. Item that's not like it's in the agenda, IC is where a vote is needed. One of the items that was on IC has come off, and that is the

[00:09:21] plant-based food production. Mr. Bradford has removed his name for nomination, so the person of Avis Renshaw has been moved over to item I-1, and that section, that one, will no longer be an item I-C, but we'll do item I-C for the vote later on.

[00:09:46] Item 2, administrative items report of February 7, 2023. Item 4, proposed amendments to the codified ordinance of Loudoun County, Chapter 848. Special Assessment for Land Preservation. Item 5, Proposed Amendments to the Codified Ordinance of Loudoun County, Chapter 878, the Transit Occupancy Tax, also called TOT.

[00:10:06] Item 6, the Historic Courthouse Naming. Item 8, CPMT 2021-0015, Nevo Substation Expansion. Item 10, Response to Board Members Initiative, Proposed Speed Study in the Town of Round Hill.

[00:10:24] item 11 proposed traffic calming in the town of levittsville did anyone hear anything that they believe is incorrect or should not be on the consent agenda having miss brixman madam chair did you say number eight is also on the consent agenda i did okay thank you just wanted to clarify thanks anybody see anything else that they believe should not be in the consent agenda seeing nothing then i will move that consent agenda for approval i've been moved and seconded the discussion on the

[00:10:55] consent agenda. Ms. Brixman. Thank you, Madam Chair. I did consider taking the courthouse renaming off of consent to have a conversation about it. I do think that we should absolutely be honoring the significant contributions of Charles Hamilton Houston, although I might have argued for naming the larger building after him and I want to make sure that we as we work on the grounds I think we're still going to

[00:11:34] have an item coming working on the grounds and talking a little bit more about the historical things that happened in the Loudoun County Courthouse and the jail and so I want to make sure that we also look at injustices that have happened in our courthouse and in our jail which was torn down when we started building the larger courthouse building, specifically the Orion Anderson incident.

[00:12:05] And so I just want to make sure that we keep it top of mind that, you know, while things happened that were important historically, we also had some things happen that were significant and should be discussed, and hopefully we will be discussing those as we work on the grounds altogether.

[00:12:23] Thank you, Madam Chair. Thank you. Ms. Glass. Thank you, Madam Chair. I just want to speak briefly to item 8, the commission permit to expand Dominion's Nevo substation on Smith-Switch Road. Since commission permits have time restrictions on them for when the board must act, the board has to approve the commission permit tonight.

[00:12:44] However, there's a zoning conversion and a minor special exception associated with this application appearing at our public hearing next week. Dominion cannot build the substation without those approvals as well, but tonight's approval is the procedural step.

[00:13:02] Since we have to do that, there's an opportunity for board and public input on the proposal before the final decision on the substation. Thank you, Madam Chair. Thank you. Mr. Kirshner? Just

briefly, Madam Chair, thank you.

[00:13:18] I want to thank my fellow colleagues and staff that worked on the pull-mounted signs that are being approved here to go into the town limits of Lovettsville. The newly elected Mayor Christopher Hornbaker is here. He was going to speak on it, but because it's on consent, he's not. So I just want to make sure we recognize his presence and his hard work with our staff on this.

[00:13:36] And we're glad to bring this to you. I know these pull-mounted signs actually significantly do reduce and remind people of their speed, especially when they're going through significant residential areas. And one of the greatest things we can do, I think, is supervisors to ensure the safety of our residents and citizens here in the county.

[00:13:53] So thank you very much, and I'm glad these are getting installed. Thank you. Mr. Letourneau. Thank you, Madam Chair. Item R2 is a resolution related to the Loudoun Chamber of Commerce receiving the five-star accreditation from the United States Chamber of Commerce. I just wanted to state for the record that although I am an employee of the United States Chamber of Commerce, I had nothing to do with the five-star accreditation process.

[00:14:16] I can attest, having worked with many chambers, how difficult that effort is and how much time and effort goes into it and really the professionalism that is required of a local chamber to meet that accreditation. So I want to congratulate them for that.

[00:14:32] But I just wanted to make that statement for the record. Thank you. Thank you. I'm going to speak on item six, the historic courthouse name. And so to answer your question, Ms. Bricksman, the reason we're doing the smaller courthouse is because Charles Hamilton Houston actually argued in that courthouse.

[00:14:48] It's where he actually presented the case. That is why there is no historical connection to Mr. Houston and the larger courthouse, but there is to the smaller courthouse. When we started the whole process of the courthouse renaming, and we had many names come forward, including Mr. Houston's, One of the things that was suggested that we did, and this was, gosh, this is the last term, right, Mr. Saenz, was contact Howard University and the Charles Hamilton Houston Foundation and many other people.

[00:15:18] So the discussion of why we would do this has been something that we have been going on for since the last term, and it was signed off by Howard University and his family and others. Charles Hamilton Houston, amongst other things, was somebody who really fought for housing and tenant rights for all people.

[00:15:36] So when we talk about some of the rights that we look at today that HUD has, Mr. Houston helped put those in place. He's probably most famously known for us laying the groundwork for what eventually came, the Brown v. Board of Education argument and discussions that obviously started well back before that, Well, back, quite honestly, from Plessy Berkus-Ferguson and worked their way all the way up.

[00:16:02] But he argued in that courthouse and stood in that courthouse door. And so the discussion we had at the time was whether it was appropriate to name the courthouse for somebody that wasn't allowed in resident. And we went back and forth on that a lot as well.

[00:16:19] So it was a very, very, I won't say hard process, because that would be the wrong word, but it was a very thoughtful process. to get us to the place where we decided to do the historic courthouse for Mr. Houston.

[00:16:34] And if you think about in the last three years, on the grounds of the old courthouse, the Confederate statue has come down from the old courthouse. The path to freedom is being laid, and now the courthouse renaming.

[00:16:53] That's all happened in three years in Loudoun County. So I'm talking about black history stuff because I'm sitting here wearing Kente. So I'm pretty proud of the work that we've done in this area on the courthouse grounds.

[00:17:09] So having said that, all in favor, please say aye, and I oppose. That motion will pass 801. Ms. M. Stapp will not be joining us tonight. She won't be joining us tonight. Supervisors, are there any additions and deletions to the agenda tonight?

[00:17:27] seeing none. So the only thing I will talk about right now is that we, meaning NVTa, had our organizational meeting. I was pleased and honored to be voted chair of the Northern Virginia Transportation Authority once again.

[00:17:49] And I'm not saying we're just going to keep bringing home the bacon to Loudoun County, but we're done OK. We'll take it. Before we're back on the day, it's the next time quite a few of us will be leaving to go to Washington for the National Association of Counties Legislative Conference, where especially Mr. Turner is lifting very, very heavy.

[00:18:14] He's doing, he has an entire day, were you talking about energy and something? Cybersecurity, which I'm trying to learn how to spell. Okay, okay, that. Ms. Bricksman, Ms. Glass, Mr. Sains, we'll all be going down there.

[00:18:29] I will be, while we're down there, talking to our federal elected officials about a couple of things. Obviously, all the discussion about the AAOD and making sure we get FAA in the room. But also one thing that made it to our federal legislative program later last year, and so we didn't really talk to the federal legislators about it last year, was the, help me out, Matt, it's no longer called the Gabriela Miller Bill.

[00:18:59] It's called the Children's Serious Disease Bill, I think is what it's actually called. And that is to have, basically have some federal funds that focuses on childhood diseases with an emphasis on cancer.

[00:19:20] Of course, Gabriella Miller was a beautiful young woman, a little girl, really, who passed away from brain cancer in Loudoun County, and her parents have been trying to get this bill passed in the Congress for, gosh, Matt, for, I don't know, years.

[00:19:38] And it keeps getting stalled, and this year it got through the House but didn't get through the Senate. And so I will be doing a lot of speaking with Mr. Warner and Mr. Cain, who I have a feeling will have a generous ear toward this. And so one of the things you all should know that I will be talking about when we get to D.C. is that issue.

[00:19:58] Matt, did you get the full name? It's the Gabriella Miller Kids First Research Act 2.0. Okay. So that's what we're going to – okay. So I don't think I've said to you all that before, but we're going to be – I

will be having that discussion with our federal officials. and for anyone else who's going, if you'd like to join me with that discussion, you should.

[00:20:19] All right, so the voice for a cause today are some gentlemen who I am very partial to because they are fantastic community partners from Kappa Alpha Psi, and I'm going to let them talk about their program and the purpose of their program and how much youth-oriented work they've done.

[00:20:42] So if you would introduce your program, and then I'm going to talk a little bit and ask you some questions. Thank you. Thank you for this opportunity to come before the board. My name is DeJuan Young. I'm the president of the Endeavor to Dream Foundation. I'm joined by two of my fraternity brothers and Kappa Alpha Psi Fraternity Incorporated, Hilton Cole and Afalabi Lawal, and his son, AJ, and another member of the Kappa League that we support.

[00:21:08] The Endeavor to Dream Foundation was founded in 2017 with the mission of providing support and resources to mentorship and scholarship programs to youth in the Loudoun County area with the specific mission of supporting and giving a foundation to whatever the mission is of those children and every walk of life for those children in the Loudoun County.

[00:21:34] there's a significant opportunity to build up the youth in our area, provide them with programs, provide them with support, and we act as mentors and provide program support in order to do that. So we're excited to join you today. Let me ask a question that, and I apologize, I'm going to throw your question I haven't that you didn't get in advance, and so my apologies because you didn't get this question in advance.

[00:21:56] So all of the Divine Nine, all of us, our first start is college-based organizations. Many of us went through membership orientation, as it's now called. It wasn't called that when I was there, but okay, when we were in college.

[00:22:14] And we are college-based organizations. So Endeavor to Dream, there is a new discussion about whether or not every young person needs to go to college or at least needs to go to college right away.

[00:22:29] Can they be as successful, as happy, have as much life profit if they chose to do a certificate program or a different kind of training program? So a lot of what we focus on, a lot of what the CAP is focused on, what a lot of what Endeavor of the Dream is, is very focused on preparing students for college, making sure they graduate.

[00:22:51] What if that student wanted to go to an apprenticeship program or a journeyman program? Would they get the same support or what happens at that point? So one of our charters within Kappa Alpha Psi is in every field of human endeavor.

[00:23:08] So it's not just the college programs. It can be certificates, can be apprentice programs. So whatever our students, whatever the children that we work with endeavor to dream in every field of human endeavor, we're there to support that mission. So within Loudoun County, there's a million different opportunities to succeed, and we just want to support kids in their missions.

[00:23:28] That is a great answer. And how do you all, you know, you talked about how you want to positively impact you through the mentoring. Now, I actually know the answer to the question. I had both

of my sons went through the Kappa League. One went through twice, and he needed it both times. But talk a little bit about how you all do impact young people through your mentorship.

[00:23:50] Sure. So we have a ton of programs that we take our youth through. Whether we talk about, you know, STEM programs to educate the youth on STEMs. STEM, science, technology, engineering, and math. I can help you spell cybersecurity if you need help, Mr. Turner.

[00:24:07] But life skills, STEM, media, public speaking, the entire realm of what students and young people need. And then not only that, it's the experience the interaction with we are blessed within Loudoun County to have so many within the Divine Nine and beyond mentors and people that can show what success looks like within Loudoun County and exposing you to those individuals I think is critical and then one of our members here has done a great job of really specifically looking at what experts we can bring to these young men

[00:24:41] and expose them in so many different ways that's wonderful how would well first of all how would People get a hold of you. But the second question, and this is kind of an obvious question, does somebody, to be part of the Endeavor to Dream program or the Kappa League, do they have to be, does their family member have to be a Divine Nine member or a Kappa member?

[00:25:01] No, not at all. And if I can go back to one thing, one program that I think is critical for us, in our partnership with the NOBLE, the National Association of Black Law Enforcement, we've taken through this program law enforcement interactions to give these youth the skills they need and the knowledge they need for both the law enforcement's perspective and the youth's perspective to have a dialogue with youth.

[00:25:24] So that's another Capitoli Endeavor to Dream program that we're very proud of. To your question, anyone can go to the Endeavor, the number two, dream.org to get more information. Any support and resources for the organization that anyone is willing to give, we are here to accept, and we're excited about the program and we appreciate the time today to talk about Endeavor to Dream.

[00:25:47] You know, it's interesting because when you ask most parents, have they had the talk with their children, they're thinking of one certain talk. But when you ask black parents, have they had the talk with their children? They're talking about something else. And when my boys were in the capital league, they did have the talk with them about how to survive an interaction, a police stop, an interaction.

[00:26:10] And I will tell you, I tell you this. When my oldest son was stopped, he called me and we found out everything that the Kappa League told him to do. He said he remembered it and he did every single thing you told him to do at that moment. And he's in North Carolina and he said he remembered that.

[00:26:29] Thank you. So that talk matters a lot. It does. You all are doing amazing work. Give me your contact information one more time. It's the Endeavor, the number two, dream.org. All right. Thank you very much for being here. We appreciate all you do for Loudoun County.

[00:26:48] Okay, Mr. Hempstreet, do you have any comments tonight? I don't think it is either. All right, this might be better.

[00:27:09] I'll use Leo's mic. I have four comments for this evening. I am pleased to announce that Loudoun County has been awarded more than \$4 million in state funding for stream restorations and local water quality improvements. The Virginia Department of Environmental Quality has approved matching

grants for several stormwater projects designed to reduce pollutants in local waterways and the Chesapeake Bay.

[00:27:29] The project locations include Lake Ashburn, Conklin Park, and the Timberbrook community. More information can be found at loudon.gov forward slash stormwater. Second, I'm also pleased to announce that Loudoun County's Safe Streets and Roads for All Action Plan has been selected for a funding award in the amount of \$464,000 from the U.S. Department of Transportation.

[00:27:49] The federal program provides grants to fund local initiatives designed to prevent roadway deaths and serious injuries. Loudoun County's effort to develop a comprehensive safety action plan is one of about 500 projects across the country that received a total of \$800 million in the first round of funding.

[00:28:05] In the coming weeks, the county and the Federal Highway Administration are expected to finalize the grant agreement. Third, Loudoun County residents are encouraged to help shape the future of housing in the region by submitting comments on the proposed regional fair housing plan. Loudoun is working with other members of the Metropolitan Washington Council of Governments to develop a regional plan.

[00:28:24] In addition to submitting comments to the Council of Governments, members of the community may attend a local public hearing at the Department of Housing and Community Development on March 8th at 6 p.m. Details are online at loudon.gov forward slash fair housing. And then finally, for the third year in a row, the Loudoun County Public Library has been named one of America's best public libraries by Library Journal, the industry's leading publication.

[00:28:47] Of the more than 5,000 libraries included in the national survey, LCPL was one of only 258 libraries in the nation and one of only six in Virginia to receive the prestigious Star Library designation. This is my comments this evening, Chair Randall. Thank you, Mr. Hemstreet.

[00:29:03] Okay, supervisors, we're going to go on and do some information items. How does that sound? It does sound exciting. Let's go on and do the real estate assessment item with Mr. Wirtz and Mr. Williams and Mr. White. If you're here, will you come down to the table?

[00:29:20] Are you not here? Really? Huh. Okay, so I'm going to put you at the very end of the agenda. We'll see you at about 1130 tonight. We're going to go on. Is everyone here for the PLA discussion?

[00:29:37] Okay, let's do that. Good evening.

[00:30:03] Good evening, board members. I was not going to take a chance by getting pushed to the end of the agenda. I took a chance, and I'm going to stall while the rest of my team shows up. So thank you for taking my item. You guys lost your windows. We'll call you back down at about 11.30 tonight.

[00:30:21] You can leave. You can go work. So it's how it goes, man. It's how it goes. I'll be with you in just a sec. So thank you, board members. Tonight we're here to provide information regarding the response to a board member initiative item for Project Labor Agreements.

[00:30:40] With me this evening is John Sandy, CFO. Also shortly, probably running down the stairs to join me, is John Sherwood from the county attorney's office. Online, I also have Andrew McRoberts, and I believe Heather Lockerman from Sands Anderson, the firm who the county engaged to assist with the research on this item.

[00:31:02] Staff does have a presentation we can walk through, or we can address any specific questions. I will defer to the board. - So I had the ability to meet with Sands Anderson and ask lots and lots of questions a couple days ago. I don't think that the whole board has received that did that now there are some questions that you know we can't ask from here but you know I know we've all seen it it's a it's a it's a supervisor do you need the presentation because I can I can like re-ask my questions again but you need the presentation no okay do you have questions then did you have questions

[00:31:40] then no because we do have a motion on the dance and I have questions I'm gonna be one more shot I'm gonna go to my questions and then go to the motion all right the motion isn't really about this item that's yes and the motion's coming the motion's coming in this item so let me just ask you a couple questions while i while i have you here there is a school of thought

[00:32:11] that says plus harm minority businesses um i've done quite a bit of research quite a bit of research and and while i understand how you get to that conclusion i do believe there's a lot of context behind that conclusion that maybe hasn't been really fleshed out. So can you flesh out some

[00:32:43] of that context a bit as it refers to PLAs and minority-owned businesses? Sure, I will kick that off, and then I may ask Andrew or Heather or Mr. Sherwood to jump in. But as we shared in the port, union membership in this area is relatively low, and what we've learned is part of the research is that minority participation in union organizations is also very low a lot of minority contracting is done through smaller businesses who may not necessarily have the means and capability

[00:33:19] to have the experience to participate in some of these more organized efforts and so the last thing we want to do is reduce competition even more especially from the minority community i'm gonna I'm going to stop you right here for just a second, ma'am, because the research I did basically said a lot of minority-owned businesses are just very small.

[00:33:40] And so when you have a small business, it's harder to get the contract at all. So it's not that they won't be unionized or they don't want it. It's just hard to get them when you have a business that has four people in it or 20 people in it. And so there are a lot of minority contractors who have tried to get businesses, especially in Northern Virginia, and just can't seem to.

[00:34:01] So I guess I'm getting to, I think the blanket statement that PLAs harm minority businesses is not really in context. I think there's a lot of nuance there, and I'm trying to get to the nuance of some of those statements. I'm going to ask Andrew and John if they have additional comments to share.

[00:34:21] Sure. I think that there are many obstacles for small businesses to get access to procurement opportunities. And for minority and women-owned businesses, a PLA requirement can add an additional layer of obstacles that make them less able to compete.

[00:34:49] And so that being said, there are other tools at the county's disposal to work to address or mitigate some of those obstacles that already exist. And so as part of the report discusses, there's an opportunity for the county to do a disparity study.

[00:35:11] That disparity study would then provide the Board of Supervisors an analysis of the economic data that would provide the rationale for the county then to take advantage of the section of the Procurement Act that allows us to provide preferences for some small women and minority-owned businesses that also includes veterans in that preference section. And so that's the first step to removing some of those obstacles. For instance, one common obstacle for small businesses is

[00:35:50] demonstrating performance. So you have to demonstrate that you have similar experience to prove that you are capable of performing under the contract. And one way you can do that is by setting subcontract goals for large contractors so that they have to provide a certain amount of subcontract experience to smaller businesses so the next time around they've got their resume built to compete.

[00:36:18] So those are not mutually exclusive with a project labor agreement. However, if we were to go with a project labor agreement requirement up front, what you may be finding is it is becoming even more difficult for these small businesses to get opportunities to compete on those projects.

[00:36:40] I hope that clarifies the nuance that I think you were attempting to address. It doesn't, and it doesn't. And I'm going to leave it at it doesn't.

[00:36:56] And I'm going to go to Mr. Sains for a motion if you'd like to make it. Yes, thank you, Madam Chair. All right, so I move that the Board of Supervisors direct staff to research the timing and cost to conduct a procurement disparity study and return to the Finance, Government, Operations, and Economic Development Committee with the information for their consideration and potential recommendation to the board.

[00:37:17] Second. Thank you. Let's go show the motion. So as it states in the motion, this is not directing them to do the disparity study now. This is just directing staff to do the research, do their homework, and then they'll come back to the Finance Committee and present their findings, how much the potential might cost, can they do this in-house, do we have to go out-house and get a vendor, do we have the vendor already signed up with an agreement that they can do it, and so the like.

[00:37:43] So hopefully we can get behind this to at least have them do the research and then come back and present their information, then we can have further discussion in regards to the disparity study and possibly move it forward. So thank you. Thank you. Mr. Turner. Thank you, Madam Chair.

[00:38:02] I have just a couple of comments and then a specific observation about the motion. I was disturbed when I read the item that we were given tonight that it listed pros and cons. And under the pros, it stated the pro, and then the rest of the verbiage in that paragraph was a rebuttal to the pro, which made it a list of cons and cons.

[00:38:28] The conclusion from the staff, as I understand it, is that PLAs aren't really appropriate for Loudoun County, that we don't have any major projects in the CIP that would really be amenable to a PLA, which means essentially there'll be no PLAs in Loudoun County for six years at least.

[00:38:46] I think I can capture the sense of at least six people on that board that that is not an acceptable outcome. So whatever we got to do, we're going to move forward.

[00:39:04] The point about the motion specifically here tonight, and I've done some research on this, I spoke with Mr. Rogers right before this meeting, my understanding is that as a basis for a project labor agreement, the objectives, the policy objectives underpinning the project labor agreement have to address the county's position as an operator within the marketplace.

[00:39:20] It has to address market conditions. So things like to ensure no work stoppages, to ensure fair wages, those sorts of things are valid underpinnings for the creation of a project labor agreement. Disparity contracts or issues about disparity in contracts, apprenticeships, those are all certainly appropriate to be folded into the nature and the context of a specific PLA when you're crafting the PLA.

[00:39:51] But they do not in and of themselves form a legal basis to create the PLA. So while I fully endorse this motion, it is necessary but not sufficient to create a PLA. I really want to do a disparity study and hire the consultant to do that, however many months that takes.

[00:40:09] But the outcome of this study is basically going to say yes or no or here are the issues about disparity and minority hiring and small and women-owned business hiring within the county. But then the findings of that can then not be used as a basis to create a specific PLA.

[00:40:26] That is not legally sufficient, in my judgment, based on the research I've done. I'm open to Mr. Rogers' comments. So while I certainly endorse this, it's not the first step in creating a PLA. It's down the road, and we need it, but it's not the first step in creating a PLA.

[00:40:41] Thank you. Ms. Bricksman? Thank you, Madam Chair. If I might ask staff a question in my time. If we, I think Supervisor Turner is absolutely correct, And my question to staff is, if we wanted to move forward with a pilot PLA project, how would we do that?

[00:40:59] Would we just pick a project that's \$35 million or more and just move forward with a pilot, or do we need an ordinance to do that? So, again, I'll kick it off, and then I'll ask Mr. Sherwood and maybe Mr. McRoberts to join in. So, one of the concerns the staff has in order to just pick a pilot is that we want to make sure we have that rational basis for how that pilot was chosen, right?

[00:41:21] So we want to make sure that it's not just based upon \$35 million or the cost alone from the research that staff provided and included in the report. What we're finding when we look at some of our peers across other states, the pure value of the contract alone necessarily doesn't point to the direction of the sole reason why a PLA is needed.

[00:41:41] So what we could, sorry for interrupting you, I'm to two minutes now. So what we could do is direct staff to come up with criteria by which staff thinks that we could do a pilot PLA. Staff would definitely need to do research to determine appropriate criteria to determine when a PLA would be beneficial for a project.

[00:42:05] Okay. All right. And we don't need to write a new ordinance in order to do PLAs, do we? Or is that a Leo Rogers question? I can defer to Mr. Rogers or Mr. Sherwood later on, and we can look into it, but I think we could probably accomplish that through our procurement resolution. Leo says that I'm going to answer.

[00:42:26] We wouldn't need an ordinance, but what would be required is changes to the procurement resolution that would then provide the basis for the staff to implement the criteria and then assess projects to determine which ones a PLA would be appropriate for.

[00:42:50] Okay, okay, thank you. And then a quick question about the motion on the table right now. What is procurement disparity? Are you directing that to the motion? Sure, I'll direct that to Vice Chair Sains or staff.

