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Loudoun County Board of Supervisors, Business Meeting & Public Hearing, Tuesday, March 21, 2023

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Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 5h 11m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7225>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7225

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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.

[00:01:53] i'll find her lisa erickson can you try testing lisa erickson can you count to five please testing

[00:09:47] one two three testing thank you i can hear you sounds good can turn me on thank you well good

[00:10:27] evening supervisors good evening staff good evening loudon i'd like to call to order the march 21st 2023 loudon county board supervisors business meeting this room has a hearing loop if you need a hearing aid please switch your if you need a hearing assistance please switch your hearing into telecom mode. If you need a headset, we have those available as well.

[00:10:45] Please see the clerk to request one. Tonight, Mr. Kirshner is down for doing an invocation, our words of wisdom, and the Pledge of Allegiance. Mr. Kirshner, it's up to you, sir. Okay. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. All right, let's pray. God, we do

[00:11:21] thank you for the opportunity to gather together we thank you for the freedoms that we enjoy in this nation that we can assemble publicly like this and not be concerned with persecution or a tyrannical government we pray lord that you would give give each and every supervisor here each and every presenter each and every staff member involved in this meeting tonight wisdom because we know

that wisdom comes from you and we know that we need it and we lack it so please give that to us tonight, God. We also pray for humility to help us understand that we don't have all the answers, but also to live according to our convictions. We pray this in your name. Amen.

[00:12:00] Amen. Thank you, Mr. Kirsten. Supervisors, Supervisors, Letourneau and Sains are both joining us. They are both running late, but we do believe that they will both be here. The proposed casino agenda is as follows. It's a long one. Item R1, proclamation to recognize March 23rd, a Skib Tuesday in Loudoun County. We have quite a few nonprofits in the room for that.

[00:12:25] Item R2, proclamation to honor Jacob Rixman on his achievement in the rank of Eagle Scout. It is for approval and presentation, and I'm not quite sure who's going down front with me, but I'll decide later on who gets to go down front with me. Item R3, resolution accommodation for Eagle Scout John Clinesmith. It's for approval only.

[00:12:49] Item 1A, appointments and confirmations. Item 2, administrative items report of March 21, 2023. Item 4, response to board member initiative, Smith-Switch Road corridor, and W-O-N-D grade separated crossing study.

[00:13:06] Item 5, response to board member initiative on street parking restrictions on free court. Item 6, response to board member initiative, identify funds for a corridor study on Destiny Drive. Item seven, location, design, and dress for the Braddock Road, segment two, part six, eastern interest to Loudoun County Parkway.

[00:13:24] Item 8A, and these are finance items, supervisors, contract, renewal, construction, support service. Item 8B, contract, renewal, construction, support services for buildings and parks. Item 8C, acceptance of home, H-O-M-E, which is acronym Investment Partnership, grant award.

[00:13:41] Item 8D, revised Loudoun Health Commission bylaws. Ms. Brixman, did that come out of the Committee on Committees? It did, right? Thank you. Item M, and thank you, and good job. Item 9A, Western Hills Watershed Management Plan.

[00:13:59] Item 9B, starting ordinance rewrite project, multifamily affordable dwelling unit exemption removal analysis update. That is the consent agenda. Is there discussion on the consent agenda? Mr. Turner, discussion on the consent agenda.

[00:14:16] Thank you, Madam Chair. I just wanted on the record that I asked staff if there was any possibility of incorporating a prevailing wage provision in the contract renewals and items 8A and 8B. And staff allowed that this contract is essentially a single individual, that prevailing wage really wouldn't apply.

[00:14:36] And their wage is well above prevailing wage, so it really was applicable in these cases. But I did want to highlight that, just for the record, that we are looking at opportunities to implement prevailing wage, and we will continue to look at those opportunities going forward on these contracts. Thank you.

[00:14:52] Thank you, and thank you for checking on that, Mr. Turner, and being aware of that. Anybody else? Supervisor Glass. Thank you, Madam Chair. I want to thank my colleagues for your support in the funding of the Smith-Switch Road Corridor Study. This is a very important initiative for the residents of Broad Run.

[00:15:08] Smith-Switch Road is one of the last remaining rural roads in Ashburn with lots of pedestrian, bicycle, and vehicular traffic. This corridor study will work to make sure existing projects along the

corridor are working in tandem to achieve the overall goals of a safer corridor and will include an analysis of making the crossing with the W&OD trail at Smith-Switch, a grade-separated crossing.

[00:15:33] I look forward to reviewing the results of the study once it's completed. Thank you, Madam Chair. Thank you anybody else on people say aye any opposed that motion will pass 702 with mr. Letourneur mr. Sainz being off today as but was it again we expect him to come back survivors I will note that close yes there was a motion of it I made the motion was there a second okay mr. Buffington second the motion I made the motion mr. Buffington second the motion thank you I went off the closed section item number three which is which was the collective bargaining item has been deferred to the next meeting

[00:16:10] So let's do organizational updates, and then I have a voice for a cause tonight. If you have an organizational update, would you please set your light on? Ms. Bricksman. Thank you. Thank you, Madam Chair.

[00:16:26] It's working. But I thought that we were doing our organizational updates in our board comments. Oh, that's right. You know what? This is just my update. I'm sorry. And mine is actually pretty long, so everybody just get ready. So in NVTa, something happened that was really interesting, and I think everybody in the audience might think this is interesting.

[00:16:46] There was an office occupancy study done, and it studied what was the occupancy level at the pre-pandemic, at half the pandemic, and then post-pandemic. At the highest level of pandemic, which was mid-2020, the Census Bureau showed that 59.5%, so almost 60% of all workers in the Washington, D.C. metro area, were working remotely.

[00:17:13] It's a huge number. Since then, office utilization in the D.C. region appears to be back to half of what it was at the pre-pandemic level, but it's also plateaued. And so the office return level at this point is not going up any further.

[00:17:31] So then the discussion was, well, if the office return level is not going to go up any further, what does that mean for our mass transit, both buses and metro and all the mass transit that we've put in place and that we've planned on for many years before we ever had a pandemic?

[00:17:46] And so discussions of how to get people back on mass transit, especially buses, were happening all over the northern Virginia region. The DASH system, which is the bus system in Alexandria, decided to try something really kind of unique and new to get people back on the buses.

[00:18:09] And you would have thought that it seemed not logical. They decided to offer their bus service free, so there's no fare for the bus service. They made the decision that buses should not be, or mass transit in general, should not be an economic issue, but should be a social justice issue.

[00:18:28] So anyone who needs to be able to get around can get around. And so how does that look? So they took away the fares on the buses. They did it first by deciding that they were going to do a study and apply for grant funding, which they received, and which covered the cost of what the fares would have covered.

[00:18:50] But the grant funding was only through fiscal year 2022. So then it became, well, if we're going to keep this up, how does this look, and what does it look like? During the fiscal year 2022, when they took away the fares, Average daily ridership doubled in the first year.

[00:19:12] The biggest ridership increases were middays, evenings, and weekends. I guess that's like literally all the time, middays, evenings, and weekends. That's all the time. They had a huge number of student riders ride the bus, a huge number of especially high school students ride the bus.

[00:19:30] And the bus ridership right now is well higher than it was pre-pandemic level, well higher. So then they asked themselves kind of like, well, what do we do with this and how do we keep this up? 71% of riders indicated that they were riding the dash bus because it's free.

[00:19:49] 80% of the dash riders are low-income people. 22% of the riders said that their reasons for riding was the frequency and the fares, and 67% of riders said that being free increased their perception of Dash.

[00:20:09] But how do you make these free? Well, they did a study to see, like, what does it cost to have fares on the bus, and what do you save not having fares on the bus, which, again, didn't sound logical to me. So the technology to have a fare box on the bus, to have those fare boxes serviced, to have those fare boxes changed out, to have security, because if you're moving money, you have to have security.

[00:20:37] They literally had bolts that they had to put money in. They had counting rooms. They had armed guards. All that went away when they had no more fares. all the information on data and ridership came in.

[00:20:54] And what they found is that although the savings they have now from not having fares is not quite equal to what it was before, it's getting there. They've saved so much money on not having fares, on not paying for the fare boxes, on not paying for the county rooms, the armed guards and all that.

[00:21:15] they were actually able to, I'm finding that they were actually able to afford the fare-free buses. The survey that they just completed said the number one reason for people to ride was the increased frequency. Number two were free fares.

[00:21:31] And number three, which really surprised me, is people said that they were worried about the environment and the climate, and they were willing to ride buses versus getting in their car because they were worried about the environment and climate. And so, the discussion around Northern Virginia is right now, if we're not going to see people going back to the offices, and we probably won't, because employers have figured out people can work from home, and they still get as much done working from home, and their productivity is just as high.

[00:22:00] Employers are not paying for tolls. Employers are not paying for the rental cost in office buildings. So, the people who have returned is pretty much plateaued. So then how do you get people back on the mass transit?

[00:22:16] And free fares is looking to be an option that in the end really is not costing the locality as much as they thought it was going to cost the locality. So that was really impressive. The other thing we discussed with two other things was the Secretary of Transportation, Secretary Miller, is taking a holistic look at SmartScale funding, and they should.

[00:22:39] Smart scale funding is done through the Commonwealth Transportation Board. And when smart scale funding was put in place, it was supposed to be a completely nonpolitical process that decided where state transportation dollars were located.

[00:22:55] Well, this past year, and their number one criteria is congestion relief. That is their number one criteria to where state dollars should be located. This past year, all of northern Virginia got 7% of the Commonwealth's transportation dollars. So Northern Virginia overall said if your number one goal is congestion relief and over one-third of your population lives in Northern Virginia, then clearly this money is not being handed out in a non-political way because otherwise we would be getting in Northern Virginia a lot more money.

[00:23:28] Northern Virginia would be getting a lot more money. Hampton Roads would be getting a lot more money. Richmond would be getting a lot more money. So the issue is no longer that it's being handed out in a non-political way. okay, maybe there are some places that need to have smart-scale money more than Northern Virginia.

[00:23:45] I can't imagine who, but let's go with that. There's places that need to have more than Northern Virginia. At this point, what we're saying to the administration and to CTB is, let us know what criteria you're actually using, because you're clearly not using just non-political congestion criteria, because we're not getting the money that we would have otherwise received.

[00:24:06] So the Secretary of Transportation, to his credit, heard that and is doing a complete revamp on the goals for SmartScale, how it should work, how it would move people. And we had public comments on SmartScale up until last Friday.

[00:24:24] I wanna thank Loudoun County staff that did actually submit some comments on how SmartScale worked and that was it really well. So we will soon know what goals CTP actually is using For smart scale, when we should apply, when we shouldn't apply, what we can expect, all those types of things.

[00:24:41] There is a big move to have more smart scale money go to transit and less to roads. Okay, that discussion is happening. Okay, but even with that discussion, if you're moving people in transit, that's Northern Virginia, that's Hampton Roads, that's Richmond City.

[00:24:57] And so no matter what you're doing, it's still the same discussion. And then finally, the MBTA made the decision that we were going to bring in in-house legal counsel. We have had all this time, what's called a council of counsels.

[00:25:15] And so four attorneys from Alexandria, Arlene, Fairfax, and Prince William has been part of their council of counsels, and they work for free for MBTA. Now, Loudon had a chance to have somebody on the council of counsels. I did not volunteer any of Mr. Rogers' staff because you guys are busy enough and they're working for free, and we're not working for free in Loudoun County, and that wasn't going to happen.

[00:25:39] So I didn't volunteer anybody. But the other places actually have now said it's too much for them. It is too much. So they're going to bring in an in-house attorney. MBTA is literally at this point a multibillion-dollar organization.

[00:25:56] So to not have your own attorney on staff just was making no sense anymore. And so they will be putting something out, RFP, to bring an attorney in-house. Until then, we will keep the Council of Councils.

[00:26:11] And even after an attorney comes in, the Council of Councils will be an advisory body to them. So that's all of my NVTa updates. I know it was a lot. I'm sorry, but it was a really happening five-hour

meeting, so had a lot to go on.

[00:26:28] Okay, my voice for a cause today is Pearls of Loudoun, and I am going to ask Ms. Brown to come to the day as, while she is coming, I'm going to ask all the members of the Alpha Kappa Alpha Cyro Omega Chapter to please stand up, and I want to welcome you all here.

[00:26:53] The Alpha Kappa Alpha Ladies are a public service sorority. They were the first African-American sorority. They were the first African-American sorority. Founded in the United States.

[00:27:10] You were founded at Howard University, correct? You were founded at Howard University. And they are a public service sorority. They do very, very, very good work. So they have a program, a nonprofit arm, and they are called Pearls of Loudoun.

[00:27:26] So I'm going to ask you just a couple of questions about the Pearls of Loudoun. Can you briefly explain the program, the Pearls of Loudoun program? Absolutely. Thank you, Madam Chair, and all the symbols for allowing us to be here this evening. So the Pearls of Loudoun scholarship is an endowment that is part of our larger sorority foundation of Alpha Kappa Alpha Sorority Incorporated, our Educational Advancement Foundation.

[00:27:50] And this is our philanthropic arm of A.K.A. And so the Pearls of Loudon Scholarship was actually created shortly after our chapter was chartered here on June 30th, 2012. Okay. And how do you accept young ladies into the program?

[00:28:06] Absolutely. So our Pearls of Loudon Scholarship is available to students, which through our website, students are able to apply. and it is awarded to a college student who is a sophomore or higher and is a current or former resident of Loudoun County.

[00:28:25] Oh, wow. Okay. Does it have to be a female? It does not. Does it have to be a female? Okay. How would someone who wanted to be considered contact your organization? So all of our contact information for our endowment can be found on our website, which is psi, P-S-I, rho, R-H-O, omega, O-M-E-G-A, dot com.

[00:28:51] All information and reference to all of our scholarships, and we have three, can be found on our website. And you just hit my last question. Can you tell me a little bit about the three scholarships? Absolutely. So along with our endowment merit-based Pearls of Loudon scholarship, We also have a need-based Second Chance Scholarship, which provides financial aid for female students of African and African-American descent who are 25 years or older and residents of Loudoun County.

[00:29:22] Also, we have our community merit-based Siro Omega Scholarship, which is awarded to high school seniors of African-American descent who reside in Loudoun County and attend a Loudoun County high school or a non-Loudoun County high school.

[00:29:40] And is that one for young ladies and for young men? Yes, it is. It is. Okay. It is. You know, I give you all a hard time just because. But the truth is, I am very appreciative of the ladies of Albuquerque, Albuquerque sororities.

[00:30:00] Some of you, I mean, no kidding, my friends, you all do great work in our county. And you do great work nationally. I don't think that most people understand what the divine nine is or what it is to be black Greek. But you represent very, very well, and you represent very well all the time.

[00:30:20] So I do appreciate you. Thank you. I will say this as well. We have awarded close to \$100,000 in scholarships just in our county. That is amazing. Absolutely amazing. Thank you, ladies. Thank you. And I hope you stay with us for the most of the meeting. Thank you. I'm sure every member of the Delta Sigma Theta alumni chapter is probably watching this meeting tonight.

[00:30:43] I'm going to get some phone calls. I'm going to get some phone calls later on. Like, what were you doing? That's going to happen. later on but you all you all are you all are wonderful so thank you um i do think mr hemstreet i'm going to go to you for your comments and then we have two speakers of uh well actually not until five o'clock mr hemstreet do you have any comments thank you madam chair i have four comments for this evening the first is that loudon county's new regional park is receiving national statewide and regional attention hal and bernie hansen regional park was recently listed by connect

[00:31:19] sports as one of 19 new renovated or upcoming sports venues to watch around the country. Hanson Park was also featured on the cover of the spring 2023 edition of the Virginia Parks and Recreation Magazine, and it was also featured in Washingtonian Magazine, along with the Lovettsville Community Park and the plans for future green space and trails at the former West Park golf course.

[00:31:41] Second, Loudoun County is hosting the 2023 Northern Virginia Housing Expo on Saturday, April 1st at Dominion High School in Sterling. The event will feature workshops, and exhibit hall and free one-on-one financial coaching sessions staff from the department of housing and community development will participate in two panels to share information on loudon county programs for renters and home buyers more information is online at loudon.gov forward slash housing third general registration for the next water testing event sponsored by virginia cooperative extension or vce loudon is now open loudon residents whose water comes from a well

[00:32:17] cistern, or spring may sign up at loudon.gov forward slash water testing to receive a water sample kit. The samples will be analyzed and participants will receive the results and information about how to address any problems that are found. There's a cost of \$65 for the sample kit, which is substantially less than what private labs typically charge. And then finally, in honor of Emergency Management Professionals Week, which is observed in Virginia during the third week of March. I'd like to recognize the staff in the Office of Emergency Management for their service and commitment to the county's residents and businesses. Our emergency management

[00:32:54] professionals are of critical importance in providing an effective, efficient, and coordinated response to significant events in the county. Their work is often behind the scenes, but their work is essential to building a safer and more resilient community. Those are my comments this evening, Madam Chair. Thank you, Mr. Hemstreet. I appreciate your comments. Supervisors, we're going to go to our two information items. Our first information item is our update on our strategic initiatives. So would staff please come to the table? Are they not in the room? There they are.

[00:33:31] Yes. There you are. Hello, Ms. Black. How are you? You flying solo tonight? Mr. Hemstreet will be my wingman this evening, as well as a whole audience full of online and in-person directors and other managers from the departments. Mr. Hamstreet, can you keep up with Ms. Black? I cannot.

[00:34:04] We're ready when you are. All right, Madam Chair and the Board, as you know, every four years, the Board creates its strategic initiatives, the initiatives that it places as priorities for the Board's term. And as I think you are also probably aware, we're coming towards the end of the board's term and so

we have decided to provide you with another update on where we are with our initiatives of which we have quite a number and to take any questions that the board might have

[00:34:42] have any discussion that you might wish to have regarding the initiatives as they stand And the item that was sent out last week, we provided a sort of framework for the work that's been done so far.

