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Loudoun County Board of Supervisors, Business Meeting, Tuesday, February 6, 2024

Date Tuesday, February 6, 2024
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 7h 2m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7593>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7593

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-19. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:07:27] It's all of ours. Well, good evening, supervisors. Good evening, staff. Good evening, Loudon. I'm going to call to order the January, I'm sorry, February 6, 2024, Loudon County Board of Supervisors Business Meeting.

[00:07:46] This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecall mode. If you need a headset, we have those available as well. Please see the clerk to request one. Pursuant to Virginia Code section 2.2-3708.3 and the Board of Supervisors' Rules of Order, Supervisor Turner requested to participate in this meeting by electronic communications.

[00:08:08] Supervisor Turner, you literally are on camera right now, so don't do anything, right? Okay. Well, I just wanted to establish proof of life, so I'm going to turn off my video. Wonderful. A physical quorum of the Board of Supervisors is present in the boardroom, and the board has made arrangements for the voice of Supervisor Turner to be heard by all persons in the boardroom.

[00:08:28] Supervisor Turner made this request within the required time frame, and the county attorney determined that Supervisor Turner's request meets the qualifications to participate remotely. The board will record in its minutes that Supervisor Turner participated remotely from a private location in Sedona, Arizona, for personal reasons.

[00:08:47] Supervisor Glass, if you would lead us in words of inspiration and the Pledge of Allegiance, I'd appreciate that. Thank you, Madam Chair. I have a couple of quotes. One from one of our past historical great Americans, Martin Luther King. The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.

[00:09:11] And the other quote is from Ava DuVernay. When we're talking about diversity, it's not a box to check. It is a reality that should be deeply felt and held and valued by all of us. Can you please stand for the pledge? I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:09:46] I am assuming that Mr. Sains will be here as soon as possible. I do believe he's coming from work today. All right, I'm going to read the proposal consent agenda. The proposal consent agenda is as follows.

[00:10:02] Item R1, resolution to recognize Gideon Fernandez for his Carnegie Hall performance. That's for approval and presentation. R2, recognition to recognize February 2024 as Black History Month in Loudoun County.

[00:10:19] 1A, appointments and confirmations. 2, Item 2, Administrative Items Report for February 6, 2024, and Item 5 is the Proposed Resolution Approving the Voluntary Settlement Agreement with the Town of Leesburg regarding the annexation of Compass Creek.

[00:10:37] It's Motion 1 in the Item and Revised Attachment 1. However, there was one, there was some language left out of that motion. It's fairly benign, bland language, but since it was left out of the motion, or the attachment weather, the attachment. I'm going to go on and read it just for the record. Under the agreement, under the therefore bid resolve section on number two, the county administrator is authorized and directed to make such changes to the agreement as may be necessary, appropriate, and consistent

[00:11:12] with the term sheet and approved to form by the county attorney and signed the same on behalf of the board. So that's just information. That was just a sentence. It was inadvertently left out. So I want to just read that into the record.

[00:11:31] That is the consent agenda. I will make a motion to approve. Is there a second? Motion is made seconded by Vice Chair Briggsman. Discussion on the motion for the consent agenda. Mr. Kirshner. Madam Chair, just a clarification. So number five was placed on consent with that amendment that you just read.

[00:11:48] Exactly. I just want a clarification. Thank you, Madam Chair. And I'm very glad we were able to come to an agreement. Hopefully we can resolve this completely. I believe Leesburg is going to also adopt this. So we're looking forward to making sure some really great things happen in this voluntary settlement agreement.

[00:12:04] Absolutely. And I would say also that we've been talking about this for a while now. So I agree. All in favor, please say aye. Aye. Any opposed? That motion will pass 801 with Mr. Sains being off the dais.

[00:12:20] Okay. Do we have any requests for additions or deletions tonight? Madam Chair. Yes. Just, I think this is already known to the board since I sent out an email, but you'll find a yellow sheet. It would be an amendment to our legislative agenda.

[00:12:37] Yes, ma'am. That's not an addition. That's actually just a motion you'll make when we get to the legislative agenda. I don't know if it's the only one on the day, but that's just a motion you'll make when we get there. Anyone can always make a motion on the legislative agenda when we discuss it. Okay. Anybody else? This is a deletions. All right. Let me just give some comments on the things that happened over the past two weeks, and I think, Mr. Letourneau, you're going to be able to have a big I told you so by the time I finish my comments in just a second.

[00:13:12] First, I want to talk about NVTa. We had our meeting. NVTa will be moving. The staff will be moving this week to the new location. I've told you guys about this move quite a long time. We were sub-leasing from NBRC. That lease will be up soon, and so we found a new location to meet, so it's actually going very well.

[00:13:33] In addition, as chair of NVTa, I am in the process of selecting the subcommittee members to the three subcommittees of NVTa. which is the Planning and Programming Subcommittee, the Governance and Personnel Subcommittee, and the Finance Subcommittee.

[00:13:49] Those committees will be announced in NVTa on Thursday. I do want to talk about the Virginia Association of Counties Local Government Day at the Capitol. It was an interesting day because we were playing, for lack of a better word, defense.

[00:14:08] There are so many bills down at the General Assembly this year that thwart local government, and pretty serious bills. I got a text, I think Mr. Kirsten, you did too, on Thursday night from Mr. Higgins, was it last Thursday, that was making us aware of a bill that would have allowed solar arrays to be on almost any property, any open property, without requiring zoning.

[00:14:37] That bill has since been sent to, we do not believe that bill is going to pass. There is a bill that would have allowed, if a piece of land was owned by any religious organization, and that piece of land was one acre or more, up to 40 homes could be built on that piece of land anywhere in the county without having to come to the board for approval, without taking into regard zoning, infrastructure, land use, any of that.

[00:15:11] That also did not make it through. There is still, I think, going through, it's still alive, a bill for FOIA that will allow, I think, I can go back and check on this one. If somebody, if you want to correct me, please do.

[00:15:28] eight free FOIAs a month for every adult person in the county. That would require us to probably hire an entire department just for FOIA, and that department would probably be, no kidding, 20 people just for FOIA.

[00:15:44] So this is the part, Mr. Turner, where I will say, I'm going to say that you have been consistent and correct. You know, the frustration has been that there is some mission creep, I would call it, from the General Assembly to doing a foyer into local government.

[00:16:07] But it's not just kind of a foyer. I mean, they've driven a tank into local government issues. And, you know, we have, I would say, we may have driven a Volkswagen into state government issues, but we certainly have. And Mr. Letourneau has said more than once, like, we are here, we are in a lane.

[00:16:26] So my statement to my colleagues on this board is I'm going to heed that and be very, very careful and circumspect in the future about doing anything that could be seen as a state government

responsibility. There may be exceptions to that here or there.

[00:16:42] But to his point, I've done it well too much, And I think that we will have a hard time saying to state government, please stay out of our lane if we are entering the lane of state government too, too often. And so it was a lot of every meeting we had, it was this is why we shouldn't, you know, have we actually need to have some zoning and regulations before we build 40 houses an acre anywhere in Loudoun County, which, by the way, would decimate Western Loudoun County.

[00:17:12] There would be no Western Loudoun County if that happened, and it's been interesting because Mr. Higgins, who was, of course, was on this board with us, you know, he kind of said to me, he's like, there's like the Wild West down there. There are kind of no rules down here, and so it was an interesting conversation.

[00:17:29] He said, none of the things that apply to local government apply to state government. He said, you know, you all have all kind of rules of governing what you do. We have almost none. And I was like, and I'm so glad there's somebody who's a local elected official who was a local elected official down there.

[00:17:47] So just to say to all of you all, I'm going to be a little more careful about doing that in the future. We did have very successful visits overall in the General Assembly. For the first time ever, we met. We were able to meet with every single one of ours in our delegation.

[00:18:06] Every single person in our delegation was there. We really enjoyed meeting with their staffs, but this time we were actually able to meet with the legislators themselves. And in addition, we met with the committee, the heads.

[00:18:22] We met with Louise Lucas, who is head of Senate Finance, was a very powerful position. We got to spend some significant time with the Speaker of the House, Don Scott. And so, you know, with all due respect to every other time we've gone down to the General Assembly, This was by far the most successful, I think, General Assembly local government day.

[00:18:45] So it was really very, very, very, very helpful, and I look forward to Crossover being on the 13th, which is a week from today, and then seeing what happens after that. Okay. My voice for a cause today.

[00:19:03] I have two people here for my voice for a cause today. My voice for a cause today, I want to make sure I say the word right, is Ana Suda. My voice for a cause today, we have two people, Nupar Punjabi and Rohit Shaiwan. Welcome to the boardroom.

[00:19:19] Ana Suda is a licensed community kitchen run mainly by volunteers donating 2,500 meals monthly to shelters. They offer an open pantry system stocked with essential groceries and non-perishables, and And their mission is to buy healthy and economical food options to all.

[00:19:40] Thank you both for being here. You are very appreciated. Let me ask you just a couple of questions. What inspired you to start this organization? The organization was started by me. It was really my personal service journey. I just wanted to dedicate the rest of my life to serving people.

[00:19:58] Oh, wow. Wow, that's amazing. Could you inform us about the different programs that you offer to the public? We have two programs. One is the shelter feeding program. In December, we did about 6,000 meals because of the hypothermia situation. The number jumped from 2,500.

[00:20:15] And then we have an open pantry program. So those are the two main programs that we have. And then we sell food to fund these two programs. So we want to be a sustainable nonprofit, self-

sustainable nonprofit. Okay. Where are you located? We are located in the Dulles Town Center Mall. In the Dulles Town Center Mall.

[00:20:31] Okay, wonderful. First of all, thank you very much for what you're doing. It's appreciated and needed. If people want to get involved to help, how can they do that? We have a website, which is quite informative. So people go to our website. We incidentally have verified over 6,000 service hours for high schoolers from all over the county.

[00:20:54] So if any high schooler wants to get service hours that are verified, you can do that for them, for any of their organizations that they would be in. Okay, wonderful. And what's your website? It's www.anna-sudha.org.

[00:21:11] Okay, so say it one more time. It's www.anna-sudha.org. Listen, I say this every week. I only allow clapping in this boardroom really twice here in resolutions because I think it's important to show our appreciation for what you all are doing.

[00:21:33] So thank you so much for helping your fellow citizens in Loudoun County. We appreciate you. Thank you. Thank you for giving us a voice. Mr. Hemstreet, do you have any comments this evening? Thank you, Madam Chair. I have four comments for this evening.

[00:21:50] The first is that I am pleased to announce that Loudoun County's Employee Energy Challenge has been recognized by the Association of Energy Engineers with an Innovative Energy Project of the Year Award. Every month, county employees have the opportunity to pledge to take action to help save energy.

[00:22:05] Over the last decade, more than 2,700 county employees have made pledges that have resulted in an energy reduction of more than 750,000 kilowatt hours. The Employee Challenge illustrates one of the goals of the board's adopted energy strategy, which is leading by example in county government operations.

[00:22:24] Second, the county will host a public input meeting on February 15th from 4.30 to 5.30 p.m. here in the boardroom to gather comments about the accessibility of county services for people with disabilities. The meeting is part of the update to the County's Americans with Disabilities Act self-evaluation and transition plan.

[00:22:42] More information about the project is online at loudon.gov slash ADA study. Then third, the Loudon County Community Services Board is encouraging anyone aged 18 to 25 to take the Virginia Young Adult Survey to share their experiences and opinions on substance abuse and mental health in the community.

[00:23:01] The results will be used to help develop health and wellness programming for young adults in Virginia. The survey is confidential and should take only about 10 to 15 minutes to complete. Details and a link to the survey can be found at loudon.gov slash prevention alliance. And then finally, the Loudon County Water and Wastewater Program is accepting applications for county assistance with community water and wastewater projects.

[00:23:22] Communities that need assistance are encouraged to learn more about the program at loudon.gov slash water projects. Applications will be accepted through March 31st. Those are my comments this evening, Madam Chair. Thank you, Mr. Hemstreet. Mr. Hemstreet, you reminded me of something. Remember last term when we, when the Disability Services Board, after kind of doing an

inventory of the building in our parking lot, made recommendations as to how our buildings could not just be disability compliant but disability friendly?

[00:23:56] What happened with that? So the ones that we could address immediately, those recommendations, we did hire a contractor to go through. and make some of those improvements. Additional improvements, additional funding improvements were just recently approved by the board to renovate the first floor restrooms here that would improve accessibility for the public on these public restrooms on this floor.

[00:24:23] And then additional improvements are programmed throughout the, I've got the cap, the capital asset preservation that that budget as part of the cip and then we also started the self-evaluation project which will also pick up some of those um some of that feedback as part of that wonderful thank you thank you for that i appreciate it okay supervisors we have three information items tonight um the first one is our significant incident report uh chief will

[00:25:00] will not be joining us today, but we are lucky to have, I'm sorry, Chief Williams will be joining us tonight. Chief Johnson won't be joining us tonight. We're lucky to have Chief Williams. And because I know how much he loves coming to the table, Chief Perot is also going to come to the table because that's one of his favorite things to do, coming to the table.

[00:25:20] Fire Chiefs, I have something there for you all that goes home with you today. That's for you. Okay, we're ready when you are. Good evening, Madam Chair, members of the board, Supervisor Tacroni, welcome.

[00:25:35] I'm Assistant Chief James Williams, overseeing operations, and I'm joined by Assistant Chief Travis Pro for Support Services and Volunteer Administration. It's a privilege to represent Chief Johnson and our combined fire and rescue system this evening, as you may be aware.

[00:25:52] He had a minor surgical and scheduled procedure yesterday. He's resting well at home, and I'm sharing this information at his request and with his permission. There are a few items I'd like to highlight from the quarterly report. Our call volume remains steady with our career and volunteer providers responding to approximately 9,400 incidents during the quarter, 77% of which are EMS in nature, the balance of 23% fire-related.

[00:26:22] And as reference, in FY23, we responded to a total of about 35,700 calls. So we're trending a little bit higher, but that's not unexpected given our population growth. Of the incidents highlighted in the report, a house fire in the Little River District on October 24th was a close call for us.

[00:26:44] A firefighter who entered the building fell through a hole on the first floor and into the basement. A mayday was called, but in short order, the firefighter was removed from the building and subsequently transported to the hospital. While he remains off from work, recovering from a broken arm that required surgery, he is in good spirits and is itching to come back to duty.

[00:27:03] Again, I'm sharing this information with his permission after speaking with him today. As referenced, the fire motion's office classified that fire as accidental, which was caused by the spontaneous combustion of discarded construction materials.

[00:27:19] The quarterly report also highlighted 11 of our paramedics obtaining the certification of critical care paramedic, as well as the recertification of 21 critical care, current critical care medics.

Critical care designation is a significant achievement and consists of over 110 hours of classroom and practical training and testing. That's on top of the initial 600 plus hours of paramedic training. Some of the skills a critical care medic can complete include advanced critical airway and ventilator management, assessment and interpretation of different lab

[00:27:54] values, field administration of whole blood, and ultrasound assessment for trauma and arrest scenarios. Currently, our EMS supervisor cadre, we have two of those in service 24 hours every day, have been authorized by our operational medical director to perform all of the above highly technical skills, including blood administration. Since we began this program in 2019, we have administered 56 units of whole blood in the field. Our critical care medics are practicing pre-hospital medicine at a higher level than almost any other jurisdiction in our region and are consistently among the top performers in the country.

[00:28:34] I'm very confident of that. LCFR is routinely contacted by other agencies looking to initiate a program of their own and has a reputation of setting the gold standard for pre-hospital emergency medicine. I'm extremely proud of the progressive nature and growth of our EMS programs here in Loudoun.

[00:28:51] Of note, we do collaborate with ANOVA approximately every two months on locally hosted blood drives with the next one scheduled tomorrow. Referencing another accomplishment in the report, it was exciting for all of us in fire and rescue, and I might also imagine for the board, for us to break ground on the Aldi fire station. This project continues to track well with an expected completion date of approximately one year from now. For reference to Lovettsville fire station is also tracking well with an expected completion time frame in late summer of 2024.

[00:29:32] Three additional major projects are expected to advance to groundbreaking this summer and fall, including the Round Hill Fire Station, the Leesburg South Fire Station, and the Basic Training Facility, which is an additional 22,000 square foot facility at the Training Academy, which is intended to be used for our basic training programs. Referenced in the report also is information about fire prevention, one of our most treasured opportunities to engage with the community. And the fall is always abuzz with various fire prevention activities, and it serves

[00:30:10] as an exciting opportunity for us to connect with the community. Many of the volunteer companies host open houses, which serves us an opportunity to teach different fire and life safety topics to all ages of the community. We also perform significant outreach within our school system through our Fired Up for Fire safety program.

[00:30:31] During this time period, this program reached 53 out of 61 elementary schools throughout the county, providing education to nearly 4,600 first-grade students by delivering 190 presentations using a total of five different educators, which was made up of folks from the fire marshal's office as well as LCFR operations.

[00:30:51] Positive impact from this program have been demonstrated through real-life scenarios where on at least two separate occasions, two separate students encountered fires where they put their education into action. Most recently, in late October 2023, during a residential structure fire off of Woodgrove Road and Round Hill, which is also referenced in the significant incident report, the family's home escape plan was tested when it was discovered that their home was on fire in the middle of the night. The family's father attributed everyone's safe exit and unification due to practicing their home escape plan just a week

prior to the fire and because their child attended the fire safety program. As I highlight some of

[00:31:31] these fire prevention initiatives from the fall, I'm hopeful that you found the two-page, one-pager on fire prevention and life safety resources to be to your satisfaction. There's a considerable amount of good information that we can all share with the community to help promote fire safety in our community. And included in that resource is information about open burning, which is broken down into three distinct burn periods, which range from open burning being permissible, limited, or fully prohibited while open burning is currently permissible for the period of February 15th through April

[00:32:06] 30th however open burning is limited and is only permitted between 4 pm and midnight and starting in April our crews will again start outreach efforts in the community on the first Saturdays of the month with our smoke alarm program that all said we always welcome the opportunity to visit with community groups, school groups or individuals to discuss their fire and life safety concerns or to address their questions. Thank you to the members of the board who attended our Recruit School 44 graduation ceremony in late December. We graduated 28 LCFR firefighter and EMTs

[00:32:41] who are now serving the community in a variety of frontline positions. And thank you for attending our evening graduation ceremony, which celebrated the accomplishments of 49 volunteers completing EMT programs, 27 volunteers completing basic firefighting programs, and 12 career and volunteer members who completed initial ALS training by achieving the certification of an advanced EMT.

[00:33:04] And just this Friday, members of the board joined us to celebrate the promotion of 52 LCFR personnel during 2023. This past Monday, we welcomed 35 new firefighter EMT recruits to our ranks with the start of Recruit School 45. This school is currently on track to graduate in late July 2024. Commensurate with the hiring of these men and women, LCFR has zero uniformed vacancies.

[00:33:33] Although we have received several pending resignations and retirements to be effective over the next month or two, we will celebrate that achievement nonetheless. We do look forward to the possibility of speaking more specifically about future operational staffing needs during the FY25 budget process as we continue to grow our workforce. In closing, as you were aware, during quarter two of the fiscal year, our system lost longtime chaplain and community leader Charlie Grant. Charlie was a giant in Loudoun County known for his service as a former county supervisor and a chaplain for the Sterling Volunteer Rescue Squad for over 40 years. His years of dedicated

[00:34:10] and selfless service to the public safety in Loudoun County communities are immeasurable. Thank you to the board for recognizing and honoring Chaplain Grant at your December 19th board meeting. We will join his family in celebrating his life this Friday, February 9th. I am proud of our combined fire and rescue system.

[00:34:29] While it consists of LCFR and 15 independent volunteer companies, what makes it so special is the individual people across all departments, all ranks, and all disciplines. We have an amazing group of over 1,000 career and volunteer professionals that help us prepare for the call, answer the call, and respond to the call each and every day and night.

[00:34:49] Thank you to the board for your continued support and commitment to our system, and Chief Perrault and I are here to answer any questions you may have about the report or anything else that you

might have specific to firearms. Chief Williams, thank you. Thank you so much. And that is quite the stat. That's absolutely amazing.

[00:35:06] I'm going to first, because I just can't see him, I'm going to ask Mr. Turner if he has any questions. And if anyone else does, you can put your lights on. Mr. Turner, do you have any questions? I have no questions, so I just want to thank you all. And please pass on to the entire career and volunteer force.

[00:35:24] My thanks for your terrific efforts. I always enjoy coming to the graduation ceremonies. They're a real hoot, and I'm very proud that we have the quality force that we do. That's all I have. Thank you, Madam Chair. Thank you very much. Mr. Kirshner. Thank you, Madam Chair. Just briefly, I want to thank you for your honoring Chaplain Grant.

[00:35:41] I've known him and his family for a long time. Tremendous person and really deserves any and all recognition that's given to him. So thank you for doing that. And the second question, second follow-up issue I had was concerning the Lovitzville Fire Department. You said it's scheduled for sometime summer of 2024, so this year.

[00:36:00] Yes, sir. Okay, and is that on time? Do you know what the original timeline was for that? I didn't know, and I thought maybe you'd have the answer for that. I assume it is because we just did a groundbreaking, I think, last year. We're in good shape, but I'll let Chief Bro answer any more specifics on that.

[00:36:17] Yes, sir, Supervisor Kershner. Yes, it's my apologies. So they did experience just a little bit of delays as a result of we've had kind of a moist winter season. You can say that again. So there are some delays, but right now it is tracking because they kind of got ahead of the project, and the delays kind of just puts it back on timeline.

[00:36:36] So in terms of supply chains or anything like that, that has not impacted more the weather than anything. Is that what I'm hearing? Not significantly reported. Thank you. Thank you, Mr. Kirsner. Ms. Glass. Thank you, Madam Chair. And thank you for your service.

[00:36:53] We really appreciate all that you do for our community. And I have a question, so I don't know if you all can answer it or if the Sheriff's Department would. But I understand that crash data, that the crash data of the Virginia Department of Transportation only records accidents that result in damages over a certain amount of money.

[00:37:16] So do you know if the sheriff's office report all crashes at the intersection, or does that have to do with the damage to the vehicles? I'm not 100% sure. I know not every accident that results in a report to the state, but I am not 100% sure how they track that data.

[00:37:42] Okay, thank you. Thank you. Ms. Brixman? Thank you, Madam Chair. Thank you for giving us an update today. I really appreciate it. I did enjoy the graduation I went to last time. That was cool. I did notice the photograph that you guys posted of the new recruits.

[00:37:59] What percentage make it through all the way? So we usually have an attrition rate of about 10%, 15% aren't able to complete or decide this isn't for them. Since we implemented the CPAT, which is the Candidate Physical Abilities Test, which Supervisor Turner completed in a very good time, ridiculous.

It's absolutely ridiculous. That has been a tremendous help. Got it. Okay. And then I did start, I did broach the subject with Chief Johnson, but I wanted to change topics just a

[00:38:38] little bit. We've had some coverage of overdoses happening in the county and, you know, highlighting a particular area. So I wanted to know from your perspective, do you run overdose calls more in one section of the county versus another section of the county?

[00:38:58] So I would need to, it's a very complex question, and I think you got a little bit of that yesterday. So the first thing, I spoke with Lieutenant Colonel Sawyer this afternoon, this morning from LCSO, and they have a really good PowerPoint presentation. I think some of you have seen that in their public presentations and if you haven't I would encourage you to to to meet with him or the sheriff to look at it because they really highlight what to look for and some warning messages and some tips that

[00:39:32] they promote with the community and the biggest one is people should only take medicine that is prescribed from it yeah I'm gonna stop you right there I understand those sorts of things and I know that we're improving messaging in schools and that sort of thing but would you say that as far as fire and rescue goes that you are running more overdose calls in one area of the county versus another area of the county i would need to plot that data i cannot factually answer that question for you and i do not want to mislead you but okay we can plot that on a map but what we dispatch as an overdose is not necessarily

[00:40:10] what we find so right everything and i know it might not necessarily be fentanyl might be something else, but I would just like us to gain some perspective on, you know, where this is happening in our community, because I feel like there's one community that's getting stigmatized, and so if there is a way to sort of plot that, I would love to see it. We can absolutely plot the data by the dispatch code, but that's not always the disposition. Exactly. So all of it will come with some caveats and some explanations.

[00:40:45] No problem. Thank you so much. Thank you, ma'am. Yeah, and that's a, it's an interesting question, and I understand why you asked it, but it's really, it really, oh, I'm sorry. Well, actually, no, Laura didn't have my, Laura, you have to have your light on before Ms. Prickspin, sorry.

[00:41:01] It's an interesting question, and I understand why she asked it, but it really, it's really, I won't say unimportant, but it doesn't tell you anything, because people will often go where the substance is wherever that substance may be. That's just how it works.

[00:41:19] And so the assumption that the substance is always in one place is just not correct. In fact, the interesting thing about opioids, unlike any other substance, if you have a bad batch of PCP and people are getting sick or dying from PCP, everyone avoids getting that batch from that person.

[00:41:37] You've got a bad batch of opioids and somebody died from opioids. It's everybody in the world who uses it going to go to that place where that opiate was picked up. That's the difference between that drug, because really the goal is to kind of get close as possible without getting dead. And so it's really a hard thing to, you might know it, but you can't.

[00:41:54] But to give that information is, it's a point, it's a snapshot in a moment. It doesn't give you a full picture of anything. And I get why people think that, I really do, but it really doesn't tell you anything. In fact, if anything, it can be more harmful because it can make people think, well, my area is safe, and my school is safe, and my park is safe.

[00:42:16] Or in fact, drugs don't care where you are. They don't care where you are. They don't care who you are. They just, you know, drugs are predatory. They go where they think they can do the worst harm. But my question does kind of track with Ms. Brexman's. To my surprise, when I was doing the, and I should have called you out with this question in advance, During the Chamber of Commerce event last week, the last person that stood up stood up and said, I'm from the Washington Airport Task Force, and I thought she'd have that question, and her question was about opioids, and she was asking about, and I'm pretty sure I knew

[00:42:55] this answer, but I want to make sure that, I want you all to answer the question. She wanted to know, like, how, who carries naloxone? Does everyone in the department carry it? Does everyone know how to administer it? Is there anybody, if somebody calls fire and rescue and they need that, would everyone have it or is it on their body and is everyone trained how to use it?

[00:43:21] Everyone is trained how to use it. It's carried on all of our frontline units, fire trucks, ambulances, et cetera. It's not on our staff vehicles, but Chief Cooper and I have actually started to have that conversation that why not? I've got an AED in my car, so why not add that to our repertoire?

[00:43:42] So right now, Chief Pro's vehicle, my vehicle, we do not have it, but conversations have started with Chief Jamie Cooper about adding that to our inventory. But the units on the street that are marked and running calls do.

[00:43:58] Thank you. My last question, this is a longer conversation. Has there been talk about a comfort dog that belongs to the department? Short answer is yes. I'm happy to expand on yes.

[00:44:13] But our recent conversations with our health and safety team and members of our peer support team is to work with some of the third-party vendors and nonprofits who have therapy dogs available for our use.

[00:44:31] We do feel that an on-site or full-time canine and handler is a program and would be a resource, an enhancement request through the board. And what we want to do is address this opportunity as quickly as possible through some of the nonprofits so that when we have, we can use them as part of an outreach to build resiliency amongst our staff and to provide comfort in non-emergency settings.

[00:45:07] Chief, did you want to add anything on that? We've been equally engaged on this conversation. Just what I'd also add to echo Chief Williams' sentiment is there are a number of ways to meet the needs of responders that find themselves in crisis.

[00:45:25] A peer support animal or a comfort animal, a comfort dog specifically, is one opportunity, And we really want to balance how do we meet all of the needs of all the folks in the organization and not only have one available. So we're looking to kind of view this through who can we reach out to that has a program that we can usher someone towards.

[00:45:46] I understand. I think the head of animal service is sitting right behind you, so she might not want to talk there. All right. Thank you very much. Thank you both. I appreciate you being here. And as always, please extend the gratitude of this board and the county to everyone in the department. Thank you very much.

[00:46:02] Thank you. Okay, so guys, let's go to the real property assessment update. Will Commissioner Wirtz and Mr. Williams and White please come to the table? Good evening, gentlemen.

[00:46:21] How are you? This item is a one-pager. I know, I know. Just kidding. Good afternoon, Madam Chair, members of the board.

[00:46:39] Good afternoon. We are here with your annual real estate assessment update. One thing we did this year was provide the information to you in advance, hopeful that it would allow you the opportunity to form any questions you might have for us today.