[00:43:06] So a procurement disparity study is used to determine whenever typically a jurisdiction wants to implement a preference or set-aside program in their procurement program. The purpose of the disparity study then shows these are the available contractors in the region comparing against your current supplier database.

[00:43:27] And then they also look at the work that the county has authorized and approved and issued contracts for over a course of a period of time to determine if the county is equitably, and doing purchases with all types of vendors in the region, specifically small, women-owned, minority, veteran-owned firms.

[00:43:45] Okay, thank you. Mr. Letourneau. Thank you. Well, I do agree with what Supervisor Turner said in that I don't see this motion as related directly to the PLA process. I'm troubled by what he said because I think he just sort of said out loud that we ask for a feasibility study, we ask for a professional recommendation of staff, and then we're just going to completely ignore it anyway and just do what we want to do, regardless of what staff just told us, for a very comprehensive and far more than was even in our packet, as you all know, report on this topic. And I think what bothers me the most is the particular

[00:44:24] situation that we're in right now with our CIP, with projects that we're having difficulty getting bids on as it is. I would think that the county would be entirely focused on expanding our pool of contractors rather than shrinking it. And we would also, when possible, wish to stay with Virginia firms and Virginia employees and Virginia workers, which we would have a very difficult job doing given the lack of unionization among those firms in Virginia. So, but that's not the debate we're having right now, as I understand this motion and I understand this. So I will table

[00:44:58] the rest of that and perhaps just try to get clarity. So I think what the intent of Supervisor Sane's motion is, is to see if there are elements of the Virginia procurement act that we are not taking advantage of as it relates to small and minority owned businesses. And this motion is exclusively to look at that piece of it only through the chair. Yes. If you'd like to. You're correct. Yes. And I think Ms. Middleton explained it better than I can when their last comments to supervisor Brisbane, this is to do a study to get the information to see, are we missing any groups

[00:45:37] when we send out our RFP or RFI and what the disparities might be. Because, again, we can't answer that question until we do a study. And then once we get the study back and say, oh, we're missing this group, missing this small business, this minority, this veteran-owned business, whatever, then we can go out and update our policies and procedures, have we reach out to those businesses in our community to get them into the fold so then they can be part of the process when we put out bids and then have some data to help us with other things possibly.

[00:46:08] So with that in mind, then, I'm comfortable with the motion. I will support it. And as I said, if there is a different motion at some point about our procurement resolution or policies related to PLA, I would have a different debate about that. But I appreciate this motion. Thank you. I think my unrest is that last term, it was last term, Mr. Buffington and I tried to assist a small business.

[00:46:36] I don't want to say their names because they might not want their names set. have just a part of one of our smaller projects in Loudoun County. When we were building the, help me, Mr. Buffington, the addition to the ADU, the staff addition.

[00:46:54] And we were stopped cold. We were stopped cold on this dais. And there was no discussion around the things that we're not doing that we could do later, and we could try this or try that. It was just, we can't do that. Now, maybe I should have known more, and now I do know more.

[00:47:10] but I'm a little frustrated that we've taken probably now six years to get back to the place where we were last term in this very discussion. Because really, the goal is to help as many people as possible, especially our small business in Loudoun County, be able to take part in some of our projects. I think this

project, if I'm not mistaken, was under a million dollars. And we would stop Cole from trying to get it done. And no one said to us at the time, hey, you can put this in place or do that or something different and so yeah obviously I'm going to support this

[00:47:45] but and and and you know I've said that you know a thousand times and I mean it I think we have the best staff in the country I really appreciate our staff but at this moment I'm frustrated that something that we could have been doing a long time ago I could have been learning about at least put it in action we never we never got there and so you know um there are a lot of reasons why small businesses. There are a lot of reasons why minority businesses are not getting these contracts.

[00:48:15] And there's a lot of, you know, if you're a legal person, a legal talk that you can give me that I'm going to catch half of it because that's not what I'm doing. But I also think there's a place I think people know we're trying to go. And if we know we're trying to get to that place, I'd appreciate if y'all helped me get there. And if I bring it to the dais and it doesn't pass, it doesn't pass.

[00:48:33] But to stop us with legalese is not really okay with me when you know that we're trying to get more small businesses, more veteran businesses, more women businesses, more minority businesses to get some of these contracts that we're putting out.

[00:48:52] We don't have to only have like the big giants have every one of our contracts. For a less than a million dollar contract on the jail, there was no reason that that small business couldn't have got that if I knew then what I knew now. no reason whatsoever so i'm a little bit frustrated right now that five years later we've come back to where we were before and this could have been done before that's my unrest that's my frustration mr sandry's like a closing yeah i'll be brief and you know i think we had some good conversations regarding regarding this and and in PLAs and the reason why i know somebody

[00:49:28] well why is this being brought up for during the information on for PLA because again it was mentioned in it with one of the you know talking points from the staff but also to chair Randall's point we could use this data if we move forward depending on the research that's going to be presented to us in finance to hopefully improve our our procurement and your procedures and then have some data information to you know again do it in-house but then also we as we know we're a deal in real estate we're gonna have to go down to the General Assembly and make some changes down there as well but we'll have some some cold hard facts and data to help our argument when we go

[00:50:06] down to the General Assembly if if that's what the route we end up taking but I think this is a step in the right direction to to get some information but again this is the act staff to do the homework do the research check some things out first then bring it back to finance present and then we'll make a final decision to move forward with the the study or not so I'm I'm hoping we can have your support thank you all right thank you mr. sayings on people say aye any opposed that motion will pass 801 thank you very much it's words how

[00:50:38] you doing? Good. Mr. White, Mr. Williams, you guys ready? Come on down. This should not take very long. We set aside, what, about an hour for this? Did you set an hour? Okay, well, if you want to be here an hour, okay. Okay. Thank you, Madam Chair, members of the board. We're here with our annual real estate assessment information item. With me are Brian Williams, my commercial real

[00:51:14] estate assessment deputy, and Jim White, my residential real estate assessment deputy. The information provided today will cover year-over-year countywide magisterial and special tax district

information. Staff analyzed over 13,000 ownership transfers and commercial and income and expense questionnaires to arrive at 2023 assessed values on the more than 147,000 parcels of real estate here in the county. Redistricting establishing new magisterial districts on June 7th, 2022, affects how information will be presented this

[00:51:53] year. The data presented will reflect the new districts as of January 1, 2023, and I'm gonna let Brian pull up a chart here. The chart reflects the change in parcel count due to redistricting where parcels were redistributed among districts, and I'm gonna wait a second till he pulls that up for a second. Thank you for your patience. That's okay. I thought my eyesight had got worse when I looked up for the

[00:52:24] chart. Thank you, David. And you'll see in the chart how those parcels have been redistributed based on the changes in the district boundaries that the board established last year. Although we were anticipating a decrease in the value of data centers due to legislation enacted last year that affected how fixtures within a data center are to be valued for real property assessment

[00:52:58] purposes. We did not receive specific cost data that would indicate the necessity for a reduction. To the contrary, the assessed values of data centers went up significantly, as you'll hear from Mr. Williams. Residential real property sales prices peaked around April last year.

[00:53:19] However, we're still up over January 2022 values by year's end. Residents will begin receiving their 2023 assessment notices soon. However, this year's values are already available online now at loudon.gov forward slash parcel database. Notices contain the appraiser's name and contact information so the property owners may communicate directly with the appraiser responsible for the valuation of their property. I believe we are the only district jurisdiction in the Commonwealth of

[00:53:55] that shares that information directly with property owners. I do want to note one change to the notice this year pertaining to the tax exemption program for revitalized real estate. This program offers owners of property within designated revitalization districts a tax exemption on specific renovations that increase the value of their property. If the property is in one of these districts it'll be noted on the front of the notice this year. Property owners who believe their assessments are incorrect may file an application for administrative review with my office

[00:54:32] until March 10th online at loudon.gov forward slash REAA. After that date, appeals may be made to the Board of Equalization until June 1. The 2023 Annual Assessment Summary and this presentation will be emailed to board members and posted on my office's website under the Real Estate Assessments tab after the presentation. Jim White's going to begin with an overall summary and cover residential data, and Brian Williams will cover the commercial data, and then we'll be happy to answer questions after the presentation and meet with you individually about any questions you

[00:55:11] might have. So, Jim, thank you. Thank you, Bob. There we go. Okay. The first slide provides a summary of Loudoun County's real estate assessed values effective January 1st of 2023. The total real property value for residential and commercial real estate is \$129 billion.

[00:55:37] This represents a 14.5% increase over the prior year, which translates to an overall value change of \$16.4 billion. Revaluation considers the value of Loudoun County's real property without the impact of new construction and new parcels. For 2023, the percent change in assessment from the prior year is 10.6%, or \$12 billion in assessed value. Residential and commercial new construction totaled \$3.9 billion. Of the total residential construction, residential construction was \$1.3

[00:56:11] billion and commercial construction was \$2.5 billion. Residential construction did increase over the prior year by \$245 million and commercial increased by \$1.7 billion. The change was an increase of \$2.1 billion overall when compared to last year. Value added from new parcels, which is categorized by growth, was \$457 million. Residential growth decreased by \$33 million.

[00:56:39] However, commercial growth increased by \$87 million. The total number of taxable parcels increased \$1,207 this past year. This changes the countywide total to \$146,265 parcels.

[00:56:56] This table illustrates the year-over-year revaluation changes for single-family, detached townhome and condominium and rural properties. The 2023 revaluation ranges from 5.8% to 13.6%.

[00:57:13] All residential property types increased more than 5%. The property type with the greatest increase in 2023 was our more rural single-family detached properties without public water or sewer. They were at 13.6%. Residential new construction. Overall, residential new construction increased by 23 percent. Single-family detached increased by 24 percent, and condominium construction gained significantly from the prior year at 67 percent. However, townhome construction failed for the

[00:57:53] second straight year by 11.6 percent. The line graph on the right-hand side of this slide illustrates the number of residential structures built and assessed since 2021. For 2023, townhome construction was the only category that declined, which was illustrated in the previous reported percent change at 11.6. Taxable value change residential and commercial. The table illustrates the breakdown by district, the total value percent change attributed to revaluation, total assessed value percent change, and the district's total taxable value ratio compared

[00:58:30] to the county-wide assessed value of \$129 billion. The revaluation range for all districts is 2.6 percent for the low and 15.7 percent for the high, with the average for all districts at 10 percent. Total value changes range from 4.98% to 21.06%, with the average for all districts at 13.5%.

[00:58:55] Residential revaluation for all districts range from 4.9% to 15.7%, with the county-wide average at 9.5%. This excludes agricultural properties. Multifamily revaluation for all districts range from a negative 9% to a positive 9%, with the county-wide average at 4.5%.

[00:59:17] Commercial revaluation for all districts ranged from a negative 22% up to 30%, with a countywide average at 14.6%. The taxable value column illustrates the ratio of assessed value to the countywide total and ranges from 8% for Algonquin and 17.6% for Broad Run.

[00:59:36] These ratios are influenced by the number of parcels, the type of residential and commercial development, and the exempt parcels. The taxable value ratios fluctuate slightly from year to year. However, redistricting caused the stirring ratio to gain 9% and the Little River District ratio to lose about 7%.

[00:59:56] This chart illustrates the value distribution based on property type, which includes residential, commercial, multifamily, agriculture, state, corporation, commission, and exempt property.

[01:00:14] Although data centers are considered commercial, we broke them into our own category for illustrative purposes. As shown, they represent nearly 13% of the total county value and 58% of the total commercial value. The value distribution generally does not change significantly from year to year.

[01:00:31] However, residential declined 2.5%, and the total for commercial data centers gained 3.4% over last year. Value allocation by class and district.

[01:00:47] This graph breaks down each district and the total value in three categories, residential, commercial, and exempt property. Residential taxable value remains the predominant tax base for most districts. However, redistricting has significantly changed the Sterling District tax base and is now more similar to Broad Run as its commercial base is now 61% of its total value and Broad Run tax base is still 50% of its total value, which is 11% lower than last year.

[01:01:18] Little River has the highest residential tax base at \$17.9 billion, or 87% of the total value, and the Dulles District still contains the largest exempt value at \$2.58 billion. County-wide, the percentage of parcels devoted to residential use is still at 95%.

[01:01:38] Commercial is at 3.7%, multifamily is 0.1%, and exempt property is at 1%. Average residential assessments from 2012 to 2023.

[01:01:53] This graph illustrates the average assessed value for single-family detached townhomes and condominium properties since 2012. It does not include any agricultural properties. For 2023, the average assessed value for single-family detached homes is \$863,300, which is a 9.3% increase from last year.

[01:02:16] The townhome average is \$567,000, a 7% increase, and the condominium average is now at \$386,000, which is an 11% increase from last year. Overall, land use parcels counts have not changed significantly from the prior year.

[01:02:36] The total land use deferred is estimated to be \$1.27 billion. This deferred calculation excludes parcels that are not subject to rollback assessments, such as land protected by a conservation easement. The deferred change is estimated to be about an increase of \$193 million over last year.

[01:02:55] The table at the bottom of the slide illustrates the average rate per acre for each land use category, excluding open space. The average land use rates did increase by about \$45 per acre. Exempt real property for 2023, the total fair market value is \$9.22 billion, which is a 9.2% increase over last year.

[01:03:21] There are 1,438 parcels that are exempt from real property taxes. Of the total, 34 parcels are exempted by the Board of Supervisors, with a fair market value of \$361 million, which equates to 3.4% of the total exempt value.

[01:03:37] The total exempt value for classification and designation equals 6.47% of the total countywide value. And that completes the residential component, and I will turn it over to Mr. Brian Williams. Thank you, Jim. The first slide we're looking at now is a county-wide year-over-year comparison for 2021 through 2023.

[01:04:05] This slide includes completed occupied properties, those under construction, and vacant land. 2022 continued the positive growth that began in 2021, and we've continued to see that into 2023. The value of all commercial and industrial properties increased \$7.7 billion from 2022 to 2023, and this is a 32 percent increase. The multifamily portfolio also increased by 334 million or 9 percent during that same period. For 2023, there was overall positive growth. However, there was

[01:04:42] significant growth for data centers, multifamily, flex industrial, land, and the hotels continued to rebound. This slide graphically illustrates the year-over-year growth for the primary drivers of commercial valuation. Countywide data centers obviously exhibit properties which are the highest year-over-year growth, even though we had strong growth for flex industrial and

[01:05:17] multifamily. It's just that obviously the data centers has been growing at a much greater rate than the other commercial properties. I also want to talk a little bit about the three special tax districts, four, but we'll condense them into three, because I think it's important as those kind of give us a snapshot of where a lot of our commercial value is located. The Route 28 tax district illustrates positive growth year over year. Here are the growth numbers from 2019 through

[01:05:53] 2023. Average year over year growth for this period is 18%. Between 2022 and 2023, that growth was 25%. And what you're seeing there since 2021 really is the growth of the data center portfolio in that 28 corridor, where prior to that, it really had been much less of an influence.

[01:06:20] This slide is a breakdown of the types of assets that are located within the Route 28 district and the overall value of those assets. As you know, Route 28 only includes commercial properties and its tax and its levy.

[01:06:41] So for there, you can see that data center obviously is a significant portion. Flex is a significant portion. Office is a significant portion. Growth numbers for data center year over year from the chart I showed you last year for this same district is around a 40% growth.

[01:07:00] Retail is up 19%, and hotels are up 42%. This line graph shows the growth of the Metro Rail Service District. This is the overall district.

[01:07:17] The station districts are located within this district. This is the growth from 2019 through 2023. The 2022 to 2023 period, the growth was 38%, which has brought the average annual year growth up to 31%.

[01:07:35] And again, this is primarily through the growth of the data centers. Here's a similar pie graph to what we showed in Route 28 that gives the breakdown of the different asset classes and their relative values.

[01:07:50] Total valuation for the Metro Rail Service District is \$13.5 billion. Of that, 8.9 is data center, 1.2 flex, 1.2 residential, and you can see the other growth.

[01:08:07] Data center growth from last year is 59%. Hotel is up 46%. Flex industrial is up 13%. Residential is up around 15%. Land and multifamily, 17% and 14% respectively.

[01:08:25] Here's a bar chart giving the breakdown between the Loudoun Gateway Station District and the Ashburn. Station District. For values increased for 2022 to 2023 in the Loudoun Gateway District, 18%.

[01:08:47] Ashburn was 13. Combined, that equals about a 15% increase for 2023. Average growth over the 2019 to 23 period is around 8%. And here again is a breakdown for the Station Districts. For the commercial properties, the valuation is about \$1.6 billion total. And you can see the breakdown

[01:09:21] there, the two largest being vacant land at \$613 million and data center at \$640. And you can see the other assets as classes as well located in there. For 2022 to 2023, data centers grew about 18%. Land grew about 17%. And I should mention when I say land, I don't mean land for data centers. That's land that has, as far as we know, not been purchased by data centers and is valued more consistently with land you would see being used for shopping centers or industrial parks and

[01:09:58] things like that. Retail's up 35 percent and office is up 20 percent within this district. Next is the greenway. I just wanted to quickly point out that based on last year's financials, The effects of the pandemic seem to be easing.

[01:10:22] I would expect that the financials for 2022, when we receive those a little bit later in the year and we do the final valuation for 2023, I do expect to see that number rise above \$200 million. And lastly, the data centers.

[01:10:40] You can see from 2019 through 2023, the overall assessed value for the data centers. This year, we're at \$18.4 billion. In 2022, we were at \$11.8 billion. The average growth for the data centers over this period has been 42%.

[01:11:00] For the value, for the square footage, it has been around 15%. So you can see we're now, from a square footage standpoint, we are a little over 30 million square feet, right around 31 million square feet to match the \$18.4 billion in value.

[01:11:18] Most of this growth for this year between 2022 and 2023 has been driven by increase in power capacity within our existing data centers, land acquired for data centers, and new construction.

[01:11:36] And with that, we're happy to take any questions. So my first question before anyone's time starts is this. That was a lot of, first of all, thank you. That was a lot of information, and this is the first time we've seen these slides.

[01:11:51] And it's very possible, in fact, plausible, that when supervisors have more time to study these slides, we may have more questions. Can you send us a slide deck and then perhaps have you come back after we have time to go through these slides a little bit more? Because it's hard to get, you know, have questions formed for the first time we're seeing them.

[01:12:09] Sure, or you could reach out to me individually and we can meet with you directly. Actually, you know, this is one of the things, you know, these questions probably would be best served in public. You know, sometimes you want to ask questions on the day. It's just for the public consumption. Okay. Supervisors, if you have questions, please put your lights on. Mr. Turner.

[01:12:26] Thank you, Madam Chair. Obviously, the elephant in the room in commercial real estate property values is data centers. I get that. I think the slides bring that out. And I understand that with the change in the valuation of property to include fixtures and other things that were not heretofore included as a standard, there was a change in law, and we're going to take account of that in the budget, but it's not reflected in these numbers.

[01:12:49] So the data center numbers are probably a little bit lower than this by the new rules. Is that correct? It's possible, and actually there is some legislation included in the budget now relative to the specific change in the code that we're looking at right now.

[01:13:05] Okay. This is kind of a stretch, and if you don't know the answers, it's fine. I understand that. We understand the increase in the value of the commercial property, the data center impact on the value of commercial property.

[01:13:24] Residential property also went up in value, And my presumption when I first saw these numbers was that's just because the general marketplace, residential marketplace in the United States is still going up in value. But my question is, to what extent in Loudoun County, and you may not have any substantive data-driven correlation, and I understand, do you think that there is a sort of insidious impact on the fact that there is such an influence of data centers on commercial property value that that is

somehow affecting the rise in residential property value, or is there no crossover at all? I guess what I'm saying is if you have an environment where there is one

[01:14:03] really large influence that's driving up a whole class of property values in the county, is it possible for the other class of property values to simply be immune to that influence, or is there some subliminal influence that's crossing over into residential property? I'll let Jim or Brian comment on it, but I will say that if they consume land for data center purposes it's going to reduce the availability for well I thought about that but I'm thinking most of the land that's consumable by data centers has been long since identified so that well I think if we look at what happened with Hyde Park it's prime example of how data centers can affect

[01:14:41] other types of property as well thank you yeah yeah very good point I'm not sure I would tie data center values with residential values what I'm in my experience commercial development that provides retail or restaurants or that kind of thing that might where people want to be close to, want to get to, that could have an impact. But as far as the data center, I don't see that correlation. Okay. Thank you very much. Ms. Glass. Thank you, Madam Chair. And thank you for this

[01:15:17] presentation. And thank you, Madam Chair, for stating that you want us to have this presentation. I've had a number of constituents to say that they would like to have this information from last year and to, you know, this year to have this information.

[01:15:35] So I appreciate you all doing this. My one question is, does the underlying zoning or a parcel affect its assessed value, or does the current use or building of the parcel play into its assessed value more?

[01:15:50] We take both in consideration. So the primary value that is placed on a property would be based on its primary zoning, and then its current use would be considered as a factor as well. Okay, thank you.

[01:16:09] Mr. Letourneau? So can you remind me, are there certain years that you take a closer look at properties in different parts of the county? And it could just be the real estate market, but what I've kind of noticed is, you know, in the Dulles District last year, there were big jumps.

[01:16:26] This year, there are not big jumps. But other parts of the county, I'm kind of hearing anecdotally, had some really big jumps. you know, it could just be the market. That's the way it's shaping out. But just from a process standpoint, do you approach it the same every year for every property in the county? Or do you do a deeper dive in certain areas of the county or certain types of units or whatever?

[01:16:51] We are required to value property as of January 1 every year. So we do look at everything every year. Now, we also do neighborhood reviews so that staff goes out to see what improvements have been made in certain areas as we look at our ratios to see how close we are regarding sales prices there may be changes in that community that require us to do a deeper dive like a lot of decks have been added in this neighborhood or a lot of renovations are being done and so we would do a field review and we're trying to get to a five-year schedule with all the parcels for a

[01:17:30] neighborhood review I don't know yeah I remember this coming up in your budget discussions absolutely Yeah, the process is pretty much the same every year. We do try to refine and look at the data and see if things can be merged together or looked at differently.

[01:17:49] But overall, the process is the same. This year, you know, the peak of the market was around April or May. So for this reassessment, the sales that occurred later in the year, September, October, November, were given more weight than something that had occurred early in the year to try to understand how quickly things were changing. We did see property values starting, people reducing their asking prices and so forth. So we included that in our analysis. Okay. Thank you. Thank you. Ms.

[01:18:22] Berksman. Thank you, Madam Chair. Yes, I was confused why there wasn't a presentation in our packet because I really was very, very interested in this item. So I kept refreshing, refreshing, refreshing. So it would really be great if we could have it before our meetings. And I wanted to go back to the slide, and I'm not sure which one, but it was a slide that showed, I believe, the percentage increases in value by district. Nope. There was one that had negative numbers in

[01:19:00] the third column. Okay, that was it. So I'm confused by this slide. So are you saying that in 22 the values of a single family home went up by 16 percent in 23 it went up by 7.5 percent so the change in how much value it increased by went down yeah and when we first put this up we thought it might require a little more explanation you know values did increase but this right so i was scared initially when i just saw that third column yeah no we're just showing the change

[01:19:38] Okay, so values still went up, they just didn't go up by that much, and single-family homes actually suffered the most as far as the increase in value being less. Correct.

[01:19:54] Okay, okay, great. I might definitely have some more questions once we get the presentation, because I find this fascinating. Thank you. Thank you. Mr. Kirshner. Thank you, Madam Chair. Just a couple quick questions. First of all, thank you for all the work you've done. Great presentation. Would like to see it. Thank you. First question I have is, how many appeals do you get per year on valuation?

[01:20:15] And what's the breakdown versus commercial and residential, approximately? I'd say the last couple of years has been about 500 to 600 appeals. 500 to 600 total? Yeah. Okay. When the market is really moving the way it's been going, we tend to get fewer just because people understand that the increases are.

[01:20:38] And of those that you are appealed, how many of them actually are adjusted as a result, generally? One to two percent. Okay. Fair enough. Yeah. Yeah, and then from a commercial standpoint, typically for the administrative appeal period, maybe 300, something like that.