[00:35:02] We've provided links to the items that have been presented in response to the different initiatives that the board has put on their list. And we've also categorized the initiatives as completed, in progress, or in some cases ongoing, when the initiative is sort of broad enough that the work has sort of multiple initiatives that fall under it.

[00:35:32] With that, I would be happy to take any questions, and as I said, we have many of our directors both online and in the room if you have any questions about their specific initiatives. Supervisors, if you have questions, this is a great time to put your light on to ask the questions you might want to ask. Mr. Turner.

[00:35:52] Thank you, Madam Chair. I read this item in full, and I just want to thank staff for keeping track of everything that was going on and providing such a comprehensive update. I had no idea that we were such taskmasters, and I really do appreciate all the work that the staff has done, so thank you.

[00:36:12] Ms. Brooksman. Thank you, Madam Chair. Just my one question would be, what happens next term? do we I mean I don't know what the history is when when a lot of initiatives right when a lot of initiatives haven't started I know a lot of them have been completed and I also really thank staff especially keeping these things moving forward during COVID and all those all those hurdles that we've had with that but yeah I just don't know the history of things that are in

[00:36:45] progress I would assume stay in progress but just wanted to know thank you yeah so chair Randall if I And so the board is a perpetual entity. So what we would do with the next board is sit down with board leadership, say, share the final iterations report, which will come to you probably in the November, December timeframe, and say, these are all the initiatives that the previous board had us working on.

[00:37:14] And then say, how do you want to deal with these with your discussion in 2024? And then that next board as part of that process would then say these we want you to keep doing staff or this one we're not quite as interested in so we'd like you to stop work and identify additional ones.

[00:37:37] So we would keep working on the answers. We'd keep working until a substantive board tells us to no longer work on it or we've completed the initiative. Okay, great. Thank you, Madam Chair. Let's all ahead. Thank you, Ms. Bixman. Ms. Golas. Thank you, Madam Chair. I don't have a question, but I just want to agree with Supervisor Turner saying that I appreciate the work that you all have done.

[00:38:02] You all have done just an immense job. I know that many of my constituents talk about the environment and the concerns that they have for our environment. And there are a number of things that we've said that we wanted to do, and you all have helped us out with those issues.

[00:38:20] so thank you again. Thank you. Mr. Letourneau. Yeah, I just wanted to call out specifically initiative 4.6, which is creating a plan for geographic equity for services and facilities throughout the county. I really think that this is critical given the growth that we've had in the county and particularly the growth in the southern part of the county, the newest part of the county.

[00:38:43] I know that we're in April talking at the finance committee about getting an update on the development of the southern services center but i think this kind of fits in with that strategic initiative and i think we also should try to blend this with the capital needs assessment and be looking at where there are areas whether it's field shortages parks that we are short and then take the cna look at geographic equity and potentially look at action in the cip down the

[00:39:18] road because i think if we if we do that and put that filter on it it will show some real issues that we have in terms of where our services are and where parks are and where those opportunities are in the county thank you thank you thank you so i do have a couple of things um i don't know if it was online but for on page 15 uh the discussion on destigmatizing housing it's a Are the stigmatizing attainable housing? It's a huge discussion and it's hard to do My question for anybody on the online especially if you're if you're there miss turn if she's there is

[00:39:56] If we have to continue to use light tech as a funding source For having attainable housing and getting that light tech funding and light and the light tech homes have to all be in one in one structure I believe it's harder to destigmatize attainable homes if we're requiring them all to be in the same place.

[00:40:22] I believe you destigmatize attainable homes by kind of dotting them throughout the community. So is there any effort, and if so, what is the effort to maybe have a discussion with state to change the LIHTC requirements? That's the first thing.

[00:40:37] My second thing is I'm going to say that I agree with Mr. Letourneau. that on page 10, all the discussion about equitable communities is really, really a good discussion. And one I think that goes a little deeper into explaining what that means to be equitable, because it explains it in every way. Equity means transportation, equity means green space, equity means, you know, everything. And so, but geographical equity is also something that we have to think about all the time. So whomever did that section is to be commended because it's very, very, very well done, so thank you.

[00:41:13] And then my last question, I'm surprised Mr. Kirshner didn't ask this question, Mr. Buffington, is can you give me a quick update on broadband initiatives, especially broadband initiatives in some of our more western part of the counties? Those are my three questions. Thank you.

[00:41:29] I'll have Mr. Hall answer the first set of questions, and then we'll have a representative from DIT speak to your second. Good evening, Chair Randall and members of the board.

[00:41:46] I have Brian Regan, my assistant director, with me as well, so we will jointly respond to some of your questions. As part of the lead-in to your question on Section 42, low-income housing tax credits, what can we do to basically have a priority or an emphasis on deconcentrate in poverty instead of grouping the units together?

[00:42:05] That is something that we can share with Metropolitan Washington Council of Governments as a coalition, But with Virginia Housing Development Authority, which is now Virginia Housing, that is something we can communicate with them in their qualified allocation plan, QAP, for comments to put in different priorities to see if we can explore that.

[00:42:28] I'm not sure if that's a feasible goal. Would you agree that it's hard to destigmatize if poverty remains concentrated? Absolutely. I agree. We must focus to affirmatively further fair housing by deconcentrating poverty.

[00:42:48] Yeah. Yeah. Thank you. So so we're going to so we're going to initiate dialogue with the state, the housing finance agency with the state are also our regional partners so that we can form a coalition to see what things we can do to actually deconcentrate.

[00:43:09] Some communities use mixed-use financing as a way, so you have mixed uses, commercial and residential. In our public housing arena, we take Section 18, which is some public housing units, and we intersperse those with market rate in some buildings.

[00:43:28] So there are various variables that we can use, and we just need to see what we can do that would work viably here in Loudoun County. All right, thank you. And Mr. Bayless and Mr. Friedrich are going to address your question on broadband.

[00:43:46] Thank you. Hey, Madam Chair, members of the board, we have Dave on remotely, and he can address the broadband questions. So it's all yours, Dave. Good evening. Hi, Chair Randall. Just for an update for the board, we'll be providing our quarterly update to the full board on April 18th.

[00:44:07] And what we'll include in that item is an update on the BATI project with all points broadband. We'll be including an update on the ARPA RFP that we'll be submitting for or publishing for the 100.

[00:44:23] There's about a shy of 200 residents that aren't included in the VATI project but are considered unserved. We'll have an update on the FUNCAST franchise renewal as well.

[00:44:38] And those will be our three main points on April 18th. The VATI project, just as a quick update, is moving forward. We're on track for the July of 2024 completion update that All Points had provided to us in the November update.

[00:44:57] And it's all good news at this point. Yeah, I was thinking that the order changed. Yeah. Okay. All right. That was very helpful. We look forward to you all coming in on, you said, the 18th? Yes, ma'am. All right.

[00:45:12] I look forward to that. Thanks so much. Thank you. All right, Ms. Black, everyone, we appreciate you. Thank you very much. Supervisors, I don't know if the Northern Majority Community College has come in yet. Are they here?

[00:45:27] They're here. There you are. You are here. Come on down to the table. NOVA does an update for us. Well, last term they did it a couple times in the term, but this term because of COVID and all they haven't done it yet, and we really appreciate them to come in and tell us how it's going in NOVA and what's going on.

[00:45:45] Mr. Hemstreet, I'm going to come down and change some things on the schedule and make sure that staff's in the room, okay? Dr. Leidig, welcome back. Would you like to introduce everybody at the table with you, ma'am? You want to turn your microphone on?

[00:46:04] Is your microphone on? There it is. With our member of the NOVA board, Mr. Rick Pearson is with us today. Of course, I'm Julie Leidig. I'm the provost at the Loudoun Campus, Northern Virginia Community College. I have with me our vice president, Steve Partridge.

[00:46:21] Want to introduce yourself? Steve Partridge, Vice President of Strategy, Research, and Workforce. Nice to meet you. And, of course, Dr. Ann Kress, our president. Hi. How are you? Good to see you. So we went a little out of order, but that's okay. Good evening, Chair Randall, fellow county board members, and Executive Hemp Street.

[00:46:42] Good to see you again. My name is Rick Pearson. I am currently in my eighth and final year of service representing Loudoun County on the Northern Virginia Community College Board. I currently serve as a chair of the board's finance, building, and sites committee.

[00:47:01] I previously served as chair of the board when we led the nationwide search that resulted in the hiring of President Kress away from Monroe Community College in Rochester, New York. I want to thank you for this opportunity to update the board, and thank you especially for your constant support of the college.

[00:47:25] Please view NOVA as an essential strategic asset for the region, for sure. Let's go to the first slide. So as you can see here from the slide, NOVA is indeed quite large.

[00:47:41] I don't think people realize how large NOVA is. Because of the size, NOVA can offer 63 associate degree programs that lead to direct employment or university transfer, and 164 workforce programs and courses to meet the specific skill needs of area employers.

[00:48:01] While we are large and well-known, what needs to be pointed out is the small size of our classes. On average, 24 students, and all those classes are taught by professors, not teaching assistants. Let's go to the next slide.

[00:48:18] This slide here, what I most want you to keep in mind here is that NOVA has proven itself to be a top supplier of educated or trained talent in the region.

[00:48:34] So you can see there, Loudon tops the list right there. It's over 70,000 students. You can just always keep saying Loudon tops the list. Just keep saying that. About everything. So next slide real quick.

[00:48:50] So this is the big piece that I want to stress and what I love about what Loudoun County's done here. In cooperation with your school system, we're providing college credit instruction to 10,230 Loudoun County high school students this year. This represents more than 17% increase over the previous year.

[00:49:09] This equates to an effective scholarship for Loudoun families of over \$7.6 million. Region-wide, these free courses are effectively a college scholarship totaling over \$12 million. One thing I want to do, I want to congratulate the residents of this county for taking advantage of this program.

[00:49:30] As you can see, we're greater than 50%. We're over 60% of participation in this program. It is a huge benefit, and I'm a finance guy. The ROI on that is obvious. I want to commend everybody for taking advantage of this program in this county.

[00:49:50] But importantly, the investments have and continue to make the community college, you know, the returns, the ROI, like I just mentioned, many-fold. So before I turn it over, I just want to go through those slides real quick. I want to thank the board.

[00:50:07] I want to thank you for the opportunity in serving on the NOVA board. It's been an honor and a privilege, one of the most rewarding experiences I've had. And I'm happy I was able to bring in a successful new president for us. So I really appreciate the opportunity.

[00:50:24] Well, Mr. Pearson, you have been wonderful to work with the entire time, and you have been always available to speak with, and we really do appreciate you as well, so thank you. Thank you. Thank you. Absolutely. I will now turn it over to Dr. Judy Leidig, provost of the Loudoun County campus.

[00:50:40] So I want to echo those remarks and thank Mr. Pearson for his wonderful support of the campus and his service to the board. Chair Rendell and members of this board, I'm very grateful to you. We could not do what we're doing as a campus without the friendship and support that you have shown us over the years.

[00:51:00] And I want to talk about what the Loudoun campus looks like today from its rather humble origins about 50 years ago. So as the county has grown, we have grown. As the county has diversified, we have diversified. And we've added programs that meet the current needs while honoring the agricultural past of the county.

[00:51:22] So we'll get into those programs in a moment, but I wanted to talk a little bit about who our students are today. So as you saw in the previous slide, we have about 17,000 students annually at the campus now. And that makes us Nova's largest campus.

[00:51:39] So we achieved that status in the last couple of years. And you notice that our age for a community college, average age is a bit young. It's 22 and a half. So we skew younger. Part of this is because we have so many dual-enrolled students in Loudoun County.

[00:51:58] But even without our dual-enrolled students, we tend to be a little bit on the younger side, with 55% of our students between 18 and 21 years of age. Until recently, we were about 50-50, male and female, but we have sort of followed the trend of other colleges and universities nationwide now, And we're a little bit lower on male students with about 46% of our students being male.

[00:52:23] And, of course, that varies by academic program. You'll notice something that really stands out, which is that only 15% of our students at the campus attend full-time. So where are they? Why are they not attending full-time?

[00:52:39] They're working. They're raising families. They're maybe supporting their own family of origin. And this is a real challenge for our students. We wish that more of them were able to attend full-time because they just have so many challenges in their lives, but they're resilient, and they keep going, and they become successful.

[00:53:00] So most of our students, of course, are in-state in Virginia. We have a few from other areas. And as I mentioned, we've gotten much more diverse over the years with no majority at our campus now, so about 44% of our students identify as white, 20% Asian, and 17% Hispanic, and those have been our two fastest-growing populations in recent years, and about 9% African-American now, which has stayed fairly stable.

[00:53:27] And that number of international students is really NOVA-wide, but we have quite a few international students kind of adding to the mix at our campus. And every year, about 16% to 17% of Loudoun County High School graduates come to NOVA, and that is well over 1,000 students every year.

[00:53:48] Next slide, please. So I want to talk about what are some of the highest enrollment programs at the Loudoun campus particularly. So we have a really great mix. Over the years, a lot of our students have gravitated toward those programs that promise a high rate of return for them.

[00:54:07] For example, business administration has always been our highest major for at least the last 10 years. We have an increasing number of students in computer science and related fields and information technology, so cybersecurity, cloud computing, and the like.

[00:54:23] And then we have, to balance that out, a number of students who start in social sciences and want to move on to a four-year degree, and lab sciences, especially biology, also have a strong contingent at Loudoun. Now, on the more workforce side of things, some of the unique programs that we have just at Loudoun are the Data Center Operations Technology Program that we started a few years ago, and that program has been in such high demand that we're about to expand that program to another campus as well.

[00:54:54] I mentioned that we still honor our rural past, so veterinary technology and horticulture are still thriving programs at the Loudoun campus. But of course, we have gone into a lot more technology programs. I already mentioned the information technology, cybersecurity, cloud computing.

[00:55:13] We also have geographic and geospatial information systems as a technology program. And then on the more art side, we offer interior design, graphic design. Of course, we have a very wonderful music recording technology studio. And we also have a small program in historic preservation and public history, which is very much in keeping with the character of our county.

[00:55:37] And now I want to turn it over to Mr. Partridge. Thank you, Dr. Leiding. I'm guessing many of you probably hear from your constituents all the time that they have trouble finding workers. Part of my job as the title workforce is I get all those calls when people say, I can't find someone. Can you refer me to a student? Can you post a job for me?

[00:55:57] Can you create a program to meet the needs of my industry? And so we were getting those all across, as you can imagine, six campuses. We were getting lots of calls from lots of businesses over the last few years. So we, over the last two years, created our Business Engagement Center, a one-stop shop for all businesses across the region.

[00:56:13] A central repository of a place that they can call, they can find out how they hire, they can post jobs, they can even help us create new programs or improve our existing programs by serving on our advisory boards. This is not unique to four-year, but we were probably, according to our research, the first one to the community college to start a business engagement center across the U.S.

[00:56:32] because really, we can't do our job unless business is engaged. We really want to be a workforce institution, But that requires us to be engaged with business. And so we spend a lot of time talking with businesses. As Dr. Leiding mentioned, she has a data center program. That was created jointly with industry.

[00:56:48] They sat down with us and said, here's what our problem is. How can you help us solve it? We sat with them and created the curriculum together to make sure that it meets their needs so that they're fighting over the graduates. That's what we want for all NOVA programs. We want businesses to wait in line and hire our graduates. Because with over 70,000 students, we are the largest supplier of talent in the Commonwealth.

[00:57:08] Next slide. Labor market intelligence. This is something also unique that NOVA does. There's probably about a dozen community colleges across the country that do labor market analytics at this level. We have a team of three that do nothing but crunch numbers and look at job postings across our region. And I can tell you one pride point right now is even though everyone's talking recession, we are the hub of hiring for IT in the country right now. As Silicon Valley has been decreasing job postings, we've been increasing. So we're hoping to attract more talent to Northern Virginia, in addition to grow our own. But

additional things we use our labor market analytics for, it helps us advise students properly. What are the jobs that are in demand

[00:57:46] right now? How do we advise them correctly? What are the jobs paying? A lot of students don't know what they don't know. So they often come in thinking they know what they want to do, but they really don't know what those jobs pay. They know what their parents or friends or friends' families do, but they don't know about all these high demand jobs. Most people don't know what a data center operations person does. And so we really try to advise them on what you can do and the different pathways there. We also use this data for grants, marketing, business engagement. We know who's hiring. We know who's not hiring. So we really try to target our outreach effort to businesses who can help us understand the industry. This is one of the things that we produce with

[00:58:22] different sectors. We take that labor market analytics and we update this every year and share it with the K-12 systems. We share it with the workforce boards. We want to make sure everyone knows what you need to succeed in northern Virginia and the type of training and education needed to get to that next rung on the ladder. You can see you can come straight out of high school and you can make good money, but if you get a certificate or diploma or associate's degree or bachelor's degree, look at what you can make and look at the type of job titles that are out there because that's really what we're trying to get people to do and understand what the type of jobs they can qualify for. We also do something unique. We have an annual workforce survey that

[00:58:58] we do. We launched it in 2001. We just completed the 2002 survey, so we need to update this slide, but I will make sure you all get copies of the report. And we ask several hundred businesses every year, what are their pain points? What can't they hire for? How are they hiring? What's changed? And although people, again, are seeing the headwinds of inflation and a possible recession, they haven't really changed much on their optimism. They really still think they're going to hire, and they've had challenges in hiring over the last six months. The survey was done last fall, so it's relevant data that's really still true. But one thing that's interesting is they haven't really changed their tactics much in how they hire. As much as everyone says,

[00:59:36] oh, yeah, we don't need a four-year degree for this job, the job postings don't really back that up. So we're really trying to educate employers about there are great talent out there. But even though since 2008, we've seen a sort of degree inflation in a lot of jobs that either in other markets or a generation ago, those jobs did not require a bachelor's degree or higher.