[00:46:57] Brian Williams, the Commercial Real Estate Assessment Deputy, is here with me, as is Jim White, my Residential Real Estate Assessment Deputy. The information you're going to get today will cover year-over-year countywide magisterial and special tax district information.

[00:47:14] You saw that in the presentation. It's going to cover both residential and commercial property values, which were both up this year. I know you're surprised to hear that. The residential market continues to be constrained by limited supply.

[00:47:33] And as you see on the ground, everywhere you look in eastern and southern Loudoun County, data centers are where it's at. We were up 1,682 parcels this year. Real property owners will start receiving their assessment notices soon.

[00:47:50] The vendor is scheduled to mail them out on the 14th of February. Values are available now online for interested parties at [loudon.gov forward slash parcel database](https://loudon.gov/forward-slash-parcel-database).

[00:48:08] And you can do a query by property address. I encourage property owners to go online and look at the characteristics that we have relative to their properties to make sure that it's accurate. that helps us form the value for their property as an example if we have a three and a half bathroom count but they only have two and a half bathrooms that's going to affect their value and we want to know about that they also have property owners also have the ability to look at neighborhood

[00:48:42] sales to see comparable properties that may have transferred in the prior year there's a neighborhood sales tab on the top right hand side of the screen once you do a query based on your address you'll see that tab i do want to note a change to the assessment notices this year we added a qr code that allows individuals to use it to get a spanish translation of the assessment notice for folks that believe their assessments are incorrect they can file an

[00:49:15] application for administrative review with my office until march 18th online at [loudon.gov forward slash reaa](https://loudon.gov/forward-slash-reaa) and that's available right now after that date appeals can be made to the board of equalization until june 1. as in the past and i believe we're still the only locality in the commonwealth that has this the notice that property owners get contains the appraiser's name who was responsible for valuation of their property and it also contains their telephone

[00:49:50] number and email address so the property owners can be in direct contact with the individual who is familiar with their property and their neighborhood the 2024 annual assessment summary will be posted on my office's website under the real estate assessment tab after this presentation and you already received that information i believe by email jim white's going to begin the presentation with an overall summary and cover the residential aspect of real property assessments and then brian williams will cover the commercial data and then we'll be happy to answer any

[00:50:28] questions you might have wonderful thank you we're ready thank you jim thank you all right our first slide provides a summary of loudon county's real estate assessed values effective of January 1st of

2024. The total real property value for residential and commercial real estate is \$144 billion. This represents 12.9% increase over the prior year, which translates to an overall value change of \$16.5 billion. Revaluation considers the value of Loudoun County's real property without the impact of new construction and growth. For 2024, the county-wide percent

[00:51:05] change in assessment from the prior year is 8.7% or \$11.1 billion in assessed value. Residential and commercial new construction totaled \$4.6 billion. Of the total, residential construction was \$1.2 billion and commercial construction was \$3.3 billion. When compared to 2023, residential construction decreased by \$26 million. However, commercial construction increased by \$709 million.

[00:51:33] The net change was an increase of \$683 million over the prior year assessments. The value added from new parcels, which is categorized as growth, was \$794 million. Residential growth increased by \$81 million, and commercial growth increased by \$225 million.

[00:51:54] The number of taxable parcels increased by 2,160 parcels. This changes the countywide total taxable to \$148,425. Next slide. Countywide residential revaluation. The table compares 2023 and 2024 assessment percent change for existing single-family detached townhouse and condominium and rural properties. While assessed values increased in 2024, the rate at which they increased was below the percent changes reported

[00:52:27] in 2023. The overall average increase for single-family detached townhouse and condominium properties was 4.5%, which is about 2% lower than 2023. For rural properties, those without public utilities, the overall average increase was 5.3%, which is about 2.5% lower than 2023.

[00:52:54] Residential new construction. The table on the left summarizes the total value added from residential new construction and the value percent change when compared to 2023. In 2024, the construction value for single-family detached properties decreased by almost 20 percent. Townhouse construction value increased by 35 percent and condominium construction value increased by 12 percent. The construction value for single-family detached properties without public utilities increased by 5.8 percent. The line graph on the right provides a three-year history of the number

[00:53:33] of single-family townhouse and condominium and condominium structures built and assessed since 2022. For 2024, single-family detached construction experienced the largest year-over-year decline at 19.3%. Townhouse construction increased 20% over the prior year, and condominium construction was up 9% over the prior year. Taxable value change for residential and commercial.

[00:54:05] This table summarizes the revaluation percent change without construction and growth, the total value change with construction and growth and the total allocation of taxable value by district. The revaluation range for all districts is 3.6 percent to 18 percent with the average for all districts around 8.7 percent. Total value change total value change ranges from 4.7 to 25 percent with the average for all districts around 12.9 percent. It should be noted that the districts with the higher at the higher end of the range containing a larger proportion of commercial

[00:54:43] property. The percent allocation column illustrates the ratio of assessed value compared to the taxable countywide total of \$144 billion. The value allocations range from 7.6 to 18.2%. These allocation ratios are influenced by the number of parcels, the type of residential and commercial developments, and exempt parcels. The allocations fluctuate slightly from year to year. However, no significant changes occurred during the 2024 reassessment. All right. Real property distribution

[00:55:21] by value. This chart illustrates the value distribution based on property type, which includes residential, commercial, multifamily, agricultural, SEC, and exempt property. Although data centers are considered commercial property, we broke them out into their own category for illustrative purposes. As shown, they represent nearly 15.9% of the total county value and 65% of the total commercial value. The value distribution generally does not change significantly from one year to next. However, residential distribution declined three and a half percent

[00:55:56] from the prior year and data-centered value distribution increased by three percent. Value allocation by class and district. This graph summarizes each district's total value into four categories, residential, multifamily, commercial, and exempt property. Residential value remains the predominant tax base for Little River, Leesburg, Dulles, Catocin, Ashford, and Algonquin. Broad Run and Sterling are the two districts that have a higher value allocated to commercial property than to residential property. The commercial value allocation for Broad Run is

[00:56:36] about 48 percent and Sterling is at 63 percent. Broad Run contains the highest value for multifamily property at 1.8 billion. Little River has the highest residential value at 1.5 billion or 90 percent of its total allocation. Leesburg District contains the largest student value allocation at \$4.9 billion. County-wide, the percentage of parcels devoted to residential use is still at 95 percent. Commercial is at 3.7 percent. Multifamily is less than one percent, and exempt property is about at one percent. Do you mind if I stop you just for a second to ask

[00:57:16] you, when you're talking about an area, so say Leesburg, are you talking about just county property in Leesburg or the town property in Leesburg as well? It'd be anything that town and county. Town and county within that district. Yes. Thank you. All right. Next slide, I guess.

[00:57:41] What you see here is a 10-year average of residential assessments. The graph summarizes the average assessed value for single-family detached townhouse and condominium property since 2014. Rural property is not included here. Since 2014, the average assessed value which reflects market activity, has increased approximately 81%. When compared to 2023, the average assessed value for single-family detached increased 5.5% to 910,828. The average

[00:58:17] townhouse value increased 5.4% and is now at 598,229. And the average condominium assessed value has increased 6.6% to 411,000. Land use assessment. The number of parcels assessed based on land use is 4,895, which is a decrease of 57 parcels from the previous year. The total acres in land use also decreased by 1,669 parcels, or acres, not parcels. The total acres devoted to

[00:58:56] land use is estimated to be about 154,760 acres, which is approximately 46% of the total acres in Loudoun County. Year-to-year fluctuations to land use parcels or acres can occur by changes in use by the owner, non-qualifying production, rezonings, or subdivision of land. The total land use deferred estimate is \$1.56 billion. The deferred calculation excludes parcels that are not subject to rollback assessments such as land protected by conservation easements. The deferred value change over the

[00:59:34] prior year is estimated to be about \$60 million higher, which is an increase of 4%. The table at the bottom of the slide illustrates the average rate per acre for each land use category, excluding open space. Average land use rates increased by about \$44 per acre. Land use rates in Loudoun County are updated on an annual basis and are adopted and set by the State Land Evaluation Advisory Council from the Virginia Tech Department of Agricultural and Applied Economics.

[01:00:09] Next slide. Exempt real property for 2024. The total fair market value for exempt property is \$12.6 billion, which is approximately 8% of the total countywide value. Exempt values did increase 35% over 2023. The increases are primarily driven by changes to land values and updates to property characteristics. Properties exempted by the Board of Supervisors are assessed at \$367 million, which is a 2% increase over prior year, and account for approximately 3% of the

[01:00:46] total exempt value. Reviews and BOU appeals. Each year, property owners may request a review of their assessment if they think the assessment does not reflect market value, if the value is not equitable to similar properties, or if they believe there's an error regarding property characteristics. Property owners can file an administrative review with the Commission of Avenue or the Loudoun County Board of Equalization. This chart reports the total number of reviews and appeals since 2019, broken down by residential and commercial administrative and board of

[01:01:24] equalization. Since 2019, the total reductions were about 49%, 46% were affirmed, and 5% were increased. The average number of reviews and appeals is 372 per year, which is approximately a quarter percent of the total taxable parcels. I would add that the board administration does not do increases during their hearings. Those are usually administrative when the property owner wants us to correct some information that would increase the value. And with that, I'll let Brian

[01:02:02] take over. Good afternoon. Good afternoon. This first commercial slide is a county-wide year-over-year comparison for 2022 through 2024. For each row, the total value includes existing structures, those currently under construction, and vacant land. In the aggregate, the value of all commercial and industrial property increased \$10.3 billion from 2023 to 2024. This is an overall value increase of 35%. The multifamily portfolio also increased \$248 million, which is a 9% increase

[01:02:41] from 2023 to 2024. From 2024, there was significant growth in value for data centers, retail, flex industrial, and the hotel portfolio. Data center growth will be discussed on a future slide. However, the valuation change is primarily from new data center construction, growth in electrical capacity of existing data centers, and land acquired for data center construction. Multifamily growth slowed in 2023 compared to 2022 due largely to an increase in capitalization rates resulting from higher interest rates reducing investment activity.

[01:03:21] Class A multifamily grew by 4%, while Class B and C, which also includes, Class C also includes income-restricted properties. Each grew by 15%. Senior living grew by 6%. Flex industrial grew by 6.6%, mostly through modest rent increases and continued low vacancy, as capitalization rates remain static from 2023. Growth is also due to approximately \$40 million in new construction of flex industrial warehouse space in 2023, and the drivers of this class continue to be the Dulles

[01:04:00] Airport, e-commerce, and the flexible nature of this property class for many businesses. Retail increased 14.6 percent due to solid fundamentals for anchored and unanchored neighborhood retail centers and lower capitalization rates for 2024. Additionally, reviews of the freestanding retail and big-box retail portfolios resulted in increases of 22% and 42%, respectively.

[01:04:30] Regional retail increased 11% due to stronger leasing income. The hotel portfolio continues to rebound and increase 24% due to greater occupancy and daily rate revenue. Full-service hotels increased 27%, even though capitalization rates remained effectively unchanged.

[01:04:51] Limited service grew by 19%, which also included the addition of the Home 2 Suites in Leesburg, which was completed in 2023. A final note on this slide for the land. Sales over the past couple of years have validated an increased price per foot for land sales, and these values have been reflected in recent assessments.

[01:05:12] Although commercial land values continue to increase, when the ultimate use of a parcel is known through a legislative action or a site plan, The vacant land is typically moved out of the general commercial land neighborhood to the appropriate portfolio. The negative 1% decline in land values indicates that the ratio of acreage moved from the commercial land portfolio is greater than the increase in value for the land remaining in the portfolio.

[01:05:38] Between 2022, 2023, and 2024, 259 acres were moved from the general commercial land portfolio to specific portfolios. I've had like three people going, wait, what? Wait, what? Do that again? Can you do that again?

[01:05:54] I can do it again. Do that again. Yeah, it doesn't represent a decline in land values. What it represents is that as we know what the land is going to be used for, we move it to, so say if it's a, we know it's going to become a shopping center.

[01:06:10] It doesn't stay in the general commercial land neighborhood. It goes to the shopping center neighborhood. So what that does is that decreases the overall size of the portfolio, Even though we continue to increase the value of the properties remaining in the portfolio, it still shrinks it relatively short.

[01:06:26] Okay, thank you. This slide that we're looking at now graphically illustrates the year-over-year growth for the primary drivers of commercial valuation. Countywide, for this select group, data center properties exhibited 60% growth, followed by retail at 14.6.

[01:06:47] Multifamily and flex industrial grew more modestly. Office market valuations, which have remained effectively flat in recent years, declined 2.6% this year as a result of continuing leasing softness post-pandemic and increasing capitalization rates brought about by rising interest rates.

[01:07:09] This data center slide illustrates Loudoun data center market and measures two important data points from 2020 through 2024. The orange bars represent year-over-year growth in valuation, and the black line illustrates data center growth in square feet.

[01:07:27] So I'm going to do a bit of an explanation here. In 2024, valuation includes all data center land, structures, even those that are not 100% complete. The total square foot number, which is 41.2 million, is based on all data center records where the structure has been completed and the completed square footage is in the record.

[01:07:54] There is an approved site plan or building permit that lists the square feet of the structure, and that information has also been entered into the record. In this case, construction may or may not have begun, but the structure has been approved. If there are no approved plans or permits, the parcel would be valued as vacant land, and it would not be included in this square footage calculation.

[01:08:17] Of the 41.2 million square feet, 33.2 million square feet are 100% complete. And by that, I mean the appraiser has verified that construction of the structure is 100% complete. The average annual

growth in data center valuation over the period shown on this slide is 41%, while the average square footage growth is about 18%.

[01:08:41] Data center growth is primarily driven by increased power capacity within our existing data centers that are completed, land acquisition for data centers, and new construction for which 100% completed projects in 2023 totaled approximately \$1.9 billion. Now I want to switch from a county-wide overview to talk a little bit about our special tax districts. The Route 28 tax will be the first one we discuss.

[01:09:15] The current slide illustrates the total value of the Route 28 tax district from 2020 through 2024. For the district as a whole, annual year-over-year growth for the period shown on the slide averages 22%. For the period of 23 to 24, the growth was 37%.

[01:09:34] Next, I want to give a breakdown of the types of properties and the valuation of those properties within the Route 28 tax district. As I always do, I like to mention that for all of these pie charts, they do include the Dulles leaseholds.

[01:09:54] they're not broken out here specifically they're included in the flex total the 1.8 billion for the flex total the portion of Dulles Airport that's within route 28 is mostly hangers and warehouses and it's a very small portion it's a little over seven and a half million dollars in valuation so not nearly as large as it is in the in the Metro districts next talk about the Metro service district this is the overall district that obviously incorporates both station districts within the county. It includes, as I said, Loudoun, Gateway,

[01:10:32] and Ashburn. This current slide illustrates the total value growth of the Metro Royal Service District from 20 through 24. The 23 to 24 growth was 41 percent from 11 billion to 16 billion, and the annual year-over-year growth through the whole period shown on the slide is around 29 percent.

[01:10:50] This slide shows the breakdown of the commercial uses within the total Metro Rail Service District for 2024. Total value is \$16.4 billion, and you can see each type of property that is broken out there within that district.

[01:11:16] Here is a breakdown of the Loudoun Station districts, both Ashburn and Loudoun. These are combined. I can give you the breakdown here.

[01:11:32] The distribution of the \$4.2 billion valuation is as follows. For Loudon Gateway, it's valued at \$1.5 billion this year, which is a 134% increase from last year, from 2023. Ashburn Station is valued at \$2.7 billion for 2024, which is a 12% increase from 2023.

[01:11:57] And finally, I'll wrap up today with the Dulles Greenway. This slide illustrates the total value of the Greenway from 2020 through 2024. You will notice that the 2023 and 2024 values are the same.

[01:12:14] This is because the audited financial statements from the Greenway's corporate parent are not received by our office in time for the January 1 deadline. The financials are typically received in May of the current calendar year and appraised in June. The 2022 revenues, which are the last full year we've received, were used to calculate the 2023 value, and those revenues increased.

[01:12:38] However, expenses also increased, as did the capitalization rate for 2023. This resulted in a 2023 value that's obviously carried forward to 2024 that is effectively unchanged from 2022. And with that, happy to answer any questions.

[01:12:59] That was no kidding. Fascinating. A little disturbing in places, but really fascinating. Mr. Wirtz, you're doing a lot of face stuff tonight. It was kind of funny. When the presentation is given, I think we

should just do a data center presentation every year is the way I feel about it sometimes.

[01:13:21] Ms. Umstead. Thank you, Madam Chair. On your last slide, the Dulles-Greenway, so that's, what, about a 40% decrease from a high point of 2020?

[01:13:38] What contributes to that decrease? What we saw was a significant drop-off in revenues as a result of the pandemic. I wouldn't know what else to call it other than that. The greenway had been increasing over time.

[01:13:54] If I backed this chart up prior to 2020, the line would be going the other direction. We did see a very big drop between 2020 and 2021. And then things have started to slowly kind of climb out of that. I expect that the revenues will continue to go up as we get through this year.

[01:14:18] We'll know more when we receive the 2023 audited financials from the Greenway's parent company, and then we'll value from there. This year was a bit surprising, the 2023 valuation, that it was so close to 2022, even though, as I mentioned, that their revenues were up, their expenses were also up, And the capitalization rate that we used to value it was also up.

[01:14:43] So it effectively came in, you know, obviously very close to what the prior year was. So we'll have to see. We really don't know until we get the financials to be able to make that call. All right. Thank you. Ms. Glass.

[01:15:00] Thank you, Madam Chair. And thank you for the presentation. This is a lot of information. So I have a question regarding the countywide residential revaluation. And you said, well, it states here in 2023, between 2023 and 2024, there's the revaluation is lowered by 2%.

[01:15:24] How do you get that? Is that just like a data crunch that you all determine that? We're just comparing. I'm sorry, you were asking. I said minus 2.5%.

[01:15:41] compared to prior 2023? Is that what your question was, how we came up with the 2.5%? Yes. Okay. Yeah, if I added another column here to 2022, the percent changes were much higher. So this is just showing that there's a slowdown in increases, if that's the best way to put it.

[01:16:03] So in 2022, we were like at 16% overall, and 2023, we're 12%, and now we're around 8%. So I was just reporting the difference between the prior year and current year, even though everything is still up.

[01:16:21] Okay, okay. So what aspects of a property play into an assessment other than size? So do you look at age, location? Right, yeah. We have a lot of different variables that we look at.

[01:16:38] But we do look at age, size, basement finish, amenities, location, condition, quality, these type of things all go into our determinations. And are there tax relief programs that are open to residents?

[01:17:03] There are. Some are dependent on a person's age. Okay. So tax relief for the elderly or disabled at veterans, things like that. Okay. But those are the primary ones that I'm aware of. So they would just contact your office to find out?

[01:17:21] Yes, and there's information on the assessment notice relative to that. It's also available online at loudon.gov forward slash tax relief. You can get information about our programs there as well. Okay. I'm also concerned about the difference in, let me see if I can find it, and I'm running out of time, the taxable

commercial real property, and I look at where offices, flex industry, and then retail, multifamily, and then when you get to data center,

[01:18:00] there's this huge, huge... Get your question out. Your time's up. All right. I don't really have a question. That's a concern that I have. Thank you, Madam Chair. Data center observation. Got it. Mr. Crony? Thank you, Chair Randall, and thank you for this information, Mr. Wirtz.

[01:18:20] i'm always interested in this information um have we changed the valuation of data center real property due to the legislation that affected how fixtures are to be valued remember we talked about that last year we did not um the commercial real property assessors in my office also worked with colleagues in other neighboring localities one of the challenges that we encountered was receiving information from the data centers regarding the items that were listed in the code that may be considered fixtures. And in order to apply that legislation, we would need that data.

[01:18:59] Okay. Is that a staffing issue? Not at all. We don't get the information. It's not a staffing issue. Interesting. Okay. I remember last year you mentioned that you go out and you do like road shows um to different uh areas howardsville and willisville are actually in my district in the little river district have you done any road shows you know are there any updates on that to get out to the community and do you call them road shows no they're information sessions

[01:19:36] last year. You did call them road shows. Road shows. We have done a residential real estate assessment, information sessions, land use, and tax relief. Okay. Specifically in, you said, Howard'sville and Willisville. Yeah. No, we have not, if you're interested in me. We've already got our schedule out for this year, and I don't have that with me right offhand, but I'm more than happy to share that information with you yeah and we are doing like small area plans in these different areas so maybe that's a way to coordinate you know to get out into the community and meet

[01:20:15] with residents um about assessments you know i think it's a way to reach out i can't for just one second um when we have had those sessions i will say they have not been well attended yeah well maybe this is a way to get okay get an audience maybe you should call them road shows tell them to bring their old antiques with them at the same time right um what's the reason for the increase in appeals in 2023 i noticed there are 264 residential appeals yeah yeah i think

[01:20:48] there was a reaction to the interest rates that uh how the interest rates increase and how uh property owners uh thought that would impact their value um so that was the a fairly common uh question that we received yeah um so that was part of it um and i would say 50 percent of the reviews that we get people want us to look at their property characteristics again and make some corrections there okay thank you thank you mr crony mr letourne yeah this slide is new this year we've not shared this it's interesting slide it's an interesting presentation yeah it kind of

[01:21:28] makes up values go up more people appeal that's what i mean i saw a huge uptick in complaints to me last year. I don't know how many of them actually appealed, but obviously I said, well, you can compete. A couple of things stood out to me that I found fascinating. One of them was the significant drop in the average value of new construction single-family detached.

[01:21:50] I don't understand that at all. It runs counter to everything else that's sort of in the presentation or is out there. What do you suppose happened there, and where can I find a \$731,000 single-family new house because they don't look like they're that priced to me yeah the uh i'm sorry the the graph on the

right is just the number of units account is a value oh okay i'm sorry about that and then i see i thought that was a okay yeah we did that's roughly what the what the actual values are too in thousands hundreds of thousands right yeah oh that's just how many new units there have been right now all right so the actual number there probably was high

[01:22:30] all right glad i asked um On the data center stuff specifically, which is truly a staggering number, but if I'm hearing you correctly, what happened was essentially the price per square foot or the value per square foot also has gone up in real property terms, right?

[01:22:49] It has. So usually, like in the housing market, that's a product of scarcity. Like usually when we see, like in the housing market this year or in other years, when there's fewer units and stuff, the prices start ticking up. But what you're saying is in data centers, even with, I think, a lot of new product out there, the actual price per square foot also went up.

[01:23:10] Is that right? Yeah, absolutely. And that's kind of related to two different things. The first is, you know, as you drive around, you see the shells go up, the tilt-up concrete shells. As you see those go up, the data centers in a lot of cases are not instantly 100% complete on the interior.

[01:23:30] They build out over time as they have leases or if they're hyperscale, as their hyperscale tenants need them, need the space for their compute. That is one of the factors that increases it, is that build out. And then, obviously, the second is that they're able to charge more because the vacancy is so low in Loudoun County for the data centers.

[01:23:54] That increases year over year, obviously. And then the final piece, obviously, would be new construction. Ian, how much of that's also land? Are you seeing changes in land value there, too? We are. I mean, we finally got to the point where we had to, a number of years ago, start moving.

[01:24:11] When a data center developer purchased land, we had to start moving it out of our general commercial neighborhood because it was distorting the values that we were seeing for just normal commercial real estate purchases. So, yes, we are seeing, you know, property continues to be bought for data center use, and that's adding to it as well.

[01:24:36] Thank you, Mr. Letourneau. Mr. Kirshner. Thank you, Madam Chair. Thank you for coming tonight. I have a couple questions. I'm going to draw your attention. I think it's page 12 to the countywide taxable commercial real property. Obviously, this has to do with only the commercial stuff, and I want to kind of ask a couple questions within this graph itself.

[01:24:57] I see that the retail itself has actually increased from year over year, 2023 to 2024, by about 14.6%. That's a little surprising to me, given the attack that retail has been under. Is the explanation in large part due to us kind of coming out of the pandemic and these retail properties showing a little more vitality, quite frankly?

[01:25:18] It's me, Mr. Kirshner. I've been shopping. Well, other than Chair Randall. I know she shops a lot, but she doesn't have that kind of money. But can you elaborate on that? And then I have another question on this one. Yes, is the short answer. I think there's some of that.

[01:25:33] We did see declines in retail valuation during the pandemic, and I think we're still seeing some of that. We are seeing strength in our regional facilities, the Outlet Mall and actually even Dulles Town Center, which recently sold.

[01:25:51] We're seeing additional strength in the leasing in some of those centers. and that drives the value of the real property that is that correct correct and i think you know we're we're also seeing you know higher rental rates less vacancy in some of our existing neighborhood shopping centers whether they're anchored or unanchored uh and then as i mentioned earlier um we did a we did a big review of our freestanding retail and our big box retail right and those values went up as well so that's we felt like we needed to really dig into those and make sure we had them at market um i don't have time for all the questions i do have a follow-up question I'll ask you later about that um on this I want to make sure I understand this table correct we

[01:26:31] have a total valuation year-over-year 2023-24 of about 10 billion dollars is that correct correct we have a year-over-year increase of about 10 billion dollars in data centers correct yes so basically data centers are responsible for the entire if you take data centers and separate them out from the rest they are literally responsible for the entire growth in the in the taxable commercial real property as a whole the overwhelming majority correct well they're both about 10 billion yes so without data centers we would have been a lot essentially stagnant in growth well it would

[01:27:05] have been much flatter you're correct fair enough thanks thank you miss brixman uh thank you madam chair madam chair my lights on i'm sorry mr um mr turner you did say that to me yes sir you can go next thank you very much um uh i called mr words recently referencing the very unfortunate at Loudontown's mayor article that took a pretty open swipe at both the chair and in a larger sense the board of supervisors and sort of vaguely insinuated that we are conspiring to hold back

[01:27:45] numbers or project false numbers about the amount of data center square footage in the county. The reason I bring this up is I called Commissioner Wirth and said, can you explain this process to me? How do you determine the square footage of data centers in Loudoun County?

[01:28:02] And I want to just restate it, make sure that I got it correct, and then if Commissioner Wojcik could just verify. So I've always used the number of about 26 million square feet of data spenders. I've used that for four years. The Economic Development Department's number is over 25.

[01:28:22] And then in the article, the reporter, who's a new reporter, and I'll give her a mulligan on this one, said that it was 31 million last year and 33 million this year. But when I talked to you, you said there's a difference between how you actually measured actual data center space and what you referred to as permitted data center space.

[01:28:46] And that permitted number right now, even though the actual built is 33 million, the permitted number is 41 million. And I just wanted to make sure that I'd interpreted that correctly. 41 million, that means there are permits, and data centers will be built on that land that will total roughly 41 million square feet.

[01:29:04] But you won't know for sure until you get in the measure. Is that correct? Yes, it is. Yes, that's correct. Essentially, what we're talking about here is if we have information from a site plan or from a building permit that we know for sure it's going to be a data center, and we know for sure what the square footage is going to be, that is information then that is entered into the records in our system.

[01:29:28] So the 41.2 million represents every square foot that we have verified is going to be built for data center construction. Okay, I don't want to run out of time here really quickly.

[01:29:45] That's really important, and it's inappropriate and inaccurate, as the article did, to compare floor area ratio with this actual measured floor area and the permitted floor area. Those are all different numbers.

[01:30:00] point here is anytime anybody uses total data center square footage, the point they're trying to make is that we have more data center floor space in Loudoun County than anywhere else on planet Earth. That's the relevant point, not exactly what that number is. It's that we have more than anybody. And this briefing clearly illustrates not only do we have more than anybody, but it's growing exponentially. Thank you very much. Thank you, Mr. Turner.

[01:30:28] Ms. Bricksman. Thank you, Madam Chair. Let me make sure I heard this correctly. I think you said that 95% of the land in Loudoun County is residential? Yes, I did.

[01:30:46] Okay. All right. I just wanted to confirm that. And then I was wondering, so Mr. Crony asked the 264 reviews for me. Could we get, okay, first of all, the average, did you say the average assessed value of a single-family home in Loudoun County is \$910,000?

[01:31:12] Correct. That's for single-family detached, yes. Okay. That's almost a million dollars for the average assessed value of a home. Now, how does assessed value compare to what it would actually cost to buy a home?

[01:31:28] It would be similar. We are using historical data to come up with our assessments, but we look at how our assessments are performing against actual sale prices, so it would be similar.

[01:31:44] I would imagine Association Realtors might say it's over a million by now. Okay, all right, thank you. That's crazy. Just if I might add, a lot of the reports that you might see from Association Realtors includes single-family condo and tandem all lumped together.