[01:20:58] To the Board of Equalization, less than 100, typically. Most of the time in the administrative appeal period, those are usually settled, reduced, frankly, because... From our perspective, we may have not been getting information from the property owner, and they get their notice, and they decide, hey, I've got to do something.

[01:21:19] It's usually an information or a related type of an issue with us. You lack the information. That makes sense. On the valuation data centers, I know there's been a lot of talk about how we evaluate, especially the personal property side of things. And I didn't quite understand the comment, and I know Mr. Turner touched on it.

[01:21:37] Have we changed how we're, on these valuations that we've seen today, how we're actually evaluating the data center real property? For 2023, we did not. Okay, but that will change come 2024? I hear it's in the budget? Well, there's an amendment to the budget that may require us to make a change, but we're still looking at that.

[01:21:58] Obviously, it hasn't passed the General Assembly yet, but there is a budget amendment out there that would fine-tune the legislation that was passed last year by the General Assembly with regard to data centers. So we'll have to evaluate that and then make a change or no change depending on how that moves forward.

[01:22:18] That will not change this year in how we approach? I'm sure we're going to get appeals. Let me put it that way. So I think that we'll have to see how that goes as we move forward. And internally, have you looked at how that could impact our valuation, the values total in our budget?

[01:22:37] Without the data from the data center operators, it's a very tall order to try to determine what the fixture values would be because that's not data we collect. It's not data that they file. It's not like business personal property where they report it every year so we have some idea what a business has or doesn't have from a personal property standpoint. That's never been part of the real estate process, and now it's been kind of introduced. So we're waiting for the data center operators to deliver that information, and we've asked for it.

[01:23:06] Thank you. Mr. Sainz. Thank you. Can you go back to the slide that showed the Greenway real estate value? Yeah, that's one. So explain why is it going down?

[01:23:22] Yes. So I think what you're seeing in 2020, really through 2021, were the effects of the pandemic. Certainly, there was just a greatly reduced not operating income from the Greenway because of that.

[01:23:39] When we received the financials last year, it seemed like things were on the rebound for the Greenway. As you can see, it went from in 2021, \$163 million, to last year it was \$199 million. The reason why we carry that \$199 million into 23 is that's the value we start with until we get their financials and then reevaluate them.

[01:24:01] That number will change usually in May or June after we've received their financial information. We change their assessment, and then typically we send you all an email that says what the true assessment is going to be for 2023. Thank you. Mr. Worts, last term, we discovered that we were vastly over estimating the home value of some people in the Howardsville area, vastly.

[01:24:33] And that when we finally went out and actually looked at the value of the home, I think the land was assessed at \$100 in the end, something like that. it was a huge difference. And what I learned from you is that a person whose house has been assessed incorrectly can only go back so many years to get money refunded to them. So one thing you said is if a person thinks their house has been assessed incorrectly, they should get a hold

[01:25:09] of you. Well, the issues that were there that prevented that gentleman from getting a hold of you still remain. Those issues still remain with other people as well. Would it not be logical for, I guess I'm asking this, there are some people in Loudoun County who don't have computers, who can't get a hold of you, who can't reach you, who may not even have the wherewithal to know if

[01:25:43] their assessment is correct or not. And by the time they figure out it's not correct, we may not even be able to help them get the money that they paid out or that's owed to them back. Shouldn't we not figure out a different way to have people reach out to you if they think their assessments are wrong?

[01:26:04] And I know Mr. Letourneau kind of hit on this, Mr. Kirshen hit on this a little bit. For certain communities, Howardsville, St. Louis, Conklin, and other areas, is there a greater effort to go out to those homes so you can assess some kind of hands I mean eyes on what are we doing different now than we were not doing when that enormous mistake happened I would say that we are not targeting neighborhoods for that purpose but we did start doing real estate assessment roadshows to let people know about how the process works how do they know the roadshow

[01:26:42] is coming we do press releases and alerts and are you sending it to their house because if they don't have a computer they're not seeing your press releases and alerts sure sure i'm happy to uh if you have some specific area that you want me to visit i'm more than happy to do that i just think for logical reasons we almost assume that everyone has computer access and such and the people who don't have those accesses are probably the ones that need need us to kind of reach out to to be

[01:27:21] more vigilant in reaching out to them. So I just want us to remember that how you're asking people to tell them that their assessment's not correct, they may not have that ability or wherewithal to be able to do that, and in the end, they're going to pay and will never be able to get that money to talk to them.

[01:27:40] Are these folks that you think might have a phone? In the end, we actually, that gentleman didn't, and we got him one. I think that was the question with that gentleman. Because I know we're doing the alerts, the loud and alert. The loud and alert.

[01:27:55] Okay, that might help. Okay. Yeah. But let's talk about how they help those people. Sure. Okay, thanks so much. All right. Thank you, gentlemen, for being here. Really appreciate you having me. Yep. All right. So it's four minutes from 530. We're supposed to do resolutions at 530.

[01:28:10] I'm looking out in the audience, and there are some people I do not see here who would be here for the African-American history resolution. Kendra, are you here in the room? Kendra is not in the room, is she? Okay. Then let's go on and do first the chamber resolution.

[01:28:37] And after the chamber resolution, it would be past 530. So we'll go. I'm sorry, that's my phone. My bad. My bad. I'm sorry. So we'll do the chamber resolution first, and then we'll do the African American history resolution. And since Ms. Umstead is not here, who's chair of the finance committee, I will ask the vice chair of the finance committee, Mr. Latourna, will you join me down front, please?

[01:28:54] And then after that, oh, hold up just a second. I also, I do want to say this, that for the first time, the African-American resolution, African-American history resolution is being joined by, has been co-patron by all nine of us.

[01:29:09] It has never happened before that this resolution is co-patron by all nine supervisors. So that's a big deal, and I appreciate it. I will have Mr. Sains and Ms. Glass join me down front, but I do say we have a resolution being co-patron by all nine people for the first time, and so that's a little bit historic in and of itself.

[01:29:28] So thanks. Angela, you're doing this, and then you're standing for the other one.

[01:30:08] Thank you. So notwithstanding what Mr. Luterno just said, Mr. Turner is the vice chair, and he was the chair of the finance committee for five years, something like that, something like five years.

[01:30:26] So our chamber has received a five-star accreditation from the United States Chamber of Commerce, which is a huge deal, and so we're going to read the resolution. Whereas, incorporated on December 18, 1968, the Loudoun County Chamber of Commerce has become the largest and most effective chamber in Northern Virginia, with more than 1,000 members, framing the premier network for businesses and community leaders in the nation's most economically vibrant county.

[01:30:55] And whereas the Loudoun Chamber's diverse membership includes businesses, nonprofits, and public segment partners of every size and industry, including visionaries, entrepreneurs, and leaders who are dedicated to making Loudoun a world-class community to live, work, play, learn, and grow a business.

[01:31:23] And whereas the Loudoun Chamber is an effective advocate for and partner with Loudoun's Department of Economic Development and Visit Loudoun, a partnership that has earned local, national, and international recognition, the latter for the collaboration and the Loudoun is Ready COVID response campaign.

[01:31:42] And whereas the Association of Chamber of Commerce Executive, this is called ACE, the ACE, the nation's leading association of chamber industry executives, named the Loudoun's Chamber of Commerce one of its four finalists of chambers in the year 2021, recognizing Loudoun's Chamber for its performance and community impact.

[01:32:05] And whereas in recognition of the Loudoun Chamber's many years of industry, leading programs, business advocacy, and community impact, the U.S. Chamber of Commerce awarded the Loudoun Chamber the five-star accreditation. Accreditation establishes standards for operational excellence and recognizes chambers that achieve best in-class performance in areas such as government policies, financial controls, communication, public policies, and programming.

[01:32:37] And whereas the five-star accreditation is the U. S. Chamber of Commerce's highest achievement of a local chamber's performance, this places Loudoun's chamber among the top 2% of all chambers nationwide for the quality of its programs, policies, and impact in the community.

[01:32:58] Now, therefore, be it resolved that the Loudoun County Board of Supervisor does hereby celebrate the Loudoun County's Chamber of Commerce for their immense impact of service to the business and citizens of Loudoun County.

[01:33:14] Well, first of all, congratulations. And I will go to you first and then I will go to your bosses. So you should probably go to the bosses first. Well, first of all, I want to thank you and members of the board for recognizing Loudoun Chamber.

[01:33:31] One of the best parts of my job is I have to go around and brag about how world-class Loudoun County is, from Dulles Airport to the leading data center market of the world, our wineries, our breweries. In so many ways, our business community is world-class. Our partners here at Loudoun County, including our close partners in economic development, recognized internationally and nationally for the excellence of their program.

[01:33:51] So, honestly, we're just trying to keep up with the rest of you all. And so we worked really hard on this. I just want to recognize really years and decades of business leadership on the board of directors of the chamber and throughout the chamber that have helped us improve our performance in all the ways we do so. And so really proud of our partners at the U.S. Chamber for allowing us to not only grow

personally and professionally and to improve those policies, programs and impacts we have, but to recognize us too as well.

[01:34:16] So it's a great honor to be here tonight. And I want to thank you so much for allowing us to be here. And now it gives me a great opportunity to introduce my first boss, who will introduce my next boss. That's the life of a chamber executive, but Carol Barb. She's the CEO of Backflow Technology. That's her day job. And one of her many, many volunteer gigs is serving as chair of the board for 2023 of the Loudoun Chamber Board of Directors.

[01:34:38] Carol. Thank you very much. I'm very honored to be here, and thank you, Chair Randall, for this wonderful recognition. We're so proud of this. We work very hard. The chamber staff and the board are very proud of this. And I might add to Tony's comments is that we are the only chamber in the region to receive this recognition.

[01:35:00] So we're very, very honored for this distinction and thank you for recognizing us. Yes. I'd like to introduce you to Angela Mitchell of Arm Consulting. She's the president and CEO, and she's our first vice chair of the Loudoun Chamber. Good evening, everyone.

[01:35:17] Thank you, Chair Randall, for this recognition. I just want to add that this work is also being done by a lot of volunteers in the community, a lot of business owners from diverse backgrounds, diversity of thought. And so without that, I don't think that we'd be able to get here today. So thank you. Thank you.

[01:35:33] You guys have been fantastic. And let's get a picture.

[01:35:59] Hey, Ms. Mitchell's serving double duty.

[01:36:20] Would everyone here for the African-American resolution please come down? I still don't see Ms. Harvey. Is she, I mean, Ms. Dionne, is she here? Okay. Mm-hmm. Yeah, she, yeah, she did. Oh, yeah. Oh, yeah.

[01:36:36] Yeah, yeah, yeah. Come on down, Jack and Jill. Come on down, everybody. Hi. Hello, sir. How's it going? Well, first of all, thank you all for coming. So in 2007, before I ever dreamed about running for chair of the county, I came to the board, and I approached the board, and the chair then,

[01:37:12] chairman was Scott York, and I said, why don't we have, there you go, that's right, why don't we have an African-American resolution, African-American history resolution. And Chairman York said something that was spot-on correct. He said, won't you write it?

[01:37:28] And I said, you're right. I said, because why would I expect the county to write an African-American resolution when I'm an African-American in the county? Why don't I? So from that day forward, I would take time every year, and as we kind of go through the year, watch the community and watch what they're doing so I could know what I want to put in a resolution. And early on, especially early on, when I write the resolution, I would send it to Donna Bohannon and I's mentor Elaine Thompson. And Ms. Thompson would tell me all the ways I got it wrong and make me do it again.

[01:38:08] And after a while, one year I sent it to her and she was like, good job. She didn't correct me on it. So it has been my great honor, my just great honor to write the African-American History Resolution every year since its inception. And, you know, one day I won't be chair of the county anymore, but I'm going to beg the next chair to let me keep writing this resolution. Every year, I invite the NAACP because

the NAACP is the keeper of the record. There has to be a record kept all the time. And of course, we have them in the county coffers, but we have to have someone

[01:38:47] who keeps the record. And that is the NAACP. So thank you for coming as well. So I will read the resolution and then get everybody a copy of it. Whereas the Loudoun County chapter of Jack and Jill America Incorporated convened their 2022 Southern Cluster Area Workday. The theme for the event was, we are our ancestors' wildest dreams. This message to future generations was true, relevant, and inspiring. The theme spoke to the enormous debt we owe our ancestors who came before

[01:39:25] us and on whose shoulders we stand and to the important work Jack and Jill is doing to build future leaders of America. And whereas the Loudoun County Chamber of Commerce established the first Diversity, Equity, Inclusion, and Accessibility Committee with the goal of eliminating barriers to participation in any Loudon Chamber activity based on economic position, gender, race, creed, age, sexual orientation, gender identity, national origin, disability, or any other

[01:40:02] inherent personal attribute. As a result of these efforts, the Loudon Chamber has welcomed the most diverse board of directors in its history to include Angela Mitchell, who was serving as the chairwoman of the Loudoun Chambers DEIA, the first chairwoman of that, and who was the first African-American woman now serving as vice chair in line to become the chair of the Loudoun County Chamber of Commerce.

[01:40:31] And whereas Kendra Dionne, who is not here, so we're going to call her, but I'm going read her stuff anyway. And whereas Kendra Dionne established the first black female-owned wine label in Loudoun County since becoming founder and CEO of 5011 Wines, Ms. Dionne has been asked to present her wine and speak on her journey to become a premier winemaker on numerous podcasts and various venues to include the acclaimed Black Family Reunion.

[01:41:05] In addition, Ms. Dionne has been featured in national publications such as Essence Magazine and was highlighted in an article called Where Black People Are Thriving that ran in the Boston Globe. And whereas members of the Loudoun County Douglas High School alumni, every time, you all get me every time, the Loudoun County Douglas alumni,

[01:41:32] Their descendants and other community members have formed the Douglas High School Reconciliation Subcommittee to discuss solutions to resolve the egregious error and the forced sale of Douglas High School land for a single dollar by Loudoun County and the Loudoun County Public School System on December 16, 1940.

[01:41:57] Among other things, the Reconciliation Subcommittee is tasked with making recommendations about how to preserve and display the physical building that is a vital historic landmark and telling the story and protecting the legacy of Douglas High School administration, the teachers, the staff, and the students from 1941 into 1968.

[01:42:22] Now, therefore, be it resolved that the Loudoun County Board of Supervisors recognizes and celebrates the month of February 23rd as Black History Month in Loudoun County and the nation, let us continue to recognize, and this may be the most important part I can read right here.

[01:42:41] Let us continue to recognize the countless contributions of African Americans throughout the history of our nation and let history correctly record the struggles, plights, and successes of African Americans in telling the accurate story of African American history in America.

[01:43:04] This is such an honor for me to do every year, and I don't know where Kendra is, but she about to get a phone call from me.

[01:43:21] This is such an honor for me to do every year. To Jack and Jill, you know, the work you all are doing to raise up the next generation is phenomenal. It has been going on for years. You are focused, and, you know, I see, you know, you see a kid who's raised in Jack and Jill, and you shake their hand, and you think, They looked me right in the eye and shook a good hand.

[01:43:47] And that's just the start of where they're going. It is a fantastic program. And your theme this year, we are our ancestors' wildest dreams. That's what I'm talking about. That's what I'm talking about. So thank you. Thank you, Jack and Jill, for all that you were doing.

[01:44:03] Angela, my sister, listen. Listen. You know, listen. I don't even know. I don't even know what to say about you, say about us. You are brilliant and powerful and smart and supportive and kind.

[01:44:21] And your presence on our chamber has changed the game. And you being chair of the chamber next year, not that every chamber that came, every president that came before you is not fantastic, but you being president of the Loudoun County Chamber of Commerce next year, there are just no words.

[01:44:44] It's like we've been waiting for you. We've been waiting for you. And now you are here, and I cannot wait to see what you're going to do. I cannot wait to be part of what you're going to do. I am so proud of you, and I love you so much. I love you so much. I can't talk about Douglas Alumni without crying.

[01:45:02] I really can't, because Michelle and Angela and I and Karan and Jack and Jill and any of the Divine Nine and Sylvia, we would not be here if it weren't for you. We just would not be here if it wasn't for you. The work you all did from, I'll just talk about 1940 on, in education, in activism, in involvement, you know, you can look around the country and there's not a whole lot of places where you get a Douglas High School and a Douglas High School alumni that is still going on.

[01:45:40] You all, I walk into a room with you all, and I feel like I just sit down and start listening. Just start listening, because you teach me so much every time I'm with you. You humble me, and you honor me, and I don't even know what to say about you all.

[01:45:59] I don't, I don't, I can't even talk about you all. I'm just overwhelmed with you. I'm just overwhelmed. Y'all just slay me. I'm just overwhelmed by you all the time. So thank you for being here. Michelle, would you like anything you want to say as a keeper of the record before I hand the mic to somebody?

[01:46:14] Sure. As the NAACP president, I think this is probably the fifth Black History Month proclamation that we have received under my leadership. This is the first time that I've ever felt that this proclamation is so important for the entire county and for generations.

[01:46:39] As we look and see that African-American history is under attack, books are being banned. If someone wrote a book about all the work that we're doing collectively, at some point it could be banned. If somebody wanted to teach about it in history, at some point somebody could fight against it.

[01:46:58] But what cannot happen is that it could be stricken from the record. And so that's why this proclamation is so important tonight, because it's another place that our history is codified that cannot be

changed. So thank you for tonight. I have the mic again.

[01:47:19] I just want to thank you for this recognition. And, you know, I think you were the first person to tell me that I would be the first African-American woman to chair the board. And that was not even on my radar that that would be making history.

[01:47:36] It was just creating the opportunity to be able to do great work in this county. And as we all know, representation matters. And so having this opportunity to work alongside Carol, who has been my champion from day one, and Tony, who has listened to me and valued my opinion, means a lot.

[01:47:58] And so I am looking forward to working within the community in a different capacity and being able to do it with excellence and being able to exalt us to the next level. So thank you. History is so very important.

[01:48:16] You know, what excites me is the fact that we record history and we are participating in history. It's standing here. It's historical. And so I want to just thank the Board of Supervisors as well as the Loudoun County Public Schools who a school board that gave us the opportunity to certainly work on Douglas High School.

[01:48:37] Come and see Douglas High School in its final. We're moving towards an open house, hopefully in May, and excited about it. Come and see and come and experience the history, the rich history of Loudoun County.

[01:48:58] Thank you. It's an honor to be here this evening. Thank you, Chair Randall and the Board of Supervisors for support of this year's resolution. As Chair Randall mentioned, Jack and Jill, we are focused on the next generation of leaders. and teaching our children the value of service and philanthropy and giving back to their community inside of Jack and Jill and beyond.

[01:49:20] And it's an honor for them to be here, a small number of them to be here today, to see themselves reflected in the leadership here in Loudoun County. So we will continue our mission. And again, thank you to Chair Randall and the board for support of this year's resolution.

[01:51:35] So, advisors, it is too early to start public comments because we cannot start them any earlier than 6 o'clock. And so I'm going to go in and do the last information item, which is I-3, which is Significant Incident Report. So, Chief, if you comment down to the table, and after that, we will take public comments. Good evening.

[01:52:12] Good evening, Chair Randall and members of the board. Tonight, as we present our Significant Incident Report, I'm joined by Assistant Chief Travis Proe, Assistant Chief James William, and our new Deputy Chief of Volunteer Administration, Todd Lupton. So I'd just like to ask Chief Lupton to introduce him real quick to the board so you can meet him.

[01:52:30] Chief? Yes, sir. Thank you, Chief. Good evening, Chair, members of the board and staff. Again, I'm Todd Lupton. I'm your new Deputy Chief of Volunteer Administration. I have over 25 years of fire and rescue experience, both as a career member and as a volunteer, and happy to be here, so thank you. Oh, Chief, you know I'm going to ask you, right? Like, how fast can we start messing with him, giving him a hard time? Anytime you want. Today, even, huh? Ask him a tough question today. All right, we're ready when you are. Okay. Well, you have your packet. The Loudoun

[01:53:08] County Combined Fire and Rescue System responded to a total of 18,289 incidents between July 1st and December 31st, six months. Again, as usual, most of them being EMS incidents, 13,000, over 13,000 EMS, and 4,571 fire incidents. You have the chart in your item, which displays a breakdown of the various types of incidents that we responded to. I'll be brief tonight. I know each of you had time to review our quarterly report. So again, many of our fire incidents continue to contain the common causes for fires, which I know all of you are fire experts at by now. One significant

[01:53:46] incident I want to highlight is an unusual one that occurred on November 30th and involved a fully loaded hazardous materials tank truck containing 7,500 gallons of diesel fuel, which as you remember on the morning of that morning, crossed six lanes of Leesburg Pike at the beginning of rush hour, crashing into the woods on Route 7 in Claiborne Parkway with a trailer catching fire and the tank portion of the truck completely over on its top.

[01:54:12] The driver suffered a medical emergency, and initial crews dealt with a severe medical emergency, a tractor trailer on fire, and a hazardous materials incident with a 7,500 gallons of diesel fuel truck rolled on its top. A significant incident to say the least.

[01:54:28] Our fire, EMS, and hazmat crews handled each aspect of the emergency eventually drilling into the tank and offloading all 7,500 gallons of fuel into a replacement tank truck. Remarkably, only two to three gallons of fuel were released from the incident and the driver surviving the crash.

[01:54:48] We continue to bring in career and replacement volunteer and career personnel, graduating 30 recruit career firefighters and EMS personnel in November, and celebrating the graduation of 67 first responders from fire AMS training in January.

[01:55:06] Our successful smoke alarm outreach efforts continue with career and volunteer personnel hitting the streets each month, providing free smoke alarm and fire safety inspections to all areas of the county. We continue to discover homes with no working smoke alarms or those needing replacement as they are over 10 years old.

[01:55:24] One program I would like to highlight that occurred during this period is our Fired Up for Safety first grade program, led by our life safety program. During October, at Fire Prevention Month of 2022, we visited 51 elementary schools, delivered 184 first-grade presentations, reaching over 4,936 students.

[01:55:45] Our goal remains simple, promote lifelong fire-safe behaviors by ensuring every child receives critical fire safety information at a young age. These lessons are critical in not only educating our children, by transferring that knowledge to their parents.

[01:56:02] We continued with our annual Toys for Tots program after the horrible pandemic. We came back in a big way. Being one of the main sponsors of the Marine Corps Toys for Tots program, over 15,000 toys were donated and distributed to almost over 10,000 children.

[01:56:18] Our annual coat and food drive, partnered with Mobile Hope, yielded our system members collecting 471 coats, 231 winter accessories, food items, and monetary donations. Not during this raiding period, but I thought it was worth mentioning, Loudoun County Fire and Rescue have been very busy over the last several days.

[01:56:38] We responded on Sunday, along with Loudoun County Sheriff's Office, to a stabbing at the Sterling 7-Eleven. It was here we found a male patient stabbed with life-threatening injuries, and our EMS providers were able to administer whole blood, which could be credited with saving that victim's life.

[01:56:56] Yesterday, an 8-year-old male was struck by an auto at an estimated 30 to 40 miles per hour on Diamond Terrace and Aldi while riding his bicycle. While serious injuries were sustained, the child is alive today and most credited because of the helmet that he wore.

[01:57:14] And early this morning, an unconscious male was pulled from a burning home in Sterling by fire and rescue personnel doing a search for occupants. After administering life-saving care, this patient was transported to Lansdowne Hospital where he remains alive but in very critical condition.

[01:57:31] One final item I would like to highlight is at the end of the portion of your quarterly report, we have provided fire and life safety information for you to share with your constituents. One link provides you access from outside the county network, and one link provides it from inside the network to our fire and life safety toolkit.

[01:57:50] These fire and life safety informational documents are tips for you to share with your constituents, putting you be able to put in your newsletters and help us share the important messages in whatever way you can. In closing, I once again want to thank you for your continued support of your fire and rescue system in Loudoun County. And tonight, I and staff are always and now always available to answer any questions you may have. Thank you, Chief, for that update.