[00:59:57] but we're seeing that now. So we really do a lot of education with HR, with companies, letting them know that if this is the skill sets you want, our students can map to those. The credentials we issue can get you and guarantee the students can do the type of work you need them to do. And so it is sort of a change in culture. Everyone has just been very dependent on the degree for a lot of years. And so the data that we're sharing and talking to these employers, it's really helping us educate them at the same time. And just a little factoid, 60% of our applied degrees, meaning those are the students who aren't looking to transfer. They're trying to go directly in the workforce. 60% leave with zero debt. We hear a lot about student debt.

[01:00:35] NOVA is the exception a lot of times. Yeah, everyone nodding. He's saying, I'm sending my kids to NOVA. We also, the average salary within five years is over \$54,000 in our applied programs. So we really, again, talking to businesses, some of them on the screen there, they offer guaranteed interviews for

many employers, meaning we're trying to change the mindset. You're not going NOVA to get a piece of paper you're going to get a job and tell us where you want to work and we'll tell you the pathway there so we're really excited about our workforce mission and now I'll turn it over to Dr. Kress to finish up the presentation. Absolutely so thank you again I want to echo

[01:01:10] Dr. Leidig and thanking you for your incredible support of NOVA we are the community's college and so we are as strong as the community supports us and and you have been remarkable in your support of Nova overall and of our Loudoun campus. So I wanna talk a little bit about Nova coming out of the pandemic.

[01:01:30] So you might've heard a lot about enrollment declines across community colleges, across higher education. What I can tell you is that Nova is doing very well. We have the strongest enrollment amongst the community colleges in the DMV area. We can compare ourselves to the community colleges in Virginia, but I wanna give you a data point.

[01:01:50] There are 23 community colleges in the Commonwealth of Virginia. NOVA is one of them. But our single institution accounts for a third of all system enrollment. So we are more like our community colleges across the river in Maryland, and we're doing much better in terms of our enrollment.

[01:02:09] We're also outpacing community colleges nationally. When you look at NOVA coming out of the pandemic, we've lost about 4% of our overall enrollment, Whereas most community colleges will report a double-digit enrollment decline, some of them in the high 20s. The highest enrollment growth that we've seen at NOVA coming out of the pandemic is actually in a program that comes out of Steve Partridge's area called Fast Forward.

[01:02:33] These are industry-recognized credentials that are subsidized by the Commonwealth of Virginia. These programs are four months or less. On average, they will add about 28% to the wages of someone who completes that industry-recognized credential. NOVA's bread and butter in the space is around IT and healthcare these are programs that can connect directly to advancement and employment and we're seeing that folks value time incredibly post-pandemic so these short-term programs are very very popular we see our strongest credit enrollment in university transfer programs let me take a step back and you heard the 60

[01:03:13] percent without debt, it costs a full-time student for a full year about \$5,500 to go to Nova. So I just want to set that in because you're going to hear that figure with an extra zero at the end from most institutions. And when you're thinking about public universities in the Commonwealth of Virginia, you're about at least 40 percent less by taking those first two years at Nova. So one of the reasons why we're seeing the strongest credit enrollment in university transfer, especially business, IT, and healthcare programs,

[01:03:50] because that is exactly what maps to our regional employment. NOVA's been recognized by a number of different groups nationally. We've been recognized by the Harvard Workforce Program as one of five community colleges that are doing workforce right. We've also been recognized by the Aspen Institute, and most recently, we're featured on the PBS NewsHour our advanced partnership with George Mason University and a data point that's not up there is that the Georgetown Center on Education and the Workforce noted that Nova is the top performing community college amongst all Virginia community colleges and serving low-income students and

[01:04:28] moving them to higher income brackets and in fact amongst all higher education institutions in the commonwealth we're number 11 so we beat out most universities public and private as well So our students, as Dr. Leydig has shared, are incredibly diverse.

[01:04:45] They reflect the diversity of our community. We do not have a single majority population of students at NOVA. And although you'll also see a lot about the missing males in higher education, you can see that we're still pretty close to 50-50, 54% to 46% in terms of gender representation.

[01:05:06] As Dr. Leidig mentioned, our students do tend to be younger overall than typical community college students, in part because of our focus on university transfer. But when you look at our workforce programs, you'll see the average student age accelerates.

[01:05:21] It's closer to 27, 28 than it is to 21 or 22. This data point I just want to share with you because it's something we're very proud of at NOVA. When we look at the diversity of students represented in our student population, we see those same students walking across the stage of commencement in that representation. So we're not seeing the equity gaps that many other institutions are and the ways that students are completing their degrees. We continue to look at ways to encourage more students to choose what we call pathways that pay. So we're really looking to encourage underrepresented students, whether

[01:05:59] racial or ethnic demographics or gender demographics, to choose certain pathways. We would love, for example, to see more women in our HVAC programs, because we know that there's incredible employment opportunity for students when they choose some of these pathways.

[01:06:20] Oops. And then just to highlight a couple things, you've heard a lot about our IT programs. Obviously, we're in an area that is very rich in IT hiring. I just spoke to the college community. One of the reasons why I snuck in right at the last minute, had a presentation, and I know that we all hear about these tech layoffs, but one of the data points I shared with them is that since the pandemic meta has hired 750,000 people, so when you hear that they're laying off 9,000, I think it's important to understand that's within a workforce population that far exceeds a

[01:06:53] million individuals overall. So we see IT enrollments growing. One of the data points that came out of our workforce index when we ran it was that there were exactly 0.8 individuals in Northern Virginia for every one job opening. So that doesn't work. So it's one of the reasons why we're really excited about encouraging students to enter into some of these pathways. We also create more industry-aligned programs when we sit down with our industry advisory councils.

[01:07:25] I want to thank everyone in this community who serves on one of our industry advisory councils for our programs certainly programs like mechatronics and data center ops have grown out of that but right now for example we're looking at new programs secure coding and mobile app development we're looking at artificial intelligence and data intelligence we're also looking at new guaranteed pathways for transfer for these programs certainly our partnership with mason which i'll talk about in a second but beyond we have a wonderful relationship in louden county with george Washington University, where students can transfer over at a greatly reduced tuition rate

[01:08:02] to the campus of GW that I just drove past on my way here. We have great relationships with Marymount, with Virginia Tech, so it's one of the things we want to do is make sure that our students will always find that right door when they leave Nova. We also have the only dedicated medical education campus within the entire Virginia community college system, has 10 health care programs plus nursing

serves over 2,100 students, and we continue to expand that campus. We'll be doubling, if not tripling, the size of our nursing program with an upcoming expansion that was

[01:08:36] generously funded by the General Assembly. We also have a private donation to build out an entirely virtual hospital as part of the medical education campus, which is in Fairfax County. And most of our students come to us because they want to transfer. The majority of students who do transfer transfer to a virginia public the majority of students who transfer overall transfer to mason more than 3 000 students in fact in the most recent year 3 500 students transferred to mason from nova the students who transfer as part of our award-winning nationally recognized advanced

[01:09:11] pathway will complete their bachelor's at mason in less than two years these are students who who are entering into career pathways in our region. The majority of advanced transfers enter into business or IT, and what you can see is that they represent the full diversity of NOVA.

[01:09:31] We're delighted to have these strong transfer guarantee partnerships. For example, we transfer close to 1,000 students every year to UVA. We know that students can start at NOVA and go anywhere. And so again, I just wanna close by thanking you for your incredible support of NOVA overall, of our Loudoun Campus.

[01:09:53] I wanna thank Dr. Leidig for her remarkable leadership of that campus. Some of you may be joining us later this week as we unveil our newly renovated Reynolds building. To think that we have a state-of-the-art campus, our largest NOVA campus in what used to be a field, I think with a single building, is amazing.

[01:10:16] but it shows the growth of this county. It shows your investment in NOVA and your investment in the residents of Loudon. So thank you so much for your support. That was fantastic. Thank you so much. Great, great numbers. Supervisors, if you have questions, can you turn your lights on, please?

[01:10:34] Mr. Kirshner, I'm sorry. Ms. Bricksman, this is actually your district. I'm going to go to you first, ma'am. Yes, it is in my district, and I'm always so proud to say that NOVA Loudon Campus is in my district. I've really enjoyed our working relationship that we've had and have really enjoyed being on the executive advisory committee, and I appreciate everything that you do, and I appreciate that you mentioned that a lot of the students are working part-time or raising their families, and I know that, Dr. Leidig, you actually wrote a letter in support of the child care needs assessment when that was coming, so I really appreciate your support on that.

[01:11:14] And I will be at the ribbon-cutting. I can't wait. So I do have a couple quick questions, and actually, I was going to talk a lot about NOVA during my board comments today, but now I don't have to. You mentioned that Fairfax has the medical education campus.

[01:11:29] So is there something that's sort of special about the Loudoun campus, or are there plans to have something, sort of a signature type of program at the Loudoun campus? So we like to think we're already special, and thank you so much.

[01:11:48] You are very special. You are very, very special. Supervisor Briskman, we really appreciate your partnership. Of course, we're the only campus that has the programs like veterinary technology and horticulture. We share some of our technology programs, but not all of them.

[01:12:03] For example, we're the only one that has the geographic and geospatial, and currently we're the only one with the data center operations program. We see our future moving toward more of these technology programs, but we really like to have a mix at the Loudoun campus instead of just focusing on one specialty.

[01:12:22] Excellent. Thank you so much for that answer. How many of your students would you say are kind of like career switchers? Yeah, so we have a good contingent of career switchers who are 25 years or older.

[01:12:40] Again, we skew fairly young, but I would say about 30% or so in there. And then we have a lot of people who already have, say, a bachelor's degree or even a master's degree, but they come back to get skills that will actually get them a job.

[01:12:56] So sometimes they only take a few classes with us, and sometimes they take a longer program. I love that phrase, they're coming to get not a certificate but to get a job. I mean, I think that's an excellent, excellent way to say it. And then lastly, I just wanted to ask you a question a little bit about transportation.

[01:13:16] Are the students mostly having to drive, and or how is sort of the public transit working for them? Actually, we are working very hard to develop better bus routes that would help students get to campus.

[01:13:32] And I believe we just got an additional bus route that is stopping at our campus regularly. But, yes, many of our students do drive, and a surprising number, because they are younger, will be dropped off by a parent at the beginning of the day.

[01:13:47] And that means we have a more robust student life than a lot of community colleges, because there are people there looking for clubs and things to do. And thank you for the dual enrollment. My family has definitely benefited from that. Thank you. Thank you, ma'am. Mr. Kirshner.

[01:14:03] Thank you, Madam Chair, and thank you for everyone who's come and presented. Your presentation was excellent, honestly. I really enjoyed it. It's exciting to see how well my alma mater, for lack of a better term, I spent a whole semester and a summer semester at NOVA prior to transferring to George Mason where I completed.

[01:14:19] So that was a long time ago, I think in the 90s, so don't age me on that. But I had a tremendous experience right there, and obviously the campus has changed and grown and become even more successful since that time. So thank you for all your hard work. You mentioned a couple of things I just wanted to kind of follow up with questions during your presentation.

[01:14:39] As one of two of the, one of three, Chair Randall reminds me, representatives of the western part of the county, obviously we have a significant interest in, obviously, our agricultural program. So I'm really glad to see, and when you said agricultural pass, maybe you should change that terminology to say, obviously it's not as robust as it once was in this county, and obviously agriculture is constantly changing and whatnot.

[01:15:03] not, but I do appreciate you have the vet technology. I mean, that fits in extremely well with a lot of the different things that we have here, as well as the horticulture. Can you tell me, is there any sort of collaboration with maybe perhaps our wineries and other agricultural ventures in the western part of this county with NOVA? We have done some of that over the years.

[01:15:24] In fact, we launched a viticulture program, or we're attempting to do that some years ago, but for whatever reason we didn't attract quite the enrollment but we do have a number of students who would work in growing hops for example or growing grapes for the wineries who will come through our horticulture program and we're certainly if there's ever a robust partner that wants to step up and partner with us we're absolutely ready to be doing that that's great and that's good to know and I may I'll write down your information here just so that could we can follow because I'd love

[01:15:59] to see some sort of partnership between the West and NOVA to help get many of those and to expand because, you know, I'd like to say we're the Napa Valley of the East and I'd like us to be the Napa Valley, right? So that's great. You talked about your HSD program and your dual enrollment and whatnot with the public schools. I think that's great. Honestly, I think internships, that sort of type of thing where you're coming is really needed with our students today. Do you have, and I've known a lot of other homeschool and private school students who have obviously used the community college here at NOVA.

[01:16:31] Do you have any sort of outreach to them or opportunities for them or early enrollment for them as well? Yes. Yes, we do. We have had specific outreach to them over the years. We have our dual enrollment unit. We'll go out because there are groups of parents, as you know, that are part of the homeschool community.

[01:16:52] So I know that we've done presentations to them, And we have had quite a few amazing homeschooled students take dual enrollment at our campus over the years. And some of them were incredibly young and managed to finish a degree when they were 16 or 17 years old. That's tremendous.

[01:17:08] Thank you very much for all your work. Thank you, Mr. Kirshner. Your time is up, sir. My question is like a three-step. Well, yeah, but your time's still up. Ms. Glass. Thank you, Madam Chair. And thank you again for your presentation.

[01:17:24] it was very informative. And I'd like to say that I'm one of the parents that have three of my four sons that went to NOVA. So I appreciate the cost savings that we had in our family. And all of my sons are in business IT. So my question for you is, you talked about specialized programs in IT.

[01:17:50] Do you find that you have more women that are becoming interested in IT? And if not, is there something that we can do to increase that number of women to become involved? Yeah, there's never enough women in IT.

[01:18:08] Back in 2000, the percentages were much higher of women in IT than they are today. Now, the overall number has grown, but the percent has fallen. And a lot of the research shows that we lose a lot of women's interest in IT between middle school and high school. So we've got to work more early on to get women to stay in the STEM.

[01:18:24] In middle school and younger, they're engaged at equal levels, if not more so. We've got a high school or middle school outreach called Nova Systemic that reaches out and puts on camps, works with schools. The interest is there, but somehow we lose that interest. And then when they show up at Nova, they're sort of predisposed not to choose those programs.

[01:18:42] We still have to really let them know that these jobs are there, that they pay well. there's also a misperception about IT versus computer science that we see within high schools that are often advised you're not good at math maybe you should stay away from those IT skills and if you want to go to computer science yes you got to take the dreaded calculus but in IT it's mostly logic it's really not the heavy math that

people think it is and so it's getting some of those misperceptions and talking to high school counselors doing outreach to let them know these pathways exist and that we need more women in them because it's much soft skill focus now. IT is not what it once was. It's really about the application of IT skills, and a lot of

[01:19:20] times you're working in small groups, you're working on how to adapt technologies, and you have to have those people skills. It's not the person in a cube coding all the time for every job, and we need to get that word out more. I want to add we're working on this very actively, so we have partnered with a group called Pearls Empowerment that is a local non-profit, and we'll be putting on a half-day program with them coming up this fall, specifically targeting recruiting middle school and high school girls into STEM programs, and some of the hidden gems of STEM that nobody knows about.

[01:19:56] It's great to hear. Thank you very much. And even if it was that heavy math, like, young ladies could still do it, right? Okay, okay. We don't clap, but we can give you some jazz hands for that. Well, I would just add, we look really closely at the demographics of our program, and we do see that when it comes to the college-level courses in IT programs, especially in cyber and cloud, we see fairly close gender parity.

[01:20:28] Wonderful. Thank you. Ms. Umstead. Thank you, Madam Chair. I'm really thrilled that you all are here tonight. It's like the entire leadership of Nova is here. I'm especially thrilled because I spent a couple hours at one of our data centers with one of your adjunct faculty members who spoke so well of Nova's interest in the data center operations program that you all co-founded with some of our data center folks.

[01:21:06] and uh he he is thrilled with your students um many if not all of his students would have a job waiting for them by the time they got out and every single member of his group that i and others met today at the data center had gone to nova and had had no experience with data centers or computers prior to going to NOVA and entering that class.

[01:21:41] So you've done a really superb job, and I really appreciate everything you do in this field and every field you're in. So thanks for being here. Thank you, Ms. Umstead. After I finish talking, so don't talk about my time yet, we're going to have the two speakers that we have for this time, and then we're going to do an action item, and then we would do resolutions because we'll have enough time.

[01:22:07] We can't start resolutions at 6 o'clock, so we would do the Vantage Data Center action item as soon as we have the two speakers. Thank you for coming. I'm a little confused because you had two different numbers for your African-American enrollment on two different slides.

[01:22:23] On slides 14 and 15, I think it was, you had the number at 15.1%, but then a slide earlier you had the African-American enrollment number at 9%. So I'm not sure which one is correct. So if you could let me know, that would be great.

[01:22:39] Sure. The difference between the two slides is this is specifically the enrollment at the Loudon campus. Oh, okay. Versus overall. And then the other data is overall. Overall. Okay. So we're doing better at the Loudon campus with diversity than every other campus. Very good. I remember Remember when former state delegate David Poisson put the legislation in for the program to be, you know, you can do state two years at NOVA and then go someplace else.

[01:23:07] When that legislation was first put forward, the goal was if you went to another state school in-state, that school would not be of cost after you went to NOVA first. Is that still true or did that change? When you go to another, so you go to Mason after NOVA, Mason costs you, correct?

[01:23:24] Okay, so that part of the legislation didn't pass. Right, yes. I think that, you know, it's one of the reasons why students often will start at NOVA is for financial reasons because, you know, they will be paying a higher tuition and sometimes, you know, residential costs as well.

