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Loudoun County Board of Supervisors, Business Meeting, Thursday, November 7, 2024

Date Thursday, November 7, 2024
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 8h (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7803>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7803

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-18. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:11:25] Well, good evening, supervisors, good evening, staff, and good evening, Loudon. I'd like to call the order to November 7th, 2024, Loudon County Board of Supervisors business meeting. This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecall mode.

[00:11:41] If you need a headset, we have those available as well. Please see the clerk to my left to request one. Mr. Turner, today you are doing words of inspiration and the Pledge of Allegiance, so I will turn it to you. Thank you, Madam Chair. Well, I had the privilege last Friday and this past Monday of teaching a pre-K and kindergarten class about voting and the importance of voting, which sounds kind of hard.

[00:12:10] It was not at all, and it was just an absolute joy. It was just absolutely fun. It was about 30 kindergartners and pre-kindergartners. I had a book which was about the mouse legislature in Washington, and there was a squeaker of the House and a mouse majority leader of the Senate, and there was a bill that was put forward by a second-grade class to declare a national cheese, and they debated the national cheese, and they argued over Roquefort or Cheddar,

[00:12:45] And they finally, the squeaker of the House and the House, the majority leader of the Senate got together and decided that clearly the national cheese should be American cheese. And I started off the presentation by asking everybody, everybody who loves the color purple, raise your hand.

[00:13:05] And everybody who loves the color green, raise your hand. And kids were shouting and laughing and talking and everything. I said, now, see, all of us in here in this class are still friends, right? Some of you like purple and some of you like green, but we're all still friends. And then I said, which of you like my growly voice, my ugly growly voice?

[00:13:23] And which of you like my little squeaky chick bump voice? And we raised our hands and we voted again. And it was just an absolute delight. And both days, Friday and Monday, when we got to the end with the lesson of what we learned today, I choked up. Both times I choked up looking out on the sea of little faces about how great America is and how wonderful it is and how we all get to care about each other and vote the way we vote.

[00:13:48] And so it was a very, very wonderful experience twice. And I highly recommend it to any of you that ever get the chance to do that. Please join me in the pledge. Please, 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.

[00:14:15] Okay, we have a lot of additions and deletions to the agenda, so I hope that I get them all correct, and then we have a long consent agenda as well. Mr. Crony, I'm going to ask you first, would you like to discuss one of your nominees? Yes, thank you, Chair Randall. I withdraw the nomination of Donna Wadowski to the Community Criminal Justice Board.

[00:14:43] Okay. We're also going to delete from the agenda today and just defer to the November 19th meeting response to the board member initiatives on LGBTQ inclusionary review, the inclusionary review. The item Legi 2023-0059 Greenland Park ZMAP 2022-0024 is deferred to a future board meeting at the request of the applicant that was deferred. Item 9, Valley Commerce City annexation is deferred to a future board meeting as well. Item 11, Smith Switch Road

[00:15:23] Corridor and WNOD grade Separator Crossing Study is deferred to the November 19th, 2024 business meeting. I want you guys to listen to how busy the meeting on the 19th is going to be because we're deferring them and that's fine, but we're going to have a very long meeting on the 19th.

[00:15:41] I'm just going to say that. Board Member Initiative number 14, define and establish performance criteria is deferred to a future meeting. I'm going to add one issue item tonight to the pre-agenda meeting. It will be a closed session item number 2.2-3711A78 of the Code of Virginia to consult with legal counsel and staff members pertaining to actual or probable litigation to a specific legal matter requiring the provision of legal advice by such counsel requiring a settlement of dispute in the Little River

[00:16:19] election district. So that is all the additions and deletions. Did I get all of those correct? Did anyone have anything else that you want to add or remove from tonight's agenda? Okay. Then I'm going to go on and would accept that without objection. And I'm going to go on and read the consent agenda, which is also a long agenda. Consent agenda is item R1, proclamation to recognize November 15, 2024, as America Recycles Day.

[00:16:50] That is for approval only. I will let you all know when and where that will be presented. Item R2, resolution for appreciation for Edward Page Moffitt. That's for approval and presentation. Item R3, proclamation to recognize the Alder Care Center for Caring.

[00:17:07] It's their 10th anniversary. That is for approval only. Mr. Letourneau, thank you for that. Item 1, appointments and confirmation with the exception of the prior nomination to the CCJB board that Mr.

Crony just pulled off. Item 2, administrative items report of November 7, 2024.

[00:17:27] Item 4, resolution of intent to amend the zoning ordinance of manufactured homes. Item 8, Legi 2023-0083, Trailside Park, CMPT 2023-0009, and Special Exception 2023-0020, and Special Exception 2024-0036.