[01:58:17] Colleagues, anybody have any questions? I'll start with Supervisor Brissman. Thank you, and thank you for the update. I know that you've had a busy week and have responded to fires in Algonquian District, so just wanted to let you know that I'm sure you were there very, very quickly and appreciate all your work and hope for the best for the male that's in the hospital right now and very sad for the animals that were lost.

[01:58:47] And I'll be checking my fire alarms, my smoke alarms. Thank you. Thank you. Okay, thank you, Mr. Brisbane. Supervisor Buffington. Thank you. On behalf of the 34,349 homes in my district, I just want to really thank each and every one of you and hope that you go back and, on behalf of the board, thank all of your personnel because you guys are amazing, and we absolutely could not do it without you all.

[01:59:15] So thank you so much. Thank you, Supervisor Buffington. Okay, well, I attended the Sterling Volunteer Rescue, squad their annual banquet uh saturday and then attended the sterling volunteer fire squad annual well meeting and was able to swear in the new officers for the for the year so uh chief welcome to the uh to the county and uh you have a we have a great volunteer program and know you'll continue to work with our partners there in the volunteer system and make it the best that it is in world class because it's always been said chair rando definitely says it best that you know when you

[01:59:53] make a phone call for your time of need you just want somebody to come who's responsible and can get the job done and you're allowed and we have a great combined system where you ask the average citizen they wouldn't be able to tell if it's a career firefighter or a volunteer because they're getting the world-class service here in Loudoun County so we appreciate you what the day appreciate everything you guys do on a daily basis and I think that is it Supervisor Saint, I would just note that all, if you look at all four of us tonight, all four of us started as volunteers.

[02:00:26] That is true. And, you know, that's how most of us start, and it's very important that we never forget where we came from and our roots. And, again, if it wasn't for a volunteer corporation where all of us started, we wouldn't be here today. All right. Well, thank you. You guys enjoy the rest of your evening. Thank you. Okay.

[02:00:42] And Mr. Rogers is not exact. Well, there's almost 6 to call. We can start our public. You can start. If someone's not here, you can call them at a later time. Okay. All right. We'll start the 6 o'clock public speaking time. First I have on my list is Gary Clemens.

[02:01:01] Vice Chair Sains. Yes. Mr. Clemens called and said he would not be able to make it this evening. Okay. Thank you. All right. So next I'm going to call three at a time. So we have William Steedley, followed by Suzanne Steedley, followed by Michael Glenn.

[02:01:23] Hello. I'm William Steedley. First, I want to thank you for moving the Red Hill CPAM item off the consent agenda. and giving us the opportunity to speak. I think it's well established that Red Hill is no longer rural.

[02:01:39] And I think it's clear that the three schools coming to Red Hill bring intensity and intense use dominating the neighborhood. And it's well established that Red Hill should have central utilities in the midst of this in that it's surrounded by central utilities.

[02:01:55] Now, regarding density, again, I want to highlight two points. First, it's necessary to make the utilities feasible. Having the right to the utilities does not do any good unless they're feasible, and at the current three-acre density, they are not.

[02:02:10] But most important, it's necessary for the people of Loudoun, more housing. We see in the January 26th article of Loudoun Now, when the Planning Commission was hearing about the zoning ordinance concerns, that people from different sectors pushed to do more to encourage affordable housing.

[02:02:27] When teachers in our communities cannot afford to live in the community they're teaching in, we've failed somewhere. The greatest threat to Loudoun prosperity and quality of life is the availability of a skilled workforce. Loudoun Chamber of Commerce President and CEO Tony Howard said, arguing, the answer is to allow much more residential construction.

[02:02:51] And longtime affordable housing developer, Kim Hart, for many years the only affordable housing developer in Loudoun, said he has not had responses from county staff members to his nine submission concerns.

[02:03:08] In my professional opinion, the current draft will be so difficult, this is referring to the zoning that's happening, will be so difficult to implement, it will make it impossible for Loudoun to ever meet the goals of the unmet housing needs strategic plan, he said. Part of that relief can come with increased density in Red Hill next to the schools.

[02:03:27] And in the opinion page of that same article, we see the lead editorial getting it right. Already, the proposal has spurred concerns that it does too little to achieve some of the long-touted goals, including promoting affordable housing. At this stage, there is nothing more important than getting it right.

[02:03:46] And I would like to encourage increased density with the Red Hill CPAM as part of getting it right so that residents in Loudoun County have at least a little bit of relief and more housing to help keep

pressure on prices down. Thank you.

[02:04:03] Thank you. Next, we have Suzanne Steadley, followed by Michael Glenn, followed by Sandra Vigil. Hi there. My name is Suzanne Steadley, and I'll also be speaking on the Red Hill CPAM. I stand before you tonight asking, why not high density in the Red Hill CPAM?

[02:04:22] It seems like the only logical thing to do. The Red Hill community is a donut hole surrounded by increasing development and dominated by a school development. So again, I ask, why not Red Hill? There are many longstanding residents of the Red Hill community. Ourselves and the Wins have lived in this community for at least 20 years.

[02:04:39] The Spencers have owned their land since 1975, and the Dailies right next to us have lived in their homes since there was only a one-line phone line. Now, decades later, with increased development, the increased development has not only encroached just outside our neighborhood, but also within our neighborhood, with the largest school complex taking up 40% of our community.

[02:05:00] It's time for a change for the Red Hill community to be high-density. The school complex will increase the population daily by 5,000 when the entire complex is completed. If that is not high-density, I don't know what is. Some on the board have clearly stated that there should not be high-density in the Red Hill community.

[02:05:18] I ask, why? As I mentioned the last time I was here, the five existing schools within three miles of the Red Hill community all have high-density housing surrounding them. Why not Red Hill with its school megaplex? It is the perfect opportunity to plan a community where many of the teachers and students could live and not even have a commute.

[02:05:38] Another thing which I've mentioned before, which we're all aware of, is the lack of affordable housing in Loudoun County. How many families are having to move out of the county to find a home that they can afford? It seems like Red Hill is a perfect opportunity to provide more affordable homes for people. It seems like the few that live in the western part of the county are being guarded at the expense of the many that live in the eastern part of the county, which is sad.

[02:06:03] Let's do something to benefit more broadly the residents of Loudoun County. Lastly, changing the Red Hill community to be part of the TPA is all good and well, but it does nothing for us residents. development of high-density housing is necessary to bring infrastructure into the rest of our community. High-density only seems to make sense for the Red Hill. Thank you. Okay, thank you.

[02:06:26] Next, we have Michael Glenn, followed by Sandra Vigil, and then on the WebEx, we have Israel. Oh, no, excuse me. Is Israel in the room or in person? You're in person? Okay, thank you. All right, Michael Glenn. Yes, thank you. The question of human life and abortion has come up lately in the relationship between the county and the state. And I'd like to, I have a lot to say, but I don't have the time to say it. So I'll keep it brief unless I can have five minutes.

[02:07:04] Two and a half, five. Okay. Thank you. Human life once conceived in the womb should be protected. We protect the lives of each of our fellow human beings because it's the right thing to do.

[02:07:22] We care about our fellow citizens, our fellow human beings, and we should encourage others to do the same. Human beings have been placed into the unique role of stewards on our planet and life on the planet.

[02:07:45] We have the responsibility of looking after life and living conditions for life on the planet to the best of our ability. This responsibility includes looking after unborn children who cannot defend themselves or sustain themselves once born until they age into independence.

[02:08:08] Even after they age into human beings, we are still interdependent with one another. Please do not support abortion in any respect. Please support a change in the mindset about reproductive activity that generates children and support advocacy for forethought, responsible, humane, and human reproductive behavior.

[02:08:39] Thank you. Thank you. All right, next we have Sandra Vigil, followed by Israel Shamir, followed by Lisa Saunders. Good evening.

[02:08:56] I represent the workers of Long County Transit. As you well know, we were on strike since the 11th of last month. We're still on strike. Today was our third day after that we come with the company for negotiations.

[02:09:12] On Thursday, they came to us. We were ready to negotiate, ready to sit down overnight, whenever. They stayed for 20 minutes and said, we have nothing. We will meet with you next week. We begged to meet over the weekend. We begged to meet on Monday.

[02:09:27] They agreed over Zoom. over zoom they stayed five minutes and told us see you tomorrow so today we came with high hopes we were ready to sit there overnight whenever again to be able to get a fair contract we came to you guys for help you guys outdid yourself and went and did and went and got the money that we needed the county came today and told us that that money is not enough i don't know how much more money you guys can keep spitting out to this company so they can do whatever they want but

[02:10:02] they sure don't want to give it to us the changes that they made in the contract were minimal it is ridiculous what we've had to go through. We've been getting up at three o'clock in the morning at that picket line. We don't leave until 12 hours later. Through cold, rain, snow, wind. I mean, we're there. 129 people every day without work because this company refuses to give us a contract.

[02:10:30] We're not asking for something that we want. We're asking for something that we need. I've heard a lot of people talking about today about what is needed to live in this county. We don't have that. We haven't had that since Kiolis took over.

[02:10:46] This is a company that came and took from us from day one. And we have given up. We have given up on so much retirement. I have to go home today and tell my children, hey, listen, you're going to have to wait on your glasses. I needed surgery at the beginning of this month.

[02:11:03] \$8,000 out of pocket. I can't afford that. So I was hoping to get a contract by the end of this month. I postponed it for the end of this month. Now I have to postpone it again for the end of this month, hoping that I get a contract. But the way we're going, we're not going to get that. And we're still waiting.

[02:11:21] Somebody has to step up and do the right thing. It cannot be just legally right. It has to be right, humanly right. That's what we're asking for. Thank you. Next is Israel Shemura, followed by Lisa Saunders, followed by Mitch Diamond.

[02:11:43] Thank you for the opportunity to speak to you. We've received tremendous support from the public here, from the board. I went to the Dulles Town Center, and I spoke with business owners there. And it's just been tremendous.

[02:11:59] And it's humbling, and we appreciate it. What I'd like to say to you is, in the best interest of residents, in the best interest of the board, I want to make the case of why it's important to support us.

[02:12:17] I've been driving since I was 11 years old, so I've got a little bit of experience. I would drive in Israel, I'd drive big tractor rigs, and I got that experience, and I drove for Uber and Lyft, so when I come here and I talk to you folks about driving, I can say that I didn't know how to drive a bus. I didn't have a CDL, and so I went through the training process, and I found out something very interesting, which was that it takes a bus, a football field, in order to stop,

[02:12:53] not just by braking. There's another component to this, which is observing, analyzing, and reacting, And in order to have all those things working properly, it's important for somebody to have the freshness and the sharpness in order to be driving consistently.

[02:13:11] And the problem is with the way that we've been working here with Keolis is that they haven't shown that that's a priority. And what do I mean by that?

[02:13:32] When employees have to go and make do with a second or third job, when employees have to go and find other means in order to make a living and support their family, like Sandra said, it's really important to know that there's another way of doing this that doesn't burn your drivers out. I want to give an example of that. I saw a video that was actually of a bus driver was driving.

[02:14:02] There was no way that they could have seen this woman that was standing in the shade. All you see on the video is this tiny little phone and the light. This woman stepped out in front of the bus and got hit. That driver was alert and fresh. Now, like I said, it takes about seven seconds of football field in order to stop when you're going 45 miles per hour. Now, had that driver not been completely sharp and alert, instead of that woman getting injured, that could have been a fatality.

[02:14:25] All right, we'll have to cut you off, sir. Your time is up. Thank you for coming to speak with us today. Next, we have Lisa Saunders, followed by Mitch Diamond, followed by Marianne Mazetani. So, here I am again, and I don't want to be here.

[02:14:49] I don't want to be standing in front of you about the same thing that I did three or four weeks ago. First, I want to say, the last time I was here, I mentioned the Board of Supervisors would have held Keolis accountable for halting services.

[02:15:11] You would have the money to fund our contract. What a wasted opportunity. I also want to say that, you know, this is not just hurting us, it's hurting the citizens of Loudoun County. Halting services are hurting our passengers. I'm paratransit.

[02:15:35] I have passengers that I take three times a week to their dialysis. I take them home. Their family members come out and hug me. Their dogs know me.

[02:15:51] I have children on my bus who have learning disabilities, and they can get upset at a drop of a hat, and I calm them down. Not these new people coming in. Just before I came in here, just before we went on strike, I have a passenger from India. He's paralyzed on her left side.

[02:16:16] She asked the new driver with no experience, no CDL, to help her in her seatbelt. She can't do it herself. I've always done it for her for the past three and a half years. She didn't. She told me she almost fell out on the floor. So I don't know what's going on. I mean, we've been told that the board has offered funding. You're looking for funding, and we appreciate that.

[02:16:43] Our passengers appreciate that, the county. We do. But Keolis is refusing to engage. So once again, the ball's in your courts. It's back at you guys. Something needs to be done. You know, we've got to get back to work. We've got to get back to what we love. I mean, I've been working for the county county contractor for nine years my loyalty has been with you not these

[02:17:16] these you know these companies that come and go after five-year contract this is my third one i hate to cut you off but you're that's cool i got what i said i got what i wanted to say so thank you i appreciate it all right next we have mitch diamond oh we can do jazz hands please The only time we do the clapping is during the resolutions and the chair's voice for a cause.

[02:17:46] Just a friendly reminder. All right, next we have Mitch Diamond. I don't see Mitch in the room. Is Mitch on the WebEx or no? Okay. Next we got Marianne Mazenta, thank you, followed by Alicia Cohen.

[02:18:10] Ladies and gentlemen of the board, respectfully, I am here tonight to address the motion put in place by Supervisor Briskman during the January 17th business meeting. Specifically, she moved to support state legislation that provides unlimited access to abortion, including adding language to the Virginia Constitution.

[02:18:31] She further moved to oppose any restrictions to the accessibility of abortion. Now, first, I would like to remind you that you're here to serve the public interest. When you were appointed to serve the public, you agreed to a code of conduct, and I would like to focus on point number 12 mentioned in this code.

[02:18:48] It reads, be transparent to the greatest degree possible when conducting public business. With that said, I would like to point out that you violated this code by motioning and voting on the topic of access to abortion when the board did so without the topic being included on the meeting agenda, As well as voting while board members were absent, doing so provided no chance for public input, nor were supervisors who were absent aware that the vote was to take place.

[02:19:14] By not being transparent with your intentions, your actions appear to be not in accord with keeping the public interest in mind, but to be more of a personal agenda. This does not maintain the highest level of ethical and moral conduct, as well as integrity and professionalism. How can we, the public that you serve, be expected to have confidence in each of you to do your duty while serving the loud and kind of government and to, therefore, provide fair and equal representation?

[02:19:39] In this matter, you have failed. You are elected to represent us. Today, we are here to voice our concern and hold you accountable for your actions. We will not stand for this conduct. Now, I'd like to address the agenda of this motion. All humans are equally valuable, and therefore, the pre-born deserve equal rights.

[02:19:56] I would like to encourage you to learn the facts of human development and to build an understanding of innate humanity of the pre-born child, thereby using your intellect to make more informed decisions. I've provided very compelling facts on your handout. Lastly, I would like to challenge you to love both the humble mother and her child and to work towards protecting both, encouraging you to understand the value, dignity, and humanity of them both equally.

[02:20:21] Women deserve better than abortion. No woman wants to experience an abortion. work towards creating an environment where all vulnerable pregnant women have available resources. Please take note of the statistics on your handout that show real help is available to women.

[02:20:36] Build on that and foster the good of women and their children. Thank you. Thank you. No clapping. Again, you can do jazz hands if you're in favor or against something that's been spoken on. Thank you.

[02:20:52] All right, next we have Alicia Cohen followed by Anthony Solis. And then I believe T. Smalls is on Webex. Is that correct? Okay. Alicia Cohen. Okay.

[02:21:11] All right. Next we go to Anthony Solis.

[02:21:25] Good evening, Board and Supervisor. My name is Tony Solis. I live in Leesburg, Virginia, and I'm a business agent for UA local five plumbers and gas feeders.

[02:21:41] We got 19 members, over 60 contractors, many working or living in northern Virginia. I support the project labor agreement. A project labor agreement is a pre-hire agreement between labor and management that establishes the terms and conditions of employment and want more construction projects.

[02:22:00] One of the primary reasons that PLA utilizes bus business labor to coordinate the numerous construction workers under a single umbrella contract for the project. PLAs are mainly used on large and complex construction and maintenance projects for almost 100 years, both public and private.

[02:22:22] Projects have used PLA models for the original construction, as well as maintenance. Notable PLA's projects include Grand Conley, Hoover Dam, Keesa Naval Base, Beaver Valley Nuclear Power Plant, LX Airport, and every NFL stadium, K-12 schools and higher education campus, well-decent properties, NASA facilities, replacement and clean energy projects such as offshore wind farms.

[02:22:55] PLA projects save taxpayer investment billions of dollars. As such, private and public sector owners increasingly favor PLA because they reduce certain large-scale construction projects. Increase on time, budget completion.

[02:23:13] This is a PLA model guarantee as highly trained and skills project force. Thank you. Thank you. Next, we have T. Spalls on the WebEx. Followed by that, we have Michael Litton, followed by Joan Gorman.

[02:23:32] T. Smalls, are you there? I am. Can you guys hear me? Yes, we can. If you can speak up just a little bit louder, but go ahead. You have the two minutes and 30 seconds. Yes. I'm T. Smalls. I'm the business manager, financial secretary, and treasurer of UA Plumbers and Gas for local number five.

[02:23:53] Tony's a business agent. Tony gave you some of the baseline information on project labor agreements and are beneficial to the community in the area. more solely to the state. I'm in support and we are in support of project labor agreements on projects in the county and in the state of Virginia simply because project labor agreements give the private sector and the union sector an opportunity to come up with terms that are favorable for the owners, minority communities, small business owners, and all others that wish to participate in the construction of that project. This is a perfect opportunity for

[02:24:29] responsible parties to sit down and figure out how to include folks that are wanting projects, wanting to start businesses that are in business and provide jobs for the community and on the construction of projects. So I'm 100% in favor of project labor agreements. Like Tony mentioned, a lot of notable projects throughout the country that have worked under project labor agreements.

[02:24:56] I think this is a great opportunity for all parties involved to further education in the construction trade, create opportunities, create great livelihoods, but at the same time pull the community

together and all like individuals that are looking to do business together.

[02:25:15] I'm 100% in favor of project labor agreements, and I appreciate the time this evening in speaking in favor of project labor agreements. Okay. Thank you, sir. Next, we have Michelle Littenton, followed by Joan Gorman, followed by Dennis Boykin.

[02:25:38] Good evening. My name is Michelle Litton. Supervisor Briskman moved that the Board of Supervisors support state legislation, which expands the right to reproductive health care and improves access to abortion.

[02:25:54] Supervisor Briskman further moved that 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. Our Board of Supervisors was elected to represent us.

[02:26:14] I am sure that at least half of the people in Loudoun County would be outraged by such a motion that they had never before had a chance to voice their concern, having not heard about it. I feel that my people that I know feel this way, that there was no, it should have certainly been more advertised so that so that people could comment on it i feel that should happen i am strictly opposed to what supervisor briskman has has done and i i hope that it will be

[02:26:48] reconsidered thank you thank you and next we have joan gorman followed by dennis boykin followed by george uh biller hi my name excuse me my name is joan gorman and i'm from lansdowne woods and um I, too, am here because I'm outraged.

[02:27:18] I am really outraged that about, I'll read it, the motion that you all voted on without any input from the public. That's an outrage, okay? You don't get to tell us what, we're supposed to tell you what we want.

[02:27:36] Okay, I'm going to read what the report said. It said, Supervisor Brickman moved that the Board of Supervisors support state legislation or budget amendments that expands the right to abortion health care and improves access to abortion, including adding language in the Virginia Constitution that protects the right to reproductive freedom.

[02:27:59] I guess that means that there should be in the Constitution the right to abortion. Okay, Supervisor Brisbane further moved that the Board of Supervisors opposes any proposed state legislation and budget amendments that restrict reproductive rights for pregnant people.

[02:28:21] Pregnant people? Are you insulting us? And reduces the accessibility of abortion care. This was seconded by Supervisor Umstead, and the motion passed 6-1 with two abstaining, or not here.

[02:28:37] I guess my outrage is that this was not on the agenda. There was no chance for any of us to talk. People in this county are divided, okay? I was a pro-life person at my church, and that was five years ago.

[02:28:54] I can tell you that the culture has changed. We would speak, or not speak, pray, at the corner of King and Market Street. And back 10 or 15 years ago, I was afraid maybe we'd get shot.

[02:29:10] Well, now we get lots of thumbs up. People are divided, okay? People are divided. I mean, people don't want to be divided. In my building, there's a man 10 years ago who said to me, he said, I wish, I wish that people would stay out of the social issues and just deal with things that have to do with safety, data centers, and other kinds of crap.

[02:29:36] Thank you, ma'am. next we have dennis boykin followed by george biller followed by victoria de pelesi thank you mr by chairman members of the board you know me as a representative of the brambleton community association i'll try to be brief we just want to bring up a few points that we continue to believe that the approval of the airport impact overlay district was premature we think we may have reduced our leverage and the meeting that we thank the chair mr turner and mr letourneau for

[02:30:10] bringing to us last week, we see the FAA did not attend that meeting. So we're very disappointed in that and we look forward, however, to working in future meetings with stakeholders, county, FAA, M1, others to address the root of the concerns that the AIOD did not address. We believe also that you need to consider engaging an aviation consultant to support a community roundtable or community input process as other counties in our area have done with the FAA. We're also very concerned because we have given up the 1993 airport impact overlay district that we've lost what we call the bunny ears the two regions off to the west

[02:30:48] from the three zero runways the existing one in the future one and we're concerned about the impact of that to existing homeowners as well as whether or not we can actually engage in flight path change requests given that we have given up some of that for the existing runway not as big a problem for the future runway a much bigger problem we think so we look forward to continued support from the board and our elected federal leaders to bring the FAA to that and we're very happy to see that MWA had in the previous meeting committed to engaging with the FAA and bringing them into the process thank you very much for your time and your support in this matter thank you next we have George

[02:31:24] Biller followed by Victoria do Pelosi followed by Shane Crow my name is George Biller I was here to talk to chair Randall is there a chance to pass me if she's gonna come back or you have two minutes and 21 seconds to say what you have to say if you're not here as well he had to step away for a quick minute but is there a chance you could pass me and call me later when she's coming back do we know you can you have two minutes nine minutes to say what you thank you okay so my name is George Biller I've made three

[02:31:57] calls to the main number uh to try and get back in contact with Chair Randall or uh Mr. Kirshner there or uh Umstead I'm just trying to figure out where my calls are going and why they're not getting returned. I'm trying to request a meeting. My road, well, my driveway was Chestnut Orchard Lane. It had been destroyed by the development in Selma. We left off with stormwater management up on the road, and they decided, yeah, the culvert's too small. Well, we didn't get to a

[02:32:30] conclusion because of COVID. Now, this is me in the Loudoun Times, January 12th. The week before that, I put in a request to find out if there are any restitution funds for this damage. I just, two days ago got the response i'm not eligible since i don't own one of these homes i'm looking for some kind of funds to one repair the damage done to chestnut orchard lane a private lane and secondly uh mr carter to repair the the flooding of state route 661 which is a bus route and now

[02:33:07] ices up at the bottom of the gully because of the over uh the excessive flow of storm water that's flooding the homes below. It floods the road as well. It's killed a whole swath of trees. We got cat and eye tails moved in, but Chestnut Orchard is sinking. There's no one to help me, and I just wanted to talk to Chair Randall and try and set up a meeting, or with Kirchner, who's my district.

[02:33:30] I got a lot of information on what happened, if anybody's interested in what really happened, my opinion, and I back it up with pictures. I've got the first complaint into the county in 2012. I sat in

building and development and said there's a problem here.

[02:33:46] They didn't flood the houses until 2018. They've been destroying my road ever since. The excessive water flow is not any cause of my own. I'm looking to see if some of this perhaps 2.84 million still unspent could be sent towards 661 or the private road simply for a culvert, simply to bring me back to where I was before this damage took place.