[01:32:02] That's why you might see a lower number for their average. Okay, all right, thank you. And then there's a table in your presentation that has taxable value change, residential and commercial combined. Do we have a chart or can we get a chart? And I don't need it tonight, but can we have a chart that says that has taxable value change, residential, and then you have it by district?

[01:32:24] So can we have the residential only broken out by district? It's in the assessment summary that I believe you all received in an email. Should be broken down. Okay, so you sent us another document via email. Yes. Okay. I'll take a look for that. Thank you. I think that's all the questions I had. Thank you very much. Well, first of all, I thought it was a really helpful presentation. I will also say that I really do appreciate you doing things in other languages now because more people can understand what's happening with their assessment. I do have one question. We have an increase of

[01:33:03] people who are appealing. Are they appealing because they think that their homes value are too high and they don't want to pay the taxes or they think their home's value are too low and they want to say why. What are the appeals? Why are they appealing? Primarily it's market value and property characteristics is what they appeal on. But market value meaning what? That they think you got it right? They don't agree with our value. Do they think your value is too low or too high? Most of the time they think it's too high. They think it's too high. Okay, so they're worried about the tax. Mr. Wirtz, you said, well, first of all, I'm just going to make

[01:33:38] a statement, that's not a question. Sometimes when my colleagues ask about data centers, I hear things said like, so we're not for the data centers, fill in the blank, yada, yada. But the truth is, there's almost an assumption that there will be data centers or there will be nothing. That's not the correct assumption. Data centers do bring more greater tax revenue than anything else. That is true. But if there wasn't data centers, it wouldn't be as if that land was just sitting vacant with nothing on it. And so we can't just go, gosh, if there were data centers, we would be paying this in taxes, because there would be something else there. Data centers are not the only option that actually pays taxes. So I think

[01:34:17] when we start talking like that, we've got to be really careful to not assume it's only going to be data centers or it's going to be empty land. That's a statement I make. You actually said residential market, I wrote it down when you said it, is constrained by limited demand can you expand on that a little bit supply and actually Jim has some information relative to that he he looked up the Association of Realtors can you data data yeah supply and supply and demand can you yeah what we're finding is if there's still an imbalance in our real estate markets not just

[01:34:53] Loudoun County but typically you need what they call a five to seven month uh supply of of inventory to where the buyer nor the seller has in the upper hand and the last report that we received from long and foster in december says loudon county has a 1.3 month supply well that means it would only take 1.3 months if nothing else came on the market it only take 1.3 months for all that to be gone and the seller always has the upper hand right now

[01:35:28] Yeah, yeah, yeah. And I think you're correct. I know you're correct. That's not just Loudoun County. That is really, it's the country, but it's definitely this area that there's a dearth of homes in the area. So, gentlemen, thank you so much. I really do appreciate you all being here this evening. Thank you.

[01:35:43] Thank you, and reach out to us directly with any additional questions you might have. Okay, thanks. Thank you. Supervisors, I don't yet see everybody in the room who's here for the Black History Resolution, although I do see many people here. I think we're waiting for one or two more people. So let me give it another 10 minutes or so.

[01:36:02] Let me go see what the next item is and if we can get through it. Hmm. I'm going to ask Mr. Rush and his staff to come up for the DEI report, But, Mr. Rush, I'm also going to tell you, since it's an information item, not an action item, I may stop you in the middle because we do have a school board member in the audience who's here for the Black History Resolution that has to get back to school for their meeting to start.

[01:36:28] So if I stop you in the middle, don't take it personally. It's just because I need to get them out of here in a timely manner. But until that happens, we will go on and start. Welcome to the table, everyone.

[01:36:40] So, yeah, we definitely won't get done.

[01:37:12] It's 13 slides, so we won't get done before. But we will stop and then start again. I don't see Pastor Thomas here yet. Does anybody else see her here yet? No, I don't see her here yet.

[01:37:28] That's what I'm looking for, actually. No. Yeah, she's not here yet. Are we ready? We're ready. All right. Good evening, Chair Randall, members of the board.

[01:37:44] Today, it's my privilege to provide you with the findings and the recommendations from our DEI assessment report. This evening I have at the table with me our interim chief human resources officer

Jeanette Green and two of our consultants from our MGT consulting homes Zanelda Rodriguez and Juan Asuna the primary purpose of the DEI Assessment was to develop a baseline internal evaluation of the organization's performance related to DEI indicators And so as part of the FY21 budget,

[01:38:23] the board allocated one-time contractual funds for this initial study, as well as the development of an equity plan. So following the request for an RFP procurement process, the county contracted with MGT on September 29th, 2022 to conduct this study.

[01:38:42] And in November of 2022 and in December, MGT began conducting the DEI assessment with the county government workforce. And this assessment encompassed four parts.

[01:38:58] First, there was a peer review evaluation, there was an analysis of emerging practices, and then there was a DEI staff survey, which was disseminated to our full-time employees on April 10th of 2023. And then there were staff focus groups that actually started there in December.

[01:39:16] So the scope of that study focused on assessing the county's workforce perception of diversity, equity, inclusion, and accessibility. And it also included a scope that benchmarked us against our competitor jurisdictions, such as Alexandria, Arlington, Fairfax, and Prince William. And part of this analysis, we looked at our emerging DEI best practices, as well as a review of our population ACA data. With that, I will ask our members from MGT to talk a little bit about the methodology and the overview of the survey. Hello, good afternoon. The slide here in front

[01:39:54] of you essentially encompasses our approach to source feedback from staff you can we deployed two methods one is a survey and the other were focus groups I like to describe the survey as being the largest net to hear from as many folks as possible internally within the organization and we rounded out those that data and information from the survey with focus groups which are smaller group conversations that help contextualize some of the topics and information gathered from the survey. The bullet points there on the left hand side for the survey just outlines

[01:40:32] the level of response rate or the response rate of the survey instrument itself. We heard from about 1,043 survey participants. There are about 48 multiple choice questions including some demographic information and we asked five open-ended questions and within those questions we had 190 survey participants provide some type of information or written in comments.

[01:40:58] And just from a survey perspective, our survey has a strong margin of error. And at a 95% confidence level, has a 3% margin of error. That's just survey speak to say that the sample of their survey was strong. And then from the focus group side, we spoke to about 40 or so focus group participants.

[01:41:18] we had two focus group conversations with members with folks of the equity ambassadors we heard from the employee advisory committee which represents multiple staff within the organization and we had one focus group conversation with county administrators and senior staff to also hear from their perspective how the county is doing from a diversity equity inclusion perspective so this uh survey was sent out and just to clarify um one said 190 uh comments it was actually 690 um that answered one or more of those questions just to clarify that sent out to

[01:41:56] our full-time employees regular employees 30 um totaling over 3,800 at the time the survey was forwarded directly to mgt for confidentiality and it encompassed as one said 48 questions and they were grouped into eight different categories.

[01:42:12] So we looked at DEIA readiness, our leadership readiness, diversity was its own category, inclusion and belonging, equity and access, conflict resolution, hiring, recruitment, and professional development. So the next few slides, we'll break that down on some of the data that came back in those areas within those categories.

[01:42:32] So under DEI readiness, when we looked at the survey point, the quantitative results that were there, We found that there was a discomfort in discussing DEI topics and the highest discomfort in discussing those topics amongst coworkers were with LGBTQIA identities as well as racism.

[01:42:54] That was an uncomfortable conversation for roughly, I believe it was like 17% of our survey respondents. Our open-ended questions, 18% of survey respondents talked about a discomfort related to gender identity 10 percent survey respondents reported race-related discomfort and 16 percent of the respondents did not understand how DEI like shows up in their day-to-day work and how are they're there to use this within their day-to-day work within the focus group where we got more of that qualitative results some of the things that

[01:43:32] came out was that there has been advancements that have been made in DEI throughout the organization and they applauded that, but they recognized that there is room for improvement in growth. And one of those areas is there is concern around needing additional staff and resources to make sure that this is organizationally wide.

[01:43:52] And there is an inconsistent understanding across the workforce when we talk about DEIA as well. Under our conflict resolution category, the focus groups talked about the resistance to DEIA initiatives was one of the focuses that they talked about throughout the organization.

[01:44:12] In our leadership readiness category, our survey results, 30% perceived opportunities for improvement and engaging in difficult conversations, and 69% said that they were comfortable raising concerns to the person that they reported to, so we appreciated those numbers as well.

[01:44:29] Throughout the focus groups, they recognized that when we were looking at leadership, one of the things that came up was a need or a consideration for an inclusive leadership as a core competency amongst our leadership within the organization, as well as opportunities for directors to fully engage in difficult conversations around equity and to be able to field those questions and comments within their respective departments.

[01:45:00] Under our diversity on the survey, quantitative results said 62 percent of survey respondents I felt that their their employees our employees respect each other's whose identities are different from their own so that was a very strong showing that was there as well and the culture of our organization and inclusion and belonging we looked at survey and our quantitative results there as well so 29 percent of survey respondents desired an increase of inclusion throughout the organization 46% of those respondents highlight being supportive of peer relations.

[01:45:36] Once again, that goes back to that diversity as well. And 17% of respondents feel that there was a strong sense of belonging within the organization. Our focus groups supported that. There was a favorable perception of inclusion and belonging. In equity and access, our survey, there was a perception around our ADA accommodations, especially when it came to our neurodivergent employees on how they navigate that process for reasonable accommodations.

[01:46:08] The other part is within the focus group, while the organization is ADA compliant, the county facilities could improve to be more accommodating to employees with physical disabilities was one of the things that came out. So we're looking into that as well.

[01:46:23] And under hiring recruitment, our survey results showed that 18% of survey respondents emphasized greater equity in recruitment and retention of employees from marginalized backgrounds. And our focus groups talked about concerns of the high living costs that may adversely affect recruitment and retention in the county, which is external to our organization as well.

[01:46:49] and ensuring that implicit bias does not unfairly impact people in the selection process and some were concerned regarding equal opportunities to advancement in their career with the county compared to their peers with some of the things that were discussed within the focus group. And under professional development, 16% of the survey respondents said that they did not understand how to apply DEI within their day-to-day operations and within the scope of or the role in which they play within the organization.

[01:47:21] focus groups, staff wanted to explore how that DEI impact is on programs that are delivered in service delivery, how that shows up. And there was a largely favorable perception in areas of professional development and performance management. They felt that we were doing a very good job in that area. And staff would like a more overall strategic direction on DEI at the county level to guide the organizational efforts at the time of this survey was released or disseminated. So I'll turn it over to MGT to talk about the six recommendations that they provided us in the

[01:47:57] assessment report. Hi, good evening everyone. So the six recommendations that MGT has put forward as part of this assessment, the first being to strengthen leadership and management accountability in alignment with DEI practice. The second certainly being around evaluating and enhancing communication channels for efficacy. The third being fostering awareness and shared understanding of diversity, equity, inclusion and accessibility. The fourth recommendation that we've put forward is to cultivate a culture of inclusivity and psychological safety through feedback mechanisms and then also to monitor and track equity in job

[01:48:36] selections, career development and promotions. And lastly, the last recommendation is to focus efforts on community-facing DEI work. So you're going to go into those a little bit because I'm pretty good with this language and I don't know what I know what you just said to me.

[01:48:58] I understood the words, but I don't have any context around those words, especially like number two. So are you all going to dive into what those things mean? Sure. Do you want to do that now, or would you prefer to ask the question? I don't know that I can ask reasonable questions about what you all propose if I don't actually know what you all propose.

[01:49:21] Okay. So number two is the one that you were looking at. So with that recommendation on evaluating and enhancing communication channels, it is to make sure that our efforts are being communicated organizational-wide and that people understand exactly the touchpoints of DEIA through the organization, whether you work in one department or another, and how those align throughout the organization is what we were looking at when it came to communication channels.

[01:49:52] Okay. And then can you give me a number of four? Yes. So number four was really around the culture of inclusivity, which we talked a little bit about how there was a strong sense of inclusion and

belonging within the organization.

[01:50:09] And then there were topics of psychological safety that came up, and that's how people present at work, how they feel at work as well. there are like four different levels of psychological safety, which I'm happy to dig into that deeper afterwards.

[01:50:26] And inclusion is one of those pieces, as well as how they're able to progress throughout the organization. And there's a contributor safety that's there. And so that psychological safety is how they interact with their leadership as well.

[01:50:43] And it's like the fear without having reprisal when reacting with leadership as well. So that's the basis of psychological safety. - Okay, all right.

[01:50:58] - And so the proposed next steps that we're looking for is we're looking to seek or we're seeking the board's feedback on the key findings and recommendations in this report to incorporate in the Equity Action Plan which the development of the Loud and Equity Action Plan which we're calling the LEAP will commence on February 23rd.

[01:51:20] We have a group of action committee that we'll be looking into this report and the board's feedback to develop that report. And we're hoping to bring that back in the future board meeting in 2024, spring of 2024. And with that, that is the end of our presentation.

[01:51:38] I look forward for your feedback and questions. Thank you very, very much. I'm going to, before we do feedback and questions, I'm going to, there she is. I'm actually going to pause and we're going to go to our resolutions and then we're going to come back, okay?

[01:51:54] because we have to get people in the room who are out of the room. Supervisors, we have... Would you like for us to leave the table? I would, but not far, not far. I believe everyone is here for the Black History Resolution.

[01:52:12] I believe everyone is here. Are the butlers here? I don't see them. They are not here, really. Are the Sanchez's here? Maddox's family, they are here. All right, so what I would do is I'll do our first resolution, and we should have plenty of time, which is, gosh, where did it go? I'm sorry. Young Mr. Fernandez, are you here? Yes. Okay, let's have him come down with his family. Where do you all live so I can have the supervisor join me? Where do you all live?

[01:52:44] Sterling, Mr. Sains, will you join me down front, please? For now. Okay. So the first resolution we

[01:53:36] have is for Gadiel Fernandez, and I want you all to listen very closely to this young man, because he is one of the most impressive young men I have met in quite a long time. You ready? Okay. Whereas, Gadiel Fernandez began learning piano when he was in third grade through music classes at Temple Baptist School in Sterling and through individual practice at home.

[01:53:59] And whereas, since fourth grade, Gadiel has represented the Temple Baptist School in the Old Dominion Association of Church Schools competition and has won first place playing sacred piano pieces for two consecutive years. And, whereas Gadiel was chosen as an honorable mention winner in 2023, American Produce International Piano and Strings Competition in New York City.

[01:54:26] And, whereas Gadiel and 35 performers from 16 different countries were invited to perform at Carnegie Hall on Christmas Eve as part of the American Portage Winner's Recital.

[01:54:45] Now, therefore, be it resolved that the Loudoun County Board of Supervisors does hereby recognize Scotty O. Fernandez's outstanding musical achievements. You played at Carnegie Hall. How old are you?

[01:55:06] How old were you played at Carnegie Hall? Do you know people work their entire lives and never get to Carnegie Hall? That's absolutely amazing. Anything you want to say to us before I hand it to your parents? I can hand it to your parents then.

[01:55:23] Thank you so much. This is an honor for him and for us, and he works really, really hard every single day. This is part of his regular school schedule.

[01:55:39] His teacher works with him at school, in class, and of ours, too. So thank you so much, and well-deserved, my son. Congratulations. You look amazing. Congratulations.

[01:55:54] Congratulations. One more question. What's the favorite type of music you enjoy playing? Classical. Classical. Classical music at Carnegie Hall at age 11. All right, let's get a picture, okay? And then maybe I can get your autograph later on.

[01:56:10] Appreciate that.

[01:56:52] Would everyone who's here for the African-American resolution, please come down.

[01:57:37] Mr. Sims, Mr. Roberts, Mr. Dodson, everyone here. Pastor Michelle's here. Pastor Michelle, take your coat off. Should I just say it? Although I'm not sure I need the coat off of the AKA sweater.

[01:57:57] I'm not sure. Everyone who's here, come down. Okay. You guys, come on down. This side. You come this side, too. We can come this side, too.

[01:58:13] The Butler family, you can come this side, too. Yes, there they are. They're here. Ms. Linda, come right over here. Come on. Come on. What you doing? All right. I'm going to read it first, and then we will, I think we'll read it first, and then we'll hand it out.

[01:58:33] How's that sound? All right. This was a very, wow, look at all the photographers coming out. This was a very big year in the African-American community in Loudoun County, much of it led by Sister Pastor Michelle Thomas, who I have great appreciation for.

[01:58:56] So thank you. So let's read the resolution. Whereas in June 2023, Loudoun County signed a sister county agreement with Tema Ghana, making Ghana the first nation on the African continent that Loudoun will have a cultural, education, and economic development relationship with.

[01:59:16] And whereas in 2023, 18 Loudoun County organizations came together to create the African American Community Alliance. The alliance has the shared vision of moving Loudoun's African American community forward with a special focus on assisting organizations to provide scholarship for academic and workforce achievement.

[01:59:38] Whereas Frederick Douglass High School opened in 1941 to serve as the only secondary school in Loudoun County for African-American students and graduated 27 classes before Loudoun County recognized and integrated their public school system.

[01:59:54] On May 21st, 2023, the Douglas School, having completed extensive renovations, was rededicated and is now home to the Douglas Alumni Association, as well as several other organizations that focus on social justice and equity.

[02:00:18] And whereas Loudoun County Parks and Recreation Community Services supported the design and creation of an African-American-themed playground located at the historic Douglas School, using playground apparatus, the history of African-Americans who have substantially contributed to our nation is shared, allowing children to learn as they play.

[02:00:36] And whereas five African-Americans sought election or re-election to a Loudoun County public body, four were elected to include Dr. Linda Deans, thus making her the first African-American woman to be elected to the Loudoun County Public School Board.

[02:00:55] And whereas Boy Scout Troop 966 saw two African American young men, James Butler and Maddox Sanchez, achieve the rank of Eagle Scout, thus highlighting the fact that only 9% of African Americans who participate in scouting rise to the level of Eagle Scout and encourages many more African American students to join and matriculate through the scouting programs.

[02:01:31] Now, therefore, be it resolved that the Loudoun County Board of Supervisors recognizes February 2024 as Black History Month in Loudoun County and recognizes the accomplishments and contributions of countless African-Americans throughout Loudoun's illustrative history.

[02:01:52] This has been such a pivotal year. I'm going to go to Dr. Dean's first because she actually has to leave. But this has been such a pivotal year and we've had so many firsts.

[02:02:08] Somebody asked me one time, like, why do we need African American History Month? And I thought that was a really valid question. And the truth is, we will need African American History Month until we incorporate African American history in American history.

[02:02:24] The moment we incorporate African American history in American history, we won't need to have it anymore. So let's work toward that as the goal, right? Dr. Deans, I know that anyone who's ever run for office, no matter whether they were, quote, successful in the end or not, knows how hard it was.

[02:02:46] I know how hard it is being the first. What made you run? How do you feel? What are you going to do now? I was sent to the position by God. I relocated to Northern Virginia to be a grandmom, and all the grandkids got grown and went off to school.

[02:03:12] And I was actually saying, okay, now what do I do? And a friend came and suggested it, and I thought, let me pray.

[02:03:28] And I prayed, and I had a dream, a vision that told me to run. And so it is that I am here, and it is very next step for me in that I've been in education since I was 20 years old, and I am now 74 years old.

[02:03:47] And so it is. Mr. Avery, what's happened this year at the, I thought, at the Douglas School was kind of a coming full circle.

[02:04:03] Mr. Sands, Mr. Roberts, we've been working on this for such a long time for this to finally happen. Mr. Dodson continually tells me that his year was the best year ever at the school. I do not know if that is true or not, but I do know that being around, and I think I speak for Pastor Michelle, of us being around the Douglas alumni is so humbling and so powerful.

[02:04:28] And we, we, Mr. Sains, myself, Ms. Glass, Pastor Michelle, know we wouldn't be here if it wasn't for you. We know that every single day. None of us would be, I wouldn't be sitting up here for all the things that you all did and the path you laid.

[02:04:45] I appreciate you so much. Would you like to speak for the Douglas alumni? Every morning I wake up, I think of the... preserving the legacy of Douglas High School. And it is certainly a burden and a blessing. And so I want to thank the council, you, Chair Randall, and the entire council for thinking forward and making sure that you step on the right side of history because you are part of the legacy now.

[02:05:16] So thank you. Thank you so much. I don't know if anyone's been to the playground, But it is amazing to go to that African-American-themed playground.

[02:05:34] Our Parks and Rec Department, Mr. Torpy, and you led that effort. If anyone goes there, I mean, I have no little children in my life right now. But I've gone there a couple of times just to watch kids play and stop and read about different people as they go and learn.

[02:05:51] And it is such an amazing, amazing accomplishment. And it's overwhelming to stop and watch it. And you all have done such a marvelous job with that. So thank you. I'm going to hand you a proclamation and the microphone. Good evening.

[02:06:10] My name is Rameen Martin. I'm one of the assistant directors with Parks, Recreation, and Community Services. I think one of the things that we do is try to embody one of Chair Randall's quotes is we do hard things. And I think when you think about our mission as a department, connecting all communities through exceptional people, parks, and programs, that's what we strive to do.

[02:06:33] And I think this project was one of those things that's trying to continue to connect all communities through the services that we do. Very good. I'll send that to you. It was not until I think you contacted me about James that I start reading the numbers on African Americans who do scouting.

[02:06:58] And the numbers are incredibly low. Now, only 9% who start race to Eagle Scout, but a much, much lower percentage ever even start. For whatever reason, African Americans just have not been involved in scouting. And, you know, I met Juana, and I said, why didn't I put my boys in scouting?

[02:07:16] Because I don't want to be outside. It doesn't mean they don't want to be outside, right? But you guys have, like, opened up that for so many people. And I just thought it was, you know, meeting your sons, being able to be at their court, equal court, was such an honor for me. So please give this to them on our behalf, and I will see if you have anything.

[02:07:40] Well, as James' mama, I'm so proud of him for everything he's accomplished. That's my baby. That's my son. I'm proud of him.

[02:07:56] And I thank you, Chair Randall, for all that you've done for the county as well in bringing this to the forefront. And, yes, I'm James' dad. And one thing about it, I'm so proud of James. He's actually fulfilled a scouting mission that I wanted to be.

[02:08:15] I was in scouting. I made it all the way to life rank, which is close to becoming an eagle. But there was other obstacles, things that happened, which I didn't make it. So instead, I decided to go ahead and push James in.

[02:08:32] So glad that he made it and so on. And I also want to thank you, Chair Randall, just as well. So thank you so much. Well, on behalf of my son, who is down at Christopher Newport University studying, I want to say thank you to the Board of Supervisors and my family.

[02:08:54] We had a wonderful experience in scouting. I was never a scout also, but I was in a military family. And some of the opportunities to give back to the community and the experiences we've had in

scouting were just amazing.

[02:09:10] So I recommend to the adults, to the kids, to start your adventure. And to Pastor Michelle and to Robin and to everyone who is in the NAACP and in the African-American Alliance, you know, there are times when I think the interesting, and I won't say valid question, is sometimes asked.

[02:09:39] Like, why do we need to have these things for one set of people? And people will say, isn't that more divisive than if you just put everybody together? And doesn't talking about race just divide us even more? And it's an interesting question.

[02:09:55] And then I have people say the words, I don't see race, I don't see color. And I say all the time, the goal is never to not see it. The goal is to see it and celebrate it. The goal is to see it and learn from it. The goal is to see it and embrace it.

[02:10:12] The idea that you don't see color doesn't make any sense. I will say that that's so much of the history of African-Americans in Loudoun County was being I don't even know if the word was ignored.

[02:10:30] It wasn't even on our radar before Michelle Thomas. And that's not a that's not a hit to anybody. All of us don't have the same interests. Right. And so the history wasn't on my radar. Education is on my radar. Mental health is on my radar. Policy. But the history and preserving that history was never on my radar until I met Michelle Thomas, who is a force.

[02:10:53] And then she decided to go find Robin Burke, who was equal force. And so when these two women start texting you with some ungodly hour of the morning, calling you, and somehow you got my email, right?

[02:11:11] You know, it makes your head pop up and you think, well, okay, we're doing all this. And Sylvia and Karan and I, we're doing a lot of things that we need to be doing in the county. But part of taking care of our future is seeing about our past. And you have taught us that in a very, very powerful way.

[02:11:30] So starting the alliance with some of the organizations, just some of the organizations that we have up here, including the AKAs, strong information that we have up here is very, very, very powerful. So I'm going to give the microphone to you. Also, the NAACP is the keeper of the record.

[02:11:48] Since the time that this resolution has been written, the NAACP always gets a copy because they are where the African-American resolution in Loudoun County lies. So they are the keeper of the record. So they have had one from the very first time it's ever been written. So I'm giving Michelle two copies, Pastor Michelle, two copies today, one for the NAACP and one for the Alliance as well.

[02:12:11] There's an African Proverbs simple that says, if you want to go fast, go alone. If you want to go far, go together.

[02:12:27] And the African-American Alliance is basically an organization that brings the togetherness in our county, that brings all of our skills and all of our unique talents, African-American talents in these organizations who have individually made great strides.

[02:12:50] We've done things like scholarships. We've done workforce developments. We've done all types of training and professional developments and been able to serve the community in great ways. But doing it together means that we can go far.

[02:13:07] It's not a one-off. And so I am so happy to stand here with my fellow members and also the great Jim Roberts, who made sure that he put this together. He's the glue. We get the glory, but you get the glue.

[02:13:23] And so we are just happy that we're able to come together as a unified community to say that we want to go far, that we have been blessed with resources, that we have been blessed with collective gifts, and we want to deposit them into Loudoun to take Loudoun further than we've ever gone together.

[02:13:44] Not just for black people. I'm talking about for all people. When we do things to help the community, everybody prospers, not just one group. So thank you so much. Enjoy your rest of Black History Month. Make sure that you empower people.

[02:13:59] I'm just going to yield the rest of my time to... Oh, can I give it? Just let me do it. Let me do it. To Rory. Rory is our vice president, and he's a fearless leader.

[02:14:17] Oh, that would be great. Here you go, buddy. Lord Jesus in heaven. I'm going to start down here with you, Ms. Winton. Everybody just go introduce yourself and just pass it on down. Say what? introduce yourself and then pass it on. Janet Wiggins. Alvin Datsa. Mary Lee Crabb. Debra Woods Parks and Recreation Community Cyber System. Pat Brown, African-American Community Alliance and Epsilon Zeta Boulay. Lena Hickman-Myatt, African-American Community Alliance. You can see

[02:14:48] what else. Rory Myatt, African-American Community Alliance and the JGH Foundation. Larry Simms, former high school teacher in Loudoun County for 44 years and I belong to it all. Jim Roberts, Black History Committee through the Thomas Paulshire Library. Born and raised, I call myself homegrown. Charles Avery, the graduate of the 1968 class of 1968 that finally

[02:15:24] closed the closing of Douglas High School. And everybody else here in this line is a member of the Loudon Douglas Alumni Association. So pay your dues. I'm Dr. Linda Deans, and I am a member of the NAACP, as well as Zeta Phi Beta sorority, and I'm a grandma.

[02:15:54] Robin Burke. I serve as the first vice president of the NAACP Loudon branch. I also serve as the secretary for the African American Community Alliance, and I also serve as the executive director of the Loudon Freedom Center. Steve Burke, husband of. I'm here today representing the Endeavor to Dream Foundation, which is the philanthropic arm of the Dulles-Leesburg Kappa Alpha Psi Incorporated.

[02:16:32] I'm a board member, and we are glad and very grateful. Thank you very much. Renina Butler, mother of James Butler from Troop 966. Of course, James' dad, Troop 966.

[02:16:52] Chesia Calloway, Parks and Recreation and Community Services. John Mattia, Douglas Community Center with the RCS. Wayne Hyatt, Loudoun County Parks and Recreation. All right, let's try to figure out how to take a picture.

[02:17:15] I'm not sure how that works. That's working, but just squeak.

[02:19:48] Supervisors, I'm going to hold you all off for just a second before we get to public comment. I'm going to just try to finish that item. I don't think it's going to take very long to ask the questions. Would the DEI staff come back to the table? Supervisors, please remember that there are people waiting for our public comments to start at 6 o'clock, so we're already running a little bit behind.

[02:20:07] So as you're asking your questions and such, please keep that in mind. Having said that, if you have questions, please turn your light on right now. Mr. Crony. Thank you, Chair Randall, and thank you,

Carl, and the consulting team.

[02:20:26] So the question I had is about what collaboration and coordination occurred with the Loudoun County Public Schools Department of Equity, Inclusion, and Accessibility, and are there any best practices that can be shared countywide?