[00:17:50] That is on consent. Item 10, FY25 to FY2030, the Secondary Road Six-Year Plan and FY25 Construction Improvement Priority List. Now, I'm going to stop right here and say, right now, I have checked the speaker's list and there was nobody on the speaker's list who wanted to speak on this item or any items on the consent agenda.

[00:18:14] If you are here and you hear me read an item that is on the consent agenda and you want to speak to it, just give me a wave because I will pull it off because I don't want to pass things by consent and then have people come up who want to speak on something that's already been passed. But right now, no one has.

[00:18:32] and I did check right before we walked in the dais. Item 12, Loudoun County Transit, title fare equity analysis, commuter bus fare increases for fiscal years 2025 through 2026. Item 13, Loudoun County Transit, title, was that six?

[00:18:52] Service equity analysis, commuter bus service changes for fiscal year 2025. Item 16, board member initiatives, the Brambleton Active Adult Proffer Amendment, that is ZMAP 2013.0002 and ZCPA 2013.0001.

[00:19:10] Item 17A, Fiscal Year 2024, Housing Choice Voucher Resident Advisory Board Annual Report. Item 17B, Advisory Plans Examiners Board Calendar Year 2023 Annual Report.

[00:19:27] And item 17C, Facilities and Standards Manuals, Public Review Committee, Fiscal Year 2024 Annual Report. That is the consent agenda. I will make a motion for approval. Is there a second? Motion made and seconded by Supervisor Briggsman. Discussion on the consent agenda.

[00:19:44] I will first say that if any supervisor has the right to make any confirmations, appointments, that they want to, Some of them will get full support on the consent agenda.

[00:20:01] Some of them might not. I have no idea. But I, as chair, do not tell people who they can and cannot put forward. I would never do that. Who they can and cannot put forward for a board commission body, whether I endorsed them or not or voted for them or not.

[00:20:24] I just want to put that out there because there seems to be some questions about that. Anybody else for the consent agenda? Mr. Turner. Thank you, Madam Chair. I just want to say a few words about the trailside monopole. I know we had quite a bit of community input on that. A number of the community members opposed that monopole.

[00:20:43] I looked very carefully at this. It came with a recommendation approval from the Planning Commission. I met several times with the applicant. I met at least once, possibly two times with staff. I met with some concerned members of the community. I specifically asked for information about gaps in coverage and clarification of those gaps in coverage and whether or not it applied to one or several carriers and specifically about 5G coverage, which is a rapidly expanding need in the county.

[00:21:16] The poll has been placed well back on the ball field. I think it is unobtrusive as possible and I think it is a reasonable compromise. So that's why I did not want to take it off consent and why I support

the motion to approve the Planning Commission's permit.

[00:21:34] Thank you. Thank you, sir. Mr. Crony? Thank you, Chair Randall. I just want to thank my colleagues for supporting the Brambleton bus proper waiver. This is what the community has been asking for, and I heard that a lot during my campaign. The bus is not being used in Brambleton.

[00:21:52] It just sits there because they can't find a bus driver, and also it's not needed in that community. This is a 55-and-older, very active community, and there are three bus stops in Birchwood that serve the community and have, you know, go through the local stops.

[00:22:11] I really appreciate my colleagues because this will waive the fee and requirements for the public hearing so that we can just remove the proffer. The bus will be donated to a nonprofit, and Birchwood is going to improve the three existing bus stops so that they're ADA compliant, and that'll be a real benefit to the community.

[00:22:36] And I also want to thank my colleagues for supporting the six-year secondary road plan. And we still have some work to do regarding our gravel roads. The rural roads committee has requested an ad hoc committee to come up with an improved process and enhanced maintenance program.

[00:22:57] And I look forward to creating that community and working with Supervisor Kirshner's office to come up with the process and maintenance for our beautiful gravel roads in rural Loudoun County. Thank you.

[00:23:12] Anybody else on the consent agenda? Seeing none, all in favor, please say aye. Aye. Any opposed? That motion will pass 801. Mr. Sainz will be here shortly. Okay, I'm going to do my regional, state, or national updates.

[00:23:31] I don't have that many, so that's good. On Friday the 18th, I attended and spoke at the Regents' What You Need to Know About Transportation Summit. I attended that as chair of NVTA, and I'll talk about another NVTA event in just a second.

[00:23:51] But one of the questions that I received as chair of NVTA is what NVTA consider funding the maintenance and operations for our roads. I will tell you my response is and will continue to be a resounding no.