[01:23:41] And then lastly, I think I just don't have so much of a question or as a comment. You know, young ladies don't, you know, young men don't get any smarter in math than young ladies do as they matriculate through school. And so it's not as if young ladies just drop off their interests.

[01:23:59] And so really it's a discussion to have with our public schools, with our private schools, with our home schools, with our parochial schools as to what happens. Are they not encouraged to keep doing that? Are they worried that they might not be seen as worthy to keep doing those classes?

[01:24:16] Because we have to figure out what that drop-off is because we know it's not intelligence. And we know it's not desire, but we know that our young ladies are dropping off in those courses, and we've got to figure out why. And I think that that discussion happens.

[01:24:31] I appreciate what you all do at NOVA very, very much, but I think those discussions probably happen before they even get to your school. Correct, yes. And it's a national conversation. It's happening everywhere trying to figure that out. It's a national conversation, yes, and it's certainly one that Loudoun County can lead on and is worth having at other places as well.

[01:24:47] So thank you all for coming. Thank you for all you do. We really do appreciate you. Thank you so much. Surveys, we have just two speakers. We're going to do them both and then go to the Vantage Data Center item. So if the staff can get ready for that item. I think both of our students, both of our speakers might be on the WebEx, I do believe.

[01:25:08] One is Emily Reese, and the next one is Sandra Vigil, but I'm not sure if Ms. Okay, you're in the room. Are you Emily Reese? You come on to the podium, either podium is fine with me.

[01:25:24] And then after that, we will have the person who's online. How are you, ma'am? We're ready when you are. I'm well, thank you. Thank you for the time to address the board. My name is Emily Reese. I am a homeowner in Ashburn Farms Association for two and a half years.

[01:25:42] And my husband and I moved here to Loudoun County, buying our first home due to its affordability, its community, and its proximity to the DMV area. I am addressing the board this evening regarding the mismanagement regarding Keolis Transportation and the ATU Labor Union Strike 689.

[01:26:02] I work in Washington, D.C. I've worked there since February of 2021, taking the commuter bus to work at a nonprofit. I have not been back on the commuter bus, obviously, as you know, since January. I coincidentally, just before arriving here, found the message that the commuter bus service will be beginning tomorrow.

[01:26:25] hopefully knock on wood. But I want to address, since this commuter service bus has not been in service for two and a half months, I am going to address for the next few minutes what it has meant to me. I have spent 12 hours a week now commuting to work in a non-profit and policy space in D.C. doing meaningful work actually in higher education policy. So that presentation before was interesting to me. I

also want to share comments. I represent only myself, comments from other commuters on a Facebook page that we have sharing information regarding any

[01:27:01] updates. Carol H. says, I can tell you my husband is now on the metro for three hours a day. This is crazy. We are a military family and bought property in Loudoun County because of the transit bus system. Amanda Ryan, another writer, says, I have a disability and the service stopping has been a huge strain on my commute. Talia T. writes, my commute is three to four hours a day now. It's occupying so much, I don't have time for an on-camera interview. Daycare opens at 7.30 and closes at 5.15. I can't afford a center with longer hours. This means I get to the office around 9.15 a.m. and have to leave by 3.15. I am skipping lunch and doing work at home after kids

[01:27:38] are in bed. It's soul-sucking. I've repeated that phrase to several colleagues and my family. It's soul-sucking. I am glad to see this service starting up again. I recognize I'm ending on time, so I would ask for three solutions moving forward. One, please keep the Transit Advisory Board accountable, and should this service not be provided in the future, please levy fines against the transportation that is being enacted. And third, keep the commuter bus operating.

[01:28:13] Thank you. Thank you so much. And you can always, if you run out of time, you can always feel free to send us your comments via email as well thank you thank you very much thank you um i think miss vigil is uh what's going to come on but now she's on on the line on the webex is that correct yes sandra vigil is online we're ready miss vigil can you hear us sandra can you hear me do we know why

[01:28:50] we can't hear her madam chair i have the line open um i'm not certain why we don't hear her um I'll perhaps put her back on hold and see if I can get her. Ask her to check and see if she's muted herself on her phone.

[01:29:14] No, nothing? Madam Chair, unfortunately, I'm not receiving any reply at this time. Okay. So what we're going to do is we're going to take this next, we're going to do this next action item, and then I will go back to you before we could do anything else to see if she is on the line, okay?

[01:29:33] I'll come back to you after this item is complete. Okay. Good evening. So we're going to knock out one of our action items right now. It is the data center, it's a Vantage Center data. So item number three, it is in the Sterling District.

[01:29:49] We are ready when you all are. - Thank you, Chair Randall. We do have a presentation tonight. However, there have been no changes to the application since this was last before the board. So I'm happy to waive the presentation and take any comments that you might have. - So how about we just go straight to motion?

[01:30:05] Is that okay with you, Mr. Sayings? - That's fine with me, yes. - You wanna make a motion? - All right, I move that the Board of Supervisors approve ZMAP 2022-0007 and special exception 2022-0023. Vantage's data center subject to proffer statement dated January 31st, 2023, and the conditions of approval dated January 26th, 2023, and based on the findings for approval provided as attachments one, two, and five to the March 21st, 2023 Board of Supervisors business meeting action item.

[01:30:34] - Motions made, signed by Supervisor Umstead, discussion on the motion, Mr. Sains. - Thank you, Madam Chair. think you've all recalled this item back from February. I'm pretty sure you've read the packet and received additional information from the applicant. I am in support of this application for a few reasons, one being that they can do a data center by right right now, but I feel with this application, we

get a better product in the location that it's at. The location off of with Davis Drive is a mixture of Flex Industrial.

[01:31:10] Yes, there are some houses there. There is an office building there, a storage facility. And so with this being a by-right use, we're getting a better design standard, some more soundproofing for the residents that are in the neighborhood than we would not be getting with a by-right use.

[01:31:26] We're getting better design standards. They're actually are building the data center more within the interior of the lot compared to if they're doing it by by-right use. We also have received some commitments during the construction process in the neighborhood that I think will be very vital to the residents that are in this corridor.

[01:31:47] And they're making some very good commitments to the local schools that are in close proximity to the site. So those are a few of the reasons that I'm supporting the item, and I hope I can have my colleagues' support as well. Thank you. Thank you, Mr. Saines. Mr. Letourneau.

[01:32:03] Thank you. I perhaps expressed some skepticism at the public hearing and asked the applicant to provide us with some detailed information about the proximity to homes, the view shed, ensuring that homes would not be overshadowed and lose sunlight.

[01:32:22] I want to make it really clear that as a general practice, I have grave concerns about data centers that are near residential homes. And whenever they can be avoided, they should be avoided. And I've been consistent, I think, since some of our votes when we've had those discussions.

[01:32:41] In this specific instance, the issue is that data centers can develop by right without board approval. And when you get right down to it, the bottom line is if the board did not approve the application, which allows for more data centers, then the data centers would be, the closest data center would be 142 feet from a home with a six-foot berm.

[01:33:08] The building height that's allowed by Wright is up to 99 feet. The application, although it allows for more data centers, the space to the nearest home is actually 236 feet. The berm is 10 feet instead of 6 feet, and there's additional landscaping.

[01:33:28] In addition, the building heights are less than 99 feet. So in totality, from the standpoint of somebody who does not want data centers near residential homes, I came to the conclusion that voting against the application would actually hurt that goal because if this application does not pass and the applicant develops this by right without board approval, they can build higher, closer, with less landscaping, and we'll have less of a berm.

[01:33:57] So unfortunately, we find ourselves in some of these difficult land use decisions. Sometimes I think it's hard for the public to understand why the board ends up approving some of these applications, but it's exactly because of these sort of issues where when you really look at it, the work that we've been able to do and Supervisor Staines and his team on the application has actually made it better than what would happen if the board simply walked away and said no.

[01:34:25] So for that reason, I will support the application. However, I continue to issue guidance to the development community that when we have situations where data centers are near homes and it can be avoided, then I would continue to try to do so.

[01:34:40] Thank you. Ms. Bricksman. Thank you, Madam Chair. I appreciate the applicant actually sending us the site plan that they would be doing if this were to go by right. I have two questions for staff, if that's okay, Madam Chair.

[01:35:00] In the site plan, it has, I guess, three buildings and then another three areas called a mechanical yard, I'm assuming. What are mechanical yards? Generally speaking, that is where outdoor mechanical equipment associated with the data center may be stored.

[01:35:19] Depending on what exactly they're depicting, it could be where the generators are located or where any other mechanical equipment could be. Okay. Okay. Thank you very much. And then according to our general plan, the 2019 general plan, what is the desired use of this property?

[01:35:38] In the general plan, this area is in the suburban mixed-use place type. So we would anticipate pedestrian-friendly mix of uses, vertical mix of uses, public plazas, open space, streets and blocks, street trees, benches, so on and so forth.

[01:35:54] Okay. All right. Thank you. I appreciate that Supervisor Sainz, Vice Chair Sainz, has done a ton of work on this and done a lot of great work on this. Unfortunately, I don't think I can support the application, especially when I compare the by-right site plan with actually how much land will be completely covered by the buildings.

[01:36:18] And that violates our intention with this certain parcel. I know that this parcel is kind of in a hinky area where there's, you know, some homes around and then some other warehouses and other things around. But in this instance, I'm going to vote to stay with what or in light of what would be the intended use under the general plan.

[01:36:43] So, unfortunately, I'm going to vote no on the application. Thank you. Thank you, Ms. Briggsman. Mr. Turner. Thank you, Madam Chair. I agree with the Supervisory Terminal's analysis completely. Also, a point of discussion on the suburban mixed use.

[01:37:00] This parcel was one of the parcels we discussed in the TLEC discussion a year ago. It's in a suburban mixed use, but it was identified as a parcel that should support data centers and future growth. It's right on the frontier with this one residential neighborhood.

[01:37:17] On three other sides, it's got office. And it was one of the parcels we identified that in the rewriting of the comprehensive plan and the underlying zoning, we were going to have it fall into the suburban employment neighborhood, which would allow data centers. So we identified it as vestigial with the current plan with an intent to allow data centers going forward.

[01:37:39] And we just got overcome by events. It's a fast-moving train with the development here. So I just want to throw that out. TELUC had already looked at this parcel and identified that it would support a data center in this location. That said, can I ask, does ZRTD come into play on this parcel or any of the surrounding parcels?

[01:38:00] There is one parcel that is under the 1972 PDIP. However, the conversion to the most recent PDIP can be achieved through ZMAP as well. Okay. All right. I'll support the application. Thank you. Thank you, Ms. Turner. Ms. Umstead.

[01:38:18] Thank you, Madam Chair. I want to thank Vantage for being willing to work with Vice Chair Sainz on coming up with an improved product for this site. And I want to thank Vice Chair Sainz for his

leadership, really, in reaching out to the data center industry and working with them on improved aesthetics.

[01:38:47] I very much appreciate the limit on height and very much appreciate the contribution that Vantage is making to Loudoun County. So I will be very happy to support this.

[01:39:03] Thank you. In Mrs. Umstead's time, Mr. Rogers, legally, I just want to make sure we're real good right now, legally, Can we consider the proper or whatever advantage might be given to a school that Mr. Sainz has asked for?

[01:39:29] That shouldn't be part of the land use consideration. The land use consideration should be decided on itself, but there is a contribution, and I think that's important to have it noted. Okay, thank you. All right, Ms. Glass.

[01:39:46] Thank you, Madam Chair. I do have concerns with data centers being near residential. But since this parcel allows for data centers by right, this application mitigates the larger facility through more landscaping and berming.

[01:40:05] I hope Vantage data centers will be good neighbors and will work to resolve problems that may come up with noise and other factors. Thank you, Madam Chair. Thank you. Mr. Buffington. Thank you, Madam Chair. I'll be supporting the application thank you um i will not be supporting this application i do appreciate um all the work vantage is done not just with mr sayings but for it's a very environmentally sensitive data center so i appreciate that but let me ask you staff if we did the special exception how much larger would this data center be versus what it would

[01:40:42] be without the special exception it would be slightly under half so the by right far is 0.6 and they're asking to go up to 0.1, the total, or 1.0, the total square footage that they can construct is 803,085 square feet.

[01:41:04] Okay, thank you. And so we're now talking about not one data center, we're talking about basically two data centers. The other question is, if they chose to do this by right, if we didn't approve this application, could the applicant choose to do all the things we've talked about anyway?

[01:41:19] Could they put the berming up? Could they do the setback? Could they do the contributions? would anything stop them from doing that if we went by right a majority of the site is PDIP under the current ordinance there's a you know that small part portion under 72 and residentially zoned parcel so data center is allowed there are some existing proffer entitlements that they may have to deal with if they wanted to develop something akin to this but data center development is allowed by right and I believe the applicant has demonstrated a potential but they can actually They do all the things that they – so if this is approved, they're going to do some things Mr. Sains has asked for, and I appreciate that.

[01:41:57] They can do them anyway. They can do them anyway. I guess what I'm saying is the idea that data centers that are good neighbors won't be good neighbors because we don't give them their special exception is kind of not logical to me. We have a data center community, and they're good neighbors anyway.

[01:42:13] And we don't have to say yes to everything for them to be good neighbors. And so I don't really kind of buy into the, well, we wouldn't have this and we wouldn't have this if we don't say yes to doubling the size of a data center, which we are about to do. This is not going to be one data center.

[01:42:30] This is basically two data centers because we're saying yes to, because it's a buy right. My statement is, you know, listen, I understand it's a buy right application. I understand what they can do or can't do, but I also know they can do it even if we didn't approve this.

[01:42:47] They can do all those things anyway if they chose to. And I'm going to choose to believe that our data center community, which are very good neighbors, wouldn't just build the worst data center possible and not give us anything because we don't give them the special exception that they're asking for.

[01:43:04] I'm going to choose to believe that's not who they are, and that's not who this community is. And with our commercial tax revenue, data centers being 48% of our commercial tax revenue, we have got to start diversifying our revenue.

[01:43:20] And if nothing changes, nothing changes. So with respect to Mr. Sainz's advantage, I will not be voting for this application. Mr. Sainz, would you like a closing, please? Sure. Thank you, Madam Chair. I don't want to belabor the point, but, you know, to your argument, you know, we, yes, technically they could do what we're asking them to do, and they agreed to in this application, but, again, we don't have any mechanism to hold their feet to the fire if they were truly going to do it.

[01:43:47] And, Staff, can you pull up page number 40 in the item? Do you have the image? And while you're pulling it up, another reason why they came to us to do the application besides getting going a little bit bigger.

[01:44:07] but uh if you have the image come up there is a small tree line that is that has to stay if they do it by right and once you see the image you'll you understand there's no way to get around this tree line that has to be uh kept in place if they were to try to build by right are you able to pull that image up guys did say that it was connecting so let me try that one more time let me stop my time until that image comes you can absolutely stop your time mr saints we have an it issues just all around today it seems like well I think Madam Chair we may need a

[01:44:45] recess the staff didn't have the staff report up they had their presentation but I believe okay then that's okay don't worry about it then that's all right it's in our package everyone yeah well one of the audience the boards yeah it's in the words packet but the audience can't see it unfortunately but right now but anybody anyway but for all the points that were made that's why we're supporting this application. So if we can get to a yes. Thank you. Okay. A motion was made by Supervisor Sayings, seconded by Supervisor Umster. All in favor, please say aye. Opposed? Nay. So that

[01:45:20] motion will pass 7-2 with Ms. Bricksman and Chair Randall voting against the motion and everybody else. You did vote for the motion, right, Mr. Kirshner? Voting for the motion. Okay. Supervisors, I want to try to go back to Ms. Vigil. Ms. Vigil, did we get her back? Madam Chair, yes, we have miss vigil online right now i'll send her through um good evening good evening well um i'm here just

[01:45:51] to let you guys uh we started work yesterday we're back working uh we are starting full service tomorrow um one of the reasons we came back was in the hopes to go back to the table and finish negotiating contract um well we have uh requested many dates and we have yet to get them from the company um they we need your help with that we need your help pushing them to go back to the finish negotiating our contract another reason we went back is because we didn't

[01:46:27] want our passengers to keep waiting we heard from a lot of them and we heard their plea for us to go back as soon as possible. And just like we heard their plea, we will let it be ours. We still need to go

back. We still need to get our, you know, 401 resolve, our health care resolve, our wages, and every single thing that we need in order to survive.

[01:46:53] Again, asking for anything but livable wages. We're not asking for anything, but anything that anybody needs to survive, anything that our families are going to need to survive. And we need your help on that. Thank you so much for your time.

[01:47:11] Thank you for taking my call. Thank you. You guys have a good night. Thank you so much, Ms. Bishop. Thank you for everything you do. Supervisors, without objection, Ms. Bricksman, who has one of our proclamations tonight, has asked to do it a little bit early.

[01:47:28] We normally don't go into six, but I think the receiver of the proclamation is here and the giver of the proclamation is here. And so without objection, we're going to take that proclamation a little bit early. Ms. Bricksman, would you mind joining me down front?

[01:47:44] Sure. Wonderful. Thank you. Did they carpool? We're not going to be here that long.

[01:48:10] Jacob Bricksman, please come down. Jacob, I've asked your mom three times, is she going to be able to get through this?

[01:48:31] And she keeps going, I can, I can, I can. So we're going to believe her. And I think she wants to read something for you. Yes, yes, I will do that.

[01:48:43] Okay. So this is a commendation for Eagle Scout for Jacob Briskman. Whereas Jacob Briskman of Troop 966 in Sterling, Virginia, has achieved the rank of Eagle Scout. And whereas Jacob Briskman has been an active participant in Scouts since the first grade in Pac-572, achieving the ranks of Weeblo, Arrow of Light, Tenderfoot, Second Class, First Class, Star, Life Scout.