[02:20:42] Thank you for that question. The basis of this study was an internal study of our workforce. So we did not engage any organizations outside of our organization here. Okay. Do you anticipate doing that over time?

[02:20:58] If that is something that the board would like to do as one of the recommendations of more community-facing efforts, then that would be a part of that. But the scope of this study was internal. Okay. Okay. Who are the equity ambassadors?

[02:21:16] So the equity ambassadors, they are represented throughout our organization. Most departments, the majority of our departments have one, two. Some have five ambassadors as well. Currently, it's 42 members.

[02:21:32] They are an advisory body to our office as well as a point of contact within our departments to make sure that the information that is happening with OEI and at the organizational level is being disseminated down into departments as well. Okay. And then lastly, I didn't see any demographics of county employees.

[02:21:52] And are they similar to the demographics of those who answered the survey? Yeah, so there's any demographics. Yeah, so I'm happy to get you those demographics as well, if you would like. We had some demographics towards the end of the report, which is more of county demographics, but I can get you the internal demographics if you'd like.

[02:22:17] Yeah, that would be great. And lastly, I noticed that when we talked about staff not being able to afford to live in Loudoun County because of the cost of living, I saw that the ability to work remotely was one of the solutions, and I think that's a really good idea, and I would support that.

[02:22:36] Looking at that as a potential solution with remote work, I noticed that was something that came up. Yeah, there's currently a virtual Loudoun policy that we have right now. And so that at the time of this, this survey had went out, all of that was in the works as well.

[02:22:56] So there is a virtual out in policy. Yeah, I would support that for sure. Thank you. Thank you, Mr. Crony. Ms. Glass. Thank you, Madam Chair. And actually, I'm going off of Supervisor Ticrony's question about the ambassador group. So how were the participants chosen?

[02:23:13] You said there were 42 of them? Yes. So the equity ambassadors came into existence in late 2021. um there was characteristics on uh sort of general characteristics on who we would like to see you know on on the equity ambassadors and um there's a time commitment to it as well um we gave that to our department directors department directors went through um and chose ones from their departments to represent their departments and so that's how they were moved into the equity

[02:23:46] investor ranks. Okay, thank you. I'm so glad that we've undertook this and to see what we're doing well and what we can do to improve in the county. So thank you for the work that you're doing. Thank you. Thank you, Ms. Glass. Ms. Umstop. Thank you, Madam Chair. First, I really appreciate all the

work that went into this. It's fascinating to me to be able to look at the charts and um see you know how different folks feel about different issues one of one of the things that

[02:24:19] the board uh did ask uh staff to track um was also how different uh people of different faiths or religions feel about their experience with the county i noticed that there was not a lot of focus on religion. It does get mentioned, but very little. And what are we doing to make sure that people of all faiths or no faiths feel equally appreciated within our structure?

[02:24:53] Thank you for that question, Supervisor Armstead. I will say that the undertaking of this project and this study happened before the equity resolution was passed in January 17th of 2023.

[02:25:09] So a lot of the questions had already been asked of that. With that, we are embedding the equity resolution in the things that we do going forward and have been. So it's not incorporated in this report because the equity resolution came after these questions were asked.

[02:25:27] Thank you very much. Mr. Kirschner. Thank you, Madam Chair. I almost fell asleep there. Thank you for your work. I just have a couple follow-up questions from the presentation. Actually, there was one matter in the – it talks about the point that talks about the higher cost of living makes it harder to recruit and retain employees, especially from a marginalized background.

[02:25:53] And that's here in Loudoun County. I think that's what the study found. Can you elaborate a little bit on that? I would assume that's in large part the housing here. Is that correct? Yes. We believe that that's what the focus group and the participants were aiming for or were insinuating.

[02:26:10] And did you, and you just looked at the general overall, you didn't drill down like as to the tax rate and how, and compared to surrounding counties or anything like that. Is that fair? So this assessment report, we are gaining, are gathering the data, you know, from that and from the focus groups as well. As we go into the equity plan, these are the things that we would consider with the board's feedback as well.

[02:26:33] And if that's something that we needed, the board would like for us to drill down on, we can. OK, on the six recommendations, I want to focus in a little bit on number five. You talk about monitor and track equity and job selections, career development and promotions. Now, normally, as an employer myself, I look, I want to understand what you're actually saying in terms of recommendation, because, I mean, generally as an employer, I am looking at who the most qualified person is when I'm trying to hire someone.

[02:27:02] So how is it that – what is the purpose of tracking equity in terms of job selection if we want to get the most qualified people, and how does that interact with your qualifications? Can you kind of elaborate on that a little bit? Yeah, so I'll generally speak to that, you know, as well, is I think when we're looking at equity and job selection and career development and promotions, it really is how are we recruiting?

[02:27:34] How are we marketing? How wide are we casting our net, you know, as well? What are some of the questions and attributes that we're asking or some of the questions that we're asking during recruitment? as well that align with the equity resolution that was passed in uh in january um and then i believe hr has already you know started you know monitoring some of that diversity data um that that we actually see and um that that comes out annually so that that's a way that they're actually tracking that so i might make a suggestion to me this is more like hey we're gonna we're gonna

[02:28:10] decide hiring practice on basis of equity rather than how wide we spread our net some of the things that you said make a lot more sense than the way this read in my personal opinion so i'm about out of time but those are just my thoughts thank you absolutely uh mr turner thank you madam chair um the um slide had one bullet point on it which i believe said that in the survey respondents 17 felt a sense of belonging i find that number shocking i don't think i've ever been in an organization in my whole career where i would have not answered yes i have a sense of belonging can

[02:28:48] Can you add some context to that bullet? Yeah, so that's under inclusion of belonging section of the survey. So this is of the 1,043 individuals that took the survey, and it was 17% of that 1,043 that really honed down on that sense of belonging.

[02:29:15] Other than that, I can't get into why it's 17%. um that that's something that we'll have to um to look into as well i mean my my first thought when i looked at it was you know you have a job that you don't particularly like and you're not particularly close to anybody on the job then you wouldn't feel a sense of belonging yeah but i think that would probably be the exception rather than the rule particularly among this survey population that it just really jumped out at me i was really surprised by it right so i just add a little bit

[02:29:52] bit more context to that as well um the way that you know the question was asked and how they could they could answer that question um you know is the the typical questions of strongly agree agree neutral and so forth so this was the um 17 that um were at agree or strongly agree um i'm not for sure of how many were neutral on that question i could probably go back and find that and and and get that number to you. No, you don't need to do that. I'm just curious to see if there's other contacts, but still an interesting number. Thank you. Thank you. Mr. Letourneau. Yeah, particularly

[02:30:32] because in figure 4.4, there's another question. I feel like I belong at Loudoun County and 65% were favorable and 19 were neutral and only 16 were unfavorable. So that seems to sort of contradict a little bit of that other question, which kind of brings me to my macro question, which is, it looks like, you know, obviously we worked with a consultant on this.

[02:30:56] Have these questions been asked of other jurisdictions or workforces? And do we have comparable data? Because I'll be honest, I don't know how to interpret this. I don't know whether these numbers are high or low or unusual or usual. So do we have other benchmarks that we can look at to give some context to what these numbers actually mean?

[02:31:16] Are you asking the exact same survey that has been? Well, either the exact same survey or, you know, similar surveys, or does the firm that we used here, have they done this with other jurisdictions or large employers that may have that data? So I'll turn that over to our consultants. Short answer is yes, we have run a similar survey with a similar question on various organizations and can certainly provide that sort of benchmarking.

[02:31:44] Part of the reason we don't generally provide that benchmarking when it comes to these questions is because, you know, every municipality is different. You know, every county, city differs from the type of culture they foster.

[02:32:00] And sometimes folks really get too much into the weeds of comparing and say, like, oh, well, if we're doing relatively better than this other county, then I think we're in a good space. But relatively,

they're missing the bigger picture, which is there's still room for improvement. but certainly we can provide those type of benchmarking.

[02:32:18] Yeah, I think it would be helpful to understand whether there's some, or at least if there are specific areas here that are way out of the norm, like, you know, the question that Supervisor Turner asked. Because, again, I don't know, you know, how to sort of interpret this and whether these are, you know, some of these are cause for concern or not.

[02:32:36] You know, some of the questions I'm comfortable discussing, X and Y issue. Well, I mean, I don't know how to interpret that. I mean, to some extent, we sort of, on certain things, kind of discourage discussions that make other people uncomfortable. So how do you interpret, you know, someone's not comfortable discussing this?

[02:32:52] I don't know if that's indicative of a problem. You know, it's a question of whether are they comfortable bringing forward an issue if there is a problem, and that I would be really concerned about if they were. So, you know, more context, I think, would be helpful. Thank you. Ms. Brixman.

[02:33:08] Thank you, Madam Chair. Thank you for this. Appreciate the work in conducting this survey. It was so interesting to hear that the cost of housing could be narrowing our pool of potential employees.

[02:33:25] Like, I feel like we've maybe siloed that information because we all know that we need to work on attainable housing. We also know that we've had difficulty hiring in certain areas of the county. But I guess I just never put two and two together, that someone might look at a job application for Loudoun County and just assume I can't live there.

[02:33:43] So I think that's fascinating data. So thank you for that point. So based on the survey's findings, our LGBTQI employees are feeling a little bit not seen, it sounds like, not comfortable about talking about identities.

[02:34:00] I'm wondering, and this might get to Mr. Letourneau's questions, I'm wondering if there might be some other indexes that we might be able to use. For example, I know the human rights campaign does an index. There may be some other sources like that where we could do an index.

[02:34:17] And then we can actually, that could actually help us with hiring, I think. If we can say, you know, we rate, you know, 95% on the human rights campaign index or other indexes. So do you think you guys might be looking into that? So in the scope of this, we were looking at this specific study that's here.

[02:34:43] If that's something that the board would like to go down or that path, then that's something that staff would follow. But we haven't considered bringing in other surveys and other accountability mechanisms. Okay. All right.

[02:34:58] I think that would be useful. I don't know if we need a motion for that or just direction. And then I want to focus on number six in the recommendations, focus on efforts on community-facing DEIA work. I find this fascinating, and I'm hoping that perhaps the recommendations coming forward, I understand you're going to go back and then maybe come back with some more recommendations, if you might suggest the county make more investments in sort of outward-facing efforts.

[02:35:30] For example, I feel like in Loudoun County, it's nonprofits and community organizations that do like our big festivals. And, you know, like Pride is great. And I know that Parks and Rec supports and supports a lot of other things that happen in the county.

[02:35:45] But I don't know if we're leading on those things. And I just checked our county Facebook and Twitter and it said, you know, we're celebrating Black History Month. But then I don't see anything coming out of the county as far as events. Hey, we're doing this for Black History. We're doing that for Black History.

[02:36:01] So I'm hoping that we can really expand number six, and I think it might require some funding. Thank you. Okay. I think we're actually doing a lot for black history within the county.

[02:36:24] Okay. Well, I don't have any questions. I know where you guys are if I need to ask questions, and I am good, and I appreciate you. Thank you very much. all right we have quite a few um people who are going to be speaking if i call your name could

[02:36:53] you please come to the podium all right um if i call your name will you please come to the podium podium closest to you you will have two and a half minutes and when your time is up please yield the floor to the next speaker um and i will call your name in order so that you know you are going to be coming up next our first speaker is ted lewis called followed by mary turpak followed by Audrey Carpenter. Good evening, Mr. Lewis. Good to see you. My name is Ted Lewis. I live at

[02:37:33] 20964 Turner Farm Lane, Leaseburg, Virginia, Little River District. I'm here to speak about data centers. Data centers have really helped us grow, but there's a couple issues that need to be addressed, noise and power. I live directly across from the True North Data Center, which was approved by a prior board in 2017. That project was approved for rezoning, although it had substantial public outcry. It was also approved even though the supervisor whose district it was

[02:38:07] in opposed it. But regardless, it was approved. You'd have to ask the supervisors that voted for it why they approved it. But I think the reasons were there was a \$17 million a year annual tax revenue going to be generated and there was also an innovative hvac system that was going to be utilized well the project is still under construction so my guess is we haven't seen any of the 17 million per year and also the innovative hva system ends up being a lot of large noisy fans

[02:38:44] that have caused a lot of problems that project is currently not even completed fully capacity and there's been noise complaints miles around that site so i encourage the board to look at the current noise regulations in the transition area which is a maximum of 55 decibels which is not appropriate for low density housing and open space and address the existing data centers in transition zone and any new data centers coming forward also i'd like to have the board address the power issue

[02:39:22] I serve on the Dominion's Loudoun Energy Reliability Group, and what they've told me is they do not, on an individual data center, determine what impact that will have on the local grid. I also understand that Loudoun County does not analyze the impact of an individual data center on our power grid.

[02:39:43] So if those two things are true, we really shouldn't be making decisions on approving data centers until we understand the power implications. It only makes common sense. It's a utility just like water. Thank you very much. Thank you, Mr. Lewis.

[02:40:00] Mary Terpak followed by Audrey Carpenter. Good evening, ma'am. Good evening, Chair Randall and members of the board. I am Mary Terpak, and I live two miles south of Lovettsville. I'm speaking tonight in support of CPAM and ZOAM 2024-0001.

[02:40:19] We all know the challenges this county faces due to the proliferation of data centers. When AOL arrived years ago, the county population was growing very rapidly, and data centers seemed like the answer to our prayers. Large infusion of tax revenue, no school seats required.

[02:40:38] Now the county still receives a huge infusion of tax revenue, but the school seats have been replaced by the massive amounts of electric power required. More data centers, more need for power, more transmission lines, more substations, more intrusions on the lives of our residents and our countryside.

[02:40:57] And even though the county will continue to receive significant tax revenue, the actual cost of installing and maintaining the electric infrastructure will fall on us, the rate payers. In other words, each residence, each business, the county government, the school system, will see their electric bills go up, perhaps doubling in the next few years.

[02:41:20] The action you take tonight directing staff to develop criteria for the location and standards for new data centers is a critical first step in getting the data center problem under control. And until you have adopted these amendments, you should place a moratorium on all legislative approvals of data centers.

[02:41:42] In closing, I urge you to include language in the CPAM to specifically exclude data centers from the rural policy area. Thank you. Thank you. Audrey Carpenter, followed by Kavya Kumar.

[02:42:00] Good evening. Good evening. Good evening, Board of Supervisors. My name is Audrey Carpenter, and I live in Leesburg. Route 7 from Sterling to Leesburg is constantly bombarded with clumps of real estate advertising signs being erected along the road, both eastbound and westbound.

[02:42:23] We've all seen it. literally at every single exit ramp on Route 7. This has been going on since summertime and is also occurring along town roads in Leesburg. The individual erecting these signs on the shoulders and medians was finally caught two weeks ago. I videotaped him hammering stakes into the ground and that information was turned over to the Leesburg Police Department as well as Loudoun County Sheriff's Department with assurance to me that both would reach out to the individual and tell him to stop breaking town and county ordinance that

[02:43:02] did not happen upon follow-up I learned the individual was not contacted at all by the Leesburg PD nor the sheriff's office I can provide email communication regarding that if you would like I have now contacted the state police for the Leesburg area and I'm working with a trooper to make contact with the individual. Law enforcement knows exactly who this individual is, yet will not reach out to him.

[02:43:31] This makes absolutely no sense. And so the signs continue to go up every single Friday night at sunset, and street crews have to go out every Monday morning and collect them all. This is unsightly, illegal, and causes problems for mowing and snow crews. It's also a burden for street crews who could be concentrating on other issues. VDOT has been contacted and sent photos of the problem and have been very lax in correcting the problem. I am formally requesting the help of this

[02:44:03] board with this matter. Thank you. Thank you, Ms. Carpenter. Kavya Kumar, followed by Rhea Badungay, I believe. Good evening. Good evening. I'm Kavya, and along with my friends Rhea and Sahana, we are high school students at Independence High School. Today, our objective is to use this platform to raise awareness about the need for transparency in data center environmental impact reporting. We also want to look to compare data center environmental regulations in Loudoun County

[02:44:39] with regulations nationally and internationally to identify areas of opportunity. Despite the environmental effects, we recognize that the business within the data center alley account for an estimate of 30% of the county's annual tax revenue, or roughly \$586 million.

[02:44:56] Considering this, we think it is important to consider both sides to find the fine line between the environmental repercussions and the economic benefit. Our research shows that data centers in Loudoun County are governed by the following environmental laws. The HB 116 bill enforces data center operators to only be eligible for sales and use tax exemptions if they have a power usage effectiveness of 1.2 or less.

[02:45:23] In addition, based on the recommendations from the Transportation and Land Use Committee, data centers will no longer be approved by right in suburban mixed-use locations. A site assessment will be conducted to examine the effective data centers on water usage, carbon emissions, as well as impacts on agricultural resources.

[02:45:42] Thirdly, the Virginia Clean Economy Act established in 2020 enforces a Renewable Energy Standard Portfolio, or RPS, which directly states that by 2024, Dominion Energy will produce 100% renewable energy. This will directly impact data centers' renewable energy consumptions over 20% of Dominion's energy supply goes to data centers.

[02:46:04] Next, we see Rhea explaining the current laws that are outside of Loudoun County. Well, thank you very much. And, Rhea, if you will come up, and then you'll be followed by Suhana, and then followed by John Ellis. Good job, young lady. Good evening. Good evening. I would like to offer the alternative perspective, which is laws outside of Loudoun County.

[02:46:25] We wanted to look at similar regulations in other states and internationally. Some regulations we wanted to highlight were Europe's Energy Efficiency Directive, which has policies that state that data centers within Europe must be transparent and report their temperature set points, power, water, and carbon usage effectiveness, along with their energy reuse factor and renewable energy use to each and every member of the public.

[02:46:51] Additionally, numerous significant regulations were set in place from the EU's Climate Neutral Data Center Pact in order from 2021. This pact set goals such as by January 1st of 2025, new data centers will be required to meet a Maximum Water Usage Effectiveness, or WUE, of 0.4 liters per kilowatt hour, and an annual PUE target of 1.3 and 1.4 for new data centers running at full capacity in warm climates. Additionally, data centers must match 75% of their energy with clean energy by the end of

[02:47:24] 2025 and match it 100% by the end of 2030. Another ordinance was established in Chandler, Arizona, which requires a pre-construction sound study to establish a noise baseline. Additionally, it requires sound mitigation measures such as noise reduction panels in data centers, as well as establishes a detailed communication protocol to notify impacted residents about pre- and post-construction.

[02:47:50] Although this is mostly related to sound, we have seen in past speeches given just here today that the impacts are resonating here in Loudoun County as well. With that, I would like to welcome up my additional member, Suhana. And one more time, I will say very, very good job.

[02:48:06] Thank you, Suhana. We're ready for you, and you're going to be followed by John Ellis, if he's here. Yes, ma'am. Good evening. After comparing the regulations globally to the regulations in Loudoun

County, we noticed that there is an opportunity to strengthen policy in Loudoun County in the following areas.

[02:48:24] First, requiring transparency on power, water, carbon effectiveness, energy consumption, and waste generation and management. Secondly, set specific standards on WUE, PUE, and waste heat utilization depending on the power and location of data center.

[02:48:42] Lastly, stricter permitting processes for data centers, consider distance from residential property, design and size of data centers, generator testing hours, and conducting sound tests, conducting of sound tests. Overall, we recognize both the environmental impact and economic gain of data centers in Loudoun County, and through our research, it has become evident that it is critical to find a balance between the two. We plan to spread awareness through our project with Step Up Loudoun and by working with LCPS. As residents of Loudoun County, we wanted to voice our concerns. We welcome your feedback

[02:49:18] and comments as we continue to spread this message. Thank you for your time. Well, thank you, and I'm looking at your parents doing videotaping of you, and you should, because they were fantastic. Thank you, young ladies. Thank you very much. John Ellis and Mr. Ellis, you're going to be followed by Ben Kiefler.

[02:49:34] Good evening. Thanks. Those were awesome, President. Yes, they were. Thank you. I'm John Ellis. I'm from Hillsborough, and I'm speaking on behalf of the board of Saverall Loudon. Like everybody else, we're concerned about the impacts of data centers, power lines, and the greenhouse gas emissions that come from them.

[02:49:54] So we need to reflect on why the county has become so dependent on data centers, revenues, that it's very difficult for the board to say no to them. The underlying reason is that county spending has been rising extremely fast for a long time, and no one wants to raise real estate taxes. And even with all that spending, roads are still congested, some schools are still overcrowded, teachers are underpaid, and you don't have enough staff to get the county's work done.

[02:50:25] We now know that there's no free ride. One way or another, citizens will pay. Either we'll have more and more data centers and we'll pay when our electricity bills double, or you'll put a break on data center development and we'll pay with higher real estate taxes. In principle, there's a third option, and that's reining in county spending. But you can't do that if maximum density developments like Clear Springs, Tillots View, and Greenfield Farm continue to go forward. As a direct result, the roads will be even more congested, the schools will be more overcrowded, and the board

[02:51:04] will need to find more sources of revenue. And all the by-right development going on in the rural policy area will cost taxpayers even more. There's no easy way out of the data center problem, but it is possible to stop making it worse. So please stop approving upzonings that create bigger public service deficits. Please reconsider your dismissal of PDR, and please cut back on by right development in the rural areas.

[02:51:34] We've gotten ourselves into a deep hole, and it's time to stop digging. Thank you. Ben Kiefler, followed by Neil Larrabee, followed by Elizabeta Larrabee. Good evening, sir.

[02:51:52] Good evening, supervisors. My name is Ben Kiefler. I live in the Little River District. I am also here representing my HOA, Loudon Meadows, which is located off of Route 50 and Fleetwood Road. Some of our supervisors, Mr. Crony, Mr. Luterno, and I believe Mr. Turner, have all been out to the community.

[02:52:14] I think we, I don't know if it's an official record or not, but I think we hold one of the closest proximity installations of data center properties in the county. And I think that qualifies us quite uniquely to come here to you and say that not in my backyard or NIMBY, as I've heard some of the developers say, is something that I think we're uniquely qualified to talk to.

[02:52:42] A little bit of a misunderstanding on my part. I'm going to leave a presentation that I guess you guys will get tomorrow, something you may have seen in the past, but just kind of a pictorial of our community and the impacts that this data center, set of data centers has had on it.

[02:53:00] In the photos, you'll see that off the property line, the neighboring property line, we're 100 feet, okay, from the data center to the property line. Data center is 70 feet tall. my neighbors in the community in that area. We've got one that it's approximately 140 feet from their deck to the side of the data center. These folks used to have morning sunshine and now they have morning shadows across their homes to give you some context. These facilities were under a

[02:53:36] lot of legal review and for a long time were not completed. They're in the process of doing that now, and I think they're going to be online here soon. My message is, as you go into the CPAM and ZOAM review, I also sit as a member of the Zoning Ordinance Committee, and I was proud to make changes that were accepted within the new ordinance. And I think there's a lot of steps forward, but I wanted to give you this kind of refresher look at what we were dealing with as you're contemplating data centers going forward. And I also want to highlight that I think,

[02:54:12] I am an IT guy. This is the line of work that I'm in, and I think it's important. We do capacity planning all the time as part of our work, and I think it's important that the county do the same in particular with the electric. Thank you. Thank you very much. Were you speaking on behalf of your HOA, sir? Yes, ma'am. Okay, thank you. Thank you. Neil Larrabee followed by Elizabeth Larrabee followed, I think it's on Webex by Richard Ramos. Good evening. Good evening. I'm Neil Larrabee from Lovitzville. I understand that this subject has already been scrutinized, but I feel it

[02:54:51] warrants repetition. Yesterday, I had a lengthy conversation with an MIT nuclear physicist who has had a distinguished career in nuclear energy planning and risk assessment. With that conversation in mind, I would like to make a case for employing, and you've heard this before, yeah, employing small modular reactors into Lowden's already overextended power grid, and hence, hopefully, obviate the need for running the invasive and contentious Mid-Atlantic resiliency link and or others.

[02:55:28] But first, two misconceptions that bear repeating and one always hears. First, there is not such an extended wait for the advent of incorporating SMRs in the power grid, as some describe.

[02:55:43] One SMR model has already cleared approval of the Nuclear Regulatory Commission, and Microsoft has signed an agreement with Helion Energy in Washington State to put its fusion SMR online in 2028.

[02:56:02] Second, nuclear waste disposal of SMRs take up but a fraction of space compared to other toxicities, and protocols for its storage render it remarkably safe. So those are two things. Yes, it's expensive, but consider that the \$3 to \$5 billion projected cost of the 150-mile MARL project is likely to accrue additional cost overruns from delays through litigation and demands for underground burial that may increase costs of affected areas by some four to ten times.

[02:56:37] SMRs offer relatively small footprints, a variety of flexibility of designs, and a means of producing considerable energy that is green. As such, they are considered to provide one of the prime pathways to decarbonization.

[02:56:53] Rarely can SMRs be properly placed in our energy ecosystem when the cart is placed before the horse. That is, data centers before infrastructure. I know others this evening will be scrutinizing that same aspect of planning. I wish this board Godspeed in solving our dire energy needs at this crucial moment, which will have a lasting legacy that affects us all.

[02:57:19] No pressure. Thank you very much. Thank you. Eliza, I think it's BDL, followed by Richard Ramos and Aaron Walter. Would you say your first name for me? I'm Elspieta Larabee. Okay. I was born in Poland. I live here for 44 years.

[02:57:36] Thank you. We're ready for you, ma'am. And I live in Lavitzville. Madam Chair, members of the board, today I stand before you to express my concern of a matter of grave importance that threatens the very fabric of our cherished historic area.

[02:57:55] We love Loudoun County. the proposal to run 500 kilowatts power lines through this pristine landscape not only reflects a lack of careful consideration for the sanative of our heritage, but also poses immense risk to our cultural sites, farms, vineyards, homes, and delicate balance of the ecosystems that have flourished here for centuries. We should consider a more prudent approach to address the power

[02:58:32] demands. The existing easement already in place has the potential to meet the required capacity with the strategic upgrades to existing power equipment or the incorporation of a new, more efficient technology along the long route. In the light of these considerations,

[02:58:56] We strongly propose an operational pause on development, a moratorium which will allow for a comprehensive assessment of the real impact and exploration of alternative solutions.

[02:59:14] It is our duty to safeguard the delicate balance between progress, ensuring the legacy, that respect our past while embracing a sustainable future for generations to come.

[02:59:33] Thank you. Thank you. Thank you very much. The next two speakers on the WebEx. Okay, so we have Richard Rasmus and Aaron Walter. Good evening. Yeah, this is Richard Rasmus from Hamilton, Virginia.

[02:59:50] I am the chairman of Resilient Utilities Now, which is a nonprofit regarding critical infrastructure resilience. In fact, I just pulled off on the road coming back from a two-day conference at PJM in Philadelphia. And I'd like to commend the board for prioritizing the evaluation and modification of zoning and CPAM options before it.

[03:00:15] and support the creation of a staff-led project team, which would issue a report due in 2025, and I'd be glad to help in any way that I can. Data centers have been like a tonic or a remedy for Loudoun County's economy and finances, but like any medicine, you can overdo on a good thing.

[03:00:38] This is particularly true if you don't have a prescription that you can follow, and today we don't have that. As a county, and as several have already discussed, we're feeling many symptoms now, neighborhood disruption, pollution, commercial land inflation, and power lines that are required solely by data center growth, and which, by the way, are wiping out all of the energy conservation efforts that everybody in the county and across the state are making.

[03:01:11] We had 26 million square feet of data centers in 2021. We have 34 million now. There have been 41 million square feet already approved, and more that were grandfathered, applications were grandfathered in December.

[03:01:28] So I can tell you, having come back from this conference, that everybody there is very worried in general about the rapidly growing load, electricity load imposed by data centers. Plus, it could double, triple, or even quadruple the energy demand per existing square foot.

[03:01:49] This, you know, I think that what's called for is a pause in any zoning ordinance amendments or special exceptions to zoning to data center applications until we can have an opportunity to study this problem, to make adjustments accordingly.

[03:02:10] I know the board has very little ability to act on properties that are already zoned for data centers, but I would urge the board to adopt a pause in this process to ensure that we have the infrastructure necessary to support the data.

[03:02:27] Thank you so much. Thank you for your comments. Aaron Walker, followed by Bill Hatch, followed by Jeff Mack. Ms. Walker, she's on the WebEx. Her line just dropped. I think she'll be calling back soon.