[00:24:11] House Bill 2313, when it was created, was created so that NVTA could be involved in capital. So putting money into building transit, so whether that is yards for the metro or building roads or building things is what we're trying to do in NVTA.

[00:24:33] House Bill 2313 did not include maintenance operations. The way NVTA works is this. We tax people who live in northern Virginia to build roads and put money into transit, walk trails, bike trails.

[00:24:52] And there are three different taxing ways that we tax. We're grantors tax, sales tax, and the gasoline tax. Maintenance of roads is a state responsibility. It is a VDOT responsibility. If we were to start doing road maintenance or road operations, one, NVTA doesn't have the money to do that.

[00:25:15] So we'd have to, once again, which would be for the third time, tax our residents of northern Virginia to participate in doing state operations. I am not willing to say yes to that, neither as chair of the county nor as chair of NVTA.

[00:25:35] So I said clear and resounding no many times over because I do not believe that people who live in the Northern Virginia region should be taxed again to do state responsibilities.

[00:25:53] We pay state taxes for state responsibilities, and so we're not going to pay local or regional taxes, which would be a third time to do those. So if that, I'm sure that doesn't come up in your normal lives, but if ever you ask about that fascinating subject, that is what that was.

[00:26:15] Secondly, I attended the NVT State of Transportation, I'm sorry, not transportation, the State of Transportation Network was the first time we've done that. And one of the things that was really, really interesting is that we did, or NVT did, a quality of life factor inventory.

[00:26:35] In other words, what are the things that are, for lack of a better word, hampering you having a good quality of life? This is the ninth year in a row that NVT has done that study. For the past eight years, the number one thing that was a quality of life issue was reducing traffic congestion and improving transportation options.

[00:26:56] This year, for the first time ever, the number one issue for quality of life was improving housing affordability and making it easier to afford to live here. 22% of people in the Northern Virginia area who answered the survey, and we had a very good response to the survey actually, said their number one issue was attainable housing.

[00:27:19] Number two issue, so that was 22%, number two issue was reducing traffic congestion. That was 17%. And to my great surprise, the number three issue was reducing crime and making safer neighborhoods. That really surprised me because I don't think of Northern Virginia as some place that really has an issue.

[00:27:37] Because this was just Northern Virginia. It wasn't the whole region has a real issue with crime, but that came up. And I will just really quickly read you all the others. So increasing access to high-quality affordable health care, increasing the number of quality jobs, Reducing poverty and income equality, improving quality of education, kindergarten through 12th grade.

[00:28:00] Again, that one surprised me because Northern Virginia has fantastic schools. Improving access to employment of, to enjoyment of outdoor recreation opportunities for everyone. Approving the range of housing choices, which goes back, I think, kind of like to the first item.

[00:28:19] and increasing of higher education and vocational programs for local residents. So those were the top 10 quality of life issues in Northern Virginia. But housing was absolutely number one. And I think, is that all I have for the day?

[00:28:36] I think that might be, yeah, everything I did this region was all about transportation and housing. So I did other, I did, I basically went to this kind of the same type of event four times.

[00:28:51] So I won't have to go through them again because it's all the same stuff, unless you want to hear about my fascinating calendar, which I have a feeling you probably don't. So today we're going to go to our Voice for a Cause. Our Voice for a Cause is the Loudoun County Community Veterans Engagement Board.

[00:29:07] And, of course, we all know that Veterans Day is coming up. So the Loudoun County Community Veterans Engagement Board is a nonprofit organization which represents over 60,000 Loudoun County veterans and their families and works in partnership with over 35 veteran support organizations in our area.

[00:29:25] The purpose of the Loudoun County Community Veterans Engagement Board is to promote healthy and a rich lifestyle for Loudoun County veterans and their family members through community outreach and advocacy on Loudoun County veterans' issues. And, of course, we know that from our last census that we have as much as 10 percent of our constituents in Loudoun County are veterans, so it's a really, really high number.

[00:29:47] With us today is Ken James. Now, my father was Army for over 20 years. Mr. James is Air Force. I will not hold that against him. That would be fine. That would be just fine. Mr. James, thank you for being here and thank you for your service.

[00:30:02] Can you talk about some of the work you've been doing on the federal level to help bring a Virginia clinic to Leesburg? Yes, ma'am. I'd be glad to. Thanks very much for having us down here today and an opportunity to address issues for those of our veterans. What we did was back in 2018, we started working with the VA.

[00:30:20] We worked through Congresswoman Wexton's office and her staff to identify a need and find a way to get a clinic here in Leesburg. I'm happy to report to you and the other board members that in the VA, FY27 budget is a line item for developing a health care center here in Leesburg.