[01:49:12] And whereas Jacob Briskman has participated in a myriad of scouting activities such as camping, ropes courses, rock climbing, bike riding, boating, food drives, troop fundraisers, and much more in the sun, wind, snow, sleet, rain, and freezing temperatures, and I can attest to all of those weather elements, because I was with him.

[01:49:33] Whereas Jacob Briskman has led by example informally and formally in scouting and with leadership roles such as patrol leader, chaplain's aide, quartermaster, and assistant senior patrol leader. And whereas Jacob Briskman has completed, camped at nearly every Virginia scout camp, including Goshen, Pipsico, and Snyder, and attended the high adventure sailing excursion at Seabase Florida.

[01:49:57] And whereas Jacob Briskman worked with an Eagle Scout advisor and organized several volunteers to design, build, and install a free lending library at Pinebrook Elementary School in Aldi, Virginia, which will serve the community for years to come, and whereas Jacob Briskman earned 15 more merit badges in addition to the 21 required to become an Eagle Scout, he was awarded a gold palm at his Eagle Court of Honor.

[01:50:21] and whereas jacob briskman believes his experience in scouting has molded him into a compassionate leader in school and sports where he is a national honor society student and served as captain of the dominion high school swim team and whereas and as a camp counselor at nichols day camp in brooksville maine now therefore be it resolved that the loudon county board of supervisors does commend jacob briskman on achieving the rank of eagle scout would you like to say anything

[01:50:55] well i'll say something um the parent the family members also get pins so that's why i'm wearing this so each of these pins uh commemorates the let the rank that he achieved in scouting so we get to wear these as well uh so i i wear it proudly with you and congratulations jacob i'm very very proud of you and i love you pleasure would be great we do one just to join jacob first and then we'll do one for everybody else. So how about, yeah, let's do that first.

[01:53:12] So guys, we only have two people for six o'clock public comment. If they're here right now, if without objection, we can go in and do them now and they can go do our second proclamation. Julie Doherty is online. Is she online yet with us? Yes, I have Mrs. Doherty online.

[01:53:28] And then after that would be Robert Griffin. Let's do Mr. Doherty. We're ready when she is. Go ahead, Ms. Doherty, you can speak now.

[01:53:44] Okay, thank you. Good evening. I'll be speaking regarding the short-term residential rental zoning amendment. We sent you all an email early today, and we hope you had the opportunity to review. My family and I have been homeowners in Loudoun County for over 26 years.

[01:54:00] We've experienced firsthand the negative aspects of living adjacent to a short-term rental in our neighborhood of single-family detached homes. Brown County resident homeowners are the largest stakeholders regarding the short-term residential rental zoning amendment, and we're deeply concerned about the effect it will have on all our residential neighborhoods.

[01:54:19] The short-term residential rental zoning amendment, in its current version, has gutted many of the items, lot size, setbacks, parking, notifications, compliance, that offered protections for residential homeowners in our community from the impact of short-term rentals.

[01:54:36] And we'd appreciate if you would reconsider these vital protections. Short-term rentals are inconsistent with and indirect with our county's housing needs, taking away available housing and affecting both affordable and workforce housing needs.

[01:54:53] We've provided in our email today examples of new housing, including an affordable workforce housing unit that was advertised for short-term rental use. It does no good to keep on building housing that is going to end up being operated as short-term rentals. We hope the board will consider all the suggestions we provided in our email.

[01:55:12] I would like to emphasize two of our suggestions that will help protect our housing resources, our residents, and communities. Please reinstate a minimum lot requirement for both types of short-term residential rentals, the accessory use and commercial whole-use rentals.

[01:55:29] We propose a minimum lot requirement of a half-acre for both types of short-term residential rentals. Short-term rentals do not belong in higher-density residential housing areas, and this will protect these neighborhoods since the majority of the communities have smaller lot sizes.

[01:55:46] Since most complaints regarding short-term rentals originate from density communities, this will help minimize potential complaints and parking problems in our neighborhoods. Please include language in the short-term residential rental zoning amendment that specifically indicates that properties located in common interests such as condo and homeowner associations that prohibit short-term residential rentals and have or have leased term requirements longer than 30 days will not be eligible for a county permit to operate at short-term residential rentals, accessory use, or whole house use.

[01:56:23] Unfortunately, we found that there are properties listed on the county short-term rental registry that are located in HOA communities that restrict short-term. Ms. Dottory, your time is up. Your time is up. Thank you very much. You can feel free to send your, whatever you didn't get into us, you can feel free.

[01:56:40] We did get your email today. You can feel free to send it to us if you'd like, but we did get your email today, ma'am. So thank you. Our second speaker is, we have one more after this, but Robert Griffin. Good evening, Mr. Griffin.

[01:57:02] Good evening, and thank you for letting me speak. Yeah, I heard the short-term rental problem, but you know one of the contributing factors to that short-term rental problem? It's the Biden letting people in, fluttering our southern borders.

[01:57:19] Democrats. Mr. Griffin, I need you to face me. I'm talking to everyone, ma'am. Face me when you speak. Do I get my time back? Yeah, it's you fine Democrats, your policies that have created havoc in our nation. Biden Mr. Turner demanding him being impeached hardly stepped into office yeah you think it's funny sir our nation is going through turmoil we're losing our freedom because of people just like you and you use the church to forward your deceit and evil you should be ashamed sir but

[01:57:58] that's not why i'm here i'm here to address the problem that our madam chair brought forth two weeks ago when she criticized, criticized and demanded that Winsome Sears change what she's trying to do. She is steeped and works for education among everyone. But you categorized the Board of Education versus Topeka as she's trying to make a choice. It's segregation. It's all about segregation. Well, at its most basic thing, it's a matter of choice. It is. Black

[01:58:36] students, black kids, being able to choose to go to a white school. That's what that Topeka Board of Education was all about. And you can call it segregation, but it is choice. Choice at its most fundamental state. But you Democrats, you try to tell us, ah, we're the right people.

[01:58:57] We're the people that's concerned about your welfare. But look at your policies that you all stand behind mutilation of gender abortion how do you call yourself how do you call yourself Christians Mr. Turner abortion you stand behind abortion that's not Christian that's not even in the Bible sir nor is it and yet you tell us all Democrats are the right people and Trump and the Republicans are bad.

[01:59:36] Your policies have put us here to this bad state. Thank you. Stop voting for Democrats. Thank you very much, Mr. Griffin. I was giving him five seconds more because I got this, Mr. Turner, but thank you very much.

[01:59:52] Mr. McClendon, your time is up. Your time is up. Mr. Griffin, your time is up. Mr. Griffin, your time is up. My point is. Your time is up. Mr. Griffin, your time is up. Walk and walk away or I will have you removed from the room. Donnie Walker would be our next speaker.

[02:00:11] Donnie Walker. I've spoken many times about the short-term rentals over the last five and a half years and it's been quite interesting. We support a lot of the changes that have recently been made to the regulation and we appreciate the setbacks being removed for the older cottages in the rural areas.

[02:00:32] I can say I agree that maybe down in the higher density areas that we don't do business or have a lot of knowledge about, they might need setbacks. I do really want to thank the staff for all the time they've put into this and for you all for sending your staff members out.

[02:00:47] I know there'll be unintended consequences with bringing this regulation forward. I believe that the western part of the county will have areas that don't fit into the regulation with their existing operators. And I hope that you can send the staff out and your staff out to be as kind to work them through whatever roadblocks that they will have to bringing their properties into compliance.

[02:01:12] I would hope that there would still be a way to possibly grandfather existing rentals in, but I don't know if that's possible, but thank you all. Mr. Walker, thank you very much. All right, supervisors, so we did that before six, so if anyone else comes in for the six o'clock time, if they just walk in like in the next four minutes, I will go in and let them speak if they walk in by six o'clock, although I don't see anyone, so just so you know, if somebody walks up to you in the next four to five minutes, let me know and I'll let them speak as well because we're a little ahead of schedule, actually.

[02:01:45] What we will also do right now, we will do the second proclamation, and that is for Give Choose. So would the vice chair please join me down front for Give Choose? Oh, and I'm sorry, and, of course, Ms. Umstead and Ms. Glass.

[02:02:17] She pointed to herself when I thought, Nicole, Acosta.

[02:03:42] You're so tired to see you. Okay, thank you. Well, let me read it first. How's that sound? Y'all can stand up till I read it, because you're all going to stand up till I finish reading. Mr. Sains, you want to come stand by me? This is amazing.

[02:03:59] So what I'm going to do is I'm going to let, because we're actually a little ahead of time, so I'm going to pass the mic and have everyone tell us what nonprofit you are representing, and then I will read the resolution. Let's start down here. HealthWorks for Northern Virginia.

[02:04:21] Hi, I'm Dr. Tanya Adkins, CEO for HealthWorks for Northern Virginia. Erica Gaffney, I'm with OAR Nova. Gloria Bradley with Young Kings Movement. Karen Roberts-Gather with Young Kings Movement.

[02:04:40] Judy Sombers, founders of Young Kings Movement. Kim Curran, Loudoun Literacy Council. Matthew Charlesworth, Equality Loudoun. Jane Nash with the Northern Virginia Diaper Bank. Sam Clark with Equality Loudoun.

[02:04:57] And Chris Candestuck with Equality Loudoun. Lisa Kimball, The Arc of Loudoun. Aaron Gulick with Loudoun Free Clinic. Katie Dugan Vargas with the United States Tennis Association Mid-Atlantic Section. Yes, there is.

[02:05:16] I helped start Girls Rule the Court in Sterling, Virginia. Anita Walker, also with USTA Mid-Atlantic. Judy Hanley with A Place to Be. Kim Tapper with A Place to Be. Amy Owen with the Community Foundation for Loudoun and Northern Fauquier Counties.

[02:05:37] Nicole Acosta, also with the Community Foundation. Liz Campbell with Food for Neighbors. Mara Walsh Copeland with the Hillsborough Preservation Foundation. Debbie Wheeler, Man of From Heaven Food Pantry. Valerie P. Sierra, Loudon Cares.

[02:05:54] Carrie Murphy with the Loudon Education Foundation. Jennifer Montgomery with Loudon Hunger Relief. Tara Gilmore with Loudon Domestic Violence and Sexual Assault Services. Matt Banner with the Loudon Symphony Association. Loudon Symphony.

[02:06:11] Simon with the Farm Less Ordinary. Greg Masucci, Farm Less Ordinary. This is absolutely amazing. I haven't met you all yet, though. Yeah, that's wonderful. Well, I'll have you.

[02:06:27] We'll talk soon. Y'all, I'm going to read the proclamation, but thank you, thank you, thank you for all coming in. And, Nicole, thank you for being such an organizer for all this. All right. All right. Mr. Sains, will you hold these, please? All right.

[02:06:45] Whereas Loudoun County recognizes the invaluable work of our community's nonprofit organization to sustain and enhance the life of Loudoun residents, And whereas thousands of Loudoun residents benefit from programs provided by local nonprofits, including human services, educational opportunities, animal welfare, nature preservation, and celebration of the arts, history and culture, while countless others benefit from the rewards of volunteerism through nonprofits in our community.

[02:07:17] And whereas our community's nonprofits, their employees, and the people they serve are an integral part of Loudoun County's economic development, contributing jobs, incomes, resident services, and tourism opportunities for those who live, work, play, and learn in Loudoun County.

[02:07:38] And whereas Loudoun County residents demonstrate their generosity by donating to our community's nonprofit organizations on March 28th, 2023 through GiveChoose.org. Now, therefore, be it resolved that the Loudoun County Board of Supervisors does hereby proclaim March 28th, 2023 as GiveChoose Day in Loudoun County.

[02:08:04] i don't think mr hemstreet's heard me tell the story i'm about to tell but some of you have heard it um early in the in the in my first term i was we were revamping the non-profits and how they work and i said to mr hemstreet i said how much money do the non-profits um um save the county and he said well actually they don't save us any and i said well that can't be right that absolutely

[02:08:42] we cannot be right. Can you explain that a little further? And he said, well, the county's not required to do what our nonprofits do for the most part. And so it's important. So in that way, they don't save us any. But then he further went on and said how important it was to support our nonprofits and to support you financially in every other way as well. I say that to emphasize that both the county supervisors, the county administrator, and the entire county staff really do realize that you are a force multiplier. You are, in so many ways, an arm of county

[02:09:18] government. And you are, and I say this all the time, as a person of faith, you all are doing God's work. We couldn't do it without you. I'm not sure what we would do without you, to be honest. And I say this to Jennifer, Nicole, Amy, Kim, you've heard me say this a lot of times.

[02:09:36] Carrie, Lisa, I think you've heard me say it, too. Most important to me is when someone comes to you for something, you treat them with respect, with dignity, and with grace. It's very, very hard to ask for help sometimes. And so if somebody gets up the courage to come say, I'm a domestic violence victim, I need help, or my check did not stretch that far this month, and I need just some help, or I'm not sure where I am in my orientation.

[02:10:04] I'm trying to figure things out or whatever they may come to. If they've cranked up that courage, it's probably taken them months to get there, months to get there. And when they come in, we got one shot. We got one shot to treat them with respect and dignity. And if we lose that shot, they're probably not coming back.

[02:10:22] And if, as a county, all we do is build roads or build schools or build buildings and we do not build up individuals, we have failed. We have failed as a county. you all make sure we never fail as a county thank you so much i do not know if there's a representative that wants to speak but i'm going to say amy owen would you like to nicola costa from because you're the community foundation so you cover so many non-profits which one of you would like to take the mic and say something before we figure out how to take a picture

[02:11:01] okay but i really don't want to follow you because that was great all i'll say for the public listening one thing you could do on march 28th is make a gift on give choose.org pick one non-profit pick five there's 145 you can pick all of them if you'd like but every gift matters and our goal is to raise as much money as we possibly can in that one day so thank you so much to the public listening to joining in and thank you so much chair randall and to the entire board this board in particular has done so much to lift up and amplify the voice of our non-profit community

[02:11:38] especially under your leadership so thank you all right we have five of these today so we're going to spread them out and then we'll make sure everyone every non-profit gets one if you didn't get them today because this is just for the picture we have more we will get get get them to you but we're going to just kind of spread these out today okay so we can take a very good picture let's just look really good in a picture mrs angel i'm going to give somebody over there one two or something how about over here how about we do that one okay all right and then we have one

[02:12:15] more yeah now we're gonna now it's now it's the picture time i don't know how y'all gonna do that

[02:12:19] i'm gonna have glenn tell us oh yeah we are gonna give you supervisors um it's a weird night because

[02:15:34] we do have three closed sessions and we have to recess the meeting have the have the tax public hearing and then convene the meeting again so it's a lot going on in this meeting actually but uh right now let's go on and do let's go on first and do our um nominations uh and then we will go back and do the one other action item, which would be the short-term rental item, because the item in the now Percival, later Catoclin district, we will do that item after closed session, okay?

[02:16:09] All right, so let's do nominations first. So if you have a nomination, put your light on, please. Mr. Buffington. Ms. Emily Houston, as the at-large for Heritage Commission. Thank you.

[02:16:25] All right. I am going to withdraw the name of Mitra Sharif from the Arts Commission, a nominee for the Arts Commission. I'm going to re-nominate Bernard Mustafa to the Economic Development Authority, and I'm going to nominate Linda Silverman, who actually lives in the Blue Ridge District, Mr. Bubbington, for the Commission on Aging.

[02:16:52] All right. Let's do the, if that's all, let's do the short-term rental item.

[02:17:19] Okay, fair, fair. Good evening. No, really? Good evening. We're here. Good evening. Okay, at long last, we're going to do the short-term rental item.

[02:17:37] And I don't think we're going to send it anywhere tonight, anywhere else tonight. So we're ready when you are. If you have any updates or anything to give us or any information, we're ready. Would

you like us to give a presentation this evening or go over? I don't need the presentation because I've had it and I've seen it, and I appreciate you all giving it to me.

[02:17:58] Would anyone else like to see the presentation? No? I do have questions. Okay, before the motion, you have questions? Okay, Mr. Letourneau. Thank you. One thing I wanted to bring up that I didn't really see addressed at all was HOAs.

[02:18:14] So I know some homeowners associations have taken steps to prevent short-term rentals or have rules around them. How does that interface with our ordinance, and is there something related to communication that we should at least include sort of specifically?

[02:18:41] Covenants are private agreements that are regulated by the Homeowners Association, so the county would not be enforcing those requirements. The county wouldn't, but what we've run into before is when people get their county approval or if something's approved by the county, they think they're good to go, and we run into this with the daycares, for instance.

[02:19:00] And so with that, we specifically say to them, you need to make sure that you are checking with your HOA. Can we do that here? I think we could include that. I know we do something similar with child care homes. Their application is a little bit different, so we can put it right on the application.

[02:19:17] But I think we can work on some kind of a strategy when people do come in for their permits to make sure that they're aware they need to check with their HOA. I think that is something we can do. We just can't put anything in the zoning ordinance. Yeah, no, I understand it's not, and we're not necessarily the ones that would enforce that.

[02:19:35] But I do have a concern that people are just going to think, well, I'm complying with the county. I'm completely good to go. I don't need to worry about it anymore. On parking, are we factoring it at all? Any increased parking needs, particularly in multifamily or townhome communities?

[02:19:55] The proposed requirement is to require one additional space added to those that are required for the unit itself. Okay. But what if there is not one additional space available in a community, which is a frequent occurrence given that we're pretty badly under-parked in a lot of our multifamily developments?

[02:20:23] I mean, if they cannot meet the parking, that would be something that would prevent them from getting approval for the use. I mean, we do have ways of parking reductions that they can ask for if they can demonstrate that that additional space isn't needed. So there's options to look at addressing parking, but they're...

[02:20:43] But I guess if there isn't one additional space available, that would give us grounds to not allow a short-term rental in that particular community. So that might be a conversation we also have if we get complaints from a particular HOA or community about this.