[03:02:44] Her line just dropped. Okay, who's talking to me? Where are you talking from? Okay, who's talking? You're like pointing to heaven. Right, right. So when he gets back on, yeah, let me know when he gets back on.

[03:03:01] Bill Hatch, followed by Jeff, is it a match or mock? Followed by Carlos Gutierrez. Good evening. Good evening, Madam Chair and Loudoun County Board of Supervisors. I'm Bill Hatch, and we farmed here for 74 years, from dairy to now wine and beef on Mount Gilead in the Catocin District.

[03:03:24] Data centers seem like a great idea. They really did. They seem great to me, and they look like a real win for Loudoun County. Super idea. But now we have a seemingly trivial compromise here.

[03:03:41] Capitalization of a minor evil, we thought, and we didn't really realize what we were doing until it's too late. I mean, that's somebody else's quote, but I'm using it here, and it is getting late to try to figure this out. We're not electrical engineers, but now we are very alarmed at the massive amount of power needed now and in the future for the data centers in Northern Virginia, and it does look like perhaps we haven't been keeping up with the math on what is needed.

[03:04:14] Much of the power coming on these new PJM lines will be dirty power by coal-fired plants, which really is kind of against what we're trying to do right now. Loudoun must consider the impact of the electrical needs in the comprehensive plan and in the zoning ordinance and must, I hope, amend as necessary.

[03:04:41] I think that power needed by the power companies, as they're stated, is understated because they're only looking at the immediate needs. And when we consider that today each rack unit is a stall in the data centers, it's using about three times as much power as they were 20 years ago when we first saw data.

[03:05:04] Because of miniaturization, everything's getting smaller. And with AI coming in, we're talking about perhaps five times as much power that we're just having a hard time dealing with. I wanted to go on

to say that in 2021, the tourism in Loudoun County, the revenue for tourism in Loudoun County topped over \$4 billion, which is quite a figure considering what we're doing in Loudoun County.

[03:05:33] Loudoun farmers depend on tourism. I depend on tourism. Please imagine these hideous towers, and they are going to be pretty hideous, that are four times as high as this building. Mr. Hatch, thank you.

[03:05:50] Thank you. I appreciate your time. Thank you. Do I have Aaron Walter on the line again? He's on the line again? Okay, we're going to go to the line, and then we will go from there to Jeff Mock, or I think it's Mock, followed by Carlos Gucerna.

[03:06:09] If he's on the line, we're ready for him right now. Actually, it's a woman. Hi there. Yes, yes, we're ready for you. Hi there. Hi, this is Aaron Walter from Leesburg. I'm sorry about earlier. I hit the wrong button. It's okay. Never dialed into one of these things. Anyway, I'm here to say that I think that to talk about data centers, first and foremost, I don't think any data center ever should be by right.

[03:06:35] I think an individual requires too much infrastructure to be handled independently of the board supervision. I also think it's time to take a pause on data center approvals.

[03:06:52] I think Loudoun needs to have an updated vision for where data centers belong and what standards they have to meet. I think that there is a lot that we don't understand about the impact of data centers to our historic area, and it's causing potential loss of quality of life to many people, property values, loss of income for businesses, diversity, lack of diversity in our economy.

[03:07:29] We need to publicly understand the implications of data centers more than we have, such as the energy infrastructure that we've been talking about. CPAM should clearly define both where standalone data centers do and do not belong.

[03:07:49] It should be clearly called out that data centers don't ever belong in the transition policy area, nor policy area. In general, I think that we're digging a hole and we don't understand all the implications of what we're doing fully right now.

[03:08:08] I think chips at the centers will continue to progress and need more. Then I think we need to stop and think about the implications. Thank you. Thank you. Thank you, ma'am. Jeff Mock, followed by Carlos Gucerna, followed by John Benedict.

[03:08:27] Good evening. Good evening. My name is Jeff Mack. I live in the Yellow River District, just outside of Ashburn, actually very close to Ted Lewis, who spoke first. And I'm going to echo his comments about the data center noise generated by TrueNorth specifically, but by a lot of data centers.

[03:08:45] I'll preface my comments by saying that I work in this industry. My company, DAS, is bread and butter. This is how I make my living is data center and data center storage. So I'm not against data centers. But having that said, a little over a year ago, Compass Data Centers started operation at the TrueNorth data center site.

[03:09:04] The cooling equipment of the four data center buildings that they've built so far started generating an extremely disturbing buzzing sound that could be heard well over a mile away from the sites and deep inside houses. What we did is we went knocking door to door, we reached out on social media to find others who were also bothered by the noise.

[03:09:24] And we received dozens of testimonies from residents of Goose Creek Bend, Red Cedar, the Preserve at Goose Creek, Belmont Glen, Goose Creek Village, Ashburn Farm, Belmont Ridge, as well as folks living on Goodick Mill Road and Turner Farm Lane. The sound was compared to a helicopter in stationary flight nearby or your next door neighbor mowing their lawn 24-7.

[03:09:47] It became extremely difficult to fall asleep and stay asleep at night. It became impossible to enjoy any time outdoors, and the noise started taking a huge toll on our mental health. In the most extreme cases, people living closest to the data center could only sleep by wearing noise-canceling headphones.

[03:10:03] We estimate that over 2,000 residents in the Little River and Ashburn districts were impacted by the noise. We found a coalition of impacted neighbors, and we reached out to Compass. They mitigated the problem a little bit, but it's still present today. We actually expect it to become worse in 2024 because they are now building a two-story data center building that is bigger than the first four buildings combined.

[03:10:26] We also reached out to the county last spring to see if Compass was out of compliance with the zoning ordinance. So zoning enforcement made measurements directly across the road from True North when the noise was the loudest and the most disturbing. And they found that it was, in fact, below the 55 decibels limit of the ordinance.

[03:10:44] And so what we're asking is for the board or the county to explore ways to improve the ordinance because the 55 decibels limit is not adequate for data-centered tonal noise. Thank you. Thank you. Thank you very much. Carlos Gucerna, followed by John Benedict, followed by Madeline Skinner.

[03:11:04] Good evening, sir. Hi. Good evening, folks. My name is Carlos Gucerna. I live in River Creek here in Leesburg, a beautiful place to live. Been here since 2017. I'm on the Mobile Hope Board of Directors. I thought I'd mix it up tonight and bring a little different topic to you this evening.

[03:11:23] We'll get away from the data centers for a bit. Obviously, there's been pressures, financial pressures since the pandemic for all. Mobile Hope's not unique in this. For nonprofits and folks who are trying to raise money, it's been a little bit tougher these days.

[03:11:41] So Mobile Hope as an organization has had to shrink a little bit and provide a little bit of less services lately than what they'd like to, to provide help to these teenagers and these young adults up to 24 years old. A quick background on me.

[03:11:57] I'm a 20-year military veteran. I was a supervisor attorney who was gracious enough a few months ago to a couple of his staff and him to host me on a Microsoft Teams. I got to know Supervisor Turner, and I'd like to get to know you all as well as a member of the board of directors there at Mobile Hope.

[03:12:18] And I'm also a 20-year military veteran as well. I flew around the world, Iraq, Afghanistan, all that, and I'm currently a captain on the Airbus for a major airline out of Dulles is what I do right now. So I do travel all over the country, recently all over the world.

[03:12:33] I was on the 787 getting out to Ghana and places all around the world, Israel, things like that. But now that I'm here and I'm back in the States domestic, seeing the the homelessness across the country and visiting the West Coast and seeing what's happening, it's on the way.

[03:12:50] There's some there's some of it here and there's more of it on the way. So it's certainly not a problem or something that we can ignore. I know that you all have been paying attention to it and that rightfully so, of course, affordable housing. But the young people being kicked out of their homes or those who are struggling with mental health and drug abuse issues, that is coming to the forefront.

[03:13:12] And so to get ahead of it would be a great thing. And we're looking to partner with you all as best we can to continue to provide the services that we have been. And we've had some great successes lately. Just a few nights ago, we moved a couple of, or I should say a couple of young ladies moved into their own apartments.

[03:13:29] and they're self-sufficient now going from being booted out of their homes to Mobile Hope nurturing them and getting them, you know, what they need. So it's more than just money and services. It comes from the heart, and there's plenty of that in Mobile Hope giving these people what they need to move on.

[03:13:45] So thank you for your time. Thank you. Thank you so much. I appreciate you. Thank you. John Benedict, followed by Mountain Skinner, followed by Tia Ehrman. Good evening, sir. Good evening. Thank you for your attention. I am John Benedict from Middleburg. Thank you for recognizing that our data center zoning needs updating.

[03:14:06] We have more than enough issues with projects that are currently by right, in my view, as from some others you've heard here today. Because of the outsized impacts, reasonable zoning should require all future data centers to secure special exceptions, in my view.

[03:14:23] That doesn't mean that none can be built. It means that their growth would be appropriately managed and their contributions and impacts better balanced. In the meantime, the board should pause all data center special exceptions and zoning waivers, the non-right-by-right developments, until it can review the problems more comprehensively.

[03:14:42] Inefficient power is the biggest issue warranting a pause. Data center's extraordinary growing demand requires massive, terribly obtrusive new transmission lines in western and eastern Loudoun. The more applications the board approves, the more Dominion must build. These are going to cost consumers billions. Dominion projects builds will double by 2035 because of them.

[03:15:01] But the other zoning issues warrant a pause, too. Use-specific standards can make a meaningful difference to neighborhood impacts that we've heard tonight. Regulations for setbacks, height, FAR, AC and generator noise, facades and screening, landscaping, and site design, for example, all warrant tightening.

[03:15:19] The draft's proposals are a good but very, very modest start. Of course, trying to pretty up massive complexes and manage noise doesn't address the larger problems. These include the excessive size and density and their neighborhood environmentally. air quality, and energy impacts, too.

[03:15:37] Thus, in addition to better rules on aesthetics, on size, setbacks, height, noise, and so forth, the CPAM and ZOAM should update the comprehensive plan to specify not just where data centers may be built, but also where they shouldn't be. It should clarify they don't belong in inappropriate place types.

[03:15:56] They don't belong in suburban neighborhoods. They don't belong in joint land management area or mixed-use place types. They don't belong in the transition policy area. and they don't belong in the

rural policy area. Thank you. Thank you. Thank you, sir.

[03:16:12] Madeline Skinner, followed by Tia Ehrman, followed by Jim Bingle. Good evening. Good evening, Chair Randall and Supervisors. I am Madeline Skinner, and I am currently very discouraged, yet still determined, Loudoun County resident. First of many issues impacting us at the data centers, amongst many statements, you have heard the word pause tonight.

[03:16:33] Allow time to rethink the vision that will be the future of Loudoun County. we are at a critical point that only you all can choose how best to stop us from spiraling out of control. Whether it's data centers, the power infrastructure needed to support them, the massive housing developments, or the destruction of our rural landscape. Learn the word no, and for Pete State, stop rubber stamping every application that includes one or more special exceptions.

[03:16:56] The county government that does not listen to its residents and their own advisory boards who ignore the comprehensive plan and zoning with allowing special exceptions is a sad situation. Those who do not truly see the importance of the county's need for more parks, more efficient use of open space, and acknowledging the importance of maintaining Loudoun's rich agricultural history is doomed to bulldoze everything in the name of progress and the almighty dollar.

[03:17:20] One point I want to make on what happened on January 10th with your vote on the Philomont Firehouse. You know I can't get out of here without that. There are no wins, only losses for Philomont residents. We will lose our community green space to four or seven acres of asphalt and metal. We will be left with an abandoned building that could ultimately end up running in county inventory or in the hands of a developer, which is just a repeat of Aldi.

[03:17:44] Those that you chose to listen to, the three Philomont bullies, who obviously do not care in the least about our village for the last 20 years, will have won with your support. You all are not calling them out on their declaration of not allowing the existing firehouse to be used for the very feasible addition renovation.

[03:18:02] You are allowing the bullies to win. The safety of our rural residents is in jeopardy, and it will not be solved by this new suburban-style firehouse. Unfortunately, that is the actual point being completely missed. Trucks that are too large to cross almost 40 bridges and cannot access many driveways and safely maneuver some of our rural roads are the problem.

[03:18:20] Smaller apparatus is the solution. An ambulance that has sat in Philomont Firehouse for over two years with no staffing, when two-thirds of 911 calls or medical emergencies, is an issue. The propaganda that has been used is you will get a staffed ambulance when the new building is built. Last, the most misdirected message and response time is the fact that the national average should be eight minutes in response.

[03:18:42] We are currently at 15. I'm out of time, but we will be sharing more about this study, about the actual response time in rural Loudoun. Thank you. Thank you. Thank you, Ms. Skinner. Tia Ehrman, and our last speaker is Jim Bingle. Good evening, all.

[03:19:01] My name is Tia Ehrman. I'm speaking on behalf of the PEC this evening with our input moving into the vital data center CPAM-ZOAM process. We are very glad to see the board moving forward with this process swiftly as the industry so impacts the quality of life for many of Loudoun's residents, as we've heard a lot of already this evening, and deeply impacts the energy future of our entire region.

[03:19:23] We continue to ask you to pause on any further legislative approvals for data center applications while the energy crisis we face is resolved. Aside from discussing where and how our county supports data center development, it is very important for the comp plan to specifically indicate place types where data centers are not envisioned and specify the lands within those place types will not be rezoned for data centers.

[03:19:49] Our county will be on the strongest footing, legally speaking, and with our residents if we draft a comprehensive document now and adhere to it without regularly overriding the plan as just a guide. Continuing to grant so many exceptions to the plan undermined it with residents, as well as undercuts its purpose as a legally sound grounding to back up county decisions.

[03:20:13] PEC supports explicitly stating we do not permit data center development in the urban employment place type, the suburban neighborhood and mixed-use place types, the transition neighborhood and mixed-use place types, all rural place types, and the JMLA place types and associated zoning districts.

[03:20:30] Special exceptions are appropriate where the use is in accordance with the comp plan, but only specifically when there is a need for additional control measures to mitigate site-specific negative impacts for that site. As for addressing the broader regional impacts with the industry, the CPAM-ZOAM must include energy efficiency performance standards for data centers.

[03:20:52] Proximity to high voltage transmission lines should not be a qualifier for approval or be considered until such a time as the existing power issues are resolved. Additionally, substations have the potential for big visual impacts on residents and should also meet performance standards and be included in the CPAM SOAM.

[03:21:12] We feel the county must encourage distributed energy, rooftop, parking lot, and geothermal as part of an overall approach to meeting its energy and greenhouse reduction goals. It's important to recognize the clean energy goals for our entire state are being derailed by a single industry.

[03:21:30] The power lines threatening to impact all of our residents will be moving energy to data centers produced by coal. Thank you. And our last speaker is Jim Bingle. Good evening, Chair Randall and board members.

[03:21:48] I'm Jim Bingle, also speaking for the Piedmont Environmental Council. Besides our recommendations for the CPAM, we have several recommendations to consider for the ZOAM as well. We commend the new list of use-specific standards that were adopted with the Zoning Ordinance Rewrite, but regulations are only effective if they are enforced.

[03:22:08] Data centers have long been allowed to get waivers on natural resource protections that are expected from all types of development. They should be required to follow the same on-site measures, specifically protecting on-site streams, tree-save areas, and other natural resources.

[03:22:25] In addition, waivers should not be permitted for purposes of increasing density or intensity of a data center development per Chapter 7 development standards, in the zoning ordinance I mean, including building requirements for lot coverage, FAR, building height, transitions or standards and use specific perimeter setbacks.

[03:22:47] Energy efficiency performance standards have been mentioned for consideration, but I didn't really see them called out on the list. These are essential for development on all sectors and those with the greatest impacts should offer the most mitigation measures.

[03:23:07] Low impact development must be required for for all types of development not just legislative applications as well as energy efficiency certifications. Incorporating rooftop and parking lot solar with development helps to lower long-term costs for the for the owner of the the building. It also reduces energy consumption and could be paid for through the CPACE program.

[03:23:31] Geothermal should be included as a renewable energy option to quantify renewable inputs to the grid and reduce energy demand and greenhouse gas emissions. The zoning ordinance should require data centers to work with the county in utilizing their waste heat, substations that should be required to be on site for data center development, and natural gas backup generators should be part of the performance standards, but they shouldn't be used as a primary power source because it's just going to add to our local greenhouse gas emissions.

[03:24:10] So that's just a few. We'll be interested in engaging with the county more as this process continues. Thank you. Thank you, Ms. Bingle. And that was our last speaker. Supervisors, I may change the agenda just a little bit, because I think there are people in the room who do want to hear the data center discussion when we get there, but we also haven't had a break yet, and we need to, at some point, do that, too.

[03:24:36] So what we're going to do right now is we're going to go on and do appointments and confirmations, which should take seconds. We're going to do our board comments, take a break, come back and do the data center item so that people who might want to stay around to watch this data center item can do that.

[03:24:53] We are not going to do closed session during our break, because the closed session is going take longer than we will have in the break, but we will move the data center item to the first action item so that people who have spoke on that or may be watching can get that done before they feel like they have to leave the room.

[03:25:14] All right, but let's quickly do confirmations and appointments. If you have a confirmation or rather a nomination, please put your light on. Ms. Umstead. Thank you, Madam Chair. I'm going to nominate Terry Randolph to the Heritage Commission she got her application in Monday I believe thank you mr. Turner thank you ma'am chair not I nominate Roshi Shaw to the transit advisory board to fill the aspirin district representative seat thank you mr. Kirschner thank you madam chair I'm going to reappoint to the animal

[03:25:53] advisory committee mr. Thomas Bove for the Catoctin district representative Thank you. Mr. Letourneau. Thank you. I will reappoint Mr. Ron DeSilva as the Dulles District Representative on the Communications Commission. Thank you. Mr. Croney.

[03:26:10] I nominate Thermal Ready as an at-large representative to the Housing Advisory Board. I nominate Adrian Cook as a Little River District Representative on the Animal Advisory Committee. And I nominate Ben Keithler as an at-large representative to the Advisory Commission on Youth.

[03:26:30] Thank you. Ms. Glass. Thank you, Madam Chair. I nominate Mr. David Bryant for appointment to the Facilities Standards Manual Public Review Committee. I'll nominate Ms. Truphelia Parker for

appointment to an at-large seat on the Advisory Commission on Youth.

[03:26:46] And I will nominate Haley Brown for the at-large seat on the Community Services Board. We will now go to board comments, and I will come to you first, Mr. Turner, for your board comments.

[03:27:02] then would go everywhere else mr. Turner board comments I have none oh I do have some disclosures I'm sorry hang on a second I just have disclosure and on Wednesday January 17th my staff and I met with Kim Hart and Maram Sujith and good works Paki Crown from Bowman consulting and Sasha Brower from Walter Lucy to discuss the application for that is going very well it's our first

[03:27:36] attempt at an expedited review process and staff and the applicant have been working extremely well together. It's really going very well. On Friday, January 26th, my staff and I met with Sashanka Brower from Boas Kalushi, Don Newsom from Newsom Companies, John Altena, Nainu from Goose Creek Village, and Matt Leslie from Bowen Consulting to discuss the application for Goose Creek Village West. On Tuesday, January 3rd, my staff and I met with Amanda Williams from Cooley LLP as well as Chris Smaller and David McDomarco from Polky Group to discuss the application for

[03:28:13] Tillerfield. Later that day, my staff met with Kathleen Leonard from Dominion Energy to discuss the Wishing Stars substation application. On Tuesday, January 30th and Wednesday, January 31st, my staff met with Tomlin Gillis from Cooley LLP to discuss a potential application from Belmont Green Commercial LLC. That's it. Thank you. Ms. Glass. Thank you, Madam Chair. On Thursday, January 23rd, my staff participated in a pre-app meeting for PMTG-2023-0167 Stable Car Club, Russell Branch Parkway. On January 23rd, I met with representatives

[03:28:53] to discuss the Till's View residential rezoning application on January 31st, my birthday. My staff met with representatives from Dominion to discuss the Wishings Harst substation. And I just want to just ask for folks to check out all the history, all the things that are on TV that you can look up about Black History Month. There are so many interesting facts and stories, local and national. Thank you, Madam Chair. Thank you, and happy belated birthday. I actually meant to call you that day. I feel so

[03:29:31] bad. Thank you. Happy belated birthday. Ms. Umstead. Thank you, Madam Chair. I do not have any disclosures, but I would like to say a few words about the motion I'll be bringing tonight, asking the board to remove Delegate Weber's bill and Senator Perry's bill on local government travel from our opposition list. Loudon now had

[03:30:07] a very good description of this legislation. It would require localities to be more transparent about trips taken by government officials. It cleared the local government committee today in a 10-3 vote with two abstentions.

[03:30:24] The bill would require elected officials to obtain a public vote by the governing body approving a travel expense that is funded by public funds and is expected to cost over \$5,000. It also requires that the official inform the public if the final expenses exceed the previously approved amount.

[03:30:45] This bill in no way reduces the county's authority. In fact, it increases or would increase the authority of the board as a whole, and it would greatly increase transparency in how we spend our money both to the board and to the public.

[03:31:06] And for that reason, I hope my colleagues will agree to stop opposition to this bill, actually this couple of bills. It is supported by Scott Surville, the Democratic leader of the Senate.

[03:31:27] It is supported by the chairman of the Senate Finance Committee, another Democrat, Jeremy McPike. It is supported by individuals who represent Senate districts all over the state, from Northern Virginia to Virginia Beach and Hampton Roads, the Richmond area, Roanoke, Fredericksburg, the southwest corner of the state district bordering North Carolina.

[03:31:58] And so it has widespread support in the Senate, And I think it would do us well to remove our opposition to it. We have not yet taken a vote on it, and so I think it is worth getting it off the county's opposition list.

[03:32:20] The other thing I wanted to say tonight, I know it is very frustrating as an elected official to come under intense scrutiny from the media. When that happens, I generally have a rule of not complaining about it.

[03:32:40] I also generally don't praise the media publicly, but tonight I am. We have some very good reporters and editors in Loudoun County. Norm Steyer, with Loudoun now, is a great writer and a great editor.

[03:32:59] He doesn't necessarily like me, but that's fine. he's still a really good journalist. Coy Farrell and Jess Kirby at the Loudon Times Mirror are superb editors and reporters, and they do deep dives. They may come up with articles that we find unflattering, but that's their job. Nick Minock, who has come under personal attack on this dais in the past, is one of the best investigative reporters I've seen in television.

[03:33:34] So, even if we don't like what's being said about us, I think we need to recognize that the media has a duty to the public to point out all our warts, all our blemishes, all our flaws, and we ought to let them do their job, and we ought to appreciate when they do their job.

[03:33:56] I have found when something that I considered untrue was said about me, a private call to the reporter or editor has been enough. And if they made an error, they have always corrected it.

[03:34:12] And if it's just a matter of opinion, they don't have an obligation to correct it. So thank you very much. And that's all I have tonight. Mr. Crony. Thank you, Chair Randall.

[03:34:28] I have two disclosures. On Wednesday, January 31st, my staff and I met with Kathleen Leonard and representatives from the Wishing Star substation application. On January 29th, my staff and I spoke with Ron Meyer and representatives for the Belmont Innovation Campus application.

[03:34:50] So I want to really thank the students who spoke tonight from Independence High School, which is, by the way, located in the Little River District, about their concerns regarding data center transparency and water usage, power capacity, renewable energy, and the environment.

[03:35:09] I'm very impressed with their research, and I think we can learn a lot from their Step Up Loudon project. I agree that this is a legacy that affects us all, especially future generations. I listened and will work hard to do my part. Thank you to all the residents who came out to speak tonight about the data center issues on another topic i had the pleasure of attending two fire and rescue events um one the banquet with the arcola volunteer fire department um really enjoyed seeing everybody in that company and also the laden county fire and rescue promotional

[03:35:48] ceremony really proud of the 52 um firemen who got promoted and i want to thank chief williams and Chief Travis Perot, you guys are still here for your comprehensive report and I appreciate your service and dedication to the residents of Loudoun County.

[03:36:10] As kind of an update of what's going on in the district, there is a Route 50 public input meeting on Thursday, February 15th from 6:30 p.m. to 8:00 p.m. in the Willard Middle School cafeteria. This project consists of a safety and operational study of approximately 14 miles of Route 50 from North Star Boulevard to the Fauquier County line. And although traffic was collected in the town of Middleburg, no improvements to Route 50 within the town limits are being

[03:36:44] considered as part of this study. I hope residents will come and listen and hear more about that study and give their input. There will be other public input and focus group meetings this year and information will come back to the board in the fall of 2024. Thank you very much.

[03:37:07] I love sitting next to you like a big old ball of sunshine. It's just fantastic. Mr. Kirshner. Thank you, Madam Chair. First, I have two things to address. First, I want to address some of the comments made by Ms. Umstead. Originally, I thought she was going to make a motion later today to actually move this to the support I was going to oppose that but as I see the motion and I want to make it my time because I'm not sure if we'll get to it later but I will I would support a motion that moved it to the watch list for us I think that's a valuable thing and the reason is I think it's really important for us to remember we are a local

[03:37:46] board we love our local control and that's why I kind of struggled over these particular bills themselves as to requiring some oversight having the state tell us what we can and can't do on certain things, but I think it's a really grave reminder to us as a board that we need to keep in mind our actions do have long-term consequences, and we have a bigger boss, so to speak, and that is our legislature, and they can begin to put rules on us, so I think we always should step carefully in everything that we do on this board, and so I will support that watch list, putting that to the watch list for us, and accountability is always a good thing, even

[03:38:24] though I like to have our local control. The other thing I want to address is a lot of around the data center discussion, specifically the power lines that are currently proposed, the initial proposal from next era that's come through. A lot of people spoke tonight supporting, you know, everything from basically permanent bans on data centers, which really are not going to happen, to a few other things, and there were a lot of concerns. There's a couple things I just want to clear up and make sure everybody really understands if you have not read the PJM next year. First of all,

[03:39:01] data centers are not allowed in the rural or the transition policy area. That is our rules. I know someone mentioned that during their comments. But if you read the PJM documents, it's very clear that the reason this proposed line is coming through in large part, not entirely, but in large part is coming through suggested to come through Western Loudoun is because of the 11,000 megawatts of fossil fuel plants that are being shut down and the reason they have to come through there is they have to find energy from other locations so we have to understand and I just bring that to

[03:39:39] everybody's attention because a lot of us we want clean energy and that sort of thing but they have to they have to service electricity and so now we're shutting fossil fuel plants down all across um the country and now they're having to bring it in another other area and i'll read the actual statement to you says pgm is preparing to increase electric demand combined with retirement of fossil fuel um generations factors being considered include up to 7 500 megawatts of new data centers to be cited in virginia and maryland as well as widespread effects from recent deactivation of more than 11 000 megawatts of generation across the pgm footprint i think people should be

[03:40:16] absolutely aware of that. It is somewhat the demand of data centers, but that is not the driving force for this particular power line. Now, with that said, I am very concerned about the power lines myself, where they come. And listen, they're going to come somewhere. It's a matter of where and what the appropriate place is. And that's one of the things I think a lot of us are concerned about and working on. So myself, my staff, Supervisor Umstead, because she has a lot of experience with the power lines that came through in Leesburg, met with NextEra.

[03:40:46] I don't want to call them staffers, but representatives yesterday. We went through a lot of different things. And so just a couple of things for those of you who are concerned about it. This will not be the only proposal. There is going to be continued outreach this spring and this summer. And ultimately, at least two proposals will ultimately come to the SEC.

[03:41:06] And so, and it could be more than two. I'm not super optimistic in terms of how good those proposals will be. but they have heard from hundreds of constituents in Catoctin and in Loudoun, and they need to continue to hear from those.

[03:41:22] They seemed very serious about taking those into consideration. I know myself and Delegate Higgins have made a number of suggestions to them, as have the PEC and some other organizations within the county, and I think we need to continue to put a lot of pressure as we go through this process on where these power lines are going to go or not are going to go.

[03:41:43] And just so folks are aware, I appreciate you coming and talk to us. But remember, we don't really have any power over this. We do have influence. This is a state and an NCC issue. So continue to work on that. Get your folks who are in your communities to work on it. Continue to put pressure. Reach out to next year. And I told them, and I hope I'm accurate about this, that I said, how many people have you heard from?

[03:42:02] Oh, we've heard from a lot of people. I said, what is the most from any proposal you've ever heard from? They said, oh, it's been a lot. I said, I bet you're going to double or triple that here in Latin County, because we have a very active constituency who are very concerned about how this is going to look and how it's going to impact our rural policy area.

[03:42:19] So thank you. Thank you, sir. Mr. Letourneau. Okay. This is quite a bit to address in some of the other comments. I will take just a second on the last issue, because while I don't often talk about it up here, I do work professionally in the energy world a little bit.