[02:34:08] Thank you for your time. I would appreciate a callback. Thank you, sir. advisors, do you want to leave your information with the clerk here and she'll pass the information along? No, I didn't have ink in my copier to give her any. She has my name. Make sure she gets your name, your telephone number, and your email address to the clerk. Right, right.

[02:34:24] Because, I mean, these codes should have been followed. They weren't followed. Thank you, sir. And then we have the problem that five years later showed up, you know, and flooded, and the county was going to spend \$8 million, now they're spending \$205 million. All right. Thank you, Mr. Biller.

[02:34:39] Your time is up. Because there's a rule. There's a code that says you can't do this you've got to contain your mud flow you got to put the water in your biller just like the rule it says i'm not supposed to be here right now you know what you thank you mr biller your time is up yeah i know i have made three calls all right next we have victoria de pelusi and forgive me if i'm pronouncing your name incorrectly please correct me when you come down shane crow and on the webex i have re spencer all right good evening ladies and gentlemen

[02:35:20] I'm here this evening to voice my strong opposition to the motion voted on during the meeting held on January the 17th, where Supervisor Briskman moved to expand abortion access and to oppose any state legislation that restricts reproductive rights. I would so appreciate an explanation from this board as to why this motion was not included on the agenda and why was public comment not entertained.

[02:35:45] One can only reasonably assume that this board, while elected, do not respect or represent our public opinion. This is an outrage. Your very demeanor while I'm here giving comment is another exhibition of how you disrespect us.

[02:36:03] You cannot hold votes on decisive issues as egregious as abortion without public comment. I'd like to remind the board that the life and success of our county is a collaborative effort, one which you do not control, but one that you serve.

[02:36:26] As a constituent, I strongly oppose any move to support abortion in any capacity. Thank you very much for your time. Thank you. Next, we have Shane Crow, followed by R.E. Spencer on the WebEx. And after that, I have Michael Pujiannis.

[02:36:45] Again, forgive me if I'm pronouncing your name incorrectly. Good evening. Thank you very much. Again, my name is Shane. I'm here on behalf of both FairVote and UpVote Virginia. Again, we are a coalition advocating for the implementation of ranked choice voting across the Commonwealth. I have spoken before on this issue.

[02:37:02] I have been absent for the past month or so. That's because we've been spending our effort in the General Assembly during their session in order to advocate for legislation. There was a few pieces of legislation that were being considered. Among the many considerations were an expansion of the current local option to include more offices, such as town councils, constitutional offices, as well as the ability to

run state-run primaries using rank-choice voting for all state offices, including federal offices, including the presidential primary.

[02:37:36] Well, unfortunately, none of the legislation passed. It is great to mention that it was with bipartisan support. Both Democrats and Republicans supported legislation advocating for rank-choice voting. And I bring this point up because I actually submitted a couple of documents via email for some recent news.

[02:37:53] As of last week from their winter conference, the Republican National Committee has officially come out in opposition of ranked choice voting. Well, it does sadden us as an organization that a political organization is standing in opposition. We do stand in a non-political advocacy for it.

[02:38:12] And we would like to mention that in our opinion that we understand the concerns that the RNC has raised. However, we believe that they may not have adequately consulted their Virginian counterparts because I would like to remind the board that it has been Republicans here in the Commonwealth that have utilized quite effectively rank-trace voting.

[02:38:30] As early as 2020, they used it to nominate their party chair. In 2021, they used it to nominate their statewide nominees. And in 2022, they used it in select congressional districts. Here in Loudoun, our 10th congressional district, Republican Party Canvas, was conducted using ranked choice voting.

[02:38:48] And in that particular instance, voters were able to utilize it. They found it very effective. They found more positive campaigning. And they've had a greater approval of the eventual nominee compared to the neighboring 7th district, which used a traditional system. And not to worry for Democrats.

[02:39:04] We do expect some results from Arlington County. They will be using it in their June 20 primary. And once we get results from there, we'll be happy to report the success story that we expect from there. So we hope to continue the conversation, but we do hope for your open minds and continued advocacy for ranked choice voting.

[02:39:25] Thank you. Thank you. Next, we have R.E. Spencer on the WebEx, followed by Michael Kionis and Charlie King. And then our last speaker is Philip Thompson. are you Spencer? Are you there? Hi. Yes, I'm here. Oh, you're here in person. Okay. Yes. Live and in person. So I want to speak on the Red Hill community CPAM and join my neighbors, the Steedleys, the Dailies, and others in the Red Hill community. And I want to thank the board for removing the proposed consent designation of this item on tonight's agenda. My name is Richard Spencer, and I want to once more appeal to the board's sense of fairness as it considers the impact of

[02:40:02] the CPAM for the Red Hill community. As one of the largest property owners in the Red Hill community Since 1975, we have made every effort to maintain our property in rural use by offering garden vegetables or grazing livestock consistent with the current zoning and policy designation for our land.

[02:40:19] For almost 50 years, we have maintained our rural use and stewardship of the land, but have witnessed the complete erosion of the rural character of our immediate surroundings, replaced with staggering traffic on Evergreen Mills Road, pass-through traffic that goes through Red Hill Road to Watson Road, clustered homes, townhomes just north of us, clustered homes immediately neighboring us, a shopping center less than a mile away.

[02:40:45] and now the 5,000-student public school complex, the largest in the entire county, that is next to our land, literally the distance from where I now stand to where you are sitting. While we appreciate the Board's consideration of the CPAM to transition Red Hill from RPA to TPA, the move rings hollow without a commensurate increase in density, as is advocated by teacher advocates and Loudoun's own Chamber of Commerce.

[02:41:16] in line with Red Hill's present residential character. The arbitrary line across Evergreen Mills Road slated for TPA small lot designation, the massive school complex adjacent to our property, and the planned placement of public water and sewer, currently where we would have access if we were to build our own infrastructure at our own cost to access that water and sewer, is prohibitively expensive for us to connect as a single parcel of land.

[02:41:49] What it seems would be fair and sensible would be for the TPA with small lot designation for the Red Hill community, including our land, next to this massive school complex to meet the needs for residential access and affordability for families, the students that will use the school, the teachers who will work at the school as intended beneficiaries of the school complex.

[02:42:15] Thank you very much for the chance to speak. Thank you. Next we have Michael Kionis, followed by Charles King. And our last speaker that I have is Philip Thompson. Good evening, board members. My name is Michael Kionis. I'm a business agent with the International Union of Elevated Constructors Local 10 and an executive board member of the Northern Virginia Labor Federation.

[02:42:38] I was able to get a good career in the construction industry because of my union apprenticeship. I graduated my apprenticeship with no college debt, and within five years, I was making over six figures with health care and a pension. I'm able to live in Virginia and provide for my family because of my union.

[02:42:54] Project labor agreements allow for kids like me to get good job opportunities, entryways into careers. I want to be able to recruit Loudoun County residents, including graduates of Loudoun County Public Schools, into my union. I want to provide a chance for someone who does not want to go to college to get a debt-free education at our training centers.

[02:43:15] I want to be able to reach into the groups who are underrepresented in construction, like women, minorities, and veterans, and offer them the same chance I had to get a good career. I heard from the staff today that unions have a low density in Virginia. However, my union has more than 85% market share within the elevated construction market.

[02:43:33] When you take into account the residential market and the other trades that have less union density, the density decreases. But the reason our unions encourage PLAs on larger projects is that union density is higher for those projects. I would urge the county to implement a PLA pilot program.

[02:43:52] Our union has jurisdiction in other states like Maryland and D.C. where PLAs are conducted frequently. The process is not a complicated one, as has been suggested here. Please support a PLA pilot program. Thank you. Thank you.

[02:44:07] All right, next we have Charlie King, followed by Philip Thompson. Good morning. Good afternoon. Good evening, Madam Chairwoman. members of the board. I'm here, I know this was on the consent agenda, but I'm here to speak in support of the renaming of the old courthouse in honor of

Charles Hamilton Houston, one of my heroes. I'd like to take my brief time to supplement some information on the staff memo.

[02:44:38] When Charles Houston stepped foot in the Loudoun courthouse to argue the case of Commonwealth versus Crawford, it was the first time an African-American lawyer had set foot in the Loudoun County Courthouse. It was also a change in strategy by the national NAACP. Previous to the Crawford case, the NAACP had used white lawyers to represent black litigants. They couldn't get anybody to represent Mr. Crawford. So the great president of the NAACP, Mr. Walter White, said, I'm using his words, I've got the greatest Negro lawyer in America sitting right next to me,

[02:45:13] i'm going to use him and he sent charles houston out uh out to leesburg to defend um mr crawford this was an incredibly historic case and i i can't i've always found it very odd that nobody has um previously recognized this um the naacp wasn't interested uh so much in uh mr crawford being mistreated by the justice system they were really interested in the all-white jury that indicted him and the all-white jury that ostensibly would have convicted him.

[02:45:43] This was a big issue nationally. Before Mr. Crawford had been apprehended in Boston about a year after the offenses, he fought extradition. Bostonians took up his cause. The general district court, the federal courts up to the Supreme Court, refused to let him be extradited.

[02:46:03] The Supreme Court reversed. Back he comes to Virginia. And the lawyering that Mr. Houston did was probably the best lawyering that was ever done in this courthouse.

[02:46:21] Phi Beta Kappa, graduate of Howard University Law School, dean of Howard University Law School. It's interesting. When Dean Houston became the dean, the first thing he was closed the night school that his father had graduated from because he didn't think it made the law school that well.

[02:46:41] Well, my time is running out. I could talk about this topic for a long time, but congratulations. I think this is a great decision. I think it's a tremendous decision for the county. Thank you. Mr. Thompson. I think I come today, Phil Thompson, I live in Leesburg, to ditto what Charlie King said, but also to add that we've been trying to get a copy of that transcript.

[02:47:05] We hope that Mr. Clemens will get us a copy of that transcript because I think people need to read that. And to know that the important element in this case was, again, the ability to push to start to get African Americans to be able to sit on juries. For years in Virginia and most places in the United States, black men were judged by white men, white males only, black men and women.

[02:47:29] And now we have people, juries are supposed to be juries of your peers, and now our juries nowadays look like juries of their peers. The other thing that I wanted to say, and I'm glad it got approved, was that when I first moved to this county, the public access channel for Loudoun County came on showed the silent sentinel there or whatever the confederate i call it the confederate participation trophy and now we're seeing that trophy gone that that thing gone and now we're seeing a courthouse named after one of the most prominent uh and and scholarly african-american jurists uh to ever ever

[02:48:06] um be uh practice law in this country and it's i think it's a great thing uh that case was extremely important it's probably one of the more important things that ever came out of loudon county but But because as a black man, it isn't seen as being that important. So, again, we appreciate this being done.

[02:48:22] It's extremely important. And, again, you know, hopefully we'll get that transcript, and Charlie King and I will do more to get that out to the public domain. Lastly, Supervisor Brinkman, support you on your pro-choice stuff. You keep up the work.

[02:48:37] Don't let them stop you. Thank you. All right. Thank you. And I believe that is our last speaker. Is that correct? Thank you. All right. And that's our speaking period. Thank you, Mr. Sains. I want to take the gavel back. I appreciate you stepping in.

[02:48:53] Supervisors, as I've said, under our new guidelines that's come on the days of 4 o'clock, we're not going to leave the days until we do our board comments. And board comments includes disclosures, if you would, please.

[02:49:12] So, board comments, let's start with Mr. Letourneau. Thank you, Madam Chair. I'm sorry I just missed some of the public comment. I had a call from the Metro General Manager about an issue there in advance of our meeting this week.

[02:49:29] But I did want to mention, first of all, disclosure, January 19th, I met with representatives of Toll Brothers, Rappaport, and Walsh Kalusha to discuss the Cedar Terrace application ZMAP 2021-0016. So last week, Metro experienced an incredible tragedy.

[02:49:52] with the death of Robert Cunningham now we we i think in society throw the word around here a little too easily and we refer to people who are good at athletics or entertainment or all sorts of things and certainly many of those folks are admirable but Robert Cunningham was a 64 year old Metro employee, a mechanic, actually an electrical worker on our low-voltage utility division, and he was working in the Potomac Avenue station in the course of his routine business when,

[02:50:32] as he was walking down the platform, he saw a man with a gun walk up to a woman and hold that gun up to her head. And he reacted the way that all of us wish and hope that we would react in that moment, which is that he took action. And he must have known that taking that action would have placed himself at great risk. And it did. And he paid the ultimate sacrifice for that. But he saved that woman's life. And eventually that individual was tackled by other passengers and another Metro

[02:51:05] employee and ultimately arrested and charged with homicide. Mr. Cunningham, as I said, was 64. He had reached retirement age, and he was only working because he had one child left to go through college. So he had actually talked with his union representatives recently. He was a member of ATU 689 about his pension and benefits. So that's where his head was going, but he was going to stick it out for another few years. So Metro is taking care of him and his family the best that

[02:51:42] weekend. There's been a GoFundMe set up that's raised over \$170,000. The community has really rallied. We do have just tragic situations happening throughout our region. Metro is not immune to that, and so it spills over onto our system sometimes, and this was one of those. But I just want us to remember that name, Robert Cunningham, for what he did.

[02:52:12] know, Loudon's part of the metro system now, and those employees, you know, they will take action. I had a chance last week to visit with the maintenance workers at our Dulles Rail Yard who have been working incredibly long shifts to get our 7,000 serious trains inspected through a very unusual, intense protocol, and, you know, these folks are working really hard. But the organization as a whole is hurting, and if you do ride the system, be kind to those

[02:52:46] employees if you can, and let's all remember Mr. Cunningham. Thank you, Mr. Letourneau. Thank you very much. Ms. Bricksman. Thank you, Madam Chair. By way of disclosures, my staff met on January 25th with the Willard team on the Cascades Marketplace Revitalization. On January 30th, my staff and I met with John Ertle of ATU to discuss the strike going on with the drivers. I attended the VACO Conference Local Government Day since we last met. I am honored to have been appointed to the

[02:53:26] VACO Board of Directors as a second representative from Loudoun and appreciate Chair Randall's confidence. One of the first tasks I had in that position was to testify against bills that would siphon off money from public school funds for private education savings accounts and other measures that are a clear attack on public education. These blatant attempts to defund and undermine public education fortunately did not get out of the subcommittee that I testified in and hopefully they will be dead on arrival anywhere else in the General Assembly.

[02:54:03] Last night, we had a joint school board meeting, and I was able to add to our work plan an information item that we look at the MOU between Loudoun County Public Schools and the Loudoun County Sheriff's Department as it comes to SROs in our schools.

[02:54:25] We need to have trauma-informed and victim-centered response to investigations in our schools or we are not serving our students at this point in time. It was very clear to me after reading the grand jury report about the sexual assaults in our schools that this investigation, this first investigation, did not move forward with the sensitivity and diligence required of such a situation and that the assailant who was arrested weeks upon weeks later after the first incident was only arrested because the victim's father blew up a school board meeting.

[02:55:01] After reading the grand jury report, it was clear to me that if the victim was believed and an arrest had happened sooner, that the second assault never would have happened. I don't believe that this is a common occurrence in our schools, but I do believe that we as a board and the public have a right to know that these positions that are directly funded with taxpayer dollars have the appropriate training, sensitivities, and resources available to them to react appropriately when faced with such circumstances. I look forward to our boards approving the work plan of the Joint Committee

[02:55:36] and seeing the information item come in front of the Joint Committee in April. I had the opportunity last week to provide welcoming remarks during a Holocaust Remembrance event at the Cascades library, where we learned about Esther Luria, who survived as a prisoner in the Kovno ghetto and was also a survivor of the Stutthof and Liebich concentration camps in Lithuania.

[02:56:01] She and some of her compatriots, risking their lives, did the best they could to document the conditions and actions that happened in these concentration camps.

[02:56:18] They wanted the true story of the Holocaust to be told, including the liquidation of Jews. The common theme is that we must remember these events, such as the Holocaust and also our nation's painful past when it comes to enslavement of Africans.

[02:56:34] If we don't remember and if we don't tell these stories, we may be destined to repeat these events. The fear-mongering, dehumanization, and persecuting of one group over another, we have learned, can lead to violence.

[02:56:51] It threatens our communities, our democracy, and our humanity if we allow these stories to be forgotten. So it was a very moving event. There is still an exhibit at the Cascades Library. The library did a

phenomenal job with this event. Ms. Loria's son-in-law actually lives in Algonquian District, so I got to have a long conversation with him.

[02:57:13] and hear more stories about her. She's actually originally from Latvia where I happened to live for two years on a State Department tour with my family so it was very meaningful and moving to me to be able to provide welcoming remarks and to meet him. As of today, February 7th, so far this year we have had 60 mass shootings in our country according to the National Gun Violence Archive.

[02:57:39] That's 4,387 total deaths 2,508 were suicide 1,879 were homicide This includes 24 children under the age of 11 And 151 between the ages of 12 and 17 Even with all of this data Some in the General Assembly seem to think that it's a good idea To not have permits for carrying firearms And want to repeal local jurisdictions authority to prevent firearms in our buildings and parks.

[02:58:10] Thank you, Madam Chair. Thank you. Thank you. Ms. Glass? Thank you, Madam Chair. I have a few disclosures. On Wednesday, January 18th, I met with representatives from Dominion Energy to discuss several substation applications in the Broadworn District.

[02:58:29] On January 27th, I met with Ben Wales of Cooley and Matt Penningham Milestone Towers to discuss ERAP-2022-07 Ashburn Station Monopole. February 2nd, I participated in a town hall with Milestone Towers regarding PRAP-2022-0070 Ashburn Station Monopole.

[02:58:52] I also went to a few regional meetings. The first one was Clean Air Partners, which was a virtual meeting, They talked about the 2022 marketing and communications success and discussed about outreach events to the public and trying to get folks to think about clean air for our region.

[02:59:26] They have many activities that they participate in and just gave a list of things that they plan to do for next year. I also went to the VACO local government day in Richmond where we had spoken to our representatives down in Richmond.

[02:59:49] I thought it was a really good day that we had. We had a lot of really good discussions, and I believe they heard our concerns. The next thing is that I participated in the NACO HSE monthly conference call where we talked about three policy resolutions that we're going to vote on.

[03:00:15] The first one is regarding Congress continues to work on the error rate to cause people not to do business in county. hold on the one one that I want to talk about is NACO support of foster care eligibility and up the age to 21 they talk about the outcomes for youth

[03:00:46] leaving the system has been negative and it with with the younger people with them still being at the age of 21 it offsets the other county costs that we would have to use because of the services that are needed for those students, for those young adults.

[03:01:11] And the last thing is that I went to NVRC, the Northern Virginia Regional Commission, and we had Randy Clark there to discuss what's going on with the Metro.

[03:01:31] And when we had spoken with him that the incident had not occurred there, but he was just talking about, I had asked about the Silver Line in particular. He had said that Dulles is the busiest on the Silver Line and Ashburn Station is the second busiest.

[03:02:01] And, oh, I have a minute left. I think that's it. Actually, I just want to say, this Black History Month, there's a whole bunch of things that you can watch on TV, Netflix and Hulu.

[03:02:17] They have a lot of different, oh my gosh, thank you, programs to look at all different aspects of black history.

[03:02:33] So I hope you all take a little bit of time and watch something out there. Thank you. Thank you, Ms. Glass. Mr. Buckingham. Thank you, Madam Chair. No required disclosures that aren't already disclosed in the packet.

[03:02:49] Item 9 on our meeting that we had on January 18th regarding prime ag soils. So I won't regurgitate that one. And no comments. I just want to thank all of the public who came out to let us hear the issues that are important to you and your opinion on those issues.

[03:03:07] So thank you. I'll save the rest of my comments until the items when we get to them. Thank you, Mr. Kirshner. Thank you, Madam Chair. One thing from the District of Catocin, just an announcement. The Morbin Park International Equestrian Center has announced an expanded partnership with Strider, a major digital services company in the equestrian space.

[03:03:29] They will be working together to make the equestrian center's sports events more accessible for participants and spectators. As usual, the equestrian center has a packed calendar this year full of dressage shows, show jumping and other equestrian events this will include their popular spring horse trials summer polo in the park and the international recognition international and fall trials and this year they also launched a new event schooling days in the park jumper rounds so that's the news from Catocin I want to address a couple of the comments away first of all I want

[03:04:04] to thank Mr. King for his great history lesson I'm good friends with Mr. King so I'm going to get some more of that. That was very interesting and appreciated. And then finally, I want to thank all those who came out, as Mr. Buffington said, but specifically to those who came out and spoke on the reproductive position that this board took. I was not even aware that this was going to be brought forward. I had to leave early on that particular meeting. I certainly would not have supported it for a variety of reasons. I personally believe that life should be protected at all stages, and I also believe that this is the issue that slavery was in the 1950s,

[03:04:40] or excuse me, 1850s, in our day and time, that it's the devaluation of human life. But more than that, bringing this forward was actually significantly, as many of the people mentioned, a significantly divisive issue within our community. This board should be bringing people together, should be representing the things that we actually have power and ability to address, and asking our lobbyists to go to Washington, D.C. on an incredibly divisive issue, something far beyond our purview, I think, is really far beyond the realm of the things that we should be doing.

[03:05:12] So I appreciate those who came out and spoke, and I do hope that these things will be made public for people to speak on in the future if we are going to go beyond the realm of really where our responsibilities and our power lies as a board.

[03:05:28] Thank you very much. Mr. Kirshner, just a point of clarification, that wasn't put in the legislative package, So our lobbyists will not be doing that down in the General Assembly. That wasn't put in the ledge package. Wait a minute. It wasn't put in the federal package. Yeah. You're putting the state package. Okay. So you did say General Assembly.

[03:05:44] I was thinking. I was thinking. You know what? Okay. Yeah. Thank you. Mr. Turner. Thank you, Madam Chair.

[03:06:00] Friday, January 13th, my staff and I met with Todd House, Matt Schneider, Michael Newman, and Nicholas Papadimitrion from Cyrus One, as well as Antonio Calabrese and Brian Clifford from DLA Piper to discuss their intention to build a data center by right on the parcel that previously came to the Board of Supervisors as Hyde Park.

[03:06:19] On Monday, January 23rd, my staff met with Aaron Swissholm from Walsh Kalusha to discuss the application for Lansdowne Boulevard rezoning. On Friday, January 27th, my staff and I met with Amanda Williams and Colleen Gillis from Cooley LLP as well as Ryan Dorsett from Vantage Data Centers to discuss the application for Vantage Data Centers. And on Friday, February 3rd, I met with Jeff Tench to discuss the application for Vantage Data Centers VA2. A couple of quick things. Just a quick recap and my impressions from the stakeholders meeting. We held a fairly short notice stakeholders meeting following the board vote at the last board meeting on the airport overlay district.

[03:06:59] I was very concerned that we had started the process whereby that whole initiative would slip down into an almost bottomless morass of molasses and tar and never come out again. So I wanted to get all the stakeholders around the table in one sitting and just kind of spur everybody to say, okay, here are all the faces, here are all the names, here are all the organizations, where do we go from here, and let's get some ideas on how to move forward.

[03:07:26] The two key action organizations in this process are Metropolitan Washington Airports Authority, EMWA, who came to the meeting, thankfully, and the FAA, who did not even bother to respond to Loudoun County Chair's request to attend the meeting, not even the courtesy of a sorry, we can't be there. This does not bode well for future discussions with the FAA, and I hope we can figure out how to solve this problem. I've been working with Chair Randall at her request to draft some letters to go to our federal legislation to see if they can't weigh in with the FAA at a much, much higher level than is probably necessary, but which apparently is

[03:08:04] what's going to be required to get them to pay attention. This is an egregious problem that I think we have that's affecting the quality of life of 2,000 Loudoun County citizens off the end of Runway 3-0, and we have an obligation as a board to fix it. It's just exactly that simple. I think it was a good meeting. MOA committed publicly to work with us side by side to approach the FAA to solve this problem. The community was there. I think we had a number of experts in the room. We got a lot of good ideas. We had some private companies that were there that have FAA and flight management expertise. And so I think we made real progress, which is why we decided not to ask for a reconsideration of that vote at tonight's meeting, because we made enough progress

[03:08:42] that I think we have a way ahead. We were also assured by county staff that should we get the sense that we're being rope-a-doped down the road somewhere and there's not sufficient action being taken, we always have the option to vote to reconsider the new overlay down the road. It doesn't necessarily require reconsideration. The other thing I'd like to just briefly mention on is I was quoted pretty extensively in a Washington Business Journal article last week, about five days ago, and the author of the article, Mr. Niebauer, I believe is his name, Michael Niebauer, quoted me accurately, quoted me within context.