[02:21:02] You know, well, you know, if there's no parking in your community, you can let us know that. And if we saw an application, we could potentially take action. Correct. Okay. Thank you. Thank you, Mr. Letourneau. Mr. Turner. Thank you, Madam Chair.

[02:21:18] So just to follow up on that line of questioning, what would you need from us in the motion? Do we need to make a motion to include an amendment to notify prospective permit seekers to check with their HOA to ensure compliance? I mean, it's an easy amendment to make.

[02:21:34] I just don't know if you need it in the form of amendment, or is our direction, informal direction, here enough? I'm fine either way. I mean, I know we've heard the message. I think it is something we can definitely follow up on, but there's no harm in including something if you'd want to do that as well. Okay. Thank you. I'm sorry.

[02:21:51] Ms. Bricksman. Thank you, Madam Chair. I think a lot of us are thinking along the same lines this evening. I did speak with the two largest HOAs in my district. One of them is fine with the draft ordinance and another one is very, very concerned that homeowners or town homeowners or apartment owners will think that if they get a permit from the county for an STR, that it overrides any covenants that are in the HOA documents.

[02:22:25] So I would be much more comfortable with some sort of amendment that says the owner should check with their HOA and or provide language from their HOA when they're doing the application.

[02:22:43] So I definitely, if needed, would rather have it in an amendment than something that we just have a sort of a handshake understanding that it's going to be asked and questioned. So any, I guess I could do a motion or a friendly at the time of the motion that we have an amendment to that effect if staff is okay with that.

[02:23:12] And I'm happy to entertain language that would accomplish that. Yeah, I would just caution that I think based on the county's review of these uses, if it meets all of the zoning requirements, we have to issue the permit. We can't not issue a permit if we get something from the HOA saying they don't permit it.

[02:23:30] 'Cause again, we don't regulate or enforce HOA covenants. So we are obligated to issue the permit if they meet all the zoning requirements. We can't condition the approval of the zoning permit on the HOA's approval. - That's fine, I understand that, but I do think that we should have something in there that requires them to produce whatever HOA language might be pertinent, just so that there's an understanding from the homeowner that they could run afoul of their HOA if they get such permit, and they could get the permit anyway and then have to fight it out with their HOA.

[02:24:08] But I do think that we need some sort of language in there that would be helpful so that we don't have these situations happen. Thank you, ma'am. Mr. Kirshen.

[02:24:24] Sorry, Madam Chair, I think somebody wanted to... Oh, yeah, I'm sorry. Mr. Galena, do you want? My bad. Yes, would you like to respond? I was just going to note, I think, to further Mark's point, just for clarification also, it's one thing to have language in to add a notice so that we're notifying the HOA, but you're asking for something more where they would provide us with information as part of their application?

[02:24:48] Supervisor Briskman? If you want to clarify, I know your time's up, but going to clarify. Thank you, Madam Chair, and I apologize. I know that we wanted to kind of dispose of this this evening, but um yes we do we do uh and i do too so i i i think it should be almost like a check box have you have you checked with your hoa on this and can you provide language it's not to it's not to deny the permit but it's just to make sure that they have an understanding um that they could run afoul of their hoa uh so okay so did she answer your question probably answer your question i kind

[02:25:26] said the same thing. You did, but I think maybe that's something more we could do administratively as part of the application process. It doesn't need to be an ordinance change. I think,

yeah, on the zoning permit that's issued, there can be a statement that this does not supersede any HOA covenants, and so you need to check with your HOA. Okay, that sounds perfect. Sorry.

[02:25:45] Thank you. Mr. Kirshner? Thank you, Madam Chair, and thank you for being here and all your hard work. I know I've been a little bit of a critic of this zoning ordinance and kind of gone back and forth on everything. There's some great changes that have been made. I have a couple little follow-up questions. You know, I think I'm getting much closer to supporting this. I'm not sure what I'm going to do tonight. But it was brought to my attention as I was reading back through the ordinance, and I agree with a lot of what Donnie Walker said earlier, that a lot of great changes occurred. But I'm just concerned kind of with the chilling effect this is going to have potentially, and I don't want that to happen because we have a really thriving industry,

[02:26:24] at least in the western part of the state or county that I represent. I want to draw your attention to zoning permit requirements. There's some language in here that I'd like you to help clarify for me. It says, in addition to the requirements of Section 6100, yada, yada, yada, once you come up for the inspection to approve, it's under D1 in both sections. It says that the zoning permit will be issued to verify, and they will verify compliance with all applicable zoning ordinance you mentioned in your language a little bit ago when talking to mr turner what does that apply what does that exactly apply to because obviously we're rewriting we're putting in a

[02:27:02] zoning ordinance is that gonna is that going to affect properties that perhaps were built in steep slopes or incorrectly perhaps there's some floodplain issues how broad when because because i've seen this this language and other zoning ordinance um how broad is that how broadly will that be looked at because my concern is that the zoning department will come in and say we'll issue of zoning permit, but now you have all these various issues, even though you've been acting as a B&B for a number of years. Could you speak to that for me? If the use is existing and has a zoning permit for you, say they came in and got a zoning permit for a B&B, a bed and breakfast.

[02:27:39] Okay, but a lot of these don't. You're going to have hundreds come in that don't. For those that don't have any zoning approvals, when they do come in for their zoning permit application, it will be reviewed for conformance with all applicable zoning requirements, as is the case in any use that comes in. That gets to my second point, and that was one of the things I think we were asked about.

[02:27:58] Why not put in a grandfathering clause for those who have been in existence for some time, at least for some of these issues? And I don't recall what the answer was, but I don't remember that actually getting put in. There was some discussion with it in TELUC. Why not do that? Yeah, staff is of the opinion that these regulations, once they're adopted, should apply to everyone equally.

[02:28:20] Most of these, as you mentioned, do not have any zoning approval. They may be registered with the county for tax purposes, but they were never reviewed for zoning compliance. So those that, you know, some of these short term rentals have been established as B&Bs, which they have a permit.

[02:28:36] They're vested to keep doing that. I got what you're saying, but, I mean, I have 11 seconds left, so you can follow up after. I'm just concerned, and that really concerns me because I just don't know how broad those other – it was one thing to say you're going to have to comply with this new ordinance. It's quite another to say, hey, oh, by the way, you're also going to have the compliance with the whole zoning code here.

[02:28:56] And I just don't know how. Mr. Kirsten, I'm going to wrap your question up. Thanks. Would you like to answer that? Did you get that part of the question, that last part of the question? I mean, again, all zoning ordinance regulations apply, not just the short-term rentals.

[02:29:11] So any zoning district, for example, regulations that apply to the building, yard setbacks, those are going to apply. There's not an exclusion for certain aspects of the zoning ordinance to not apply to this use as any other.

[02:29:27] It's the same for any use that comes in. All the regulations that apply are required to be upheld or complied with or whatever. Thank you. Mr. Buffington. Thank you, Madam Chair. I agree with Supervisor Brisbane's amendment that she wants to make.

[02:29:43] I agree with grandfathering. My question is along the exact same lines that Supervisor Kirshner was asking about. So what if someone comes in, I'm imagining a large farm in Western Loudon, say 100 acres, and there's several residential structures on the farm, and they have not come in yet for an STR use, so they now come in after we pass this for an STR use, and then you all have to do your inspections, your zoning inspections where you go out on site.

[02:30:15] Would that be limited to just the structure that they want to do the STR in, or would you now look at everything they got on the whole farm and make sure everything's in line with every ordinance there is? Well, my concern is I don't want to be opening up Pandora's box every time someone applies for a new use for one part of their parcel.

[02:30:40] So how would that work? I think typically they would come in for the use itself and provide the information for that use. Whether or not there are other violations on the property, Typically, we don't proactively, as you all know, we don't proactively enforce the ordinances-based, complaint-based.

[02:30:58] But when I come in for the new use, am I correct that at some point, as part of that process, before you approve it, you're going to come out and do an inspection, a zoning inspection? Typically, we may come out and do an inspection to make sure that it complies with the application requirements.

[02:31:20] So that may be done as part of the application process. But I think to your point, the focus will be on what the application is for. A zoning inspector will not be going across the whole 100 acres looking for problems. They will go to the site for the application and verify that.

[02:31:35] And if I have multiple structures and I was to specify, you know, this particular structure is the one I'm trying to get this used for, then you would just be looking at that structure and not all the others? Is that accurate? I think generally, yes. Now, if the drive-in has something egregious, there might be another issue.

[02:31:54] but it's not looking across the entirety of the site. Right. Okay. Okay. Thanks. Good questions. Thank you, Mr. Buffington. Mr. Sainz. Thank you, Madam Chair. Okay. No, I'm not in too luck, but I sent an email stating some of my feelings on the matter in regards to the rural and suburban, because the last time we were here, it looked like we were more trying to make everything fit under one umbrella, where it doesn't apply.

[02:32:24] So correct me if you're wrong, there was no draft text that the draft text does not have any different rules for different policy areas and I'm being told that the suburban uses would have to come before the board and the board could reject or modify them is that is that correct yes so for the

commercial whole house we do in some zoning districts particularly those that have smaller lots and more dense for our commercial house that would require either a minor special exception or special exception depending on the zoning district you're in so that would give the board the ability to look in these areas where the impacts are could potentially have the most impact on most people

[02:33:04] you could look at those on a case-by-case basis and give you the opportunity to you know provide conditions to address any impacts give the give the neighbors a chance to speak on the application regarding their concerns so that's that's basically different you know that's how you're looking at the differentiation basically is that in the in these smaller lot sizes and denser districts we are requiring the board board approval all right so make sure i'm understanding so i live in the sterling park community single family detached home so if i wanted to do the airbnb or whatever i have to go apply and then bring an application from the board only the commercial

[02:33:43] house and that's where the no nobody lives there you're just using that house as a rental The residential accessory where somebody wants to rent out their own house, that's buy right throughout the county. So if I have a whole house that's sitting vacant and I want to rent that house at Airbnb or Verboi or whatever the options are, I would have to bring that in front of the board?

[02:34:04] If it's a commercial house and if it's in the district that requires that. Why do we call it commercial house if it's in the residential? Well, commercial house, I was given that name because, again, nobody's living in that house. Nobody's living in a commercial whole house. Basically, that whole house or that house is used solely to rent on a short-term basis.

[02:34:24] Oh, okay, for commercial use. Okay, gotcha, okay. Because when I'm thinking commercial, I'm thinking industrial buildings or whatever. Okay, all right. And then in regards to the parking, it's kind of the same situation, or what are we doing there with the parking situation? Because you know Sterling Park is very tight with parking.

[02:34:43] Yeah, right. I mean, so for the short-term rental or commercial whole house, It's basically adding one space in addition to what would be required if it was just a dwelling unit use. Okay. So it's adding one additional space than what a typical dwelling unit would require. All right.

[02:34:58] And then I'm assuming, again, on the third-party website, it would instruct that person, if they're doing it legally, to register, then come to the Board of Zoning or whoever and register and go through the process. Is that how it's going to be set up?

[02:35:15] Do you want to go ahead? Mr. Sains, that would not be on the third-party platform like Vrbo or Airbnb. That would be on the county's website, and it would also be through outreach to short-term residential rentals, whether they're accessory or commercial whole house rentals that the county becomes aware of.

[02:35:32] So that's not... Bless you. Bless you. That's not... That would not be on a Vrbo or an Airbnb site. So when you're saying the third-party, I just want to make sure it would certainly be on the county's website that they currently have that talks about short-term residential rentals and how to apply and what the process is, but that would not be on an Airbnb.

[02:35:55] If you're talking about the software that staff would be using, though, it still wouldn't be that software and that company wouldn't be proactively doing it. It would be incumbent on the staff using that

that would notify the staff, and the staff would educate and help try to bring people into compliance. Can we get another round of questions?

[02:36:11] No, no, but I'm almost thinking we need to do the presentation because there seems to be, surprisingly, a lot of confusion on this board, especially for how long we've been doing this. So let me just do this. Let me just, hold it. First of all, thank you all for all the work you've done.

[02:36:29] Mr. Walker, thank you as well. You kind of, I've been following this on social media, and you kind of led the effort to slow this down and have us send it to T-Luck and look at it all over again. That has not been lost on me, so thank you very much. My questions were mostly Mr. Buffington's questions, but I will say I've never seen this much kind of what we're seeing on the dais right now, kind of back and forth and talking, because this is not normal when people understand what's in front of us, which makes me think that there is some misunderstanding of what this is on the dais right now.

[02:37:06] So we're not going to do another round of questioning, but let me just kind of do a straw poll moment. Supervisors, do you all feel like you have had your questions answered and you know what you're voting on and you feel comfortable in this vote we're about to take because this is a lot going on right now.

[02:37:25] Do you all feel pretty comfortable in that? I need you all to have a seat so I can answer that. For me, I'm not comfortable with... So you're not comfortable? No, because I think we just need to fix some things. I don't like...

[02:37:41] So no, you've got some fixing to do. So I am a little surprised because we've been doing this for a long, long time. And I'm hearing people have questions that have been answered and that are in the package and that are in the, it is.

[02:38:02] But how about I do this? I'm sorry, but it is uncomfortable for me to make a motion with this much confusion, even whether I think there should be or not, is neither here nor there. Let me make a motion to send this to the next meeting. I know I get it.

[02:38:19] I saw the heavy breathing, but Mr. Sainz seconded that motion. This is not a motion I particularly want to make tonight or thought I'd make tonight, and maybe when I ask that you guys need the presentation, maybe you should say yes, because maybe you need the presentation. But this will not be undone, and what we're doing is big and important and impacts people's property and the pocketbook and all those types of things.

[02:38:46] And so, you know, if I had one colleague who was not clear or had lots of questions, I probably wouldn't be doing this, but I have not seen that much kind of chatter on the days before in motion in a long time, if ever. And so I know that this is not, I know this is kind of a pain, to be quite honest, and I apologize, but I'd rather make sure that we're doing it right I'd rather just make sure that we're doing it and that everyone knows what they're voting on.

[02:39:14] So that's the motion I'm making, and that's the reason. Mr. Turner? I'm sorry, Mr. Rogers. Thank you, Madam Chair. I'm sorry, Mr. Turner. In addition to your motion, if there's any guidance that the staff... That'd be helpful. Yeah, yeah, yeah, yeah, yeah. I heard... In the motion, let's do that.

[02:39:31] I heard some talk about grandfathering. Grandfathering should be done by resolution. It needs to be very specific. It may be a challenge preparing it in this case, so I need to know where the board is on that and if there's any other amendments that the board members would like to take. Our guidance.

[02:39:47] So now we're discussing the motion. In discussion on the motion, let's make sure we give the guidance. That's what we're doing right now, discussing the motion. Mr. Turner? Thank you, Madam Chair. We don't need any more discussion on the motion. We don't need any more discussion on short-term rentals.

[02:40:03] This has been bouncing around for two years. The item is perfectly clear. TLUC was a 3-0 vote to move it out of TLUC and bring it back to the board, and it was perfectly clear. We don't need grandfathering. We have to put in a grace period. We can add simple language, and I can do it on the fly, to make sure they notify permit applicants to check with their HOA to verify if HOA permits short-term rentals.

[02:40:27] This does not need to be dragged on anymore. I do not support this motion. So, Mr. Turner, I appreciate and respect what you're saying. If the motion does not, if the motion that I've just made fails, then you can certainly make those amendments when you make the motion in the package.

[02:40:43] Thank you, sir. Ms. Brickspin. Thank you, Madam Chair. I tend to agree with Supervisor Turner. I read the item. I'm comfortable with the item, and I cleared my amendment with our county attorney, but I'll just say what the amendment would be so that if this motion passes, then staff has the guidance.

[02:41:04] And my amendment was to have the application for short-term rentals will include language that notifies the applicant that a county permit for a short-term rental does not supersede HOA, language, or covenants on short-term rentals.

[02:41:24] And so that was going to be my amendment. And otherwise, I'm ready to vote. Thank you, Madam Chair. Thank you. Mr. Kirshner. Thank you, Madam Chair. Just to correct Mr. Turner, the vote coming out of TLUC was 3-1-1. It wasn't 3-0. And I specifically said at that time I'm voting no because I wanted to continue to have further discussion. I don't believe the chair was there either. She obviously is very aware of that, and neither was vice chair in that particular meeting.

[02:41:50] So I think that it does bode, given the questions that have come forward, that we need to have some further discussion on this. I would like, in terms of guidance, and perhaps I can sit down and meet with staff, because I'll be really honest, when I went back and read the language a second or third time and I saw all applicable ordinances, that just made an additional red flag.

[02:42:11] Because I was thinking, okay, what's contained within this new ordinance itself? I'd like to know what those potentially could be, and perhaps in other scenarios, those situations where these things pop up that obviously wouldn't be included.

[02:42:27] For example, are we going to see, because we're often getting complaints about people trying to comply, come in as a country in or not, and there's a variety of things. That's just going to, if we have those same kinds of issues, obviously that's a far more intensive use than this is.

[02:42:43] But if we're going to have those kinds of issues for a lot of the individuals that I have dealt with in my tenure on the board, this is going to have an incredible chilling effect. So I kind of would like to know, hey, this is kind of what we envision will occur. And I know you can't give me every scenario and every, but Mr. Buffington asked a very good question.

[02:43:02] That is, well, can it just apply to the particular structure and those things that would just be impacted? and I didn't get a clear answer from staff it could very well comply but the barn's sitting over there or you know some other aspect of the property or maybe there was a shed that was built within a within a floodplain that shouldn't I just I'm very concerned about the chilling effect this could have on at least those properties in the west so those are that's some of the guidance that I would have and so if that is best solved through some form of a grant a very specific grandfather amendment then let's look at that I know that the county attorney mentioned that

[02:43:37] being very specific of that would be extremely important so I'm a yes on this for a variety of those reasons and again I want to be able to support this and I think we've done a great job but I'm just concerned the long kind of the unseen foreseen and maybe I was a little late in seeing some of the additional foreseen that I didn't see in TGLAT when asking that question I was far more focused on the new language in the actual zoning ordinance itself and those were the questions that revolved around my questions at that time.