[00:30:46] Based on VA data, they have clearly identified, based on what you just said, a need for something here. And that way we do no longer have to send our people to Martinsburg, Washington, D.C., Fort Belvoir, or Fort Detrick for routine care.

[00:31:02] Surgeries, yes, they'll still need to go to the hospitals. But the point is, this is important for our veterans to be able to have health care here in the community. So, and this, I always end up asking a question I didn't tell you I was going to ask in advance, so I apologize for that.

[00:31:17] Would this include veterans in the northern Virginia region or just Loudoun County? It primarily would be in this region. Now, they're also putting one in Manassas. It goes in in 26. So Manassas will have a larger facility than we do, but ours will be about 200,000 square feet.

[00:31:35] It will probably include about 20 dental chairs thereabouts. I don't want to put anything on the VA right now that will determine that. But the most expensive thing that VA has to deal with is dental care.

[00:31:50] Oh, okay. All right. I understand that you recently hosted a Veterans Fair. Can you talk a little bit about that event and how do these events actually help veterans? I've been to them before, but how do they help veterans? We actually did a VAC, what we call a Veterans Experience Action Center.

[00:32:09] It's a statewide, we did a statewide event. We were actually the ones who pushed to get that done, and we had a virtual event. We had 587 veterans who actually came online, and they were able to either apply for benefits, Determine where their benefits are currently at in the system, and in some cases, they were able to resolve them on the spot.

[00:32:29] Now, out of the 587, a very key important part here is 29.1% of those veterans were women. Normally, in an in-person event, we're lucky if we get 6%. Oh, how interesting, and thank you, and how interesting. That's very interesting because they don't like to come with their records and walk into a public facility.

[00:32:49] So what we did in July of this year, to add on to that, we held a veterans' fair in Sterling, and we basically brought VA raiders or service support officers from Roanoke, and we had eight of those come up,

and they worked with our veterans here in the county.

[00:33:08] We only had 49 who came in and actually applied for benefits, but that's 49. Exactly. That's 49 more than did it before. Absolutely. 49 is actually a pretty good number to be on, so I think that is. And we are planning on doing this again next summer. Okay. And so we'll be doing another one.

[00:33:23] On the state level, can you speak about some of the work you've been doing in collaboration with the Commissioner of Veteran Services? Sure. Be glad to. One of the things we identified back in the fall of 21 was a need for us to reach out to the other CVEBs around the Commonwealth to determine what they're doing and how they're communicating with their veteran organizations and their veterans.

[00:33:46] So we started holding quarterly meetings, and we actually set up the agenda and worked with the commissioner and actually run the meetings. But we've been doing that on a quarterly basis. In October of this year, we actually had our first annual conference in Farmville, Virginia.

[00:34:05] And we had five CVEBs represented, and we had some others that were in the process of starting a CVEB. And so we are looking at forming a coalition. And once that is done, we will actually have a coalition that represents 28 counties and 15 independent cities.

[00:34:25] Okay. And so that will encompass a wide range, probably about 180,000 veterans and their dependents. Wow, wow. So that's a broad area. And the other thing we've been doing, I want to make sure we let you know this.

[00:34:41] We have been very much involved with helping other counties set up their CVEPS. So we just set up one south of us for Culpeper, Rappahannock, Frockier, Madison, and Orange County. We also worked with Richmond and Petersburg to set up their CVEB, and we're working with Manassas, Arlington, and Fairfax to set up a CVEB there.

[00:35:04] But our goal is to make sure that we're getting the communications out there for our veterans and getting them the services that they deserve. And this is for all veterans, every branch, and every level of service? That is correct. If you are a veteran of the military service, you are entitled to, you know, be, you know, get the services and you're entitled to be a member of our organization.

[00:35:26] Amen. That's wonderful. And then my last question is what's the best way for more people to find out about you, to know about you, to contact you? If they will go to our webpage, it's info at LCCVETS.org.

[00:35:42] And they can go on our webpage and actually, you know, see who is a member of the CVEB. as well as get current information. Can you say that, can you say it one more time? Yes, ma'am, info at lccvets.org.

[00:36:00] Now, I've never done this before for Voice for a Cause, but seeing how you are an Air Force man, I thought I would say, Mr. Turner, do you have one question? And I would just like to say it's thanks to Supervisor Turner that we have a CVED because he was behind the push for this.

[00:36:18] Oh, well, that took his question right there. I didn't want to cut it out there. That's really amazing. That's really amazing. He was a big supporter of ours and has been all along, so we very much appreciate your support. Anything? No?