[03:42:41] And we have a macro-molecule problem. This issue of transmission lines is playing out around the country, and it's just beginning. In fact, Democrats in the Senate are pushing for FERC to have more permitting authority on transmission lines to override local control and even state control.

[03:43:02] And they're doing that because it's the only way to move molecules that are clean energy generated, because the places that can generate actual large quantities of clean energy, renewables, solar wind are not the urban population centers that have the need for them, and it's not typically where it's easy to cite. We can cite those kind of things here, and we have some, but when you look at even the dullest solar farm and how much that's actually generating versus what our need is, it's just a tiny fraction. So this issue is not unique to Loudoun, and we're really just on the forefront of it happening. If we're going to move forward with a clean energy transition,

[03:43:39] you have to be able to move molecules from one place to the other and you have to be able to store them. And I think we've been at the forefront here of having that discussion on battery storage, which I think is smart because that may obviate some of this need, but you also have to have reliability of the grid, which means you need backup generating sources for your renewable. And that's where natural gas and other things come in. So it's really a holistic discussion. We're a small piece of it here and we're seeing kind of some of those effects.

[03:44:05] That's not what I was going to talk about. What I was going to talk about was there's a new funding proposal from metro that was released this week just to update the board on it it's based on the discussions that we've been having with the district of columbia virginia and maryland each of those have committed an additional amount of money the district 200 million maryland 150 million and then i should say committed i should say their proposals to commit and then in virginia 131 million that's over and above the the normal subsidy 130 million in Virginia split between locals and the state under state legislation it has to be a

[03:44:45] 50-50 split so that's 65 million for the metro jurisdiction 65 million for the state those numbers do not add up to metro's formula we have a formula that's based on a variety of factors and we're going to have to figure out how to reconcile that because if the district's at 200 then that changes the Virginia number and it's not 130 and it's Maryland's not 150 and so on

[03:45:07] So we're having those discussions, um, county, our county, other counties have been very supportive. Uh, we've had great conversations with the Northern Virginia delegation on this. Um, and even some direct engagement from the governor, uh, who I did meet with and will be again, uh, to talk through, uh, these, these numbers. Uh, the, the governor wanted to see a business plan for Metro. Um, I think we've provided that to him that would demonstrate what happens if we get this money.

[03:45:33] And the bottom line, the most important thing for us out here is other Silver Line stations will not close like we were originally fearing with the general manager's proposed budget without additional funding. And we are really able to avoid the worst service cuts that we're talking about.

[03:45:49] There are some service adjustments. There's also a fair increase. The board is proposing a 12.5% fair increase and some changes tonight and weekend, which does sort of make up a sliver of what the delta is. so as finance chair of that board i've been really heavily involved in all these changing numbers and it continues to be a fluid situation but i just did want to provide that update final thing is on monday february 26th i know we're still almost three weeks from that i will be having a town hall meeting at seven o'clock at mercer middle school we have representatives from rapaport

[03:46:25] and from Beatty. Rappaport is, of course, the partner in the application that we're seeing adjacent to Avonlea called Cedar Terrace, and Beatty is the manager of Dulles Landing. We're going to talk about the number one topic of interest to Dulles District residents, and that is retail, dining, restaurants, all those kinds of issues. I'm not kidding. Anybody who's campaigned with me knows that's true. We get asked those questions all the time, and i really think it's helpful for residents to hear from the people who are actually on the business side of this to help them understand why some things happen why some things don't happen

[03:47:03] and what the future looks like so we're going to have that discussion on february 26th i hope it will be lively entertaining enjoyable and informative for our constituents thank you very much thank you sir appreciate that mr sains no thank you madam chair um mandatory disclosures my staff met with

amanda williams of cooley and david demarco of pulte group about tillots view application on January 30th and also would like to share real quickly for those who are trying to beat the the grocery blues um Heritage Fellowship Church which is based in Herndon Virginia is

[03:47:41] having a community uh or putting the announcement out in the community that they can get food packages uh from them order by uh tomorrow and this is a little bit late notice but if you order by them you can get a very nice package of meats produce vegetables at a very reasonable price if you go to heritagerestin.org you can get all the information or if you go to my facebook page you can get more information regarding that i know and there's plenty of folks who might need it or you might know somebody who might be in needs or you might want to gift it to somebody so please check it out and that is all i have thank you thank you miss brixman thank you madam

[03:48:20] chair by way of disclosures on january 29th i met with amanda williams and cooley on the till its view project on february 6 i met with dominion energy on the wishing star substation application we did have a successful local government day in virginia board of directors meeting and i will say that i watched the committee meeting on perry and webert's travel bill and vaco and the vaco board did oppose the bill and there were no speakers in support of the bill i enjoyed attending dominion high school basketball games with the boys and the girls

[03:48:58] and doing this ceremonial tip-off so that was enjoyable just on monday i attended the northern virginia community college executive advisory board meeting we now have nearly 17 000 students at nova's campus in loudon the largest campus in the reason region and we now have 5300 high school students doing dual enrollment at Nova. They are expanding their data center capacity in Woodbridge and in Loudoun. They're actually looking to expand real estate education programming. They're looking

[03:49:33] for teachers. And we also had a presentation about AI, which was very, very interesting. And I'm happy to pass that along to my colleagues, that presentation. It talks about the impact of AI on the workforce. And so that was fascinating. You know, on the topic of local journalism, as a former practicing daily news journalist and B2B journalist, I won't be lectured about who is and who isn't an ethical journalist and who works without an agenda and presents a fair and balanced

[03:50:10] report. I am experienced at this, and I am more than capable of judging who is covering our county fairly. On gun violence, so far in 2024, there have been 37 mass shootings nationwide. There have been 3,997 total gun deaths just over a month into the new year. We've had a 1,555 homicide murder unintended, 2,442 were suicide. The deaths include 24 children under the age of 11, 115 teens age 12 to 17.

[03:50:44] We did have a recent study report released by Everytown for Gun Safety that indicates that 70% of Virginians support gun-sense legislation, like the ones brought by Senators Helmer and Subramaniam in the General Assembly, and those bills prohibit assault-style weapons in public places.

[03:51:11] 73% of Virginians support enhanced background checks. 73% of Virginians support requiring safe storage of firearms, and I know some of the General Assembly are bringing those bills. 70% support banning ghost guns, and 55% of Virginians agree that protecting lives is more important than protecting the rights of gun owners to have any weapons that they choose at their disposal.

[03:51:40] I did attend the Firearms Subcommittee meeting down at the House when we were down in Richmond. Luckily, the committee killed a bill that would have allowed local school boards to arm

teachers. Thank you, Madam Chair. Thank you, Ms. Bricksman. By way of disclosure, I had a meeting with Ron Meyer on the Belmont Innovation Campus.

[03:52:01] I want to talk a little bit about Black History Month in America and race in America. Recently, Nikki Haley made this statement when talking to a Fox News reporter. America has never been a racist county.

[03:52:18] This was a quote. We're not a racist county now, and in America we've never been a racist county. That's a direct quote from Nikki Haley. Slavery in America is part of what America was. I don't know how anyone can say that America has never been a racist county.

[03:52:35] Racism was literally built into the very fabric of this country. The Declaration of Independence, when it says, we hold these truths to be self-evident that our men are created equal and that they are dealt by their creator of certain indelible rights, among those of life, liberty, and the pursuit of happiness.

[03:52:51] When those words were written, African Americans were not even considered people, literally. They were not considered a full person, and they certainly could not have pursued their own happiness. So the founding of our country was literally based in racist principles.

[03:53:07] After slavery, we had Jim Crow laws. We had widespread racial discrimination, rampant violence, raping, beatings, lynchings. And, of course, in the early 1900s, all the Confederate statues went up, often placed to give African-American communities to tell them to stay in their place.

[03:53:25] Racial segregation from everything to schools to churches, movie theaters, community centers was in place. If you name any system in our country, you will find that it was embedded with racism. The military, banking, banking and lending, land use has been embedded with race, education, business.

[03:53:46] We are in our DNA a racist country. The question is not, has America been a racist country, or even if some of those systematic disparities exist. We are, and they do. The question really is, are we getting better?

[03:54:03] Are we improving? For as much as I can absolutely point to past, current, systematic racism in America, I can obviously and no doubt point to great strides that this country has made and continues to make towards making those words of the Declaration of Independence true.

[03:54:24] The problem with what Nikki Haley said is not just she was wrong. The problem is if you can never admit that America has been a racist country, you also can't acknowledge or celebrate how far we've come. You can't do both.

[03:54:40] And we've come so far. If we never admit we were a racist country, it's hard to understand the feelings we have about Barack Obama, Simone Biles, Alana Andrews here in Loudoun, Alina Ann Lee, Langston Hughes, Shirley Chisholm, Colin Powell, Leotien Price, Luther Vandross, Dory Miller, the Panhellenic, the Divine Nine, Jack and Jill, the Lynx. Tonight, we celebrated two young men who were Cub Scouts, James Butler and Maddox Sanchez. We celebrated Linda Deans tonight. You celebrate something because it's a change.

[03:55:17] you've done something different, you've come out of something. So the idea that we can't celebrate what we are now based on what we were, then what is the point? What is the point? Of course, America was founded in racism. But anyone who can't also see the movement we've made in America is

also being blinded. We don't need to deny racism in the country, because factually, it's really just ridiculous. We are not where we need to be, but we certainly are not where we

[03:55:54] have been in the past. In Loudoun County alone, we sit with an assistant fire chief who's African American. The head of our HR department is African American. We have now two assisted county administrators who are African American, and we have three supervisors who are African American. I'm sorry. We've come a long way. We've come a long way. And we can only say that because we know what we were. So the idea that we have to deny something is wrong on its face. The idea

[03:56:28] that we also can't say what's going well today is also wrong on its face. America was founded, rooted as a racist nation, and we still have lots of problems to work through.

[03:56:44] But we have come a long way, and eventually, we shall overcome. Thank you. Subvisors, we need to take a break. I know people are here for the item, and we will do the data center item as soon as we come back from break.

[03:57:02] But we need to take 15 minutes, just because we've been on this day since four o'clock.

[03:57:06] Thank you, and let's take 15 minutes.

[04:22:14] Subvisors, we can take our seats. We really are past our 15 minutes.

[04:22:30] Okay, we are back. Good evening. And as I said, we're going to go ahead and do the data center item first because I think people are still here to hear it. And we're going to do the presentation. And I know that there are a lot of motions on the dais on this. But what I'm going to plan on doing is the first thing that we're going to do is make the motion in the package. Either I'll make it or somebody else will make it, but the motion in the package will be made.

[04:22:47] And then we will work off of the motion in the package. If you have amendments, friendly amendments, whatever, we'll work from the baseline of the motion versus doing it the other way, because I think the other way could be a little more confusing. And so we'll do it that way first. But first we're going to do the presentation, and we're ready when you are.

[04:23:05] Thank you. All right. Well, thank you. Good evening. I'm Pat Giglio, Project Manager for the Data Center Standards and Locations CPAM and ZOAM. also with me this evening is Mark Holland project manager with zoning administration and Dan Galindo director of planning and zoning the purpose of this item is to receive board feedback on the draft project plan for the proposed data center standards and locations comprehensive plan amendment and zoning ordinance amendment the CPAM and ZOAM are being developed together to consider amendments and designate areas within the urban suburban transition and joint land management policy areas where data center uses are

[04:23:44] appropriate. The CPAM and ZOAM will establish policy guidance and use specific zoning standards for data centers which address land use, compatibility, aesthetics, infrastructure, and environmental resources. Revisions to other maps, policies, and texts will be included as needed within the general plan and the recently adopted Loudoun County Zoning Ordinance for consistency. The combined project will ensure there's sufficient plan policy to enable the implementation of use specific standards governing data center uses within the zoning ordinance. The draft project plan depicted on the screen anticipates a 16-month period to

[04:24:24] complete the combined CPAM and ZOAM. Project includes an initial study period where staff with the assistance of a consultant will research and review policy and zoning standards governing data center uses in other jurisdictions in Virginia and across the country. Staff will develop base maps to identify and evaluate areas where concentrations of data centers currently exist and or plan to develop within the county the mapping information will be used to develop recommendations to identify areas appropriate for data center uses the background research and analysis will be used to develop draft amendments to the place type maps and policies of the general plan and to develop

[04:25:03] additional standards in the zoning ordinance for data center uses the draft amendments to the general plan and zoning ordinance will be presented to the board at a meeting in July the board during this meeting will provide input on the draft mapping revisions, draft policy, and draft zoning text amendments to affirm staff's recommendations and provide additional guidance for the continuance of the project. County staff, through the remainder of the summer and the fall, will conduct public outreach meetings and provide presentations to community groups, organizations, and advisory committees to receive feedback on the draft amendments. The County Zoning Ordinance Committee will review and provide input on the draft zoning

[04:25:42] amendments during this period. An in-person town hall meeting is scheduled in October and throughout the public engagement period an online input and comment webpage will be maintained by the county. Comments received online and during the town hall meeting will be compiled to identify trends and themes to inform future discussions with the Planning Commission and the board. The draft amendments will be sent out on referral to county agencies in the fall before final revisions to the mapping and text amendments are completed. The board is anticipated to act on a resolution of intent to amend in December with Planning Commission and board public hearings scheduled in the

[04:26:21] spring of 2025. So the scope of work for the comprehensive plan amendment is comprised of a mapping component and a policy review and development component. The mapping component of the CPAM will evaluate the location of existing approved data centers and consider amendments to the place type boundaries for the suburban neighborhood, suburban compact neighborhood, and the suburban mixed-use place types in areas bordering the suburban employment place type where data center uses are identified as conditional use the c pam will also eliminate the urban employment place type and redesignate this area as the

[04:26:58] urban transit center place type where data center uses are envisioned for context the map on the right and those in your pack depict the location of existing data centers and data centers in development that have been overlaid with the existing place types map this type of mapping data will be used to graphically identify areas where concentrations of data center uses are present and will be able it will be used to evaluate and recommend amendments to the place type other factors such as proximity to high voltage electric transmission corridors proximity to residential and noise sensitive uses in compatibility with adjacent residential and non-residential uses will be

[04:27:37] considered when recommending potential revisions to the place type maps in the general plan the CPAM will also evaluate the existing policies in the general plan and consider amendments to address land use compatibility site and building design sustainability energy water air and light and noise policies pertaining to data center uses research and development of policy amendments to the general plan will consider regional and national best practices evolving building technology as well as regulatory requirements and state enabling legislation related to data center uses the proposed policy

[04:28:15] amendments and updates the general plan will be further supported and implemented through amendments to the zoning ordinance at this point i will hand over the presentation of mark holland to discuss the scope of work for the proposed zoning ordinance amendment thank you uh this past december the board approved the adoption of zoam 2020-01 which is the zoning ordinance rewrite commonly referred to as the zor i'm sure you all remember it uh the adopted ordinance permits

[04:28:48] data centers as a by-right use in the IP, GI, and Mr. High zoning districts, as well as with a special exception in the OP zoning district and in the CLI and PDRDP legacy zoning districts.

[04:29:06] Under the 72 and 93 zoning ordinances, data centers were not specifically defined but were interpreted as being permitted as an office use. It wasn't until the revised 93 ordinance that use-specific standards for data centers were established. As part of the ZOR, these standards were revised to minimize the potential impact on adjacent properties and roadways. With the ZOR, additional requirements were put in place to govern building facade treatments and landscaping.

[04:29:44] There are new standards to require data center applicants to submit lighting plans and pre- and post-construction noise modeling to ensure compliance with lighting and noise standards. During the ZOR process, the Planning Commission and the Board focused on standards to minimize impacts of data centers on adjacent residential uses.

[04:30:09] In addressing this, the new ordinance requires data centers to be set back 200 feet from residential uses. It limits generator testing time frames and limits their use to backup and emergency uses.

[04:30:27] The ordinance also includes additional buffer standards, which require the installation of a buffer type C with specific plant unit composition requirements. an increase in buffer width and number of plant units within per 100 linear feet, and the provision of an earthen burrum that has a minimum height of six feet.

[04:30:53] The new standards provide additional protections for neighboring properties from impacts associated with building scale, aesthetics, and noise that did not exist in the revised 93 ordinance. The purpose of this OM will be to consider the adopted use-specific standards and determine if revised or additional standards are necessary.

[04:31:20] These additional standards may include noise attenuation measures, building and site design, landscaping and buffering, accessory use requirements, and standards for the establishment of data center uses within existing structures.

[04:31:37] In this effort, staff will research existing ordinances and practices, gather public and professional input, as well as monitor proposed legislation at the state level. Staff is available for any questions.

[04:31:55] Okay. Supervisors, there are a lot of motions on the dais, and let me suggest this. Every motion doesn't have to be made as a motion. Some of these motions can be made. I'm going to make the main motion. some of these motions can be made it's friendlies and only if the maker of the motion and the seconder doesn't support the friendly do you have them then go on and make a motion so we don't need to make 14 motions so I'm just let's just be clear about be clear about that to staff I have a question Mr. Rogers this

[04:32:32] might be a question for you if there is oh you know two days from now somebody comes up with one more thing they wish they had would have as added to this draft plan there is time to come back and do that this is not the only only chance to put something in the draft plan correct i can answer that but i think mr galindo will as well that there are opportunities over the 16 month period to add to the plan but at some point that's going to be more difficult for the staff to handle.

[04:33:04] Sure, but I don't mean month 14 of the 16 month. I mean two weeks from now, three weeks from now. And the way we've written things has tried to broadly touch on topics. So I would anticipate that anything specific would probably fall within one of those buckets anyway.

[04:33:21] Okay. If it's truly unique, then it may be something that we bring back to the board proactively if staff has concerns. Okay. Civilizers, I'm also not, I don't really feel the need to do an opening on a motion that I know is going to change four times with friendly amendments or other amendments and so I will hold an opening and then if people have friendlies I will go to you for that and we'll see how, see if we can do it kind of in some kind of concise manageable way in that, like that, okay?

[04:33:51] So I will move the Board of Supervisors I'm sure, can we ask questions first? Yeah, we have some questions first Well, okay, you can but then I'm not going to do two rounds of questioning during the motion So, yes. We can speak. Yes, well, but everyone wants, like, and I'm not, and we're not going to a committee as a whole, so.

[04:34:09] That's a question. Yeah. Okay, so, yes, go with questions first, and then we'll just do one round of question on the motion. Mr. Letourneau, do you have questions? I do. Yeah. Don't worry. No committee of the whole motion coming from me. That's fine. Okay. Okay. So, on the mapping front, page four, we've got some parameters, but what about properties that have an approved rezoning already on them that are administered as a zoning category that allows data centers by right or through a legislative application.

[04:34:45] I feel like it seems to me like we're not covering those in this, but those actually do allow data centers if they're administered a certain way. So is that a parameter that could be added? So you'd be talking about a site that where it's allowed under an existing approval, but there's not a data center on that site currently?

[04:35:05] I think it'd be our intention to try to cover that as best we can yeah i believe we've tried to capture those because those are the ones that would have a legislative approval and then we have those that have existing data centers on them but again yeah but i'm not about the ones that don't have existing data centers have a legislative approval but are administered as a zoning category that would allow a data center but doesn't have a data center i think it's a court where i'm looking at some of the stuff in my area that i think could allow data centers and they're not showing that here so we can

[04:35:40] we can make sure we incorporate that i mean under number one where it was kind of a catch-all for existing um what's on the ground or what's under construction we can definitely incorporate that there okay okay um all right i i know we're going to get into some of these um specific issues but macro level how much impact can we really have with any of this if property owners have already

[04:36:14] have entitlements and hasn't there been a significant uptick in those entitlements and site plans and things like that over the last year or two yes we we will not have significant impact on the amount of square footage or location of any existing entitlements unless somebody were to proactively come in and seek a new approval or an amendment to something after but in terms of what's allowed by

right already um i know we're going to get into some discussions about when these things take effect and grandfathering but if somebody's taking some stacks steps to

[04:36:52] essentially establish their entitlement at this point already there's not much we can do about that right so do we have any idea of how much it's actually left that we can really even have an impact on we haven't done an inventory to know am i correct in thinking it may not be that much it's i would gather i would estimate that it's probably not nearly as much as we currently have shown on on those maps with what's left and available that's pretty important context what he just said because all of this exercise and we may not really actually be able to accomplish much

[04:37:23] because of that issue okay mr saints thank you madam chair i'll just ask my questions now um so we have a motion to if i'm reading this right split uh the homework i guess you can say lack of a better word um so one one motion is to take the area plans and that to the planning commissioner uh planning commissioners and the other the standards and everything that keep working through the timeline that you talked about earlier is that the staff feel that is that would

[04:38:01] be uh a faster approach for the for the area that was kind of already worked on through economic development staff earlier well it would be a faster approach to try to address um the appropriateness on what remaining properties are out there from a general plan standpoint.

[04:38:20] So if there's legislative, if we took two parallel tracks where maps would be adopted sooner, then they would be referenced in staff reports. They'd be part of our recommendation in front of the board for your actions on any legislative applications coming through. It would have no effect on any buy-write applications that would be submitted through the site plan process.

[04:38:40] Okay, but it would be fast to go that route. Okay, fine. Second is, I know there's motions, I believe, in here. There's so many. if I remember one of them was to ask or make direction for us to take all by right data centers and make it into a special exception and bring it in front of the board as a legislative process is that legally allowed so if Mr. Rogers needs a way in or Dan if you want to answer if you can answer please is that is that even is that idea or that motion even allowed we are allowed to change whether we require special exceptions for any individual land use now there will be

[04:39:20] practical consequences of doing so where the people that potentially bought land under certain assumptions and we change it they won't like that but there's there's no technical legal reason why we couldn't make that change we made some of those changes when we adopted the new ordinance back in december okay and then i don't care if i can hear from mr rogers and adding on to that before we go Mr. Rogers, you said there might be some issues for those folks who bought land saying, okay, this was my right data center or whatever, and now we change what would be some of those implications, whoever, or through the chair, through Mr. Rogers.

[04:39:52] Mr. Rogers? Yeah, I think this is much more of a planning exercise than the legal impediment to it. You have the legal ability. You say it's a permitted use or it would require a special exception. That's the board's decision in when it adopts the zoning ordinance.

[04:40:08] Okay, what about what, Dan, what you were talking about at the end there? If that's, if we, for example, if we receive direction tonight, that that's essentially the direction the board wants to go in, we will hear as staff, you will hear from anyone who owns those properties who disagrees with that decision at a minimum.

[04:40:25] We will hear from them throughout that process as we make this, as we make these decisions. But will there be any legal action that they could take, like take us to court or any of that? Oh, yeah. Will there be any legal action? After this, I'm going to go to the next person. I definitely would anticipate litigation, down zoning of the property, taking away a use from property owners that have invested significant money into the property.

[04:40:50] But we would be approaching this to make it as legally sound as possible, particularly from the procedural aspect, which is where most challenges come from. Thank you. Thank you. Ms. Umstead. Thank you, Madam Chair. I'd like to follow up on Supervisor Letourneau's question.

[04:41:09] Do you expect during the development of the project plan that you would come up with the answer to his questions as to how many more parcels would be developable or would be not developed?

[04:41:27] Yes, absolutely. When we work with the maps, we'd be able to run some queries with GIS under the different scenarios to report back essentially what falls into certain categories right now and what would be the effects under whatever we'd be proposing to you thank you mr kirschner thank you i'll make it brief i hopefully i want a follow-up question if we do adopt the motion to accelerate the mapping process by sending to the planning commission etc how does that fit into the timeline here so or will it change that timeline at all so the the motion would essentially create a separate parallel track that would be specific for the place type maps with the intent of getting

[04:42:07] those adopted as soon as possible it would be staff's intention to try to maintain this the timeline that is in the draft project plan for the remainder of of what we'd be covering in the project but um i can't guarantee at this point that there wouldn't be some slippage uh we've only had a few hours to to really consider we haven't worked through detailed scheduling yet would you find that exercise by getting the mapping done sooner helpful to the process i think it's really a board decision because the intent of of trying to package all this together was to provide a single set of public input opportunities covering the policy

[04:42:44] and the regulations at roughly the same time so that we would avoid having to go through a whole process on a policy side turn around do the regulations under zoom and have people fight the same battles all over again which is what we frequently happen whenever we have two different projects on the same topics so there is benefit to the board of having those things done sooner The one downside is that by, at least as the motion is currently constructed, it would avoid any other direct outreach.

[04:43:11] It would just rely on the public hearing process to provide that input, which is completely sufficient, but it's not what we've commonly done. So it would be a little bit different that way. All right. Mr. Turner, before you speak, I think I should let you know that until you get ready to speak, you're actually not on camera.

[04:43:32] I know you can see yourself, but what we see is the presentation. So I appreciate you letting me know you wanted to speak, but I couldn't see you before. Madam Chair, I think my head is right over yours, if you'll turn around and look up at the big screen. It is now, but it wasn't before.

[04:43:54] Thank you, Madam Chair. This is Mensa right here. Really quickly, just a synopsis. To address Supervisor LeTerno, there's two questions. First, I would assume, staff, can you clarify, When you do the mapping, you're going to map all the parcels that allow data centers, but you're also going to dig down and

do the research, or the consultant is, on all those parcels which are zoned one way, but which have been proffered to allow data center uses, correct?

[04:44:25] Correct. Okay, so that map, when it's finally done, will truly show where data centers can and cannot be built. The second issue about we don't really know how many we have or how many we could have, that's certainly valid, and that's part of this exercise.

[04:44:41] One of the problems that we've had is that we don't have any oversight over this explosive growth going on in the county. So hopefully we will learn how many we have and have an accurate inventory when we finish this process. But we need to go through this process no matter what, or we're never going to have any managerial control.

[04:45:02] My concept, and I have another question for staff. My concept is the 16 month plan is a very good plan, but there are three key elements that we need to break out and Supervisor Brisbane and I have been talking, break out, I call it a carve out, and move to the top of the pile as absolute urgent priority.

[04:45:23] And those are number one, do the map, get a full map, but the map has no enforceability unless it has associated ZOAMs with it. And that's why this project is so valuable because for the first time in 20 years, We are looking at a combined CPAM-ZOAM macro approach to how we tackle this problem.

[04:45:43] So every one of these three elements is going to have to have some sort of a CPAM-ZOAM combination to go with it. The first is the mapping exercise. The second is, I believe, very strong, as this is my opinion, we have to stop allowing by right data center development over which we have no control or oversight.

[04:46:04] The only way to do that is to attach specs to the final three remaining parcel types, Mr. High, EDIT, and I think the third one is CL. And then the third piece is you need to make data centers a – what's the term, staff?

[04:46:25] It's not a core use. It's the least restrictive. They've got to come to the board to get permission. It's a conditional use. Yes. We need to make data centers a condition we use in all parcels in Loudoun County. And the motions that Supervisor Brisbane and I are going to propose tonight do that for this main amendment.

[04:46:45] My last question to staff in my last 15 seconds is, if I have a list of things I would like you to consider for performance standards, how do I get those to you? And then how do we get formal board approval of that list of performance standards we would like to include in the rewrite, in the 16-month rewrite?

[04:47:00] So if you send us a list of those specific standards separate from the discussion tonight, we can definitely take a look. And like I said earlier, I think most of those are going to touch on one of the overarching topics that we've already included within the project plan.

[04:47:17] We'd be able to, at the DPZ work plan updates or some other fashion, let the board know after we've done an initial assessment if some of those are pursuable or if they're not. If we've determined that some of them can't be done for a particular reason, state code or what have you.

[04:47:33] So we can easily make a report back to the board about that at some point in the near future. Great. Thank you. Mr. Crony. Yeah, thank you, Chair Randall. So, Dan, can we include in the ZOAM

revising the sound ordinance to include tonal noise, that low continuous hum that residents mentioned tonight during the public input session, not just for new construction, but also to existing data centers?