[02:44:08] So thank you very much, Madam Chair. Thank you. Mr. Buffington. Thank you, Madam Chair. Yeah, I apologize to Chair Turner of TLUC and my colleagues for not supporting passage tonight and for supporting this motion, but I didn't know that I didn't support passage tonight until tonight during this meeting when I just learned some things that I didn't know until tonight during this meeting.

[02:44:34] So anybody who has anything to bring to my attention about changes for this do so immediately after this meeting if you haven't already but don't do it the next time this thing's at the board for a decision because it's i mean if this passes you got lucky tonight this isn't going to happen again no more extensions if this passes um my my guidance or what i would like to see is one one change would be the notification that supervisor briskman and others had mentioned for the HOA is another what I guess what I would like to see is in the packet an alternate motion that would include grandfathering so

[02:45:12] whatever you need to do for that and in the package either a change to the package or an alternate motion in the package that would somehow address this issue that supervisor Kirshner and I have raised about the the zoning inspections the on-site zoning inspections that would occur in the focus of those inspections we would like them to be focused on the actual use and the change that's being requested especially if the applicant is specifying a specific building on the property that that the zoning inspection would be focused if if legally possible on that as opposed to you know opening

[02:45:52] up Pandora's box to a full property inspection to make sure everything's in line, and that's all I'm looking for. Thank you. Thank you. Mr. Leturto. Yeah, I just will say briefly, from my perspective, the only thing that I really am interested in is just the HOA tweaks.

[02:46:09] I agree with Supervisor Turner. It doesn't need to be a major motion. It's not an ordinance change. I think it's just a follow-on added motion that would allow us to make note of the fact that the board was asking and ensure that there's just some process to check. I understand it's not quite check the box, but inform along the way. Otherwise, I'll probably support the motion just out of deference to my colleagues. I understand the frustration being a committee chair. I've had these situations where the committee got deep into something, but not everybody's on the committee.

[02:46:41] And then sometimes what you expect to show up in the final package is not exactly what's there from what the committee discussion was and all that kind of stuff. But I agree that I'm personally ready to go on this. Thank you. Mr. Sains. Thank you, Madam Chair. Now, you know, staff, everybody, has done

great work on this item, but I just have an issue with us not asking Airbnb, when you're trying to register your property, to make sure to send them directly to the county or ask, can you verify that you're registered? Because yes, there's a majority of the folks are going to do the proper

[02:47:19] thing, but there's going to be a lot of folks who are not going to do the proper thing and register and whatnot through the county. So how are they supposed to know that if they don't go to the county website first, which you're pretty much assuming that people will do that? Those folks are probably not going to do that. And also in the Sterling Park community, it's not under HOA control.

[02:47:36] So there's a lot of folks who are going to be, you know, not covered by the HOA, not following the policy, you know, saying to come to the county first and register. So I don't see why we cannot have a disclaimer on those websites saying to please register your county first or please show verification so my guidance would be is for us to look at that and also to check and see does other localities do such a thing with with Airbnb or the other other sites so if I can confirm the guidance is to work with Airbnb and verbo to ensure that they have language

[02:48:11] on their website to make sure that hosts are compliant correct correct compliant with our policies whatever our procedures are yes. I am not sure that we can do that but certainly I understand and I think that perhaps what I would like to do to help answer that is to find out what the process is from hosts so let me see if I can get some information for you on what their process is as they go through when they go online as a host. Well with all due respect shouldn't we already know kind of what the process is what a host does yes sir we do but i believe

[02:48:50] that you know if you were asking for specific language i think we need to understand where our ability to influence that request from the third party operators yeah i'd say reach out to them which i can't be honest with you i think we've had this conversation before it was presented to us in the public hearing next to check and see if that was done with other jurisdictions or not but i think we need to reach out to airbnb and ask those questions and see hey does anybody in California, Arizona, or wherever, do they have these requirements?

[02:49:19] Can we mirror them? Thank you. So, Mr. Sands, I'm going to respectfully disagree. I think, you know, Airbnb and those are national, international sites, and they're not going to comply with Loudon's zoning ordinance. And so, you know, these things are not that hard to find out.

[02:49:36] And I don't know how we, I don't even know what you're asking for happens. But more than that, Mr. Turner, I understand your frustration. I share your frustration. But I'm also always aware that as county chair, this is my full-time job. I get to be here all the time.

[02:49:52] So I have a lot of access to staff, and I get to ask these questions all the time. And so, you know, I may have more chance than some of my colleagues who clarify what may not always be very clear. Now, truthfully, I haven't heard many questions today that either were not answered. In fact, Mr. Kirshen, I'm going to disagree with you.

[02:50:09] I think Mr. Buffington's question was very well and very clearly answered by staff just now. But okay, if others don't, okay. I think everything was either answered tonight or it's answered in the item. I feel that. However, I also feel that at some point you just extend, for lack of a better word, professional grace to people.

[02:50:32] And if I have three or four colleagues who are saying we're not ready, whether I think you should be ready or not, if you're saying you're not, it is something we've been doing for a long time, and I want to get it done. Boy, do I want to get it done. However, it's not incredibly time-sensitive, and I don't think two more weeks is going to make or break us.

[02:50:54] And so I do understand the frustration. I hear it. I know. But I also saw more chatter on this dais than I've seen in a long time. I see you. I've seen it in a long time for an item. Having said all that, let me be real clear about something.

[02:51:09] None of this was you all. You all have been incredibly clear. Your item was clear. Your presentation was clear. You offer the presentation everyone said they didn't want it and then ask all the questions that may have been asked. Had you have they said they want the presentation and then the questions were asked within the presentation. But so lesson learned maybe from now on if it's gonna take more time take the presentation. But before we call for the vote. I'm going to Mr. Mr. Well miss it was Mr. Hempstreet now Mr. Ruck. Well, we're are we're discussing who should bring this up because

[02:51:47] You guys are lights just keep going on and off and on. Well, we approach some of these questions with trepidation with the board chair handle. There's been a lot of discussion that we've been hearing. I am personally concerned that we can resolve these issues within the next five business days, which is what we would need to do in order to make the April 4th meeting.

[02:52:10] I'm also hearing from the attorney that if there's going to be a grandfathering, that we should have a resolution that explains the grandfathering. We're not sure what we're grandfathering. So I am hesitant that-- - The motion is for the April 4th meeting.

[02:52:27] - And I'm saying I don't think we can meet the April 4th meeting, given what I'm hearing are-- - Oh. - So I'm saying probably April 18th would be more likely, or I'll defer to Mr. Galindo or Mr. Stoltz, but they may say even the 1st May meeting, depending on what we're-- - So we're not gonna go to the 1st May meeting.

[02:52:46] So do you need the second meeting in April? Yes, ma'am, I do, because after we're done here, I'll go upstairs and email all of you to set up individual briefings for anyone that's interested. Amen. And take them. And take them.

[02:53:02] No, not your staff. Take them yourself. Can I ask a point of information then, ma'am, I'm sure? Yes. So I don't mean any disrespect to all of my colleagues, but I'm not sure it's the will of the board to pursue grandfathering. So before we ask staff to go down and do all that work, if there is not a majority support for that, I'm not sure why we would do that.

[02:53:21] Okay. So then let me do this. Let me withdraw my motion to move this forward, or I can just do like a straw poll vote and ask, I'll leave my motion on the table and ask, is it the will of the board, before we have the staff, thank you for that, Mr. Turner, to do grandfathering? If it is, would you please raise your hand?

[02:53:45] yeah I don't know if I feel one way or another about to be honest um all right so so will of the board is not the will of the board to do grandpa Mr. Sands you were you your did your hand go up actually um Mr. Sands Mr. Kirshner stopped talking in my ear like the like like the little like the little devil in the Flintstones on my shoulder or a little angel on the place on my shoulder um is that what's going to hold up

the process to discussion on grandfathering is that why you can't get it back to the next to the April 4th meeting that would be probably the main

[02:54:24] reason that's the main reason i think one of the questions of grandfathering too and again we need direction from the board whether it's a full-blown you know you don't have to you don't have to meet any of the regulations if you're say registered for example are we going to tailor that grandfathering to specific requirements that you don't have to meet so i'm not going to vote for grandfathering and so then the straw poll vote says that the grandfathering would not be something that would the will of the board would ask for anyway so that's the straw poll vote mr kirsten that's draw a poll vote that's where we're at with that so we're back to the to the motion whether or not

[02:55:01] we want to move this to the second meeting in april without the discussion without the grandfathering discussion all right here from a staff perspective if you don't have the grandfathering resolution we can get back to you by april 4th if you want to do it by that day thank you very much okay and actually i i just saw the april 4th agenda it was a really light So you might as well go in and get, I mean, it was really, really light.

[02:55:33] It's a very light agenda on April 4th, so it'd be easier to do it that day. Mr. Schultz, do you have one more thing? Well, just that the April 4th, it depends on how many briefings are asked for and what comes out of that, and so. Well, either way, either way, that doesn't, I mean, people know to ask for briefing, ask for briefing folk.

[02:55:48] I mean, that's just how it is. All right. All in favor to move this to the April 4th meeting, please say aye. Aye. Opposed? All right. That motion to move it to the April 4th meeting will pass, 7-2, with Mr. Turner and Ms. Bricksman voting against the motion.

[02:56:05] Thank you very much, and I apologize. Supervisors, we have to do something real quick. We have to have the notice of real property tax increase public hearing. It's required to do that today.

[02:56:22] It's required to do this before we leave this day. So what I'm going to do right now is recess the business meeting. We are in recess until after the public hearing, which is going to happen right now. Do we have any speakers on this public hearing signed up to speak? Do we have any people on the public hearing signed up to speak?

[02:56:41] Okay, let me read this into the public hearing. I call to order the March 21st, 2023 Loudoun County Board Supervisors public hearing. This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecom mode. If you need the headsets, we have those available as well. Please leave the clerk to request one. As a reminder, if you're going to address the board this evening, you may only come to speak on the matters that will impact this public hearing.

[02:57:04] Any members of the public who are not in the boardroom wishing to address the board, please call the number, scroll it across the screen at your time. At this time, if you do want to address the board, you will be allowed at two and a half minutes. When your name is called, please come to the podium closest to you. If you're providing your comments via phone, please use your stopwatch to do that.

[02:57:22] When taking public input, I would first call for people in the room, and then anyone who is on the broadcast or on the phone. All right. Ms. Burke, or just Ms. Burke, is there anything you'd like to tell us before I call on any, before I make call for public speakers?

[02:57:42] No, ma'am. No. Is there anybody either in the room or on the phone who would like to vote, who would like to speak on this item? Who would like to speak on this item? well, no, but not, but nearly not, and I won't speak on the item. All right, seeing none, I will close the public hearing. There's not, is there a motion on this? There's not a motion on this, right? There's no motion on this. Okay. I will close the public hearing on the notice of proposed real personal property tax rate, and I will adjourn the public hearing. Thank you very much.

[02:58:17] Easiest public hearing in the entire time on the board ever. So we have not left the dais. we're going to do closed session item number four but and we're going to have dinner while we do that do you need to take a break first before you come reading the closed the closed session okay then let's read in the closed session we do which is why we're doing number four right now yeah yeah that's what that's that's why we're doing it that's why we're doing it this way would

[02:58:57] you like us read us into closer and that one could take a while actually the personal I'm could take a while would you like to reason the closed session Well, closed session two is not going to take long either. Mr. Sands, would you like to respond to the closed session? Yes, yes, yes. I move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2, 3711, A7, and A8 of the Code of Virginia for consultation with legal counsel concerning actual or probable litigation and discussion of a specific legal matter concerning land use in the Katoctin Election District.

[02:59:30] Motion was made and seconded. Discussion on the motion. To be crystal clear, this is in Percival, which is considered the Blue Ridge District now. The Catoctin Election District is the new district, but anyone listening might still think of this as the Blue Ridge District right now.

[02:59:54] Maybe the Blue District. But the Blue Ridge District right now, I just want to make sure we know what we're talking about. So, anybody else? All the people that say aye, aye.

[03:00:05] the motion will pass 9-0 thank you 6,900 that's five yeah okay we are back we are

[03:44:12] back we are back mr. Sainz will you please read us out of closed session 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 should reflect that no formal 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 Ms. Bricksman.

[03:44:35] Discussion on the motion? Seeing none, on paper say aye. Would you please affirm? Affirm. Affirm. Affirm. Affirmed. Mr. Turner, am I a firm as well. So Mr.. not Mr. Buckingham, we actually have the item 8, is it 8E? 8E right now. Good evening everyone. We think We are ready when you all are.

[03:45:09] A.B. is the Percival item. Good evening, Madam Chair. Nancy Boyd with DTCl. We are here just with an update at last week's FGOEDC meeting. We mentioned that the town approved the county's Western Loudoun Park and Ride legislative applications on February 28th.

[03:45:37] And DTCl was going to proceed with the design of the park and ride and adjust the design of Fields Farm Park Road based on the conditions of the park and ride approval. So we're just updating that. Since the town has rescinded these legislative approvals on March 14th, we have stopped work on the park and ride.

[03:45:53] And we are currently exploring other options regarding the development of Fields Farm Park Road. Regarding, and this is just an update on a couple of the other projects in the area, for the Route 7690 interchange, The Town Planning Commission is scheduled to provide recommendations to the Town Council on this Thursday, March 23rd, on the proposed plat for the Catoctin Meadows HOA parcel.

[03:46:17] And DTCI will be holding another public meeting on Friday, March 24th, on the topic of this 7690 interchange. And just another note that VDOT has confirmed that they cannot adjust the smart scale schedule for the Route 7690 interchange project to account for the town's plat processing delays.

[03:46:40] Because of that, we have reached out to our CTV board members to brief them on the situation, which is scheduled in the coming weeks, so that they can be aware of the project delays and that they are beyond the county's control. And our goal there is to help ensure that future smart-scale applications are not viewed in a negative light due to the delays on this project and other smart-scale projects within the town.

[03:47:04] So this item is seeking board approval to move the Fields Farm Park athletic facilities previously proposed within the town to the 143-acre park property that the county has under contract just west of the town and to allow us to begin feasibility studies and land use planning for the park facilities, the Western Loudoun Recreation Center, and the proposed new Percival Library.

[03:47:28] That's all I really had for you is just an update on those items from the Finance Committee. Thank you very much. Do we have, Mr. Bruckington, do you have questions? I do have questions, Madam Chair. Just regarding the one item that you said we're having a public meeting in the town of Percival regarding the 690 Route 7 interchange, is that a legal requirement?

[03:47:52] Why are we doing that? That is not. That is something that we have been working with the Catoctin HOA board to schedule for some number of months. When we conducted a meeting at the town hall, it was a public information meeting on this project back in January.

[03:48:08] There were several members of the Catoctin Meadows membership who were there and expressed their desire to have us come and make the same presentation to the membership at large. We had been trying to schedule this meeting, but the board last fall had been directing us to work with the town, with their, I'm sorry.

[03:48:26] For interest of time. So you're doing it to meet with the HOA, basically, because you told them you would. In any way, could the result of this public meeting and their input delay the process of moving forward with the 690 interchange? No, our goal is just to make sure that they have all the information that we have to share.

[03:48:46] Okay, so this won't delay it, so I'm fine with it. My thoughts on that meeting, and Mr. Hemstreet or Leo or my colleagues, if you want to chime in, Please, Leo, if I'm saying anything inappropriate, make sure they understand that we're moving forward with the 690 interchange one way or the other.

[03:49:07] If they're opposed to it and the town is opposed to it and they're giving us more problems, we're still moving forward with it. We just won't build the eastbound off-ramp from Route 7 onto 690 interchange. So we'll have the whole interchange except for that.

[03:49:23] If we do that, there are some improvements that will not be made because we will have removed the off-ramp that would have included some improvements that would have mitigated any

negative impacts for the wetland area and for the floodplain, correct?

[03:49:48] And those mitigations would have been a benefit or will be a benefit if they're constructed to some of those homes that have concerns in that HOA that you're talking about, about possible flood rise due to the construction.

[03:50:05] If we have to move forward without building that off-ramp because they're opposed to it, then they will not get those improvements that would fix the problem that they're concerned about. But if they work with us and allow us to build that off-ramp, they will get those improvements, and that will help those residents who are concerned about the level of rise due to the project.

[03:50:30] And so my thought is that they should work with us so they can get these improvements so they won't have the negative impacts that they're concerned about. And the county would be happy with that as well because we want them to be happy, but also we want our interchange. Thank you.

[03:50:46] Thank you, Mr. Buckingham. So, everyone asks for questions. Can the questions be answered within the motion or do you need time outside the motion? Do you need time outside the motion? Yeah, no, I probably don't need time outside the motion. Okay, wonderful. Mr. Burpentine, would you like to make a motion? Oh, I'm sorry, Madam Chair.

[03:51:02] I'm sorry. I think it might be better for me to ask my questions before the motion. Okay. Sorry about that. It's specifically kind of about the motion. Okay. I'm a little reluctant with this motion because it's saying to begin programming facilities and initiate any required land use actions to accommodate planned uses upon acquisition of the property and to designate the 143-acre property for the facilities.

[03:51:30] I'm a bit reluctant to have staff spend time on it when we don't own the property yet. We don't own the property, and at least for me, there were at least a couple things that I need to see in the contract and the agreement for the purchase of the property before I would agree to purchase the property.

[03:51:55] So, I mean, if it's a requirement that we designate it for the facilities before staff can work on it, okay, maybe. But then again, do we really want staff working on it, on this, if the purchase is not going to work out? So I guess maybe Mr. Hemstreet wants to do.