[00:36:34] You're good? Okay. Thank you so much for your work. Thank you so much for your work with veterans, and thank you so much for your service. Thank you very much. Appreciate it. Mr. Hemstreet, do

you have anything tonight? Thank you, Madam Chair.

[00:36:50] I've got four comments for this evening. The first is that earlier today, the Metropolitan Council of Governments extended the drought watch for the region, which includes Loudoun County. Residents and businesses are being asked to continue to take voluntary measures to conserve water and help reduce demand on the region's water supply systems.

[00:37:08] More information, including voluntary measures we can take to conserve water, may be found at [loudoun.gov slash drought](http://loudoun.gov/slash/drought). On a related note, or second, on a related note, the deadline for Loudoun farmers to apply for a \$500 grant through the county's Farmers Assistance and Relief Measures Fund has been extended to December 31st.

[00:37:28] As you know, the fund was set up earlier this year to help farmers affected by the severe drought that we experienced early this summer and is still ongoing. and in response to Loudoun's inclusion in the USDA primary disaster area list. Eligible farmers may apply for the grants, which are administered by the Department of Economic Development at [biz.loudoun.gov slash farm fund](http://biz.loudoun.gov/slash/farmfund).

[00:37:50] Third, Loudoun County's human services nonprofit grant application process for fiscal year 2026 is now open. As you know, funding is focused on the areas of need identified by the board. These are crisis intervention and diversion, improved quality of human services, long-term support and prevention and self-sufficiency.

[00:38:10] Details about the program, including the application and helpful resources, are online at [loudon.gov slash non-profit grants](http://loudon.gov/slash/non-profit/grants). And then finally, the Department of Parks, Recreation, and Community Services invites members of the community to a special event highlighting local small businesses, non-profits, community groups, and resources offered in Loudoun County.

[00:38:29] Community on Purpose will be held Saturday, November 16th, from 10 a.m. to 4 p.m. at the Claude Moore Recreation and Community Center. The event is free and will include activities for all ages. More information is online at [loudon.gov slash communityonpurpose](http://loudon.gov/slash/communityonpurpose).

[00:38:45] Those are my comments this evening, Madam Chair. Thank you, Mr. Hemstreet. I appreciate it. Okay, let's go in and go with our significant incident report. We have somebody from the, everyone from the Sheriff's Office. If you are here, will you come on down, please? Supervisors, as they are coming down, I'm going to ask for just a moment of personal privilege.

[00:39:08] I want to take a quick second and explain to you all something that I learned about last week that has to do with the sheriff's office and possibly legislation. And if Mr. John, are you in the room, John? Okay, I might ask you to come down as well.

[00:39:24] Mr. Sawyer, as I say this, if I get something wrong, stop me, okay? Yes, ma'am. Correct me. I'm sure you don't mind correcting me. All right, so I need you all to listen to me just for a second, supervisors, because I want to make sure I get this right. Some 25 years ago, there was a young woman that died.

[00:39:45] She was, I don't know how she died. She was killed. How she died is not the most important thing I'm going to say today. When she died, they did not know who she was. She was a Jane Doe. So she was buried as a Jane Doe, and that was legal to do that 25 years ago, bury somebody as a Jane Doe.

[00:40:11] Since then, a law has passed that has said it is illegal to bury people if we do not know their identification, whomever that person might be. If we don't know who they are, you can't bury them. This

Jane Doe, who did die in Loudoun County, they were trying to identify her, and they thought they might be able to identify her, but they needed to get her DNA.

[00:40:36] So she was exhumed for the purpose of getting her DNA and doing an investigation.

Unfortunately, in fact, very unfortunately, even without doing all that, they still were not able to identify who she was. The problem is, since a law has now passed that says you cannot bury somebody unless you know who she is or who they are, she cannot legally be re-interred.

[00:41:04] So she is now in the regional coroner's office in Manassas, and they cannot re-inter her, although we did exhume her after 25 years. I would like to, and John, if you can make your way on down, I would like to put a policy statement, if you all don't mind.

[00:41:28] I wanted to do this to make sure the sheriff's department was here to make sure I got my facts right and any questions. I'd like to put a policy statement in that says anybody that had previously been buried and have been exhumed for the purposes of either DNA or investigation, if that person still cannot be identified, they can legally be re-interred.

[00:41:56] So I understand the ideal that we shouldn't be burying people that we can't identify. I get that, and I support that. But her remains have been buried for 25 years, and now she is in the morgue. And we want to be able to respectfully re-inter her, and we can't.