[04:48:05] So yes, we can. The one caveat to that would be is that unless our current consultant tied to this has expertise in that area, we may need to pursue another consultant that has knowledge in that area for us to really develop the regulations we'd be using. I'm not aware that anyone on county staff has that knowledge base, so we would have to see if we could find a consultant that could do it and potentially come back to you for a request for funding towards that. We may be able to find enough depending on what the size of that contract would be okay because because i see kind of a mitigation process too for existing data centers regarding noise and light um light also is an

[04:48:45] issue especially the security lights um to uh nearby residential um you know regarding the dark sky and that light you know i went to um the meadows the other night and you know they're going to be able to see any kind of security lighting that goes on deep into the night so that also needs to be included and and can we include can we grant not grandfather but in other words have that mitigation be applied to existing data centers so we address some of that with the new ordinance in december okay but for anything that is already has an approval um with lighting on it

[04:49:24] so anyone that's already gone to site plan we would not be able to make any changes to those approvals at this point. Anything that we adopt would be affecting future approval. Okay, but my idea is a mitigation process. You know, how do we, so in my view, we can't ignore the community impacts, and how do we make, work with data centers to be good neighbors to the community? You know, we have them, and maybe we can't do anything about, you know, putting these conditions on existing data centers, but is there any kind of mitigation

[04:49:58] process that we as a county can have to work with existing data centers to help the community? So I'll say that for specific concerns, the economic development department has been very, very good at working with individual data centers to fix, you know, a particular concern for some communities. That said, that that's not going to include something such as replacing all the lights within an entire development. So it would kind of depend on the scale of that of how much we could we could address indirectly for anything that's that's

[04:50:32] beyond that again if it's existing we can we can talk to the owners we can talk to the the operators see what we can potentially work out but there's not anything legally we're going to be able to do to go back and force them to make any changes okay okay so i don't i don't have any questions i'm sorry okay i'm sorry thank you i'm sorry my bad um i just want to tease out one thing i think i heard you say and that is that if the maps are completed that staff and the board can refer to those maps when making decisions on future applications once they are adopted as part of

[04:51:09] the general plan yes once okay so we we although they don't have zoning you know with the weight of zoning ordinance we can refer to them and we can talk about them and we can use them when making decisions about future applications yes we can and we do right now okay all right um and are you familiar with an organization called ARUP? Are you guys familiar with this study from 2021 that Department of Economic Development did with ARUP? What's the title of it? Loudoun County Data Center Land Use Study Final Report. Yes. Okay. So I guess my question is this came in 2021.

[04:51:46] So, and it takes into consideration physical site suitability, utility suitability, zoning. It takes in all those things and mapped the county already. So why can't we use that at least as a basis, if not just adopt

maps in there? We can use it as a consideration. My understanding of that study was that those locations were more approximate. They were not site-specific in the way that we map things at a zoning and a partial level for the general plan. So there's some overlap, but I don't believe that there's enough specificity there to determine

[04:52:24] if a particular parcel in the county should be suburban mixed use versus suburban employment, for example. It looks like they overlaid all of it to me parcel by parcel, but I hope maybe you guys can revisit it. And then could you go back to the project plan timeline, please?

[04:52:43] Where are you going? Okay, so my friendly amendment would, in effect, send the maps to the Planning Commission in July of 2024 for so that they can be go to public hearing at planning commission maybe they send it to a work session and then they can be adopted um so just so my colleagues know that that's kind of the idea and that's doable yes so it would be the when the board checks it when we do the check-in with the

[04:53:20] board if the board agrees with the content of those maps it would then go to the commission at the next available awesome awesome thank you and then i guess i'm just wondering why we need five months of engagement and stakeholder engagement and public engagement. And the reason I ask is because the public has been coming to us for years, telling us already how they feel about data centers. And we just did an entire stakeholder engagement during the ZOR. So I feel like we have a, I feel like we have an understanding of where the stakeholders are coming from as well, because we've been talking about this for a really long time. So is there any way

[04:53:57] to shorten that? So we're already shortening it by combining the two projects in general. That's why it's there. One thing that we're doing differently for this project than we've done for projects in the past four or five years is that staff is going to come up with its proposals up front and put those out in the public for reaction instead of having input that's more generalized up front that we then use to try to implement in what we're putting into the policies and the regulations having them having documents that people can respond to is in my mind a way

[04:54:32] to put that um so the input we get is much more actionable instead of just people's feelings about whether they do and don't like something they can say this line should be tweaked with that's 20 feet it should be 30 feet those kinds of specific amounts of impact more specific yes thank you all right so i don't have questions i spent i spent a lot of time with you all already and i I appreciate that and reading the item.

[04:54:58] I do want to just take a second because I think it might be helpful to help people understand how we got here. I did hear some people in the audience talk about it, and I am not blaming anybody at all. But years ago, when the comp plan was complete, data centers, they weren't just a use.

[04:55:17] They didn't exist. They weren't even mentioned in, like, 93. We weren't talking about them. So when they became a use, it became a use, when we first started talking about them, we thought about them as an office use and those types of things. And that's, if you remember the term Class A office, that's when it became, they became a by-right use because it was called an office use because we hadn't put them anywhere else in our zoning ordinance.

[04:55:47] So we had all these parcels that were by-right uses that were really for office parks. those types of things. And we had no way to say no to them because they were by right uses until we did another

zoning ordinance rewrite. We couldn't do another zoning ordinance rewrite until we did the comprehensive plan. So the comprehensive plan hadn't been done in like 18 years. We did a comprehensive plan last term, took the whole term, and then this, well, two terms ago, right, Mr. Letourneau, Mr. Sains, two terms ago. And then last term

[04:56:24] we did the zoning ordinance rewrite this is the first time that a board has actually been working with kind of their own and new comprehensive plan and zoning ordinance in many many years and so i do understand people that come up and then go well why did you approve them already and why did you these these were not approved by this board the board before that before the board before that they've been a by right use for many many years what we start to do now we do own this now because we now have a comp plan and the zoning ordinance rewrite done.

[04:56:58] So whatever we do right now, we own it, and it is ours. But I do want to make sure people know that there were decisions made, I mean, literally almost 30 years ago, that impacted whether or not we could have said no to data centers up until when we passed the zoning ordinance rewrite in December?

[04:57:19] Is that when we passed it in December? December? November, December? So this was the first time that we could actually legally do some things that we might want to do. I agree with whomever just got up and said, it seemed like a great idea in the beginning.

[04:57:34] It seemed like a great idea in the beginning. You know, the great taxes, good neighbors, all that thing, but somehow, some way, it started to get away from us. And that doesn't blame anybody. It's just a little history. So now it's important for us to try to get our hands around this.

[04:57:52] the best we possibly can. Okay, so now I'm going to make a motion. All right. I move the Board of Supervisors approve the draft plan for CPAM 2024-0001 and ZOAM 2024-0001 data center standards and locations provided as attachment one to the February 6, 2024 Board of Supervisors business meeting action item.

[04:58:17] Second. Okay. Second. That motions, well, everyone has friendly amendments coming, so it's okay. That motion's been made and seconded. I'll give that to Ms. Bricksman, and I don't need to make an opening on the motion because this motion's going to change a whole lot over the next 15 minutes, I think, with all the friendlies and stuff on the dais.

[04:58:39] Mr. Turner, I can now see you on the screen next to the presentation. You can now be seen. So I'm going to, I will, I am happily, Mr. Turner, going to call on you first. Thank you, Madam Chair. I actually have a point of order and a request. Ms. Briskman's motion is going to establish a carve-out timeline, and I would like my motion to attach to her timeline.

[04:59:14] Okay, so you want to just let her go to her motion first. Okay, I don't normally do that because it's a little out of order to have the vice chair go before everybody else, but that's okay. For this purpose and for this purpose, stop his time, give him all of his time back. I will go to Ms. Briskman first to make the first friendly.

[04:59:30] Okay, thank you, Madam Chair. I just, oh, I'll make the motion first. I move that the Board of Supervisors amend... That's a friendly. You don't have to move it. Just ask it as a friendly. I'd like to make a friendly amendment. Okay.

[04:59:48] I have a friendly amendment. Just read the body. Okay. My friendly would amend the data center standards and location CPAM project plan to direct staff to prepare a separate schedule that would allow for the quickest possible adoption of amended place type maps within the Loudoun County 2019 general plan upon receiving board direction to proceed with the amended place type maps at the board check-in scheduled for July 2024 subject to any map changes made by the board staff shall schedule the maps for the next available public hearing with the planning commission no separate public engagement will be necessary as a public

[05:00:25] comment will be obtained during the planning commission and board public hearings the remainder of the data center standards and locations project will remain on the draft schedule as shown in the draft project plan provided as attachment one to the February 6 2024 board of supervisors business meeting action item the new schedule shall be presented to the board for approval as part of the next department of planning and zoning work plan item okay Mr. Maker of the motion I will accept that on one condition that one condition is that the rules OM

[05:01:00] is not moved back or disturbed at all with this friendly amendment it should not be it should not be then I will accept that as a friendly amendment thank you Madam Chair so I would just like to ask staff one question the last sentence in this motion says the new schedule shall be presented to the board for approval as part of the next department planning is only work plan item but that doesn't mean we have to come back and vote on the work plan again like tonight we're adopting the work plan we're so we're adopting we try to use the term project plan for individual projects like this work plan is where we summarize everything but we'll go into more detail about

[05:01:38] this project so that will be the first opportunity for the board to see that revised schedule and avoid us needing to bring another item back independently just okay look at that schedule Okay. All right. Thank you. That's what I wanted to make sure of. So I just, as I explained earlier, the Board of Supervisors has heard the public loud and clear. We have enough data centers both already built and in the pipeline. As we heard earlier tonight, it's 41 million square feet right now with what's entitled. They should not be building in our primary residential place types.

[05:02:11] Ms. Brickson, Ms. Brickson, that was a friendly amendment. Oh, I'm sorry. Never mind. I'll prepare to do a separate motion, so I guess that's right. We don't have to fight. Battles won't have to fight. That's a friendly amendment. You're good. You're fine. Thank you. Point of clarification, Madam Chair. Pardon me?

[05:02:28] Point of clarification. Yes, sir. May I ask Supervisor Briskman a question? Sure. Can we start his time? Yeah. I'll just call on you now, and you can ask her a question, and now we're in your time.

[05:02:44] Okay, then I'll make another friendly, but my question is, did you intend to not include removing numbers five and six from the list on page four, or is that going to be a subsequent motion or not? That will be a subsequent friendly.

[05:03:02] Okay, then I'll make my friendly amendment to your motion, Madam Chair. I move the Board of Supervisors amend the data centered standards and location CPAM project plan to direct staff that proposed revisions to allow 2019 general plan prepare for consideration by the planning commission Board of Supervisors should identify data centers as a conditional use in all place types, where data centers are currently identified as a core use, parentheses, suburban industrial mineral extraction,

transition light industrial, transition industrial mineral extraction, and Leesburg JLMA industrial mineral extraction,

[05:03:41] and where data centers are currently identified as a complimentary use, Leesburg JLMA employment place type within the Loudoun County 2019 plan. I further move that the Board of Supervisors amend the data center standards and locations ZOAM project plan direct staff that proposed revisions to the Loudoun County Zoning Ordinance prepared for consideration by the Planning Commission and Board of Supervisors should designate data centers as a special exception specs use in all zoning districts where they are currently permit permitted by Wright, Industrial Park, General Industry and Mineral Resources Heavy Industry

[05:04:16] within the Loudoun County Zoning Ordinance and I further move that these two additional amendments follow the same schedule as the amended schedule uh carve out schedule i'll call it that supervisor just proposed okay as the maker of the motion i have i have i will accept that with what i need to ask staff staff will that friendly amendment interfere with the timing of the rules om it should not affect the other project because there will be different project managers generally okay um it

[05:04:53] will delay other parts of this more than likely because it will be a significant amount of additional work to tack those things on to a shorter timeline. So it won't affect the rules OM, but it could make this CPAM take a longer time? It could potentially take the second portion.

[05:05:15] What's left for the original schedule will take longer because the more we put into the condensed schedule, the less time there is to do the rest of it. Mr. Turner, did you hear that? Can I ask a question? Yes, you can. These three elements are included in the 16-month general plan. All we've done is excise them from the current location in that 16-month schedule and move them up front.

[05:05:37] It's hard for me to figure out why that would suddenly add time when they're going to be done anyway. It's going to remove time later on in the 16-month schedule. Because as I understand you're friendly, the only public input that would be considered for these would be the public hearing process.

[05:05:56] And this gets into changing the actual legal rights that people have on those properties. So you can anticipate that there will be a significant amount more input that we hear, incidentally, as well as at those hearings, because we're including this at that time.

[05:06:14] Madam Chair, can I respond to that? Well, no, but no, you can't. But I will do a second round of questions if we need to. But no, because I need to keep us on some kind of, I'm trying to keep this as organized as possible. I will come back to you, Mr. Turner.

[05:06:30] Was the friendly accepted? The friendly was accepted. I will come. And was the friendly seconded? Yes. Okay. I will come back to you. Thank you. But I think, but I also want to hear what other people have to say. Anybody else want to speak on this motion?

[05:06:46] Mr. Crony has a friendly, too. So I'm asking before, I mean, no, well, on the motion. Still on the motion. Do you have a friendly as well? I don't know. Okay. No, but you can speak on the motion. I'm confused about what we're doing. Sorry. These are all getting accepted as friendly.

[05:07:02] It just means now if we don't support the individual motions, we have to vote against the whole thing. It does mean that. So are you asking for comments on the friendlies? I'm asking for comments. At

this point, the friendlies is part of the whole motion. You can speak on any of it. You can speak on any of it. All right. So I'm back to trying to understand.

[05:07:19] I guess maybe we – I feel like we need to take a step back and try to figure out what we're trying to accomplish. Because if we're going to make everything a special exception, then I question why we're even bothering with this whole CPAM process. Just make it a special exception and be done with it. Then we can control everything parcel by parcel. But what I'm having trouble with is the actual number of parcels that we're even affecting by making it a special exception, for instance.

[05:07:40] Like, how many parcels in these zoning districts that were just identified in the Turner-friendly amendment actually don't have existing entitlement on them that can move forward with the data center? I can't give that number to you. But it's not a big number, right?

[05:07:56] Looking at the map, it doesn't look like a big number. But consider also that if we'd be changing this for anyone that has an existing approval, it's not including a data center that would potentially come in and ask for one later on. So it's probably a little bit larger than you're thinking. Which I'm completely supportive of the mapping so that we can understand this.

[05:08:12] It's just sort of flying blind trying to make policy when you don't really have the situational analysis or awareness of the rest of it, and you don't really understand what you're impacting. So from a process perspective, if all of this passes and we start the process, obviously we can pull it back, right?

[05:08:31] I mean, if this doesn't really make sense once we get started, then we can make adjustments yes and that's what the check-in was for initially to give us time to prepare a full package to present to you and then receive the board's feedback okay um i will ask because i know it's coming we also have a discussion about substations yeah um that seems like a separate issue should that be included in this zoom i mean doesn't that just add more time

[05:09:03] and analysis and effort it definitely adds more consideration okay I think I think the considering design as part of that in and of itself is a small enough issue that tacking it on if the board so chooses won't really impact the timeline but the for all of this the more things that get added on that weren't incorporated the more we're either crunching or end up having to extend the timeline and I guess my other question is if this is what we wanted to do why don't we just do this in the zoning ordinance amendment a couple months ago when we could have I mean isn't that what we I mean we did spend a lot of time on all these issues we spent a lot of time certainly I know

[05:09:41] we've talked about substations and I mean when we did that we weren't looking at the general plan for one so the CPAM portion wouldn't have been incorporated at that no but I mean yeah like we are we made half of a special exception in that already anyway but to your earlier point if we're for changing something from a buy right to a special exception the underlying place type should have the same guidance and so right now if we did that without updating the map yes yeah well But also just the place type guidance.

[05:10:04] We're in different categories. So by doing this now, we'll amend the general plan where we want it in the proper category and then be able to translate that into the ZOAM and have all of it fully supported. Okay. Makes sense. Thank you. Thank you. That was a good question. Mr. Crony, I'm going to hold off one because your question is about subsistence.

[05:10:23] I'm going to hold off to get all the other things down here answered first, okay? Any other? I'm surprised it's not all just green down here. Okay. Then I'm going to go over here now. Mr. Crony, now, do the friendly, because I actually want you to hear what it is, because it's actually more about design standards than anything else.

[05:10:42] And so I don't know. Yeah. Go ahead and do that. Okay, I'm friendly. I move that the Board of Supervisors direct staff to amend the draft project plan for CPAM 2024-001 and ZOAM 2024-001 data center standards and locations provided as attachment one to the February 6, 2024 Board of Supervisors demeaning action item to include consideration of any amended plan policies and zoning regulations needed to apply additional design and performance guidelines for utility substations.

[05:11:12] So that's a friendly. I need to understand what you all, what that means, because it's actually, that's a friendly about substations. It's just about design standards. So I don't know what that adds, what that doesn't add.

[05:11:28] I don't know. And also, with respect, Mr. Crane, the design standards that you might want are not specific. So I'm not sure what you're, I mean, I don't know what design standards you're actually asking for. I agree that there should be design standards, but I don't know what you're specifically asking for.

[05:11:44] So this one's a little harder for me. Can you all help me with that one? So our intention would be, for one, to determine what level of design guidance we think is legally defensible for a substation. because as we've talked about when we talk about the transmission lines and whatnot, when we get into the realm of electrical infrastructure, we need to double-check everything to make sure that we're on solid ground with what we would be providing as policy or setting as a regulation.

[05:12:12] So it may turn out to be that we come back and say that there's not much we can do. Right now, the way I'm looking at this from things that are getting added into the project plan and even in what we've touched on as topics to look at, we're going to do the research and see what we think is feasible And we'll report back to you about where that is.

[05:12:31] There may be places that you want us to go further. Maybe we don't have the underlying state code support for it and something for us to work on the future. Or maybe you tell us when we do the check-in that you want more specific guidance about design, about that particular use, for example, than where we are when we come to you with that update.

[05:12:51] So the way you heard this friendly, in fact, where you heard this is that it's instruction for staff to go out, go back and study it, look at it, and then come back to us. Is that how you heard that? Yes, because right now it's just to include consideration of.

[05:13:11] So obviously if it's part of the motion, you have an intention that you would like to see something there, and if we can come back to you with a proposal that would accomplish at least some of that, we will do so when we do the check-in. Okay. Ms. Bricksman, you do not want to accept that as a friendly? No, ma'am, I'm not accepting that as a friendly.

[05:13:27] Okay, so since that's not being accepted as a friendly, by the second of the motion, you have to now make a motion. Like, that's why I keep telling you guys know what a friendly is versus an alternate motion because they're not the same thing. So she didn't accept that. So you've got to make a motion if you still want that. Madam Chair, can I put it?

[05:13:43] When is the check in that Dan keeps? July? July is what's targeted right now, yes. Thank you. I just want to make sure I've got the right date. Thank you. Do you want to make a motion? Yeah, I can make a motion. Okay. Okay. So I move that the Board of Supervisors direct staff to amend the draft project plan for CPAM 2024-001 and ZOAM 2024-001 data center standards and locations provided as attachment 1 to the February 6, 2024 Board of Supervisors business meeting action item to include considerations of any amended plan policies and zoning regulations needed to apply additional design and performance guidelines for utility substations.

[05:14:23] Okay, I've put this question. Okay, well, that's been made in second. I think, Mr. Turner. Mr. Crony, now we're discussing this motion. Okay. Mr. Crony. So the purpose of this amendment is to add utility substations to the project plan to develop enhanced design and performance standards.

[05:14:39] This use is already a special exception in all zoning districts. Dominion stated that 30 substations are needed in eastern Loudoun. Many of these sites will be located near residential areas. In Little River, I have a community that has three substations near their neighborhood.

[05:14:57] Other jurisdictions have substations that have innovative architecture that blends in with local communities. I would like to preserve the community's character in the design through the use of building placement, screening and enhancing views, unique architecture, and environmental site design.

[05:15:12] An example would be a barn-inspired architecture to celebrate Montgomery County's agricultural heritage. This amendment will not slow the project plan process, and I hope my colleagues will support it. Thank you. Thank you. mr turner would you like to speak on mr croney's motion thank you madam chair um to reiterate and to just kind of tangentially to address some of the comments that have been made um the the problem that we've been dealing with for many many many years is that we are viewing the cpam and zoning

[05:15:47] process in separate silos everything we're doing here brings it together as a holistic solution and for one purpose, to give the Board of Supervisors managerial oversight. What Supervisor Ticroni is acknowledging is that data centers don't come without power lines and substations.

[05:16:08] And so to view it holistically, we need to do exactly that. And we need to back up what we have in the plan with our zoning. It so happens that all substations in Loudoun County right now require a spec. And that means they have to come to us.

[05:16:25] We have to see what they're going to do. And if we're going to do that, and that makes perfect sense since substations and data centers go together, we ought to impose additional performance standards on those substations over and above what we have been doing just exactly the way we want to do with the data centers.

[05:16:41] The specs is a mechanism to give us managerial oversight, and to the point of if we have a CPAM, we'll have something to talk about and deny an application. Not if the underlying zoning is by right, and I've got three of these in my district already, where the plan said you can't do that, but the zoning said you can.

[05:17:02] So if we don't marry the two together, we're not going to be able to get managerial oversight. And including substations in this project, I think, is essential because they are just as much an impact on our quality of life in Loudoun County as the data centers and the overhead power lines.

[05:17:22] Thank you. Thank you. Turn your light off. I'll come back to you for your closing. Okay. Ms. Bricksman. Thank you, Madam Chair. I appreciate the intent.

[05:17:37] I completely agree that we should be looking at additional requirements for performance and design standards for substations. But I can't even express how frustrated I am that we are now in February of 2024 and a mapping project that I started with the Department of Economic Development in 2020, the maps still aren't adopted.

[05:18:06] Staff told us that they don't even know if what Supervisor Tacroni is asking for would be legal. I think that it would slow down this process because staff is just saying now that they will have to go back and do a bunch more research and then bring it back to us in July and let us know if we can even do it.

[05:18:29] So what I would like to see is maybe a BMI. I'd like to see Supervisor Tacroni go back and talk to staff a little bit more, find out if we can do it legally or not, put some more parameters around it, and then come back with a BMI or something else that adds this as a separate ZOAM to the DPZ work plan.

[05:18:49] And I promise I will support making it a priority right after this. But I cannot stand by and keep adding stuff to this project that I have literally been trying to do since 2020. Thank you, Madam Chair. So, truthfully, I've seen projects take well longer than this.

[05:19:11] All the fire station comes to mind. But I very rarely say what I believe or I think when I have professionals sitting right in front of me to tell me what the facts are. And so that is why I keep asking you all how much will it, because a substitution is a specs already.

[05:19:33] and what she's asking for is design standards on the substation. She's not asking. She's only asking if it's going to look a certain way. How do you believe it will slow this down, and if so, and I know these are hard questions on the fly, do you believe this will slow this down?

[05:19:50] Because I don't really feel comfortable saying things like, I have a hard time believing, or I don't believe. You guys are here for us to ask the questions to, and you're the professionals, and you're the ones actually doing it, to be quite honest. And so I'm going to ask you what you believe as far as the timeline if this, if her motion passes for design standards on substations.

[05:20:13] So I'll put it this way. I don't believe that it has to. But part of the reason we wanted to do the check-in is because even though our project plan is based on guidance that TLUC provided that the board endorsed two years ago, obviously the board's opinions about a lot of these things have changed in that time.

[05:20:30] And we don't know with any certainty where a majority of the board is on a lot of these points. So we may come back to you with, I'm just going to pick a number, four guidelines between a policy and regulatory standpoint that does something towards this, and the board may feel that's insufficient, and you may want more, or maybe you're happy with it.

[05:20:48] We won't really know until we take the time to do some of the work and bring it to you to see. But we don't know what you don't know until you come back to us, and this allows you to come back to us. Yes. Then I'm going to support this then. Because my goal is to get the answers, and if I don't support it, we can't even get the answers.

[05:21:06] You may come back to us and tell us, oh, yeah, this is going to take much longer, and then, as Ms. Letourneau said, we'll start withdrawing things or moving things or changing things, but we can't even

get that answer unless you tell us that, and you can't tell us that unless this motion passes. Yes, and the next work plan update is scheduled for April, so we'll even have an interim check before July to come back to you with any initial feedback we have.

[05:21:28] Okay. All right. Well, in that case, I always support your motion, and I'll go to you for a closing. Thank you, Chair Randall. I believe this is our chance to get it right. You know, we know we're putting a focus on data centers, but substations go with data centers. And unfortunately, we don't require data centers to put substations on their site.

[05:21:48] So where we are now is having to put substations near residential communities. And I think it's worth looking at better design guidelines because I've seen in other jurisdictions in Virginia better design guidelines.

[05:22:06] And Dominion and NOVAC, they can do that. They really can. So I think it's worth looking into this and seeing what can be done because I'd like to improve the look and feel of substations next to communities.

[05:22:23] I think that would be a better quality of life for residents to have substations that look more like structures, more like houses, more like barns, more like artistic elements and not poles and lines and how they look now.

[05:22:41] Yeah, exactly. I think we could do better. So I think it's our chance to get it right. So I hope the board will support this motion so that we can look at substations because they are part of the picture. Thank you. Okay, so this vote is just on Mr. Crony's motion.

[05:22:59] We'll go back to the main motion after we do this vote. Motion was made by Supervisor Crony, seconded by Supervisor Turner. All in favor, please say aye. Aye. Aye. All opposed. Okay, that motion will pass 8-1, with Supervisor Bricksman opposing.

[05:23:15] We are now back to the main motion with the two friendly amendments on the main motion. Is there any other discussion? If you have not already talked or made your friendly amendments, is there any discussions on the main motion?

[05:23:31] I see you. Calm down. Because you're all like Mr. Kirshner on the main motion, sir. I don't have any questions. I'm just going to comment. Yes, sir. So the motion, specifically Supervisor Turner's motion, has made this pretty much impossible for me to support.

[05:23:48] I think requiring, and I don't, honestly, I don't know why we are adding that. And if you're adding that, you might as well give up the whole CPAM process that we're going through here, quite frankly, because if they have to come in for a special exception, we can handle all of that at that time.

[05:24:04] So I think that particular motion has made most of this move. But I also think that's a bit of a mistake. I think it also sends a I think we're sending a signal to our data center community that you're really not wanted and we don't like what you're doing.

[05:24:21] And I've been talking to a number of the folks in the community. And, you know, I think we need to be careful. And I understand what we're trying to do here, and I appreciate it because I think a lot of these design standards have been put forward. A lot of the things within this packet are things I certainly can get behind and support.

[05:24:37] I think it's important for the community, the buffering options, the facades, et cetera, that we've been addressing over the past. Some of them I supported, some of them I didn't. But a lot of those we can get behind. But this concept of we are going to kind of micromanage this whole process, especially on the remaining, I don't know, dozen or two buy-write properties that currently exist.

[05:24:58] within the districts that have been named in here, I think really sends the message to the data center community that you're not really wanted that much. And one of the interesting things in this whole discussion that we had brought to us, because I foresee what happening is basically none of it.

[05:25:15] They're going to come with special exceptions and we are probably not going to provide as good a product or no product at all. I think we're also we're going to, quite frankly, get sued over this. I know Mr. Rogers said that we're going to try to avoid that, how we write it, et cetera.

[05:25:30] But these are some serious deep pockets. And when we come to them and we say, listen, you had a buy-write piece of property, and now you have a special exception, you're just asking for a lawsuit. So I will also note that I have a quote here from the 2019 comp plan, and it discussed the need to develop performance standards for data centers to address design, landscaping, compatibility that would eliminate the need for a special exception.

[05:25:57] So for me, this motion is actually counter to the actual 2019 comp plan. We're putting in special exceptions, and we're putting in a whole process to develop performance standards, et cetera, for the data centers, which is what the comp plan talks about is you do one in order to avoid the other.

[05:26:18] I'm still not sure I fully understand the full goal, but perhaps this has enough chutzpah to pass here tonight. I'm not going to support this most, especially with the attached motion. I would support the mapping motion to send that to the planning commission and get that hurried in the process, but I think we have a little bit of a jumble.

[05:26:39] I think staff's got quite a fun task to kind of sort through it all, but I won't support it. Thank you, sir. Ms. Umstead. Thank you, Madam Chair. I could not have said it any better than Supervisor Kirshner, so I won't even try. thank you um so miss brixman you think you have another friendly even though we're back on the main motion but we haven't taken a vote on the main motion yet so you think you have another friendly well madam chair if i could ask staff one question that would help me decide okay because

[05:27:14] i may not do the friendly okay thank you i'm sorry i thought anyway um on page four we have six criteria for mapping. And five, and I just wanted to ask numbers five and number six, could that lead to basically grandfathering in those parcels that are owned by a data center company, like grandfathering in and giving them entitlements if we identify them?