[03:52:12] Thank you, Chair Randall. So all of the known issues that we were aware of that the board had about the purchase of the property the seller agreed to so the last action of the board directed me to proceed with the purchase of the property so there is nothing coming back to the board okay on the property in terms of a contract that's already been authorized by the board okay did i miss a second closed session on it then so if i may uh no so they agreed to everything so we didn't have to come back yeah i don't think okay okay i can ask and then we are going through

[03:52:52] due diligence process right now and if you'd like Mr. Warris could explain kind of what that is I think I think I know as long as the and think you're aware of the issues I had with it so as long as we think those are resolved I'm fine with the motion thank you madam chair thank you it's probably like to make a motion thank you madam chair I move the recommendations of the finance government operations and economic development committee that the board of supervisors direct staff to take the following actions number one relocate the park facilities proposed for the Fields Farm Park to the 143 acre property west of town west of the town of Percival. Number two, designate the 143 acre

[03:53:31] property west of the town as the future site of the Percival Library Replacement Project and the Western Loudoun Recreation Center. Number three, initiate a feasibility study to determine the appropriate delivery of water and wastewater to the planned county facilities. Number four, begin the programming of these facilities and initiate any required land use actions to accommodate the planned uses upon acquisition of the property?

[03:53:58] Motion is made and second by Mr. Kirshner. Discussion on the motion, Mr. Buffington. Thank you, Madam Chair. So this, again, is a big deal for Loudoun County, especially Western Loudoun County, who does not have a Western Loudoun Recreation Center yet.

[03:54:17] One of the big holdups on that has been identifying a parcel. So we have already had a motion to buy this parcel, and we've already had to talk about putting the Western Loudoun Recreation Center. But here we have a motion that the board is going to vote on, and I think it's going to pass, to formally take a position as a full board to put the Western Loudoun Rec Center and also the new Percival Library replacement on this 143 acres.

[03:54:45] I think that is a huge deal for western Loudoun County and Loudoun County as a whole because currently everybody in the west is going to the eastern ones and taking up space in there. So now they don't have to do that. All of them will have plenty of space for the folks to go and be able to use what it is that they want to use.

[03:55:03] So very excited about that. The other part about moving the proposed park facilities from Fields Farm Park to the 143-acre property, That's unfortunate. I wish the town of Percival had worked with us better and had indicated a strong intent to try and approve that application so that they could have been built where we had worked with them for a long time and we had worked in harmony with them.

[03:55:34] we thought that everybody on both sides wanted these fields, and then last minute, you know, their town council decided otherwise. I guess they didn't take a final vote, but the planning commission had voted twice to deny it, and there was lots of talk from members of town council that they intended to deny it. So rather than waste any more staff time, we withdrew that application and decided to move everything over here. So I'm excited. This is what I've been hearing from Western Loudoun residents. I know this is what Chair Randall has been hearing, and I know this

[03:56:10] is what Supervisor Kirchner has been hearing as well. People want this Western Loudoun Rec Center. It can't come fast enough. They're really excited about having a full-size big pool swimming facility in Western Loudoun County, which we currently don't have, and there's not enough fields to play in Western Loudoun County, and so I think all of this is great news, and I look forward to it happening.

[03:56:35] Thank you. Thank you, Mr. Buffington. Mr. Kirshner. Thank you, Madam Chair. I just want to reiterate everything that Mr. Buffington said. I appreciate his leadership on this and Chair's leadership on this and this board's direction on this. I think this is a great alternative piece of property to what we were originally looking at.

[03:56:53] It's located next to the town of Percival. It is very accessible and I think provides a significantly large lot, provides a lot of things that we want to do, and perhaps for even future growth. I know that my boys playing baseball even now are going, or a lot of fields even over on Franklin Farm are shut down this year because they're having to rebuild them.

[03:57:12] So we're having an extra hard time this year with fields. So we're really glad that this pool is coming in and a lot of the activities that are going to happen there. So thank you, Mr. Buffington. Thank you. I just will associate myself with your comments. Would you like a closing?

[03:57:29] All in favor say aye. Any opposed? That motion will pass 9-0. Wonderful. Okay, supervisors, let's do board comments and regional updates and disclosures and all that jazz.

[03:57:49] And then we'll take a break before we go into our last two closed sessions. So let's start with Mr. Kirshner. I said Kirshner. Excellent. Thank you, Madam Chair. Sure. The news from Catoctin, a couple things that I want to let every folks know here, anyone online listening or who listens to this later.

[03:58:09] There is a conservation easement seminar on March 28th at 6 p.m. This impacts all folks in the West. There will be free barbecue dinner and seminar at Shadow Creek in Percival about the benefits of preserving land through conservation easements.

[03:58:25] These easements are a great way to preserve our rural land in Loudoun, and this is a great chance to learn more about them. If you're interested and have not yet RSVP'd, please do so to Brooke Middleton at the Virginia Easement Exchange. You can reach him at dbcmpa at aol.com.

[03:58:45] The Waterford Fair is seeking artisans. They have put out a call for artisans application. They're looking for people who would like to sign up as demonstrating artisans and who work with clay, fiber, texels, furniture, glass, heritage, food, jewelry, leather, metal, mixed media paper, or other wood.

[03:59:07] The sign-up deadline is April 30th, 2023. If you're interested, please check the Waterford Fair Facebook page for more details. There is an update on the Lovettsville Cooperative Market. This is a big deal for that area of the county. Construction is underway right now for Levittsville new co-op grocery store.

[03:59:25] As of last Thursday, they'd installed all the windows, poured all the curbs, and finished much of the outside walls in trim. They are aiming to finish construction in time to open the grocery store and to serve that area this spring, no longer going to Brunswick.

[03:59:41] And then finally, Levittsville Egg Extravaganza. The Levittsville Waterford Rortans will hold their egg extravaganza event at Levittsville Town Green on Saturday, April 1st from 11 a.m. to 2 p.m. The event will include Easter egg hunts, basket raffles, egg tossing games, and other fun activities, as well as food, drinks, and an appearance by the Easter Bunny.

[04:00:03] So get your tickets. That is the news for Catoctin. Thank you. Thank you. Easter Bunny news. That's exciting. Ms. Bricksman. Thank you, Madam Chair. By way of disclosures, on March 9th and March 15th, staff and I met with Molly Novotny on University Center Lakeview.

[04:00:23] On March 15th, I met with members of the Dulles Area Realtors Association about the STRs ordinance. And on March 20th, my staff met with the Cascades Marketplace folks, Grant Ehap, Michael Majestic, and Colleen Gillis.

[04:00:40] For a regional update, we had the, I feel like it was a month or two ago that we had the Council of Governments meeting. And we had our elections officials committee update with Ricky Keech and others from across our region. Our elections officials continue to combat disinformation around elections and are preparing, again, to run safe and secure elections in 2023.

[04:01:07] One striking statistic that was shared by Ricky Keech was that early voting ballots they have to send up are up more than 700% in the county. Yeah, it's fascinating. We also got an update on how regional partners are using the equity emphasis areas to influence policy in their jurisdictions.

[04:01:29] We heard great examples from Montgomery County, Maryland, Alexandria, and Frederick, Maryland. EEAs are defined as locations with high concentrations of low-income individuals and or racial and ethnic minorities, and many of our counterparts are using these identified areas as references and planning tools in governing.

[04:01:47] I know that our staff is well aware of these tools and the need to incorporate them in our decision-making. We also heard a briefing from the Anti-Deaf Mission League on the increase on hate and extremism in our nation.

[04:02:04] I was going to share a lot about Northern Virginia Community College because we had our monthly executive advisory board meeting last week, but they came in and gave their own update, so it's going to save us a little bit of time. So lastly, by way of gun statistics, as of today, we have had 117 mass shootings in our nation, 9,170 total gun deaths, 5,280 of those deaths were suicide, 3,890 were homicides.

[04:02:37] This includes 51 children under the age of 11 and 318 teens between the ages of 12 and 17. And that's all I have. Thank you, Madam Chair. Thank you, Ms. Bricksman. Ms. Umstead. Ms. Umstead.

[04:02:53] Thank you, Madam Chair. I only have a disclosure. On March 9th, I met with Molly Novotny and Bruce Gould on the University Center project. And no other comments. Thank you, Mr. Buckingham.

[04:03:10] I have nothing. Thank you. Thank you, Mr. Letourneau. By way of disclosures, on March 13th, I spoke with Randy Minshew. And then on March 15th, I met with Randy Michio and Sasha Brewer of Walsh Colucci and Sue Davis of Encompass Health to discuss special exception 2022-0026 and ZMUD 2022-0035, Encompass Health expansion.

[04:03:39] By way of regional updates, the Metro Board is meeting on Thursday for a budget work session. We are, as you know, have a proposal from the GM to simplify fares. We are looking at the max fare issue.

[04:03:55] The budget proposal contains an increase from \$6 to \$6.50 on max fares. We are no longer going to have the peak and off-peak structure that we have now under the proposed budget. There is some concern that the current max off-peak fare is \$3.85, so that goes to whatever the new max fare is.

[04:04:16] As a result, there will be a budget amendment introduced by me to bring the max six fare down to \$6, which is what it currently is. So it would not increase. Max fare riders are riders whether they're riding peak or off peak.

[04:04:31] So they're kind of the same group of people so that there's other items that will likely come forward. But that one's relevant for us because we have probably have some of those here in Loudoun County. In good Metro news, we are seeing pre-COVID records this week.

[04:04:49] We had 32,000 people enter the Silver Line extension, the six stations, last week, which is the most we've had. And our numbers this week are consistently the highest they've been since COVID started for ridership.

[04:05:04] Finally, I just wanted to, especially since he's in the room, I wanted to thank Director Steve Torpy and the team at Parks and Recreation. As you may have seen, we had a bit of a situation emerge

regarding some Little League fields, private Little League fields in Loudoun County belonging to the Lions Club.

[04:05:20] Unfortunately, those fields were sold, and they were sold without the knowledge of Loudoun South Little League. And so we ended up with a situation just a week before the Little League season where the new owner had a tenant that was ready to move into that land and use it for a different purpose.

[04:05:41] So I was able to facilitate a discussion between the Little League and Mr. Chuck Kuhn, who had purchased the property. Ultimately, Mr. Kuhn agreed to let the Little League stay until the end of their season. And that was a discussion, an agreement worked out between the two baseball organizations, the Loudoun South Eagles and the Little League and Mr. Kuhn.

[04:06:01] But in the meantime, we were fully prepared, if that did not work out, to accommodate all those games and practices and scrimmages on county facilities. There were 154 Loudoun South Little League activities scheduled on the Lions Club fields.

[04:06:17] So it was a lot of work for Parks and Rec, which had already done its field allocations, to go back and try to work through finding additional space. They had some creative ways to do that, and we received a very nice note today from the president of the Little League thanking the staff for how quickly they acted to accommodate them.

[04:06:38] Had this private agreement not been reached to stay on the Lions Club fields through the end of the year, we would have been able to make sure that every activity went on as planned on different fields belonging to the county. Of course, we will now work with Little League. Obviously, with these fields exiting at the end of the season, they will have some additional space needs moving forward, so we'll be working together on that to make sure that they are accommodated.

[04:07:04] Thank you. Thank you. Ms. Brixman, you want to point a personal privilege? Thank you, Madam Chair. I'll just grab back maybe another 30 seconds. I failed to... No, no, no, no. It's upper clock. Oh, yeah. Turn the clock off. Personal privilege. I failed to thank the combined fire and rescue teams that responded yet again yesterday to a fire on the same road where we had a fire literally about a month ago where somebody passed away.

[04:07:34] It was literally two houses away. And they responded very quickly, and they knocked down the fire very quickly and inside, made sure everybody was safe. There was some slight injuries, I think, to the owner, but otherwise nobody was injured. So I just wanted to, you know, for the record, say I thank them so very much for the quick response, the quick call to me, and all the follow-ups I'm getting.

[04:07:55] Thank you, Madam Chair. Thank you. Ms. Klaas. Thank you, Madam Chair. I have three disclosures. On Wednesday, March 8th, my staff met with representatives from Cooley and Peterson to discuss ZMAP-2021-0022 University Center in Lakeview.

[04:08:15] On Friday, March 10th, I'm sorry, March 10th and Monday, March 13th, my staff met with representatives from Dominion and Dewberry to discuss ZRTD-2021-0010 NEVO substation expansion.

[04:08:32] On Friday, March 10th, I met with representatives from DLA Piper and American Real Estate Partners to discuss ZRTD-2022-0001 Pacific Corporate Park. That's all you got? Okay.

[04:08:49] Thank you. And Mr. Turner. Thank you, Madam Chair. On Tuesday, March 14th, my staff and I met with Molly Devotney from Cooley LLP, as well as Stuart Prince and Bruce Gould from the Peterson

Companies to discuss the application for University Center Lakeview.

[04:09:05] And on 3.15, I met with Sophia De La Torre of Dulles Area Association of Realtors. She's their new government liaison. And we discussed a number of land issues and land-related issues. And just by comments, I really enjoyed going to the, although it was early in the morning for me, but Maggie and I really much enjoyed going to Loudon Hunger Relief.

[04:09:25] And anybody has any wall-smashing downs with sledgehammers in the future, please feel free to invite the Ashburn supervisor, because it was a hoot. Thank you very much. It was fun. Mr. Sains. Thank you, Madam Chair.

[04:09:41] On March 8th, my staff met with the applicants for the Pacific Corporate Park. On March 15th, my staff and I met with the University Center Lakeview applicants. That is my mandatory disclosures. Thank you. Thank you. I have one mandatory disclosure. I met with Cooley and Peterson regarding the University Center application.

[04:10:00] I'll be very brief. this morning, or yesterday, or at some point, there was vandalizing of the African American cemetery for the enslaved at Belmont. Many of the structures and gravesites that were there were vandalized, including the one that has been there, that was put there most recently, which is the gravesite of Fitz Thomas, but it wasn't the only one. It was somebody or somebody walked through the entire area, knocked things over and disturbed grave sites, and really, it was really just quite

[04:10:38] disturbing. The sheriff had the gosh, I forgot what it's called, the team out there all day long. Thank you. Yes, the CSI team out there. I guess there's nine people out there today, and they're trying to figure out who has, where this came from. Mr.

[04:11:00] Senator Turner and I, earlier this morning, sent a letter to the sheriff, and Ms. Biveri copied other people on it, asking for there to be a full investigation and to keep us informed as the investigation goes on.

[04:11:15] But I want to say that at this point, I believe it may be necessary to actually start discussing an ordinance against hate crimes in Loudoun County. And I know people might say, you know, that's ridiculous. But every time one happens, people talk about saying that it's a one off. It's not a big deal. It's just one one off or it's just some kids or if you ignore it, it goes away. You know, well, at some point, you stop ignoring it. And it's not it hasn't happened once or twice. You know, every couple

[04:11:51] of months, something is happening, whether it be graffiti, whether it be literature that is dropped in driveways um but this i think is really one of the most egregious acts i've i've seen so um um you know we you know you don't hate doesn't go away because you ignore it it gets stronger and bolder and and that is my um concern and so i will be talking to um mr rogers and any other staff about um what what what a hate crimes ordinance could look like if it's possible if it's possible

[04:12:26] what that could look like in Loudoun because, you know, this has been going on for literally for years, for years. And it's getting worse. It is not getting better. It's getting worse. It's happening more often, more often. And to continue to ignore it just doesn't make any, it's just, we wouldn't ignore anything else that was happening that was damaging. We wouldn't ignore anything else. So why would we ignore this? And so I just want to bring that to light that that that that happened um just this morning and you know i don't know who did it you know and i'm sure i'm going to hear with just kids and you know ignore them i mean i don't know but um everything

[04:13:06] is we can't look we can't look the other way all the time and everything we just we can't and we shouldn't so again mr turner thank you for um uh helping to craft that letter this morning that went off, I am confident that Sheriff Chapman and Ms. Bibberi are going to work together and be collaborative and professional as they do an investigation and then do whatever else is required post-investigation. I have no other choice but to have confidence that that would happen because it's the right thing to happen. So I just wanted to say that and And that's all I have.

[04:13:46] So thank you, everybody. All right, supervisors, let's take an actual break before we read into the last two closed sessions. So let's take 10 minutes. Thanks, everyone.

[04:28:50] All right, we have two closed sessions left. Mr. Sainz, will you please read us into the last two closed sessions? Yes, my pleasure. 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 Contocton Election District.

[04:29:14] I further 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 parcel of property for public use in the Sterling Election District. Motion is made and seconded by Ms. Bricksman.

[04:29:32] Discussion on the motion. So, Tony, Ms. Riffley has left the building. I think, is he, I believe he's, I believe he's gone. Yeah, well, okay then. All in favor say aye. Aye.

[04:29:47] Any opposed? That motion will pass 8-0-1.

[04:41:24] Tony wasn't there.

[05:08:27] We are back, and I'm going to have Mr. Sainz, who is out of closed session. Okay, 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 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. Motion is made and seconded by Ms. Glass. Discussion on the motion.

[05:08:52] Does everyone affirm? Affirm. Affirm. Affirm. Affirm. Affirm. Affirm. Affirm. And I affirm as well. I'm able to say aye. Any opposed? I motion passed 8-0-1. We have one motion that came out of closed session. Mr. Kirshner.

[05:09:09] Thank you, Madam Chair. I move that the Board of Supervisors authorize and direct the county administrator to execute a purchase contract approved as to form by the county attorney with the Lovitzville District Fire and Rescue Company to purchase 3.6887 acres of land known as PIN 371-36-8483 for an amount not to exceed \$435,543.

[05:09:33] I will second that. Any discussion on that motion? No discussion, Madam Chair. Anybody else? All in favor, please say aye. Any opposed? That motion will pass 801 as well. I think that is it for the evening.

[05:09:49] I think we are done, and we are adjourned.



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