[00:42:17] And so just kind of from now until whenever she was identified, if that ever happened, she just remains in the morgue. So did I get all that correct? Yes. So, I mean, this is a case of huge significance for us, going back to 1973.

[00:42:34] And this was a homicide case. So, you know, detectives did the best that they could back in 1973 to identify her, but were not able to. DNA technology hadn't come around yet. You know, there's been obviously significant changes since that time. But our cold case unit, you know, which we established back in 2012, has been going through these cold cases, looking to see what can we do with these cases.

[00:42:59] And this case stuck out to us because regardless of whether we can, you know, solve this case, and obviously we would love to solve it and hold somebody accountable, love to do that but regardless there's a family somewhere that's missing their daughter um and you know there's going to be extended family that just doesn't they don't know what happened to her right um you know she was a black female in her mid-20s um that's all we know not likely from this area because you know otherwise families around here probably would sure have communicated but but somewhere there's a family that doesn't know what happened to their family member and that was really important to us. So last October, our cold case unit worked with the court. They got an

[00:43:37] exhumation order to exhume her body. And the medical examiner's office was able to get viable DNA from her. But obviously, you know, there's not like an exact match sample. They weren't taking DNA samples back in 1973. So working through genealogy takes time. So we were through the process and really going through the process of reburying her where, you know, we've worked with funeral home you know have a headstone have a service and everything else to you know give her the respectful burial that she deserves um and the office of the chief medical examiner said well you can't have the body because we don't have a name um and so at this point i mean we are working very

[00:44:14] diligently on that but that could take some time and and in this interim time before we have her identified um really don't feel like it's it's an appropriate respectful situation to just have her body, um,

you know, in the morgue. So we are, we are looking for, so I would like to put a, and, and John, you suggested that we put, until you do some more research on it, you want to do a policy statement that says we would support this. And after more research, we actually may, you know, find someone to put the legislation in, but in the very, at the very least a policy

[00:44:51] statement that says we would support allowing someone who had been exhumed to be re-interred if they were exhumed for the purposes of gathering DNA or doing an investigation. Is that correct? That's correct.

[00:45:06] I also want to double check with, you know, there may be some lobbyists that represent the morgues here in the Commonwealth that we may be able to work with and better understand, you know, the issue and why the law was, you know, crafted the way it was when this law passed.

[00:45:24] Yeah. Yeah. I can't imagine anyone who would have any issue with this, but who knows? Yeah. You guys, do you have any questions? Were there any questions on this? Oh, on this? No. On this. On this issue. All right.

[00:45:40] Then we're going to go on the significant incident report. Thank you, John. Thank you so much. We appreciate it. All right. Let's go on the significant incident report. Okay. I'm pleased to bring the significant incident report for the quarter of July through September of this year on behalf of Sheriff Chapman. I know you all read these things in advance, so I'm not covering everything in here.

[00:45:57] I will do my best to go through. And I'm gonna do something a little different this time. A lot of times I'll bring a few things up in front. I'm gonna expound on a couple of things this time as we go through, I'm just gonna jump right into it. So starting on page four, when I say page four, if you're looking at electronically, when I refer to page numbers, I'm talking about the page number at the very bottom.

[00:46:17] If it's a PDF, it may not be page four. It's page four at the bottom of the page. We are happy to report that our crime rate continues to go down, and we have the lowest serious crime rate of any law enforcement agency in Northern Virginia, and that trend is continuing.

[00:46:33] But while our overall crime rates are down, we are seeing some increases in property crime categories, and I will talk about that more as we get to the crime stats. We continue to put an emphasis on firearms and firearm safety. We have the information right here about the thefts of firearms, which are going down.

[00:46:50] And they are lower this year from other places, but there's, you know, one is still too many. And we are working, we partner with Project Child Safe, long-time partner there. Gun locks are available at all of our stations. We've also worked with Loudoun County Public Schools to promote firearm safety and the use of gun locks and safes at homes.

[00:47:09] And the bottom of the page and going on the next page, we talk about our continued focus on fentanyl and, you know, the fentanyl overdoses between both adults and juveniles. We are, you know, excited to report those numbers are also going down.