[03:09:20] I had no issues at all with how I was quoted and what I was quoted as saying and attributed the views attributed to me in the article. However, the article used the Hyde Park application, which was an extended application with, I believe it's Westbrook Properties.

[03:09:38] And it said, basically, the thrust was, had the county not taken so long to make that land use decision, it wouldn't be a data center, it would be a housing development. I disagree fairly strongly with that conclusion. I respect the Washington Business Journal reporter, and I respect his opinion.

[03:09:59] I disagree, and I'm going to write a counter-opinion to his conclusion. It is inappropriate to extrapolate the Hyde Park application to that's why we have data centers growing so fast in Loudoun County, and that's why we don't have enough affordable housing.

[03:10:15] That is a leap that is not data-based and data-driven. Secondly, it was portrayed that there were problems with that application, and that's why it did not become a housing development. In fact, that had nothing to do with county staff.

[03:10:30] It had nothing whatsoever to do with our relationship with the developer or delaying their efforts. This was one of the most cordial, professional, enjoyable relationships with an applicant that I've been through since I've been a supervisor, and I think if you asked the applicant, they would agree.

[03:10:48] This had to do with rising interest rates in the market, with investor decisions, and with counter-opportunities on the other side that were being proffered by what we now know as Cyrus One. It had nothing to do with delays in the application process. It had nothing to do with contention between the applicant, myself, and Supervisor Glass.

[03:11:07] Am I out of time? You were out of time, sir. Thank you. I apologize. Anyway, I will write the counter-article. Thank you. Mr. Sains. Thank you, Madam Chair. As always, I'll first start by saying thank you to those who took the time to come out and speak with us today on the various issues that are near and dear to your heart.

[03:11:22] So, again, thank you for doing that. You could have been anywhere with us, but you chose to be with us, so we appreciate that. Disclosures, I met with EDGE Corps regarding the Mary's Road Project on January 18th, and my staff met with Gilbert Station self-applicants on February 1st.

[03:11:40] My staff also met with Vantage Data Center's applicant on February 2nd. February 2nd, I attend also, along with the supervisor class, attended our first meeting of the new year for NVRC.

[03:11:57] Our special guest speaker was Randy Clark, the new, well, I shouldn't say new, but, well, he's still technically, I guess, it would be new. Randy Clark for the GM for Metro. And it was very, how can I say, exciting?

[03:12:13] be a good word to hear his presentation this man is very versed knowledgeable on on all things transportation and public transportation he went on for a good 45 minutes before taking a breath of air and just gave us a lot of stats and information and and details and you can definitely tell that that is that is his jam so I'm pretty sure he hate to be with him when he's at his dinner table because I'm sure he's still talking about, you know, public transportation.

[03:12:46] And by the way, he does use that as his mode of transportation to get around the region and even going home and going to different meetings and such when possible. So that was very interesting to hear his little tidbits about that. And then in regards, yes, it is Black History Month, so I'll follow Supervisor Glass and highly recommend that everybody do some extra reading or watch a documentary or watch a movie that you normally probably would not look at since it's African American Black History Month.

[03:13:23] I'll recommend those, if you have Hulu or you have a friend or a relative who has Hulu, get their username and password and sign in. And there's a doc series called The 1619 Project. And before some folks, you know, jump out their seats about the 1619 Project, I would say take a look at this documentary.

[03:13:44] It's an hour in time. It's about a six to eight part series. Don't binge. Well, if you want to binge it all at one time, go ahead. But I'd say take little chunks at it. watch it one uh one one uh you know episode at a time and digest it and and chew on it because there's a lot of uh information historical information there's a lot of um researchers a lot of world-renowned historians that are are part of this uh docuseries to to talk about the uh the project that was uh released a couple years ago and um it's definitely a good a good

[03:14:22] series to watch and learn a lot of history about Virginia and the country. And I learned a lot of new things that I didn't even know myself. And I try to consider myself a little bit of a history buff for things here in the Virginia area. But I would recommend anybody please watch that one and learn for yourself and not the stories that have been out there arguing against it, let's just say um and with that i will oh one other thing sorry recommend that again black

[03:15:01] history month we have uh in the sterling district um on oh thank you miss briggsman yes uh friday february 10th from 5 o'clock p.m to 8 30 p.m at the sterling the brand new renovated sterling community community center we're having a black history month celebration there will be fun activities to partake in such such as singing dancing a talent show and other live performances so why don't you come on out meet some of your neighbors in the community and get a free a good free event here in our in Loudoun County celebrating Black History Month thank you thank you Mr. Sainz um I have two

[03:15:41] disclosures January 31st I'm at the Rosenden office and I have the prime meeting I I am going to and I completely own this and it is it is entirely and 100% my fault I should not have allowed any resolution on this dais that had not been put before the public first I don't care what the resolution was so for everyone who came and talked about the reproductive rights resolution haven't gone before the dais having gone before the public you are right not because it's a reproductive right resolution, but because I shouldn't allow that on the dais if it didn't

[03:16:20] go out in the package first and it hadn't gone out in the package in advance. And so when it was brought to me, there are times, and this is nobody's fault but my own, there are times like I'm doing 14 different things and so somebody says something to me and I'll go, yeah, that's fine. And I don't give that a second, I don't think about it the second time. I will work on that i apologize i will never i will not allow resolutions or anything else on this day it's like they no matter how you feel about them they are the the public should see them first whatever that

[03:16:54] resolution might be so so for that and that is like i i set the agenda i control the agenda that is a hundred percent on me and i and i apologize for that um so for african-american History Month, the question I still get, and I do this every year, is why Black History Month? Why do we have to have a Black History Month? Why do we have to, quote, separate ourselves in these ways to have a Black History Month? And it is a valid question, and I talk about it all the time, and I

[03:17:29] have an answer. And the answer is, still in this country, African American history is not incorporated into American history. The goal and the hope is that one day African-American history or the history of African-Americans is taught right alongside and so closely with just American history.

[03:17:48] We shouldn't have to set aside 28 days and every couple of years, 29 days, to have this discussion. But it's not right now. And so we do this to try to highlight where we've come from and where we're trying to go. So I'm not going to do as my colleagues did and tell you to go watch something to find us.

[03:18:07] I'm going to tell you some stuff myself today, because I can. I'm always shocked that people don't know who Benjamin Banneker is, but you know who Benjamin Franklin is. Benjamin Banneker was a brilliant inventor. He wrote the first almanac and was the person to predict the first solar eclipse and had hundreds of inventions, and no one knows his name.

[03:18:27] People don't know his name. Matthew Henson, a black man, was the first person to reach the North Pole. Gladys West laid the foundation for what is today the modern GPS technology. So now you have your math quest, and it tells you how not to get lost. That was from a black woman, Gladys West.

[03:18:44] A man named Richard Spikes invented the gear shift. The elevator was invented by a person, a black man named Alexander Miles. Fire extinguisher, a black man named T.J. Marshall, a gas mask, Garrett Morgan. Dr. Walter McAfee, he was the first person, he was a mathematician to calculate the speed of the moon.

[03:19:10] A man named Dr. Frederick Jones invented the air conditioning unit. Katherine Johnson, Katherine Global Johnson, calculated the orbital mechanics that were critical for the success of the Apollo astronauts and other astronauts to get to the moon and back.

[03:19:30] And one thing, I didn't know this at all, and I think this is fascinatingly interesting. A man named Nathan Green was an African-American head stiller. It was often called a master stiller. He was born into slavery in 1820, and he emancipated after that.

[03:19:46] He taught Jack Daniels how to distill Tennessee whiskey. And so the person that taught Jack Daniels how to distill whiskey was a black man. And I absolutely can tell you, his family never got any comp—I'm talking right now.

[03:20:04] Let me just finish my little moment. I'm sure his family never got any compensation for that whatsoever. The amount of times that African Americans have done things first, whether it be music or art or whatever, and never got compensated on it is just you can't even imagine.

[03:20:27] And we haven't even talked about writers and magicians and artists and educators. African American history is so interwoven in this country. The best day in my life will be when we no longer need an African American History Month because our history is told right along American history.

[03:20:46] Thank you. We've been on the dais for three hours. Y'all need a break? Okay, okay. And we are going to go to closed session and do, well, yeah, we have to because we have three closed sessions.

[03:21:06] Thank you, Mr. Rogers. We have three closed sessions. Thank you. um so we're going to do closed session if i'm right number two first is that wasn't that correct number two mr sayings will you read us into closed session item number two and we do the last and we do one and three uh at our break i mean at the end of the meeting in the meeting all right i move that the board of supervisors recesses public meeting and enter into closed session pursuant to section 2.2-3711 a3 of the code of virginia to consider acquisition of parcels of property for public use in the sterling election district motion made and seconded discussion on the motion seeing none All in favor, please say aye.

[03:21:45] Any opposed? That motion will pass 8-0-1. Thank you.

[03:33:35] Ms. Koran.

[03:45:24] Oh, Mr. Sains, Vice Chair Sains. He's right there. He's right there. No, he's right here. Will you please move us out of closed session, please? I sure can. I move that the closed session be adjourned, 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.

[03:45:53] Second. I'll second that. I'd be happy to second that. Discussion on the motion? I'm happy to say aye. Aye. Let's affirm. Mr. Letourneau? Affirm.

[03:46:11] And I affirm as well. And there are no votes against them, so that motion will pass, 8-0-1. All right, let's go on. And we're going to do the ledge item now, so, and I think there's a lot to, oh, you know what, let's do the ledge, Jonathan, come down for the ledge item.

[03:46:30] So first, let's go ahead and do the nominations, the votes, the confirmation votes. But Ms. Bricksman is saying that she has some people she'd like to remove from consideration.

[03:46:45] Is that correct? I do. Thank you, Madam Chair. Give me one second, ma'am, if you don't mind. Let me just get to the item so I can write them down, okay, if you don't mind. Yes, ma'am. Thank you, Madam Chair. I'm removing several names.

[03:47:04] One, because they have not put in their application. One, because I found out that they don't actually live in Loudoun County. And one, because it's clear I won't have the votes for it. So in no particular order, I'm removing Douglas Cottrell from the Fiber and Livestock nomination, Suzanne Musgrave from the Outdoor Recreation, and Mike Vertz from At Large Emerging Opportunities.

[03:47:30] And you've already removed Stephen Bradford. Yes, Mr. Bradford wants to stay in his ADAC position. So let me just go through these. So that means Avis Renshaw is the only person we have right now for the plant-based food products.

[03:47:48] Tia Ehrman is the only person we have right now for fiber and livestock. Kelly Fultman is the only person we have right now for outdoor rec. So we're really voting on the bed and breakfast. And actually, Mr. Buffington, if you want to do, Mr. Buffington, I am removing Sherry Lynn Shields from the bed and breakfast lodging area.

[03:48:12] So Mr. Donnie Walker would be the only name we have there. Mr. Buffington, if you want to do something with arts and culture? Yes, I will remove whomever I had that was not named Tracy Kirkman. So you are removing Jill Evans.

[03:48:29] And I always mispronounce her last name, and so I apologize. and so Tracy Kirkman would be the arts and culture. So what we're voting on now is the unmanned aerial systems and the at-large emancipation opportunities.

[03:48:47] I'm sorry, not emancipation opportunities. Black history muster's on my head. At-large emerging opportunities. And if you look at it, you remember that Chris Suarez, who was put forth by Mr. Kirshner, is in that cohort.

[03:49:07] So we have Brian Tinsman, Jeff, I'm pretty sure it's Bogart, not Bogart, Renee Vitrice, Mike Virts, and Chris Suarez. Oh, she's got Mike Virts. She's got Mike Virts. Okay, so it's Renee Vitrice and Chris Suarez.

[03:49:24] So we're voting really in just really two places of that, actually. So let's take the vote for the, let's do the unmanned aerial system first. And that is Joseph Darden and Amy, well, it's supposed to be Andrew.

[03:49:43] Bachelin? Okay, it's supposed to be Andrew. Will you put those two up, please? And I will go down the dais and ask, and I'll just go down one way this time and the other way this time. Mr. Letourneau.

[03:49:59] Joseph Darden. Ms. Glass. Andrew Bachelin. Mr. Kirshner. Mr. Sains. Mr. Buffington.

[03:50:17] I'll abstain because that was not one of the ones where I made a nomination previously. So that means I didn't do my research on them, and I don't know those folks, so abstain. Ms. Brixman. Mr. Andrew Becklin. Mr. Turner. Andrew Becklin. And I will go with Joseph Darden, so I think we just tied a vote.

[03:50:37] It's 4-3 in favor of Mr. Darden. Okay, it's 4-3 in favor of Mr. Darden. 4-3-1-1. Yeah, yeah. So we have one abstention and one. Okay, so, and we will codify that vote just a second. And then the last one, we have two people for the at-large emerging opportunities.

[03:50:59] And again, Mike Furtz, although his name is down here, is not one of the ones that we are considering. So I will start at the other end and start with Mr. Turner. Sorry, Madam Chair, which one are we on? The only one left, the at-large emerging opportunities? I guess, I don't know, Brian Tinsman.

[03:51:21] You need one more. And Jeff Bugard. Thank you. There's two. That is correct, right, Mr. Street? There are two at-large seats. Yeah, two at-large seats. Okay. Ms. Bricksman. Renee Ventrice and Brian Tinsman.

[03:51:40] Mr. Buffington. Brian Tinsman and Chris Soros. Mr. Sainz. Mr. Kirshner.

[03:51:59] Ms. Blass. Jeff Bugard and Renee Ventrice. Mr. Eternal. Brian Tinsman and Renee Ventreis. And I would do Brian Tinsman and Jeff Bugard. So what's that come out to?

[03:52:17] Mr. Tinsman with seven, and your next top vote getter is Ms. Ventreis with four. Okay, so those are the two. So I move the board supervisors confirm Joseph Darden for the unmanned aerial system and Brian Tinsman and Renee Ventreis for the at-large emergent opportunities to the seats on the Rural Economic Development Council and with terms expiring as described in the February 7, 2023 action item and voted on by the board during the February 7, 2023 Board Supervisors' Business Meeting.

[03:52:53] Motion is made and seconded. Discussion on the motion. Ms. Turner, discussion on the motion. Ms. Frickspin, discussion on the motion. Thank you, Madam Chair. This is actually the very last thing, I believe, from the Committee on Committees was sort of reorganizing REDC.

[03:53:11] So I'm happy with the way it looks and I can't wait to see their work. Thank you. Thank you. So first of all, I would say thank you to Ms. Bricksman for the committee and committees and Ms. Glass knows a heavy lift and a lot of work, Ms. Bricksman. So to you and your staff, I appreciate it and thank you for everybody who took part in this fairly tough, arduous, kind of painful process.

[03:53:36] Thank you, thank you, Ms. Fultman and others because this has been a very tough time. know, especially in some of these areas, I'm going to call Ms. Evans in arts and culture especially, we have really

good applicants. We didn't have poor applicants or bad applicants.

[03:53:53] It was just some places we only had one place. And so it is my goal, too, for Ms. Shields and Ms. Evans to find other places where your talent can be used. I did want to say to Ms.

[03:54:09] Patrice, and you are being nominated, I want to explain that I voted against you because you don't live in the rural west, and I believe that there are lots of opportunities for people who live in eastern Loudoun County, and not as many for people who live in west, and since this is REDC, I wanted the people to actually reside in western Loudoun County, so I wanted to give a rationale for that one um but again there you know people in that category were all

[03:54:40] very very well qualified so you know this is not a you know the county functions because we have so many people who are willing to step forward on our boards commissions and committees and serve and so um i do thank all of you for serving and putting your name forward and um i certainly hope the RADG goes forward kind of stronger than ever with with really good communications in the future so I appreciate it and so all in favor please

[03:55:14] say hi any opposed that motion will pass 801 all right mr. Freeman how about you come on down sir I'll come back in a second how you doing mr. Freeman I am doing well how are you madam chair members of the board well thank you well

[03:55:46] Good evening, and we are now at crossover today where the House bills have to be heard if they have not been voted on already. Some you will notice online have been re-referred back to committee, and those bills are effectively dead if you are wondering about that process.

[03:56:10] So the Senate bills will also be finished up today in the Senate. And if they pass the Senate, they will go on to the House. Same with the House bills. So on Section 1, for HB 1773, HB 1382, and HB 2242, those have effectively been killed off by the General Assembly.

[03:56:41] And for HB 16... I mean, so no, I know you're on the page, you're on, but can you give the name of the bill, not just a number? Oh, sorry, yes, sorry. Thank you. So for HB 1773, dealing with the bicycle, electric, personal assistive, mobility device, et cetera, exception to stopping requirement, that has been killed off by the General Assembly.

[03:57:14] HB 1382, CATS Prohibition on Declawing Civil Penalty, that has been killed off by the General Assembly, and HB 2242, Elections Administration, requests made pursuant to Virginia Freedom of Information Act, that has also been killed off by the General Assembly.

[03:57:38] All right. And so that leaves us to HB 1671, which is the Residential Land Development and Construction fee transparency annual report this essentially will require localities to annually report to the DHCD the total revenue from fees collected by localities in regard to the residential land development and construction that's the only one that's it yes ma'am that's not it

[03:58:18] well we have a load of bills in section 3 okay so that's it for section 1 yes ma'am for section 1 Okay. And that's for action. Yeah, so then if I make this motion, if the motion is only about HB 1671?

[03:58:38] Yes, ma'am, because the rest of the bills in Section 1 have been killed off. Yes, ma'am. Set aside, laid on the table. Yes, ma'am. Passed over. Yes. Okay. I'm going to make the motion.

[03:58:54] Let's ask questions inside the motion so we can move along. The board of supervisors approve staff recommended positions on legislation as found in Section 1 of the February 7, 2023 Board Business

Meeting Action Item in regards to HB 1671.

[03:59:11] I wanted to add that caveat in regards to which is the Land Development and Construction for Fee Transparency Annual Report. All right. Motion is made and seconded by Ms. Brixman. Yeah? Yes? Okay. Discussion on the motion.

[03:59:26] Mr. Turner. Thank you, Madam Chair. Well, I just have a question, and I don't know if I can ask it in the motion, but I'll ask it. Where are we on the Greenway bill? Before the cross, it died in the Senate, but it was alive in the House. So that's a great question, and I'm going to have Mr. Freeman do an update after we finish this vote on some other things, because he has a lot of updates to give us.

[03:59:49] But just on this one alone, Mr. Kirshner? I just have a question on this bill. Okay. What is the logic behind this? What are they trying to accomplish here? It wasn't clear in the item, and I went and checked the legislative history, and I didn't really see any. Yeah, it's not clear in the staff report because it's not clear in the bill itself, nor in the bill summary.

[04:00:11] What we believe is intended is more of a statewide requirement to localities to obtain information about their development review processes, including the fees charged for specific application review.

[04:00:29] and that would be tied to residential development so you recall earlier in the earlier in the legislative season preparing for the the session there was discussion about the commonwealth's interest in looking at the cost of housing and what a jurisdiction actually charges and then possibly looking at local authority this doesn't go that far we just don't feel that the requirement for the report is necessary.

[04:01:00] But it might be the first step in the process, potentially, even though this is more statistically gathering, those statistics could lead to more state control over local decision-making. That's a reasonable argument. Fair enough. Thank you. Okay. Good.

[04:01:16] All in favor say aye. Any opposed? That motion will pass 7-0-1. Mr. Freeman, so could you give a general update on anything you think you deem appropriate? I would like you to touch on three things that really could be loud and centric, which as Mr. Turner said, the Greenway legislation and the ping-ponging around of that and where it's at.

[04:01:39] The stadium engagement legislation, or what's going on with that, just to give everyone a heads up. And the \$200 million that is a shortfall to public school systems, please, thank you.

[04:01:57] Absolutely. So the Greenway bill carried by Senator Marsden, SB 1162, failed to report from finance. It was passed by indefinitely on a, I want to say, 10 to 6 vote.

[04:02:14] The remaining bill, HB 1858, carried by Delegate Weber, has passed the House as of, I want to say, today and is coming over to the Senate. And what we are potentially looking at is the bill taking the same exact pathway because the General Assembly has seen this bill before.

[04:02:41] Well, I should say the Senate has seen this bill before, and so it should take the same pathway as the Senate version. Okay, yeah, questions on that. Now, but they're putting it also in the budget, right? There is language in the House budget, which is the exact language from the bill that was introduced in the General Assembly, the danger in that is that, you know, you can write policy into the budget, unfortunately, and the budget supersedes code.

[04:03:13] So if it passes in the budget, then it will be effectively on the table. Okay. Mr. Letourneau. So finance and appropriations in the Senate also will have the budget, right?

[04:03:31] So the Senate and the House subcommittees reported on their budget briefly this past Sunday evening. And then they released a line item sheet from their respective subcommittees.

[04:03:51] And those subcommittee reports effectively make up that chamber's budget. So the Senate is in the middle of, you know, approving their budget as well as the House. Well, what I'm getting at, though, is so, you know, the strategy to kill the Greenway bill is with Senate finance as it was.

[04:04:11] But are we going to be able to rely on the same individuals in the budget process, you know, because won't they be the sort of the negotiators on the Senate side? Supervisor Letourneau, that is correct. The Senate finance members, the most senior Senate finance members, are also budget conferees, and the same individuals that effectively killed the Senate bill will be hashing up the final budget.

[04:04:37] We obviously need to keep that pressure up. And by the way, thank you for your efforts and to Leo and to some folks not here with us tonight that were very helpful in that fight. We had some really, really good conversations about the Greenway with members of the Senate Finance Committee, and I think many of them really understood it by the end of it.

[04:04:58] Okay, but you're saying the budget, is it in the House budget now or just an amendment? That is correct. It's in the House budget. Was it an amendment that was adopted or just in the base budget? So that's the interesting thing is that we did not see a budget amendment.

[04:05:18] It sort of just popped up, if you will, in the budget language that we're seeing going forward in the House. I love it. All right. Well, okay. We've got our work cut out for us in the Senate, but thank you.

[04:05:35] So, actually, guys, we're not actually going to stop on each section because we'll be here all night and we're not trying to do that. So let Jonathan do all three sections that he talks about and then go back to questions. How's that? Because otherwise. Oh, how did we get started? Okay. I don't, yeah, yeah, yeah, stadium, and we're not, we're just, the education overall, yeah.

[04:05:55] So moving to the stadium authority language in the House budget, the stadium authority bill that you all remember from last year, that language, some of that language was written into the House budget, as well as the governor's language, as it pertains to allocating \$500,000 to look at the relevant capabilities, conduct planning, and evaluate potential economic development incentives around the stadium moving to Virginia.

[04:06:33] The Senate removed that language, so there is no stadium authority language in the Senate budget. Go on to the education. On the education issue, as you all know, there was a tool error in regards to the sales tax.

[04:06:53] I'm sorry, what kind of error? There was some type of spreadsheet tool error from the Department of Education that resulted in a \$200 million overestimate, if you will. For this school year, that amount is \$58.1 million.

[04:07:14] And for next year, that is beginning July 1st, is \$143.5 million in regards to the public schools budget hit. It's crazy. And in the Senate budget, the Senate took it upon themselves to allocate \$58.1 million to make sure that localities aren't held responsible, if you will, for that error.

[04:07:45] In the House budget, their language is a little more extensive, and I don't want to misrepresent what their budget says, but from what we could see, the actual number that they wrote in their budget was \$4.9 million, but they also have language.