[05:27:46] So it would not grandfather them in or give them entitlements, but by incorporating them into the parameters, we would consider what properties are out there that don't have something existing or aren't active something that someone's already invested a lot of money into and consider that when we're recommending what the ultimate place type designation for that site should be so it could put it could leave that property in compliance with the comp plan if we don't change the place type for example or maybe we recommend to change it to a place type that would allow a data center to put it in compliance does that make sense yes thank you madam chair I don't need to make another friendly thank you thank you very

[05:28:22] much. All right, I will do a closing. Mr. Kirshner, you know, I heard a lot of what you said, and I don't completely disagree, but I do think over the past, I don't know, six months, well, even more than that, a lot of things have changed, to be honest, and for more than six months, I think one of the main things that's changed, it's not that we don't welcome the data student community, that's has never been true. We do. But there was, for lack of a better way to say it, a gentleman's or gentleman's agreement that data centers belonged in certain spaces. And when those spaces got filled up, data centers themselves start going into neighborhoods, start going

[05:29:02] into bucolic corridors like Route 7, start buying up land that actually we have set aside, we believe was going to be for residential neighborhoods. But since it was a buy right for data centers, they bought up the land right from under us. So I think that there was some changes. And I think that the gentlewoman, gentleman's agreement was not broken by us.

[05:29:23] I think it was broken by them. And I don't mean every single data center, obviously. But I think overall, the data center community, when they ran out of the land that was in spaces that we wanted them, went into other spaces that we didn't want them. And I think it changed the entire conversation.

[05:29:39] And so things have changed, but I believe we held up our side of the bargain, and things now are different. Secondly, I believe that data centers are my constituents. Businesses are our constituents, and we cannot ignore the voice of our constituents.

[05:29:58] Residents are also my constituents, and I refuse to ignore those voices as well. And it's not one or two or 10 or 20 people who are talking to us about data centers. It is everybody. It feels like everybody.

[05:30:15] And I say this all the time. When I take votes, I take votes on what's my conscience doing and what's my constituency doing. If it's against my conscience, no matter what the constituency is doing, I'm probably not going to vote for it because I've got to live it myself. I have no conscious issues with these motions, these friendly amendments at all.

[05:30:32] And my constituency wants it. So the two constituencies we have, data centers versus residents, are competing against each other on this one. It's not that I don't respect the data centers, because I do. I thank them. I appreciate them. But at this point, I can't serve two constituencies.

[05:30:52] I can serve one. And I'm going to choose to serve the residents who are screaming at us about data centers right now. and so i'm going to support the motion with the friendly amendments i'm going to look forward to staff coming back to us talking again i'm going to look forward to us taking some things out changing things some things around if we do shifting some things as i heard all through the complaint all through the zoning ordinance it's more important to get it right than than do it fast and so that's where we are right now and the staff will come back to us and talk to us but i

[05:31:26] will support the motion with the friendlies okay all in favor please say aye aye opposed nay all right that motion will pass with the friendlies 7-2 with supervisors kirchner and amstatt voting against the motion thank you we're done with that item we're done with that item okay we are we really are done with that item all right we're going to go to the next item that's what i thought It was like just a pause before anybody got up, but we're done with that item.

[05:32:06] That's funny. Is Mr. Freeman on the phone or on the WebEx or on the something? I am. Good evening.

[05:32:21] I know you've been waiting a really long time, and we apologize for that. No worries. Just give me one second because the room's kind of clearing out on us right now. Okay. You're out of here right now?

[05:32:40] It is.

[05:32:56] Mr. Freeman, right before we start, Mr. Letourneau has to leave, and he said, and I quote, tell Jonathan I think he's awesome, unquote. I concur with that statement, as he has to leave now. Okay, Mr. Freeman, we are ready when you are, sir.

[05:33:14] Good evening, Madam Chair, members of the board. If I may, I'll start off in Section 1 and talk through the bills in Section 1 and then move through some updates that have occurred with our initiatives in the last couple of hours and then some overarching bills that are very important to the board. Okay, sounds good.

[05:33:41] Yes. Okay, we're good. No, I'm sorry. I didn't mean to interrupt you. Yes, that's fine. That's fine. We're ready. So looking at the Virginia Firefighting Personnel and Equipment Grant program that the board took a straw poll on, which came back unanimous in support. The Senate version was continued to 2025, and the House version was laid on the table. So these bills have effectively been defeated. The General Assembly noted that they wanted to take a closer

[05:34:19] a look at the funding as well as some of the parameters around the grant program. Wait, wait, the bill numbers, what bill numbers did you just say for those? Because that's not the bill numbers. Tell me what bill numbers you just said for those.

[05:34:36] I'm sorry. The Senate version is SB 648. Okay, yeah, okay, yeah, yeah, yeah, okay. I'm sorry, yeah, that's what they are, yes. So those bills have unfortunately been defeated. Okay, that is unfortunate. Okay. Moving on to our initiatives, our anti-rank gouging bill, our house bill, was up yesterday in court's civil subcommittee.

[05:35:05] That was continued to 2025. I think that there is some hope from the housing advocates that the Housing Commission will take an actual deeper look into anti-rank gouging.

[05:35:21] as a whole across the commonwealth and the senate version is up tomorrow afternoon in general laws committee okay moving on to the public notice bill which is of course the bill that will allow you all to hear an item at a public community and award it to a future business meeting for action uh hb 1488 has worked for the house unanimous um and is on its way to the senate oh oh oh okay Jazz hands.

[05:35:57] All right. The Jack Porter Contracting Bill, HBD 1113. There was some issues with small contractors on the amounts that were in the bill. The per project limit and the annual limit.

[05:36:13] We came to an agreement of \$1 million per project and \$10 million annually. And so that bill has gone through unanimously so far. It's on third reading from the house floor. Okay. And we're anticipating that that will go to the Senate unanimously. Okay. Moving on to some for arching bills that are of incredible importance, the collective bargaining bill.

[05:36:40] So speaking specifically to the Senate bill, Senator Boyceko presented that to Senate planning and subcommittee on general government this morning. The General Assembly had noted some issues with the bill across the board, but specifically on collective bargaining in regards to VRS.

[05:37:01] Since VRS has set out, it does change by the General Assembly. So they continue that bill to 2025, and they're going to look at that in a deeper lens in the office after session. Did you say VRS will take a deeper look at that?

[05:37:20] No, the General Assembly, they didn't know specifically who will take a deeper look into the collective bargaining bills, But they noted that VRS was the main issue that the general... Ah, I understand what you said. I'm sorry. Okay. I understand. All right.

[05:37:38] The House bill we're anticipating will have the same path. So we continue to 2021. Okay. Moving on to SB 708, which is the bill to underground power lines along Route 7 that Senator Perry was carrying.

[05:37:57] Congress and Labor heard the bill on Monday evening, and they noted that they were a little concerned about the price tag on the bill, even though on lines 124 and 125, it passed on the cost to data centers.

[05:38:16] As we noted in the bill, they continued that bill to 2025, and Senator Eben from Eastern Field Facts noted that he would like to see that put into the JLARC study that is looking at the data center builds.

[05:38:33] In that JLARC study, there's still the methodology of the study data centers. It looks like it will be around the environmental impacts of data centers, as well as the energy usage of data centers.

[05:38:49] Okay. Okay. Moving to the Greenway Bill that Delegate Reed is carrying that the county is particularly worried about. And again, this is the bill that would essentially take the Greenway from under the Highway Corporation Act and put it under the PPTA.

[05:39:13] essentially allow VDOT to have oversight over the road. But the road, of course, would still be under a trip to. That bill was on second reading on the floor, but then it was re-referred back to appropriations today. So we are thinking that that bill essentially does not have any more traction is what our belief is. Okay. But right now it's still alive going back to appropriations.

[05:39:43] That's correct. And to highlight a few budget amendments that we have on our radar, and I'll just highlight that Budget Sunday is February 18th, and Budget Sunday is when they will wrap up the budget officially.

[05:40:01] so next week is the big week for lobbying on budget amendments currently the budget is 65 million dollars each year to fill the funding gap so 65 million from the state and then the other half from localities just give me one second Jonathan before you go on to the budget Sunday bills which is supervisors on page five let me ask if anyone has any questions on the bills that have already been talked about because every time i say does anyone have any questions what that means is does anyone have any questions does anyone have any emotions does anyone have done

[05:40:40] anything on what we just talked about that's what that means does anyone have any questions on the bills that jonathan just mentioned before we go on to budget sunday bills miss miss brixman thank you madam chair this might come under budget uh amendments i'm not sure but um i was just interested in any update on the on the school funding and the jlark i think there was like an omnibus that that's that's probably going to be in the budget the budget that's correct okay thanks on the budget um that's senator hashmi and delegate rasul who chair the education committee

[05:41:16] they are carrying a budget amendment that is about a billion dollars um or just over a billion dollars for uh education um our understanding is that this will also uh into the 1900 per pupil shortfall that the jlark study highlighted um and so um you know how k-12 will be funded is still being hashed out and we really won't know the full details until the budget conferees finish

[05:41:52] up their private budget meetings and publish a budget on budget sunday miss miss umstead uh thank you madam chair are you requesting all amendments proposed amendments no so right now i'm requesting um questions or or our motions on what he just discussed like i did last time on what he discussed if there's a a motion that wants to be made on something that's not in our item today. I'll take that at the end of his presentation before we do the motion to accept everything. All right. I know Supervisor Kirshner has a motion, and I do as well. So we'll take that

[05:42:31] up after questions. Jonathan, can you keep going, please? Yes, there's also a budget amendment to waive the 3% cap so that the shortfall that WMATA is currently experiencing can be fully addressed. And there's also money that has been put in by Senator Evans to fund his SJ-28, which will effectively study the transit systems in Northern Virginia to come up with a long-term

[05:43:06] strategy to our transit funding issue. Okay, go on. And last but not least, we also have money that was put in as budget amendments by Senator Subyaman as well as Delegate Reed to fund our crisis receiving soon.

[05:43:29] And with that, Madam Chair, I will turn it over. Thank you, sir. Okay, so we've now discussed all the motions that we had. I will now go to Ms. Umstead for a motion on what is in the program already.

[05:43:47] Thank you, Madam Chair. I anticipate a friendly amendment to this from Supervisor Kirsner. I'll read my original motion. I move that the Loudoun County Board of Supervisors remove HB 710, Webert, and SB 549, Perry, from the list of bills opposed by the county during the 2024 session of the Virginia General Assembly.

[05:44:13] Second. Okay, so wait, before we, do you move that it is, that we move it from the opposed list and move it to the support list and then Mr. Kirsten's going to make it friendly? No, I did not say move it to the support list. That's why I'm asking. So you're just opposed.

[05:44:29] We would remove it from the opposed list. And send it nowhere until Mr. Motion, until Mr. Kirsten makes a motion. That's correct. Okay. Mr. Kirsten, would you like to make a friendly? I would, Madam Chair, to ask the maker of the motion to include, I further move that the county continue to track HB 710 and SB 549 in our legislative program.

[05:44:52] I accept that. So just for clarification, the motion is actually to track the bills. Correct. That would be my motion, yes. To remove it from the opposed list, but continue to track it. Well, I mean, we can remove it from this, but not go to the support list.

[05:45:15] You don't want to support it. You just want to move it from an imposed list and then track it? Yes. Okay. Mr. Ms. Umstead? I already addressed the reasoning for this.

[05:45:30] I believe this is a transparency bill that does not remove from the county any authority, but simply makes what we do more transparent and gives the board and the public a greater sense of how we're spending funding.

[05:45:48] Thank you. So just for clarification, there is not any support for this bill or opposition for these bills. It's just monitoring the bills. That's what I'm hearing right now.

[05:46:04] We're not saying we support them. We're not saying we oppose them. We're just saying that we're monitoring. Is that everyone's understanding? That was the intent of my friendly, Madam Chair. Okay, then, cool. Mr. Kirshner? Madam Chair, I spoke on this earlier, but I would just say, obviously, we know what the bill is.

[05:46:23] I think it's important for us to continue to watch it and have further discussion about it. I'm obviously much in favor of local control as much as we do, but I also understand kind of the nature of what's going on here, and I think it's important that we continue to track it.

[05:46:39] But I don't think it's to the point where we oppose it or support it in either way. Thank you, Madam Chair. Thank you. I will support tracking it, and I think you're right, Mr. Kirsten. We do all know what's going on here.

[05:46:54] absolutely we do i'm sorry miss brixman thank you madam chair um i i think that we should continue to oppose it along with um our colleagues at vaco and the entire vaco board which is opposing the bill for a number of reasons one reason is because it subverts local authority another reason is the administrative burden that it puts on localities to vote on something like you know twenty five hundred dollars or five thousand dollar expense out of a supervisor's discretionary budget and

[05:47:31] that's one of the things that vaco talked about and that is the administrative burden when for example counties like loudon at least has given staff authority to actually renew and or approve contracts anywhere between a million and eight million dollars but we're going to have you know if this bill passes, we're going to have supervisors approving or disapproving how other supervisors spend their discretionary funds out of their discretionary office budgets.

[05:48:06] So not only is it, you know, patently ridiculous, but it also will make boards completely political, which is another thing that VACO has identified as the increased politicization of boards, where one party will certainly feel like they have to vote against another member of their board doing something like going to NACO or going to VACO where we network and, you know, get a lot of ideas from our colleagues and our counterparts.

[05:48:34] And bring money back. And bring money back. And another thing that actually is an improvement over this bill, and one thing that we're really afraid of, is they did remove staff from the bill when it was in committee yesterday. So that extreme burden of having staff have to come to the board for approval of something as little as \$2,500 or \$5,000 is now removed.

[05:48:56] So, you know, our staffers like Mr. Hemstreet and Mr. Rogers and Ms. McClellan can actually go to their professional development and professional certification courses without having to come to the board for something like \$2,500 or \$5,000 to go spend a week on professional development.

[05:49:15] So, Madam Chair, I will be strongly opposing taking this off the opposed list. Thank you. Thank you. Mr. Turner, do you want to speak on this item? Yeah, Madam Chair. I associate myself with Supervisor Brisman's comments. You're absolutely right.

[05:49:31] We all know what's going on here. To say that this does not in any way remove authority from the local board or, I mean, there is a reason the Virginia Association of Counties, one of the most

respected, bipartisan, County advocates in the country vehemently opposes this bill and I think it's it's ludicrous it's a ludicrous bill to begin with we all know the the Underlying political motivations and why it's even in existence and I agree with Supervisor Brissman if they go and all of its talent and all of its capabilities

[05:50:07] Vemently opposes this bill who am I not to oppose it as well, which I have done from the beginning This is a colossal waste of time. Thank you Anybody else before? The one thing I will say is we do all know where this bill came from, and the one area where I will strongly and continuously push back is that there has been some not transparency from this board.

[05:50:38] I actually brought the ambassador from Ghana in this boardroom and announced in this board would say of the county that I believe a delegation to Ghana. I then sent my stay of the county to every media outlet there was, which is how Mr. Minnick actually first got it.

[05:50:58] And that was after having some votes on the dais, not about the money, but about the new sister cities that Mr. Reiser brought to us. There's a lot of things that we can talk about.

[05:51:14] And I have actually talked about them. I have said that, and this is true, that I didn't invite anybody to go with me, Nor did I say anyone couldn't go with me. That was never my ideal or my plan. I was going to go because Mr. Reiser requested that I go.

[05:51:29] But the ideal that we haven't been extraordinarily transparent and I haven't been extraordinarily transparent is just not true. It is just not true. And it is incredibly offensive because it's just not true. So I don't want to hear anything about anyone being truthful and honest because there's nobody.

[05:51:50] I think, I don't think there's anybody in this room right now, I'm not sure if Mr. Kirsten was there, who wasn't here at the state of the county, and stood up and clapped when I said, we're going to Ghana. Like, literally, stood up and clapped when I said, we're going to Ghana.

[05:52:05] And half the ambassador stand up when I said, we're going to Ghana. Everybody on this day is, Ms. Kirsten, were you here that day in the state of the county? I just want to clarify, Madam Chair, I was at the three prior to that. I'm sorry I missed that one, though. Okay. stood up and clapped, Ms. Umstead clapped, Mr. Saines clapped, Ms. Bricksman clapped.

[05:52:27] Everybody on this dais was here, stood up and clapped, and I said I was going to Ghana. So the idea that there wasn't complete transparency around this is absolutely ridiculous. And, yes, offensive. However, listen, I got no trouble at all tracking the bill.

[05:52:45] No trouble at all. I think that for this one, I'll probably just abstain because there's just nothing else. I mean, there's just nothing I can, I'll just abstain on this one. But tracking bills, not a problem for me at all. In fact, I really look forward to Jonathan letting us know how this bill turns out in a couple weeks.

[05:53:02] I look forward to you tracking this bill, Jonathan. Would you like to close, Ms. Umstead? Simply request that the board adopt this position. Thank you. Motions made by Ms. Umstead with a friendly by Mr. Kirshner to track the bill to not suppose, oppose, or support it.

[05:53:22] All in favor say aye. Aye. All opposed? All opposed? Nay. Mr. You did not. No. No. So it's eight of us up here. Yeah. What'd you say?

[05:53:40] No, it actually doesn't. No, it doesn't. I'm up going to abstain. So the motion. Four, four. Oh, it's four, four, four. You're right. You're right. The motion fails. The motion fails. Yep. The motion fails. It stays

on the opposed list.

[05:53:57] Mr. Kirshner, did you also have, I'm sorry, I should be a little bit clear about that. I abstained. Ms. Glass, Mr. Crony, Ms. Bricksman, and Mr. Turner voted to keep it on the opposed list. So they voted no. Mr. Sains, Mr. Kirshner, and Ms. Umstad voted yay. Yes.

[05:54:21] All right, we're going to now go to Mr. Kirshner has a motion regarding the General Assembly program as well. Correct, Mr. Kirshner? It is. It is germane because of a couple of bills. And obviously what's going on with the next era power line coming through Western Loudoun proposed at the moment.

[05:54:45] And the motion says, I move the Board of Supervisors transmit a letter to the Virginia State Corporation Commission, SCC, with a copy of the Loudoun delegation requesting confirmation that Ms. Kelsey Baggett, the newest SEC member and former Next Era Energy attorney, will recuse herself when the Next Era Mid-Atlantic resiliency link proposal is before the SEC for consideration. Didn't she say she was going to already? She did, Madam Chair, but I think we as a board should officially send a request letter, and she did, and I think she's doing the right thing, but I think we as a board, just to ensure that indeed that is our position we ask this is such an important aspect and I guess I'm speaking

[05:55:24] now on my motion. I'm sorry you speak on the motion yes I'm sorry. I think this is such an important aspect to Loudoun County and a number of the things that we've even gone through here that we as a corporate body should indeed send a letter expressing our concerns and what we want to say just asking that indeed that be the case. We could write it in such a way if Madam Chair wish because i'm seeing the look on your face that we thank and we thank miss kelsey baggett for um publicly stating that she will remove herself but that um we also as a board would request the same um i think that indeed is um appropriate and we should state our conclusion um you can never

[05:56:02] take anything for granted in this world and i think that's one of this is such an important project we want to make sure that any consideration of this does not result in any unfair advantage for the folks who are proposing a particular route for this power line thank you madam chair all right anybody else well first of all mr. Kirsten you and I both know there is one thing you can take for granted in this world you know I'll support it but I will say I want to write this letter very carefully because I don't want I also don't want to be offensive right because we may need her sometime.

[05:56:35] Why don't we be offensive? And she did say she's going to, and I don't like to assume people are not telling the truth. I like to assume people are actually going to do what they say until they show otherwise. And so I get what the goal is, but basically we're saying we think you're lying to us, and that's not real comfortable for me.

[05:56:52] So if we could make the letter say, like, you said that you're going to, we agree with that conclusion of yours. We really appreciate that you reached that conclusion, and we support that effort, I mean, like, just be really, I, I, I, yeah.

[05:57:08] That's fine, Madam Chair. Yeah, just be very kind of gingerly and careful, because, you know, calling people liars or assuming the worst from out of the box is not something I think is really appropriate to, no, I asked for speakers, and you did not put your no. Well, you, you brought a good idea, I was going to make a friendly to the motion, but.

[05:57:24] You're going to make a friendly to the motion? You can do, you can always do that. All right, so, I guess my time is. Well, the maker of the friendly motion, except that's friendly, it's pretty much just to

reword the motion to kind of go with the long chair of Randall's.

[05:57:40] I think he, I think, who's going to write the letter? We write a letter saying thank you for, we appreciate you stating that you will, stating that you will remove or accuse yourself when this item comes up. So I just learned that Mr. Rogers is going to write the letter. I think I should write the letter.

[05:57:57] I'm just kidding. Because he's like the hammer, right? I could do a draft. We want a soft touch to begin with. We want a soft touch to Mr. Rogers. So pretty much my friendly is what we want. We may just bag it for another case. All right, so my motion was friendly with the maker of the motion amended to say, would we like to send a letter of support thanking the commissioner?

[05:58:21] Yeah, is that okay? Just the language. Yeah. Yeah, yeah. I think that's sufficient. I think the idea is we, as a corporate board, make our intentions, and however we couch that in whatever terms, I think I'm sure we have some experts on this board that can, in my closing here, Madam Chair, can wordsmith it well.

[05:58:38] Thank you. All right. That's fine. All in favor say aye. Opposed? That motion would pass unanimously with Mr. Laterno being off the dais. Are there any more motions on this item?

[05:58:53] Question. Do you have a motion, Mr. Sains? Not a motion, but a question. Yes, on the item? Yes. Well, a bill, but it was not in the package. Yeah, sure. Listen, when I say questions, when I ask for questions, it's time for questions or motions. That's always been that way. That's never been changed, always.

[05:59:11] That is correct. So, always been that way. So, it's not officially in our package, but there's two bills that have definitely caught my eye. I've been quietly monitoring them. I'd like to get, I was going to ask Mr. Freeman.

[05:59:26] I'm bad at pronunciation, but Dan, he's not in the room anymore. So I'm going to, through the chair, if we can go to Mr. Heming Street for his opinion. Sure. And Mr. Rogers, if need be, as well. But Senate Bill No. 544, a bill to make short-term rentals a buy-right use.

[05:59:41] That has passed the Senate committee. And also Senate Bill 304, a bill to make ADUs, this is accessory dwelling units, a buy-right use has passed the Senate committee as well. So if we can get staff's opinion on the ramifications of these two bills here in Loudoun County if these were to come to pass.

[06:00:06] Mr. Hempstreet, you may have to make that in the motion form, but Mr. Hempstreet. Hi, yes, Chair Randall and Supervisor Sainz. My recommendation would be to oppose both those bills as an infringement upon local control.

[06:00:24] When we talk about, you know, typically when we talk about short-term rentals, the local governing body through zoning should be able to regulate that. Often, if it's allowed to just happen, it starts to impact housing prices and it starts to impact the ability for people to access housing because those residential units do get purchased to be utilized as transient launching.

[06:00:53] And so when we talk about those kinds of uses, you definitely want to be able to mitigate the impacts of that, which is precisely what the purpose of zoning is. I would say the same thing about accessory dwelling units. The board would want to be able to regulate through zoning and mitigate the impacts of additional housing units or accessory dwelling units on what would now be individual unit parcels.

[06:01:17] you think about Western Loudon you think about other places where if you don't have control over that you would end up with additional housing units in places that the board under local zoning probably would not want to want those uses so with my remaining time so how about you make a motion yes I would like to add these two bills to our legislative package and then suppose to oppose them and no vaco opposes them and then with so wait a minute that's the motion yes that second motion is made and second that we'd like to speak on the motion yes thank you with everything that mr. Hemistry just said um this would definitely as we talked about

[06:01:54] before this will take away local authority which is we're definitely against uh those type of uh initiatives that come from the general assembly and this is just and would do a lot of harm i know there is there's there's good intent behind these bills but these are two bills that i don't think These are two bills that they definitely should have gotten some more local input from before moving forward with them.

[06:02:18] I know we have a situation now with short-term rentals in Supervisor Brisbane's district where there's one corporation that has numerous residents in the countryside area that's an issue. And so that will just blow up if this one bill comes to pass, SB 544.

[06:02:38] And then for accessory dwelling units, SB 304, for example, this would go against our zoning in the rural area, the transient area as well, where, say, imagine in the rural area we do not want more housing. And in fact, here in Loudoun County, folks might be able to buy up land and start building accessory dwelling units out there.

[06:02:57] And then that will go against what our local zoning is. So hopefully my colleagues can support this bill. I know it's a little late in the game, but I think we need to jump on this and then oppose it and see what we can do to right the ship. Thank you. Thank you.

[06:03:12] Ms. Bricksman. Thank you, Madam Chair. Thank you so much, Supervisor Sains, for bringing those up. Those along with the 40 units per acre bill, which I think is gone now, but I'm going to repeat what our chair says fairly regularly, and that is anyone in the General Assembly should at least do one term on a board of supervisors or town council because the idea that you wouldn't understand what 40 units an acre would do to schools and infrastructure and water supply and power and all of that that we talk about when we're looking at land use applications is ridiculous.

[06:03:53] And you're right, Supervisor Sainz-Vaco is already opposing those two with the STRs and the ADUs. you know they're pretty strong on that so um i appreciate this and i'm happy to support thank you um ditto what you two said madam chair i would support yes mr mr turner yes very briefly since i'm sitting in my two-month short-term rental remodeling project which is now in its seven months and i've been here for two weeks i can tell you that the yavapai county board of supervisors

[06:04:29] is considering legislation to limit and restrict short-term rentals within the city limits of Sedona. But if Arizona state legislature passed any kind of a law that allowed short-term rentals by right, the people of Sedona Village of Oak Creek would rise up and take to the streets on that kind of legislative overreach from the state government. This has no business being and state government, this is an entirely county issue, and it's a sensitive one, but it's entirely county.

[06:05:01] Thank you. I would associate myself with your all's comments, everyone's comments, and I would say one more time that I think that this discussion goes both ways and that we have to, in the future, be a little more circumspect about stepping into state government issues because we've done that.

[06:05:18] So let's just remember that when the time comes. Mr. Sandridge, would you like a closing? I'll just end by saying, again, I think we need to oppose these bills. I have tremendous respect for the creators of these bills, and I will actually reach out to them and see what can be done.

[06:05:35] But I think this is the wrong approach. Again, I think these bills have some good intent behind them, but the wrong approach. So hopefully we can work these things out. Thank you. All right. All people say aye. Any opposed? That motion will pass 801.

[06:05:52] All right. Is there anything else on this legislative agenda? Jonathan, you're doing a fantastic job. Thank you for everything you're doing, and we'll see you when you get back. Actually, we'll see you Thursday?

[06:06:10] He's back Thursday? I know, but Thursday. I think he's back Thursday. All right, see you later, Jonathan. Bye. Okay, we have one more action item. We do. Yes, we...

[06:06:25] Oh, wait a minute. Maybe we don't. Oh, we put that in consent. That's right. We have closed session, of which Ms. Bricksman is going to read us into closed session. Okay, I move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2-3711A7 of the Code of Virginia to consult with legal counsel and staff members or consultants pertaining to the actual or probable litigation.

[06:06:55] I will second that in discussion on the motion. Mr. Turner, your plan is to hang up and then meet us in closed session. Is that correct? Is that correct? I can. I can if you need me, Chair Randall, but I really would rather not.

[06:07:11] Oh, wow. We do need you. No, we do. I don't know how we're going to get to a closed session without you. I'm just, I'm confused as to how we're going to set. Of course. Okay, bye. Bye. Thank you very much, Violet. All right. Whoa, whoa. Anything else? All in favor, please say aye.

[06:07:30] Aye. Opposed? That motion passed 702.

[06:07:35] Oh, crap, I can't eat now, darn it, because I'm on a...

[06:28:59] I've got to go outside.

[07:00:57] All right, we are back. Ms. Glass left before reading this. She did not attend closed session with us, although she did vote for us to go into closed session.

[07:01:15] She never went into closed session with us at all, so that's just on the record. And, of course, Mr. Turner had left before he ever went to closed session, as had Mr. Letourneau. So we will now read out of closed session. Ms. Bricksman. I move that the closed session be adjourned, that the Board of Supervisors reconvene its public meeting, that the minutes of the public meeting should reflect that no formal action was taken in the closed session, and further move that the resolution certifying closed session be adopted and reflected in the minutes of this public meeting.

[07:01:46] Motion is made. Is there a second? Motion is made. Second by Supervisors Sane. Discussion on the motion. Mr. Kirshner. No, I'm just ready to say I affirm. Okay. Everyone, please say I affirm. I affirm. Affirm.

[07:02:06] And I affirm as well. All in favor, please say aye. Any opposed, that motion will pass 603, and we are adjourned.



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