[00:47:25] Overall overdoses as well as juvenile overdoses, those numbers are in the chart on the middle of page five. But that's an area that is, you know, continued emphasis, continued investigative focus for us. Below that chart, we talk about our financial and cybercrime unit. This unit doesn't get necessarily a whole lot of attention, but this year, you know, we've seen a real big increase in impersonation scams and

cryptocurrency investigations. So whether it's the jury scams, we've done messaging on, you know, on that where someone calls you and says, you know, you've missed jury duty and now you need to, you know, pay money to, you know, not get arrested or just a general, hey, there's a warrant out for your

[00:48:03] arrest. You need to pay money and we'll resolve it. Those types of things. Those are, those have become a real problem. And they use actual law enforcement officer credentials. So, I mean, I've had people contact me and say, hey, I got a phone call from someone claiming to be you. So, you know, my name has been used as supposedly, you know, I'm the one calling. And I've been able to respond and go, no, no, no, certainly wasn't me. That's not how this works. But there's a lot of legitimacy. The places, you know, the people that are doing this are putting a lot of effort into it. So, we've done a lot of public messaging and things like that to try to lower that.

[00:48:38] Uh, cryptocurrency is also a, just an exploding area where we're seeing a ton of fraud. Uh, we've had millions of dollars of, of fraud in, uh, in cryptocurrency. Our financial and cyber crime unit, um, is all over that. We're actually industry kind of leaders in the area when it comes to cryptocurrency investigations where, and we're, we're pioneering a, a way now to be able to, uh, to freeze cryptocurrency and actually work to return it back to people who had it stolen, which is, and if you're familiar with the crypto world, that is an incredible feat. We've got people who are extremely smart, one of which I will talk about in a second, but we've got people who are extremely

[00:49:16] smart, you know, working on this, and we're really proud of the effort that's being done there. Towards the bottom of the page, we talk about recruitment, and we're happy to report that since January 1st of this year, we've hired 48 new deputies, 17 civilian employees, seven auxiliary members, and we have about 73 people in the background process right now.

[00:49:36] actually today was also a hire date for us we hired 11 people today so those numbers are now are now going up but we've got a phenomenal staff in our employment services section and our attrition rate is actually very low right now which is helping as well on to the next page starting awards and recognitions right up top detective Shannon Altemberg she's the person I just said I would talk more about she is a detective in our financial cybercrime unit she was awarded with the deputy deputy of the year from the virginia sheriff's

[00:50:11] association this year so huge award for her and there's multiple reasons for that one is she is our leader in cryptocurrency investigations the work she's doing is absolutely phenomenal to be able to um to you know really work with victims who've lost huge sums of money and one one of these cases that she was working on was about \$5 million worth of loss, which is obviously significant. And then when you add that it's not typical money when it comes to tracing and things like that, she's just done a ton of work there. She's also one of the leaders of our women's

[00:50:47] self-defense program, and she is on our women's mentorship committee. So she is plugged in all over the agency doing really phenomenal work, super proud of the work that she is doing. We graduated our 60th crisis intervention team training of note in there.

[00:51:04] We always have multiple jurisdictions in there. Chief Thea Purnett from Leesburg PD came through that class this time, and it was awesome to have her there. You have a dog in there. Yeah, yes. Yeah, the dog is not certified. But I'll be honest, the dog could probably do de-escalation better than any of us here.

[00:51:26] On the next page, the bottom of page seven, we graduated three inmates from the CHANCE program, which is Changing Habits and Nurturing Community Engagements. That is an intensive five-day-a-week, 16-week program that involves a lot of different classes at the ABC.

[00:51:41] It's a partnership between us, Loudoun County Mental Health, Substance Abuse Developmental Services, and OAR. And then at the end of that section, on the next page, the Sheriff's Office was actually on Loudoun Now's uh favorite governmental service which i think is a first for us but that's pretty cool sheriff chapman was also recognized as loudon's favorite public servant moving forward i'm going to jump up to page 12 where we get into significant incidents um this um and just as we go here this was a really difficult quarter we handled a lot of difficult cases this quarter um so

[00:52:20] starting off the first one there with a suicide at the adult detention center on september 6th and then this is in reverse chronological order um the double homicide that we had on on august 28th um in sterling now obviously you know we're grateful for the detectives that was an extremely difficult investigation um and i can tell you from being out there uh that night they we had no idea who who had who had done that um you know and so to go from you know an investigation where you have two people killed where you have no idea what the motive was or who the suspect is to then come

[00:52:57] in and it was just under two months that the detectives put countless hours team of phenomenal detectives out of a robbery homicide unit countless hours so many search warrants so much door knocking in the area you know video surveillance review that the the work they did was was phenomenal uh you know we did charge one individual um in that that case there are likely be additional charges that are coming on that as well um so you know it's it's good that we're able to get some closure to that but there's just a very difficult case as you move forward i'm going to jump up to page 12.