[04:08:04] \$100 million shortfall. Correct, but it also has language that talks about per pupil amount of basic aid and sales tax payments a school division receives. so staff is still evaluating that language again i don't want to misrepresent what the house budget language says okay all right ms briggs before my time starts could i have a point of clarification please no point of clarification is within your time okay are we get is are we going to have but

[04:08:41] you should start talking right on section three are we going to have time for questions and comment on section three or is this kind of it no we haven't got to that yet okay great okay i just Do you have anything for the three things you said? I do, I do. Thank you, Madam Chair. So the \$58 million is just for this year, so that could potentially cover the \$7 million that we're short in Loudoun County for this year if that goes through from the Senate side.

[04:09:06] And then they'd have to come back again next year and do the other \$138 or whatever. 48? 48. That is correct. In the Senate budget, they have the entire budget hit for this year.

[04:09:22] Okay, okay, so that would resolve our issue for this year if it gets past the House and gets signed and all that, right? Correct, if it makes it in the final budget. Okay, okay, great. So it was a calculation error because the governor wanted to put a feather in his cap about the grocery tax that has caused this error because they didn't hold us harmless for that grocery store tax, correct?

[04:09:53] You don't have to answer that. The grocery store tax. You don't have to answer that. Well, let me put it this way. It's because of the grocery store tax, repeal of the grocery store tax, that this miscalculation happened. We don't have any additional information.

[04:10:08] We don't have any additional comment on that. That's fine. For the... Yeah. All right. I think that that's all I have. Thank you, Madam Chair. Thank you. Mr. Turner? Thank you, Madam Chair.

[04:10:25] So just to ask very briefly, so it was an error of an overestimation of that amount of money? I mean, it wasn't money that just went away. They estimated they had it, and then they had caught the mistake, and they don't have it. Is that what happened?

[04:10:41] Supervisor Turner, unfortunately, the only information that we necessarily have was that it was some sort of tool that they used to, you know, it's some type of spreadsheet tool that they use.

[04:10:58] I've never worked for the Virginia Department of Education, so I'm not necessarily familiar with that tool. I just know that it resulted in this unfortunate error. Okay, thank you. We believe that, first of all, what we have been doing is trying to follow the amendments and the budget language so that we can give you the information about where things are at, I think if you want more of a deeper dive into the genesis of the errors that can be provided separately, our understanding is the miscalculation occurred because Virginia Department of Education added the grocery tax hold harmless and did not reduce

[04:11:37] the sales tax for groceries by the equivalent reduction, something like that. We also feel that the seven million dollar figure that was referred to earlier that's for fy 24 mr kershner thank you madam chair so coming back to what you said was in the senate budget which is the 49 to replace this mistake i guess this tool error you said it was 40 it was it was it the full 50

[04:12:10] plus million in the senate budget in the senate budget it was the 58 million to uh correct this error statewide. Okay. Is that something, and I guess this kind of the board, is that that's for this year, right? That's this portion for this year. That's correct. This doesn't address future years. It just addresses this year. That's correct. This current school year. Yeah. So the question I have for my fellow board members, it's part of my questioning, is that something that we want to add to this legislative agenda, asking that the Senate version and rather than the House version, which sounded like it was only 4.8 million, that the difference be made up as far as the budget's concern that is certainly a motion I'll let you make and a little if you'd like

[04:12:49] to yeah so be happy to second and support that motion mr. Kirsten I mean I think as a county given the shortfall because how much will that actually cost us as a county do we know what that's going to cost us in our education revenue do we have any sense of that but it's we aren't sure as of right here where's the where's the shortfall but I think that's the seven million we're referring to for FY24. I thought it was \$3 million for 24, Charles, and then \$7. We'll

[04:13:23] have to clarify. Okay. Either way. Either way. You can go on and write your motion right now. That's a great motion. Can I make it orally, or do you want me to write it down? I'm saying get ready to make a motion. Oh, okay. I'm running. All right. Jonathan, a couple of things. One, the stadium engagement bill, the linguist that's written into the budget right now is not as advantageous for the county as it was last year and that in this state of engagement bill because I did go back and read it there

[04:13:58] is no position appointed from the government from county government and so that's a problem because all last year we were able to get one position of the nine that was appointed by county government now it does say that I think three or four of them have to live in the county or city but no one is appointed by the body that would that is you know the body in the county is that i'd like to i think you're right at least three members of the authority other than those members shall be residents exactly exactly so so we need to we need to actually ask for that or do so and then the other thing is it

[04:14:35] also says that the only the only person that can remove anybody at all is the governor so if you You know, even if the person we appoint, if something's happening that is inappropriate, inappropriate, only the governor can remove that person, and I kind of have some heartache with that.

[04:14:54] I would like to at least get back to where we were last time if we're going to have a discussion about the stadium bill. Secondly, on the Greenway, real quick, we should all send flowers to Jennifer McClellan because she lifted very heavy and worked very hard, and we wouldn't be here were it not for Jennifer McClellan.

[04:15:10] I just want to put her name out there because she really did. And then thirdly, on the \$2 million surplus, Jonathan, there is a \$1.94 billion surplus in the government, in the state government. They talk about it all the time. There's this \$2 million shortfall for schools.

[04:15:29] Two questions. It took them a month to let us know that there was a \$200 million shortfall a month. So is that normal? Does it normally take that loan to correct or at least acknowledge an error?

[04:15:46] That's the first question. And the second question is, because there's a \$200 million shortfall in school funding with a \$1.94 billion surplus in the budget, why wouldn't it just be logical to replace the shortfall from the surplus?

[04:16:05] Well, to the first question, again, Madam Chair, unfortunately I've never worked for the Virginia Department of Education, So I don't know what the norm is in terms of reporting an error that occurs within their given department. In regards to the second question, I believe that that is what the Senate is attempting to do, is to alleviate that immediate impact to school districts across the Commonwealth.

[04:16:33] But is it a drawdown from the surplus, do you know? It's a makeup of what they are drawing from the general fund, and that's where this funding will come from. Okay. All right. And can we work on that stadium issue?

[04:16:50] Madam Chair, can I clarify on that? Your intention is to have representation from the local government? Yes. And then is it also to include amendments regarding the governor's removal of appointees? Yes. Okay. Thank you.

[04:17:06] Yes. It is my memory that last year when this came up, we added that, and there was no issues with adding the fact that the governing body, a governing body that governs this county, would be able to have, and one of the nine would be our appointee.

[04:17:25] And that's not in there this time. and for clarification madam chair as well you um you said to get the language back to where we were do you mean the bill that was in conference or would you like us to pull all of the different versions of the bill well Matt help me I'm saying back to where it was when we talked about this was it two years ago was it two years ago last year it was last year yeah it was last year yes okay all right thank you and then section that's uh the last section Mr. Mr. Freeman

[04:17:57] Oh, if I may as well, on our initiatives, there are some updates outside of what was in the staff report. So our House bill on the easements for site of trails, Delegate Shinn's bill passed the House unanimously.

[04:18:23] For SB 1544, which is our Senate bill on the administrative reporting requirements, that passed the Senate unanimously. And for our crisis receiving and stabilization facility request, I just want to take a moment to highlight that in the budget, they did not name specific localities.

[04:18:47] But what the Senate budget did was they took the \$57.5 million that the governor allocated in his Right Help Right Now plan to build out the crisis system across the Commonwealth, and they added \$30 million to that \$57.5.

[04:19:04] In the House budget, they added \$25 million on top of that \$57.5. So we're looking at a \$5 million difference between \$87.5 million in the Senate budget and \$82.5 million in the House budget to build out this crisis system across the Commonwealth.

[04:19:21] So, you know, there's a lot of room for us to grab at that, but the way that the language is written is for the DBHDS to dole out that money. If the final budget is approved, that money will go to DBHDS, and then they will decide which localities will get these crisis receiving centers based upon need.

[04:19:51] But wasn't the question about which region? I mean, if it doesn't say localities, does it at least say which region? The way that it reads, and we can send out this for information as well to the board, so you all have it.

[04:20:06] But the way that it reads is the population has a large percentage of emergency custody orders and temporary detention orders, so TDOs. The area is not within an hour's drive from the closest crisis

receiving center or crisis stabilization unit, and the area is underserved in regards to mental health treatment.

[04:20:28] So that's the way the House budget reads. The way that the Senate budget reads is DBHDS shall notify the chairs of House Appropriations and Senate Finance within 10 days of each award that includes the amount approved and the services that will be provided at the location.

[04:20:48] In awarding these funds, the department shall take into account the areas of Commonwealth with the greater need for these services and prioritize funding accordingly. So the Senate takes a much more broader approach in terms of allocating their money for who has the greatest need, and the House, of course, takes a more narrow approach, but we are working with both chambers on that language.

[04:21:16] Mr. Mr. This is section two still Mr. My understanding was that we crafted that language specifically so it didn't say loud and but we were the only ones that met the criteria it sounds to me like both versions are now smoothed around the edges to where a lot of other localities can qualify and the house one is way looser than the senate or the senate one is way looser than the house one you could drive a truck through the loopholes in the senate version it sounds like so that loud and specific language isn't in there anymore that is correct okay thank

[04:21:52] you mr bixman thank you madam chair um the one that you talked about delegate shins bill is is that the one where we're trying to take care of the sterling property or is that something different no that's the restrictive covenants bill that senator um bell is carrying um the house bill we referred that back to committee. And the Senate bill is coming over from the Senate to the House after tonight. Okay, shoot, I just closed my thing. But the other one I wanted to ask about

[04:22:26] was the electric charging stations mandatory replacement. Is that still alive? That's still alive. So after tonight, Senator Boyce goes bill on the EV charging infrastructure will go over to the House. Okay, great. Thank you. Is it reasonable to say it's possible that a crisis receiving center won't end up in the region at all? That would be up to, in regards to the way that the language is

[04:23:00] currently crafted, and this could change because the final budget has not been approved, as well as we still have to go to veto session, is what is called in April, where the governor will send down his recommendations for the budget so we've got a long way to go uh in regards to the budget um but um it's as supervisor turner said it's it's the language in the senate is very broad um in the house it's it's very narrow but um you know in regards to when the governor introduced

[04:23:36] his budget back in December, he said specifically Southwest and Hampton Roads. In this language, at least it's broad to fit the state because this is an issue that the Commonwealth has that we have to address as a state together. And so at least the language is broad. That's the optimistic purview of staff currently. Yeah, I don't feel that optimistic.

[04:24:05] I think that might be generous. We were in a much better position a couple weeks ago when we were really trying to target the locality. So Jonathan's correct. Right now, the appropriation of money statewide is there, and that's a good thing.

[04:24:24] But is it really specific to the region and to the locality in the manner that we were working with a couple weeks ago? It is not. So more effort needed. I was talking to somebody the other day, and they said that sometimes people see like Hampton Roads area, Richmond, and then everything else in

Northern Virginia, right? That's how they see us. So, yeah. Okay. All right. You want to go to the last section?

[04:24:52] And for Section 3, as you'll notice, some of the bills are grayed out. Those bills have effectively died and are no longer going forward.

[04:25:11] But these are bills that we have found that match the program or some action has already been taken on them. And so we have the support category as well as the oppose. And then as well, we have the attachments on firearms, as well as more information that were requested from the board, as well as the reproductive health legislation and other bills being tracked by staff.

[04:25:42] Okay. Questions about Section 3. Ms. Brixman. Thank you, Madam Chair. So the permitless carry and the repeal of local authority to prohibit firearms is still alive in the House. Both of those are still alive in the House?

[04:26:01] Which bill number is that? I'm sorry. I'm sorry. I was saying generally I don't know which bill number. I just saw that the grayed-out ones were in the Senate when it comes to firearms. So I'm just making an assumption that the ones are still alive in the House that would allow permitless carry, and I'm scanning right now.

[04:26:21] Supervisor Brissman, it might be helpful if we had 50 of those that based on the board requests we put into the attachment. So if there is one particular one, we could get you all of the information. I'll get back to you on that. Yeah, I'll get back to you on that. Thank you so much for adding the reproductive health care in there.

[04:26:36] I would like to clarify, Madam Chair, if I may. I was going to clarify. I also kind of wanted to respond to some of the folks that spoke today on that issue. We kicked around the idea of a resolution on reproductive rights.

[04:26:54] We decided not to do that because we thought there aren't any bills right now. Yeah, I was going to clarify. Yeah, I know, and I just also want to tell the folks that were speaking what actually happened. So we decided not to do that. We decided we should be responsive to bills that come through the General Assembly, and so that is why the motion came to add this to our legislative agenda.

[04:27:18] So it was a motion, and the board often will make a motion. Someone on the board will make a motion, which I think we're about to do tonight on the budget bill on education, in response to bills that are coming in the General Assembly, so while we had heard rumors that these bills were coming that would, you know, egregiously restrict someone's right to reproductive health care, we didn't know they were here until January.

[04:27:43] And so that's why that was a motion instead of a resolution. And I'm appreciative of you guys following it for us. And some of them have been set aside in the Senate side. So we'll see what else happens. Thank you.

[04:28:00] Well, Mr. Letourneau. We've known very well that those bills were coming for months. I guess I would just say to my colleagues in the future, if there is a motion coming on an issue like that, please give us notice.

[04:28:15] there is no reason we took that bill up at 12 23 in the morning with no prior notice to anybody in the board no written motions no knowledge that issue was coming up some of the bills that were

discussed that were covered were already dead by the time the board even voted on the motion so i don't think that's how we should do business and i'm not even talking about that particular issue but we all know when there's issues like that that have a lot of public interest so that's all i'm going to say on that? I will say since it was my mistake, I was going to clarify, but Ms. Bricksman clarified my mistake for me, so I need not clarify what's already been clarified. I will also say,

[04:28:54] in all seriousness, Jonathan, I know that your career was down to General Assembly for a long time, and so we expected big things out of you, and my gosh, have you delivered. The session's not over yet, but so far you've had an excellent session. You've kept me informed. We've talked every day several times a day. You've went down there, lifted heavy. We sent you down there not knowing you'd be down there for three days. They had to send you to Target to buy some clothes. So you have done an excellent, excellent job. And so I wanted to say, especially

[04:29:34] for your first term here with us, for your first go around with us. I really do appreciate how you've done a very good job. So thank you. All right, anything else? One thing that I will add, I'm sorry, and this is on the reproductive health bills on attachment three, HB 2089 health insurance coverage for prescription contraceptives.

[04:30:05] That is not grayed out on your attachment. That has been killed off. HJ519, Constitutional Amendment, Fundamental Right to Reproductive Freedom, that has been killed off as well. That's not grayed out on your sheet.

[04:30:21] While we were here at the business meeting tonight, around 6 p.m., SJ255, Constitutional Amendment, Fundamental Right to Reproductive Freedom was passed by the Senate. And going all the way down to SR87, right to life, recognizing that it begins at conception, that's not grayed out on your attachment, but that was also killed off as well.

[04:30:52] Okay. All right. Thank you, sir. Thank you very much. Mr. Kirshner, would you like to make a motion? Thank you, Madam Chair. I move that the Board of Supervisors include in our legislative agenda support for the funding in the Senate budget bill, making up the gap for the education funding shortfall error.

[04:31:10] Second. No comment. I think it goes without saying. And, yeah, discussion on the motion. My only comment would be thank you for making the motion. Appreciate it. All in favor, say aye. Aye. Any opposed? That motion will pass 801.

[04:31:26] Thank you. Thank you very much. All right. What number are we on? Was it nine now? I think. Guys, if you have nominations, just regular nominations, stick your light on, please.

[04:31:49] Seven, nine, okay. miss glass thank you madam chair i nominate miss sandra gordon to serve as a net large representative on the family services board miss bricksman thank you madam chair i nominate betsy uh scotto lavino for the arts committee thank you okay wonderful let's do the um item of seven the red hill community item oh we did have no five was on five one yeah so yeah seven's right

[04:32:24] yeah seven's right yeah good evening sir good evening i do not believe we need an update on anything with this have been on consent and mr buffington for reasons that i understand took it off consent and so um i think he wanted to just vote against the motion that's on consent right now that's the the item on consent he didn't want to support the consent item at all that's correct Correct. So if I make the motion that's in the packets, that's okay, and you just want to vote against it?

[04:32:57] Is that how you want to do that? Yes. To check it off? Okay. And the press can refer to my previous comments last time we voted on this if they're interested. Okay. So I'm with the Board of Supervisors to approve CPAM 2020-0002, Red Hat Community, as providing Attachment 1 to the February 7th Board of Supervisors Business Meeting Action Item.

[04:33:16] Motion is made and seconded by Supervisor Letourneau. Discussion on the motion. Mr. Buckingham has been consistent with this the entire time. It's been really interesting because I got a fairly heated email from a person the other day that was like, don't take anything out of the rural policy era, while I also have people saying, let's build more houses over there.

[04:33:39] I mean, so, you know, it's, that's, I believe this was a, you know, for all the reasons Mr. Buckingham said, for all the reasons that I've said before, I believe this was logical to do it this way, for all the reasons I've said before. But I do appreciate that he's been consistent on this matter, and so I understand why he wanted it not on consent.

[04:34:01] Mr. Turner? Yeah, Madam Chair, I just had one question, and if I missed it, I apologize. But very quickly, what's the logic behind transition large lot instead of transition small lot? The transition large lot neighborhood is one dwelling unit per three acres, which is also equivalent to the base A3 zoning for the Red Hill community as it stands.

[04:34:22] So we were maintaining the current base density there. It's also similar to the Willisford developments to the south that are in the upper broad run subarea. So it was being consistent with those adjoining properties to the west. So transition small lot would increase density beyond the base density of the surrounding community?

[04:34:40] That's correct. Transition small lot would be one dwelling unit or, yeah, it would be four dwelling units per acre, significantly higher than the current base density out there. And without putting words in their mouth, can you explain why the members of the community would want to go to transition small lot?

[04:35:00] Can anybody answer that? Because I don't see the logic in it. Yeah. It would give them more density if they could sell their land for a higher value. Also, it could make it easier for them to afford to bring the water and sewer out there if they so choose. I think that's it.

[04:35:17] Okay. Thank you very much. Mr. Kirshner? Thank you, Madam Chair. I want to also reiterate, and I appreciate all the people who have come out and spoke on this. I've looked at this issue real carefully. I do see the logic in both ways. However, having, being one of the two, one of the two supervisors elected only by the Western District, I just want to make sure Madam Chair hears that, because I understand that this is, this is a close call, but also this is a, and Supervisor Buffington's district, and I think where the, kind of the tie for me is to defer to the sitting supervisor,

[04:35:50] I could go either way, but I also understand, and I think we need to be real careful moving rezoning from rural policy to transition policy area just as a matter of principle. And I don't necessarily think this is going to result in creep, but I do think that it's important to support Supervisor Buffington in this particular matter.

[04:36:11] Thank you. Thank you. Supervisor Buffington? No? You're good? Okay. Yes? Okay. I'm a strong no, and you can refer to my previous comments, which have been consistent. thank you well now i have to say something mr kirschman said what he said i have to now i wasn't going to but the creep has already

happened the creep the creep crept in a long time ago and to leave these few homes in the center of the homes that have been developed above them and the green mill preserve and development all around them it only meant that they wouldn't have

[04:36:48] water and sewer that's what it meant and i didn't see the logic and i still don't see the logic of saying that these people don't get to have water and sewer when we've developed everything around them. So we can say that on a map, they're still in the rural policy area, where in reality, nothing around them is rural anymore. And they didn't move. They didn't move their bodies. They didn't do anything. So a board, I think two boards ago, approved Green Mill Preserves, maybe three boards ago, but way before that, Matt was like, not me, not me, not me.

[04:37:26] There's nobody on this body right now that approved the things that is coming around them. None of us voted for that, and I believe we probably wouldn't have, but some boards in the past did, so now they're sitting in a little donut hole of everyone around them getting water and sewer but them, and we're trying to say, but they're still rural policy area they're not and it does not make any sense to force them to not have water and sewer so we can say so we can say we don't want to move an area it's it's effectively been moved at the same time

[04:38:00] we also don't have to add density because you know density is is really what the what the issue is and so i thought that this was the most logical way to do it is allow for water and sewer and don't allow for extra density that just seemed logical to me but i wasn't going to punish them by not allowing them to have water and sewer and everybody else around them that does all right so all in favor say aye opposed okay that motion will pass i think that's six two one with supervisor buffington and kirsten being against the motion and miss um i'm not being here all right let's go on to the

[04:38:38] next item which is item number nine which miss bricksman pulled off the um miss bricksman so so i'm gonna make the motion mr buckley would you like to make this motion go ahead madam chair

[04:39:02] I want the Board of Supervisors to appoint a four-person stakeholders work group consisting of two representatives each from the farming stakeholders and land conservation easement stakeholders and direct county staff to meet with the work group to formulate revisions to proposed OM-TEX, which will preserve prime farmland soil as part of the cluster subdivision, but will not reduce development potential nor significantly increase development costs.

[04:39:27] The work group show consists of Chuck Kuhn and the name that he's put forth, Kevin Murray, representing the Conservation Eastman Stakeholder Group, and Chris Van Flack and John Lovegrove, representing the Farming Stakeholder Group.

[04:39:48] Second. I have to let Mitch Buffett in a second. Now they have to. The look. Thank you. So this is the thing. I'm sorry, but, you know, first of all, this whole item was brought by Supervisor Buffington and I some time ago.

[04:40:05] It was Supervisor Kirshner and I who've done the community meeting. I've done community meetings. I have met with, I have had at least four meetings outside of the main meeting Supervisor Buffington and I had. I have, we have worked this issue five ways from Sunday, and the last meeting we had with eight people, It was too much for us to get anywhere.

[04:40:31] And so we decided to go down to these four and let these four work. Now, the truth is, you know, I don't imagine that they're going to go a long time. I really don't. I imagine they're going to finish

their work pretty swiftly because it behooves everyone for them to finish their work very swiftly.

[04:40:48] But I'm also not going to tell four people who are volunteering to do this work that if they don't get it done by this date, we're going to disband them after all the work we've done already. because that doesn't make any sense to me either. I don't know if somebody's going to get sick or have to leave or whatever may happen.

[04:41:04] I want them, the reason we came up with this is because we didn't want to neither drag it on nor rush it. And so, you know, this is not something that Mr. Bubbant and I, Mr. Kirshner and I haven't spent a long time and a lot of time in.

[04:41:22] And I actually do not believe it needs to be fixed or tweaked or anything. I think it's fine. I think we let these poor, it happens to be four gentlemen, as it turns out, do their work with staff. And I also think that by doing this this way, it will give staff less work in the end because this work group will come back, and that is it.

[04:41:44] And then we can incorporate it into the zoning document and move on. So I support my own motion. Yeah, thank you, Madam Chair. Our goal with this is to protect more prime ag soil than we're currently protecting, which really is zero if you look into our ordinance, and do that without killing conservation easements.

[04:42:11] Because there are people who are buying large chunks of land in western Loudoun County and putting them in a conservation easement, and we don't want that to stop. And so not too long ago, we had a meeting, and as Chair Randall said, there was a bunch of people there from both sides of the argument on this and with our staff.

[04:42:28] Our staff was there, and we just weren't getting anywhere. We didn't think that the current direction we were going in was going to be something that both sides could agree upon. I'm not sure if there will ever be something that both sides can agree upon, but I think this working group will help us get to something where there's a better chance that both sides might be able to support.

[04:42:49] And so I think this is a way of moving this forward really as fast as possible in a way where both sides might be able to agree on something. And in the end, we're protecting more Primag soil than we previously were without stopping conservation easements from continuing as they currently are.

[04:43:09] So I think it's a good thing. I appreciate the volunteers. We had Mr. Kuhn and Mr. Van Vlack on each side of the argument who volunteered, And then they pick the other person that they want to come to these meetings with themselves or with them and staff.

[04:43:25] And I hope that we get somewhere. The idea is that they'll come up with some different scenarios through this discussion. We'll run those scenarios by staff and figure out which one results in the best compromise, where we're protecting more prime ag soil than we currently are without killing conservation easements.

[04:43:44] So once we identify that, hopefully we can move forward with the rest of the process and get to a conclusion. And I want to thank staff who's been working on this for a long time, but also Mr. Hemstreet, Leo, and Mr. Crowboth, and others, whoever was involved in the discussions that we had where we let you know that our goal, Chair Randall and I, and I know Supervisor Kirshner as well, and probably the whole board, we want to have this item finished by the end of this term.

[04:44:14] We don't want to kick the can to the next board because there's too much uncertainty, and there's a lot of people who've been waiting a long time for this item. So I think with the timeline that you've suggested in the item and the conversations that we had, I'm pretty comfortable that we'll be able to have a final vote on this during this board's term.

[04:44:34] So for that reason, I don't think we need the friendly amendment that may be issued or may be made. We'll see. But thank you, Madam Chair. for working together on this item. Ms. Bricksman. Thank you, Madam Chair.

[04:44:50] If I might ask staff, how long have we been working on the ZOAM? So staff currently started work in October of 2020. Okay. And how many staffers will have to be present when the work group gets together?

[04:45:09] It would be myself, more than likely Mr. Stultz, and then maybe another zoning administration staff. and will you have to do like an agenda and and do some like post-it and granicus and all that it's like a public meeting yes so so it's almost like another committee advisory body i have work group yeah um so i i am going to offer a friendly amendment i i'm worried listen i i appreciate the volunteers i really do appreciate the work that's gone into it i don't

[04:45:43] have anything against you know the zoam necessarily at this point but we spent a year to 18 months trying to make sure that we're utilizing our advisory bodies to the best of our ability and efficiently and we've seen in our advisory body bodies a lot of mission creep a lot of staff time gets sucked up in these types of bodies we did say in the item that we wanted to go to the may that could come to the may public hearing but there's nothing that's saying it shall come to the may public hearing so i you know i just really worry about the mission creep in the amount of

[04:46:23] staff time and so what i would like to see is that we don't keep working five ways to sunday with staff and with our volunteers um that this just becomes something that all of a sudden we're trying to do it in december or november or something like that when we really could get it done in may or june so my friendly amendment would be that the working group is required to meet as many times as possible to get their recommendations to the board by april and be disbanded by june 2023 i will not accept that friendly amendment okay i'd like to make an

[04:46:58] alternative motion you can do that thank you that's a long paragraph she took my friend she's she's not accepting the friendly it's just an amendment it's not a friendly amendment it's just oh i'll make an amendment to the motion um and make it a separate motion and it it's the first motion plus i further move that the group will meet as many times as necessary to complete their work by the end of april 2023 and be permanently disbanded by june 1st 2023 most amendments about the picture stuck on the motion i'll second it so segments of buzzer uh glass discussion

[04:47:38] emotion mr brixman thank you madam chair i i think i raised i did you know raise my concerns Um, as I said, I just don't want to see mission creep. I don't want to see staffers have to be at meeting after meeting after meeting. I don't want to see this pushed beyond the May public hearing.

[04:47:54] My fear is that that might happen. The gentlemen that are on the board, I know, that are on the working group are very busy people, and so I can see meetings having to be pushed out to July, August, and then we aren't looking at it until September or October.

[04:48:10] Um, so that would just be my argument. Thank you, Madam Chair. Mr. Kirchner. just brief on this i won't support this simply because this is so important to the west this process and what we're trying to do here putting a time limit the the individuals involved in this are highly motivated to try to get this right and so i i have no i but i don't want to put them in a box as chair chair randall said so i just can't support this we need to get this right we don't need to to to hurry it along necessarily it might get done by then and that'd be great but um we They need time to discuss this, go over vet ideas, things that will work.

[04:48:48] And I will save the remaining part of my comments for the main motion. My question to you, Ms. Bricksmith, is what happened if they didn't get it back to us in that time period? We just disband the group? Well, I think that what could happen... I'm in my time, so...

[04:49:04] What could happen is we could maybe put a requirement that they come back and ask for more time. I think committees can always come back and ask for more time. Bodies can come back and ask for more time. So then this really doesn't have any teeth because if they don't get it done, they're just going to come back and ask for more time. Well, then we could say no, or we could say no, and then the board would make the decision.

[04:49:23] So if we said no, we've just disbanded the group and all the work they've done. So if they were to come back and ask for more time, which is extended anyway, or they say no, which effectively disbands them. And then the board makes the decision, in my opinion, with the work that they've done up to that point, which should be significant.

[04:49:40] All right. Madam Chair. Yes, hurry. Can I ask staff how long it takes to get on the board's agenda to come and ask us for more time? Isn't that eight weeks or so at least?

[04:50:00] From our standpoint, it would generally be at least a month from when we put in our initial board. That's another month of delay just to come and ask us for more time. I think it's a bad idea. All right. So we're at the Ms. Brickson's motion. And we'll have to go, depending on what happens here, we have to go back to the main motion afterwards.

[04:50:20] And I think, Mr. Turner, I think you had your light on to speak for the main motion. You didn't? You're good. For the main motion. Okay. All right. So we're at Ms. Brixman's amendment. All people say aye. Opposed? That motion will fail.

[04:50:37] 7-1-1 with Ms. Brixman voting forward, Ms. Umstead being absent. Let's back to the main motion. I think everyone's spoken on the main motion, but Mr. Turner. Thank you, Madam Chair. I just wanted to point out, it's a theoretical exercise. If we had a robust purchase of development rights program in place right now with a pot of money, you could have your cake and eat it too.

[04:50:58] You could have a cluster ordinance that says 70% prime ag soils and use money out of the PDR fund to make whole anybody who wants to put their property in a conservation easement and get full market value as if it could cluster. That's what you use a PDR fund for.

[04:51:14] But because you don't have that available, now it's an either-or proposition. We could do this. Granted, I'm not casting fingers at anybody, but this is what a PDR program can accomplish. Thank you. Thank you. On the main motion, Mr. Kirshner, you didn't speak on the main motion.

[04:51:31] I have not, no. Okay. Thank you, Madam Chair. I'm just going to probably use all my three minutes here, but I just want to, I really think this particular item may be a watershed moment for

Western Loudoun. We have worked hard, and when I say we as a county, our policies, as supervisors, people in the west to preserve as much open space as possible this is just another step in the process and that includes preserving the prime ag soils however um there are always consequences which i think were not completely realized till some of this was vetted and we have put in i think in the

[04:52:08] last year and a half or two i looked it up it we put in almost 5 000 acres and when i say we people who because of the tax advantages and whatnot over 5 000 acres in western loudon have gone into conservation easement and what you have is two competitors in the west right now and i agree with with uh supervisor turner that if we included a pdr program i think that would be a third competitor as well i i think we can have all three those two and the goal is to preserve as much land permanently not temporarily prime ag soils will will stop a lot of development

[04:52:44] at least in the cluster but it would also could be overturned by the next board so i hope that these stakeholders who are getting together um will come to uh come to an agreement as to how both can coexist really and that is preserve as much of the primax soil as we can but not devalue the property of the land and make the value of conservation because what we really have are two two big players right now we have the developers who want to go out and buy large parcels of land and develop them and we have a handful of 10 or 15 folks who are buying land and placing the conservation easements and if we if we are not real careful we will make the one group go away

[04:53:21] and then all we will have is developers seeking to buy to buy land and we will see western loud developed developed forever and ever um in in many of these large farms um you're not going to stop development completely but i think you can significantly slow down and i think you can preserve some of these prime ag as part of the clustering development i think what this that's what this group is here for i really would appreciate my colleagues support for this i really want to thank the supervisor buffington and um supervisor randall for getting together with this group and my staff and all the other staff that were there um and working through it

[04:53:57] and um i think i think this is a good this is a good start and hopefully we can come up with some things that we as a board can work with i know that the planning commission is also working on this um so we kind of have a two two venue route going going right now um and hopefully we can get this absolutely right to make it the best it can be. Thank you. Well, Chair Randall appreciates those comments. So, you good? So, so first of all, I really want to thank so many of the people

[04:54:30] who have come in to talk to me about this item. I've learned so much. There is a ton of stuff that I, I, you know, you don't know what you don't know. And the last thing I am as a farmer, right? I am a lot of things. A farmer is not one of them. So when we put this, when we start doing this, I, you know, when someone said we're going to preserve five acres, five acres sounded like some good farmable land to me because it's, you know, that's a lot of land. I found out from some people that five acres, like it's just about good enough to grow a, you know, a rose garden for most

[04:55:05] people and that's it. I didn't know that. I also didn't know that prime ag soil is something very specific and that there's nine types of soil and that you can grow on many types of soil. It doesn't have to be prime ag soil. So when we condensed this down to five acres of prime ag soil and not soil level one, two, and three, then we lost a lot of opportunities. So there was all these things that, you know, Mr. Buffington and I, when writing, and gosh, no, she knows more about farming than I do. But when writing this, we had

the best of intentions. And the intentions is exactly what Mr. Kirshner kind of said was twofold. One, to preserve as much farmable soil there is. And so

[04:55:44] that's the word I might use, not just prime soil, but farmable soil. And also to get much and protect as much land as possible. Those two, those are the two goals. And I found out that the way we had written it, it wouldn't really actually achieve either one of the goals to the extent what I wanted to. And so, you know, I've talked to so many of the people, both in the conservation easement program, who do conservation easements, and the farmers and the preservationists, who just sat down with me and educated me about things I just didn't know. And so I really want

[04:56:22] to thank Chris Van Flack was absolutely wonderful and very, very kind of patient with me as I asked question after question after question, and at one point, he kind of, like, smiled like, God, this woman, right? He was very patient with me, and so I really do want to thank all the people who have been involved in this entire discussion, and it has taken a long time, as Priestman's right about that, but part of the reason it's taken a long time is because I, and I'm going to speak for me, stepped out to do something, and with the best of intentions, didn't do it correctly,

[04:57:00] So before I was going to rush it through, I needed to stop, come back, listen to people who knew better, and do it again. And so that's one reason it's taken a little longer. And I apologize to staff for it taking that long, but that's what's actually happened. So now I know a lot more than I knew before about what's farmable land, what's not farmable land, how much land you need to farm, and all these other things.

[04:57:24] I mean, people have bought me things of soil for me to look at. It's been very interesting. So that is how we got here. So, all right, I made the motion. Mr. Buffett is seconded the motion. All in people who say aye. Any opposed?

[04:57:40] That motion will pass. I'm going to abstain, Madam Chair. That motion will pass 8011 with one abstention and one person being absent from the motion, from the vote. I'm sorry, 7011. All right, thank you, 7011.

[04:57:56] Number 12, let's go to number 12. Thank you very much. Thank you very, very much. Thank you. And then we'll take a break, come back, and go in the closed session, because we probably need a break. All right. Number 12. Aren't those the same people who are going to do number 12 with us? I think.

[04:58:16] So item number 12. Oh, so me and Mike, that's right. There's no staff. So me and Mike are the staff. They are out of here. They should not. I'm like, lady, please. All right. It is a me and Mike.

[04:58:32] I apologize. So this is from the Ashburn district and the Tony district, the Blue Ridge district. Who would like to do some explaining first?

[04:58:48] Mr. Buffington? - Thank you, Madam Chair. I move that the Board of Supervisors approve increasing the income cap requirement for the conservation easement grant program from \$155,938 to \$500,000. - Second, second.

[04:59:03] I'm on the Mr. Turner second. He's the one on it. Are you not looking at who bought the item? Mr. Turner bought it. I wanted to second it. Can I third it? You can third it. Half the board, or maybe all the board, wants to second it. That's right. Mr. Buffett. I did ask for this to be on consent.

[04:59:22] I know a couple supervisors wanted to pull it off. Listen, the bottom line is there's no fiscal impact here. Last board approved this item. The money is set aside right now, and at the beginning of each fiscal year, whatever we spent the last fiscal year is bumped back up to \$150,000.

[04:59:43] So we maintain \$150,000 a year in this fund, and unfortunately, because we've been so cautious with it, We haven't been spending all of the amount that we put in there each year on this effort to help folks permanently preserve through conservation easement their land in Loudoun County.

[05:00:06] And so all this is trying to do, and we've made a couple of efforts, this is maybe at least the second, if not the third, maybe the fourth effort to make this a little bit easier for people to obtain these funds so that they can help cover the enormous initial cost of putting their land into conservation easement.

[05:00:28] So I appreciate Supervisor Turner going in on this with me. I appreciate Supervisor Kirshner, your support on this. I'm wanting to second it. I knew ahead of time that you supported this, so thank you. That's all this is. It's not asking for more money.

[05:00:43] It's asking, hey, can we do something so we can make sure we're using this full fund every year rather than only using, I think last year we used about 40,000 or maybe a little bit just under 40,000 of it. So let's use it all. Let's do the best we can to preserve our open spaces and what's left of our farmland.

[05:01:01] So thank you. Thank you, sir. Mr. Turner. Thank you, Madam Chair. I'd be in favor of no cap. So moving in the 500,000 is the right direction. I think the concern is if we raise the cap to 500,000, more people are going to get conservation easements.

[05:01:18] burn off all the money we have in our pot to help with conservation easements in which case we ought to come back to the board and make a motion put more money into the pot it means the program is working we're getting more conservation easements let's just keep going i think it would be great if we used up all the money in the pot it means we are permanently protecting land in the west and i'm all for it thank you thank you mr kirschner thank you madam chair i attended a meeting i think it was a monday ago and uh this this very issue was brought up by a number of the members there And I will tell you, I went back and looked it up, and I was surprised.

[05:01:52] And I kind of knew this because we had just talked about refunding the \$30,000 or whatever it was used. Why aren't we using the rest of it? And then I went and looked at the income caps. So I was very pleased when Supervisor Buffington wanted to bring this forward. I think it's a great idea. I do not disagree with Supervisor Turner on this.

[05:02:09] I think, I mean, we wouldn't even need a PDR program if we were using up this money that quickly, I don't think. I mean, quite frankly, I don't know if it'll work that way, but I don't want to make that as a prohibiting factor, and that is simply because you may be in a little bit of a higher income bracket, because it does.

[05:02:25] It costs, I don't know what the average is, I think around \$25,000 or so to take a chunk of land and place it in a conservation easement permanent. Plus, for many of them, you could potentially be taking a financial hit as well. We're not paying for that, but just doing a good thing for the West as well.

[05:02:41] So I'm really glad to support this. Wonderful. Mr. Letourneau. Yeah, I'm getting off the train on this one. I would have been okay with an increase to the cap, but not a 220% increase. So the average one

of these is costing about \$13,000. What we're really saying is if you make a half a million dollars, we're going to subsidize you up to \$25,000.

[05:03:05] And it does have a fiscal impact because we will, we do replace this money every year. so if we burn through all the money then yes we're gonna have to come back and put more in it and it's not that i'm opposed obviously i want people to do conservation easements but it's a question of if you're making three four five hundred thousand dollars do you really need the county's money in order to do this and if you have that kind of income are you really telling me that's why you're not doing it if you're if you so desire to put your property in conservation easement and you have an income of half a million dollars but oh it's that 13 000 i'm not getting from the county that's preventing me from doing it so i have trouble saying to the rest of the

[05:03:44] taxpayers that somebody up in that income bracket needs county assistance in order to be able to do this to that to that level when it's a relatively small amount of money so um i i said this back when we created this program i was worked with my colleagues to do the income cap for this exact reason because that was kind of the compromise that put this program in place um and i would been okay with i think a more reasonable increase in the in the income limit to acknowledge the fact that incomes and inflation and all those kinds of things maybe we go up to 250 but 500 is too much

[05:04:20] for me okay miss bricksman thank you madam chair um i just had a couple questions um i'm probably going to be in the same in the same boat as supervisor letourneau on this but um i think There's a couple of other things changing besides just the income cap, right?

[05:04:39] Because we're also saying that we're taking out the highest, if it's an LLC or if it's a family-owned property, we're taking out, according to number three, we're eliminating the top income person out of the equation.

[05:04:59] So you could have a, if I'm, tell me if I'm getting this wrong, you could have someone that's making a million dollars a year but it's in an LLC and then so that income's not counted am I so chair Randall yes yeah so I I believe the way that the the memo was written by uh I think it was supervisor Buffington's office the they were describing previous actions so everything that was in the memo has already been approved by the board so all those actions oh okay um in september of 2021 okay so our interpretation is the only thing that's changing here is the

[05:05:34] income cap okay so the top income's already out that would that happened already before okay okay okay that that's good and then once something is in conservation easement um we don't collect any real estate tax on it right we don't we don't collect any tax on it they get a tax break right so i'll defer to the county attorney but my understanding of the conservation easement is it lowers the value of the property. So it's not that they're tax exempt. It's just that they pay less in taxes because the value of the property is lower.

[05:06:12] It effectively lowers the value of the property so that we don't collect as much tax on it as we would. That's correct. The real estate tax is decreased because the easement is put on. There's also an income tax benefit that's provided for conservation easements.

[05:06:29] And what's the income tax benefit? There's a state income tax credit, and there may be a federal income tax deduction as well. Okay. Okay. So it does cost, aside from the \$150,000 a year, which I

don't really have a problem with, it costs us in not collecting, because the value of the land is so much lower, we don't collect the tax on it.

[05:06:54] So that's the cost I'm seeing. Anyway, I would agree with Supervisor Letourneau. I might be able to do something like \$250 or \$300, but \$500 seems high to me. Thank you. Thank you. Okay, you look at a closing.

[05:07:11] So, first of all, it's not my practice to count other people's money. If somebody has money in their pocket, they got money in their pocket. I don't know what other encumbers people have on their money, and it's not up to me as a supervisor to count other people's money and then decide that they don't get to have a tax break or not have a tax break or put their land in conservation easement because I believe they have too much money.

[05:07:36] It's not up to me to do that. Secondly, these are one of these pay-me-now-pay-me-later moments because if we don't get more land in conservation easement, they're going to have some by-right development opportunities. And the reason we're sitting here right now with the discussion about Route 15 is not because the county has approved any new homes in Route 15.

[05:07:58] in the county has not and in fact not even one we're having this discussion because all the buy well some of it's from out of state but all the buy right development and so it's not as if not doing anything at all doesn't cost us money it cost us big money in infrastructure um that that we're going to be paying for for a long time so if i have to pay one way or the other i would most certainly rather pay to put money to put land in conservation easement than pay for infrastructure The amount of money we're about to spend just on Route 15 alone to widen it is going to, I mean, it's going to blow these numbers out the water three times over.

[05:08:36] And that's all from by-right development, except for the people who are coming out of state. So, you know, there really is such a thing as being penny-wise and pound-foolish. This just makes more sense to do it this way right now.

[05:08:52] And so I'm absolutely going to support this, and I appreciate Mr. Turner and Mr. Buffington for bringing it forward. Ms. Buffington, would you like a closing? Yeah, I appreciate Mr. Hemstreet for mentioning that these other items are things that we've done in the past. As I tried to say in my opening, we've tried to be conservative about this in order to ensure enough support on the board that we could get these things passed and do a little bit at a time.

[05:09:17] That's what we're trying to do with this because we did the things that Mr. Hemstreet already mentioned, and that are in the packet but still last year we only spent thirty eight thousand dollars I believe out of the hundred and fifty that we set aside that we wanted we said we said as a board previously that we wanted to spend on this so this is another conservative move towards trying to spend the full amount each year I too would agree with Supervisor Turner's position on this that I would just remove the cap I would be perfectly happy I'm happy to make the motion to just remove the cap but I don't think that that would pass I'm not sure we have

[05:09:55] enough support up here that's the only reason I'm not doing that I want the full 150 if not more to be spent each year on conserving what's left of Western Loudoun County permanently conserving it to Supervisor Brisbane's issue and as Chair Randall stated yeah we may get lower real estate tax by doing this but the people who are doing it are permanently losing a lot of in most cases a lot of potential

development that they could do and if they did that potential development it would cost us a whole lot more than what it's costing us in the reduced taxes that we're getting to widen roads to build new schools to hire

[05:10:34] more cops that to police the area with all the new housing and all of those other things that would come with increased housing throughout these areas and we're talking thousands of acres so it could add up quick the state does provide incentives and it's for the same reasons they they are encouraging people to do this because they know that it takes some encouragement without that encouragement most people are not going to on their own just go ahead and reduce the value majorly impact in a negative way and reduce the value of their land so yes there are some incentives to do this and that's what we're

[05:11:12] doing with our program as well but in the long run we're spending a few pennies obviously it's a lot more than that, but it saves us millions and millions of dollars down the road on infrastructure that won't be needed if we didn't otherwise have this land going in the conservation easement.

[05:11:28] So that's what we're trying to do here, and I appreciate the board's support. Thank you. Thank you. The motion was made by Supervisor Buffington, seconded by Supervisor Turner. All in favor to say aye. Aye. Opposed?

[05:11:43] This motion will pass 7-1-1 with Mr. Turner voting against the motion and Ms. Omstead being off the dais. Supervisors, let's take a 10 minute break before we come back and read into closed session.

[05:22:51] Are you up tomorrow?

[05:30:10] Am I? Am I on? Okay, first of all, I've just hit this thing. Let's just start with that. Supervisors, I'm going to make a deletion from the agenda. We are taking off closed session item number one and we're taking it off because it is a for the most part most part town of Leesburg issue and since this is Miss Umstead won't be able to join us and I'm sure she'd want to we'll remove that item and put it on the

[05:30:47] next on the next agenda for closed session so Mr. Sainz will just read us right now into closed session item number three all right I move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to section 2.2-3711A3 of the Code of Virginia to consider acquisition of parcels of property for public use in the Katoctin Election District.

[05:31:10] Motions made and seconded by the Katoctin. Was the Katoctin Supervisor like to second that? Sure. You guys, can you all pay attention? I get a second today? It's your election district.

[05:31:26] Sylvia's more like seconds. I was going to defer to... Actually, Sylvia did it. Sylvia said it. She's too quiet. All right. Motion remains seconded by Caleb Kirshner. Discussion on the motion? All people say aye. Opposed?

[05:31:42] That motion will pass. Answer one.

[06:28:44] Yes. I move that the closed session be adjourned. That the Board of Supervisors reconvene its public meeting. That the minutes of the public meeting shall reflect that no former action was taken in 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 and seconded by Supervisor Buffington.

[06:29:02] Discussion on the motion? Yes, we do. Discussion on the motion. I need you all to affirm. Mr. Letourneau? Affirm.

[06:29:19] Affirmed. Affirm. All in favor? Either way, it doesn't matter. All in favor, say aye. Aye. Opposed? That motion will pass 801. Mr. Buffington, would you like to make a motion? Thank you, Madam Chair. I would. I move that the Board of Supervisors authorize the county administrator to execute a purchase agreement approved as to form by the county attorney with Percival West LLC and 58 acres Harry Bird Highway LLC for a total of 142.71 acres of real property located west of the town

[06:29:55] of Percival and identified as PIN numbers 523-47-8975, 523-48-4422, and 522-18-22. 2896 at a purchase price of six million eight hundred fifty nine thousand nine hundred and two dollars the purchase shall be subject to a satisfactory due diligence and feasibility analysis for the county's intended use of the property and I further move that the Board of Supervisors direct staff to execute a budget adjustment in the amount of seven million fifty nine thousand nine hundred and two dollars from the land acquisition project to the

[06:30:35] Western Loudoun Recreation Center land acquisition and due diligence project second okay second okay the motion was made by a supervisor Buffington and second by supervisor Kirshner discussion on that motion thank you madam chair I am extremely happy to announce that if this deal goes through successfully we will have successfully identified the site for the Western Loudoun Recreation Center. So this is a huge deal for Western Loudoun County. I can't tell you how many times I've been

[06:31:08] asked about the site for Western Loudoun Rec Center. This is centrally located throughout Western Loudoun, so it's easily accessible for everybody, no matter which part of Western Loudoun that you live in. And it's just to the west of Percival, between Percival and Round Hill, not far from Franklin Park. I think this is a great site. This is where I had envisioned it uh from day one and so i'm extremely happy to be getting this 142 acres uh which is much more than is actually needed for the western loud and rec center so very excited about this wonderful

[06:31:45] anybody else okay i'll be able to say aye any opposed that motion will pass 801 and i think that is um concludes our business for the for the evening we are adjourned



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