[00:53:33] we had a domestic related homicide on august 9th in ashburn that was between a father and son again just another another difficult case there flipping forward in the bottom of page 13 we had the fatal carjacking in sterling on july 28th with the suspect arrested and charged in that one as well um and then after that we get into kind of a series of uh very serious and fatal car crashes uh so traffic enforcement continues to be you know one of the biggest issues one of our highest priorities i know it's one of the largest complaints that we receive that you all receive

[00:54:11] speeding is up um you know we're trying to do as much as we can to you know to do you know community messaging and and things around that um but we are unfortunately still seeing very serious uh car crashes as we move forward page 16 has our community policing data starting on page 17 starts our crime stats with our calls for service calls for service are down a little bit from where we were in 2023 still up from where we were in 2022 as far as just overall volume of calls for service crime trends and i do want to spend a little bit of time here crime trends on on page

[00:54:49] 18 when it comes to violent crime the first one i want to highlight is the blue bar if you're looking at that and that is related to aggravated assault that is down slightly with 116 this year as opposed to 118 from last year which is good except for what we're seeing underneath that statistic as it relates to domestic violence so aggravated assault is is you know just kind of going in a high high level for what the charge is is your serious assaults where there's someone is really physically injured with, you know, significant, you know, trauma, or it's things

[00:55:25] where, like, there's strangulation, suffocation, things like that, where, where someone attempted to do something extremely serious. So, those, those offenses, when it comes to domestics, are

down from last year.

[00:55:41] But when you say down from last year, I'll show you what last year is, and if, let's see where the camera is. Stan, can you get that paper? So down from last year is good, but it's not where we want to be.

[00:55:56] Good job, Stan. So we saw a significant – You've got to keep holding that. Stan did all that work. You've got to keep holding that right there. Okay, there you go. All right. So domestic violence is obviously a significant issue. We're a very large county here, and it cuts across all socioeconomic statuses and things like that.

[00:56:18] We've got significant numbers in every, you know, kind of every corner of the county. There's no place that is immune from it. It's also difficult from a law enforcement aspect because it's happening within the four walls of someone's home. As I say, we can't direct and patrol our way out of it.

[00:56:34] I can't increase presence in a neighborhood and decrease domestic violence. It's happening inside the homes by people who know each other. So, you know, we kind of, you know, stepped back as an agency and said, hey, what can we try to do here to try to you know to have an impact and um and one of those things was on october 15th we held a domestic violence awareness forum um at briarwoods high school bringing in a whole bunch of people uh for including family services and laws and uh just a lot of different organizations you know the commonwealth attorney's office a lot of people that have have a stake and have a piece in this puzzle to try to bring community awareness to this issue so um you know

[00:57:12] It is difficult because at the same time, we need to bring awareness to it, but driving statistics is also different as well because the more awareness we bring to it, the more reporting we get, which means that the numbers are going to go up. However, that's what we want because we want to be able to get into it so that we can bring the right resources to the situation to be able to address it.

[00:57:34] So this remains an area that we are focused on and really working on our domestic violence unit. Our victim advocate unit is really focused here on trying to bring resources and resolution to some of these domestic cases.

[00:57:51] Along with that, some of the other lines that are there, forcible sex offenses are trending down, robberies are holding steady, and homicides are unfortunately higher than average. And a lot of those I just briefed a short time ago. Moving on to property crimes, and I'll mention one of these things here as well, the blue line is for larceny. Larceny is a very broad category. It is down from last year. I don't have a pretty chart to show you related to that, but what's catching our eye this year is that while overall

[00:58:25] larceny is down, shoplifting is actually up 26%, which is sizable. So our data set there is, want to say we're around like 500 or so so when you're talking about 25 that's a significant number of cases and we have a known loss which i would argue is you know the known shoplifting loss is going to be highly underreported of about 250 000 so that is that's an area that we are focused on working with retailers across the county trying to get it and stay a step ahead of of shoplifting we We do see a lot of regional impact there.

[00:59:03] So there are groups we're working with on organized retail crimes, so groups that are targeting certain types of businesses and moving across the region, just continually hitting those businesses. That's a lot of what drives these numbers. And so that's a focus area for us.

[00:59:21] The gray line, auto thefts continue to increase and burglaries are down. The following pages after that just include the typical station statistics. And then I'll just mention briefly on page 24, court services.

[00:59:40] We had two judicial investitures, which are pretty awesome. They're very staff intensive and our court, you know, staff has really done a phenomenal job doing that. But it's also an honor to be able to do those investitures. And then our adult detention center went through three audits and inspections and received 100% compliance from Virginia Board of Local and Regional Jails, the U.S. Marshal Service, and the Virginia Department of Health.

[01:00:04] So we're very proud of that. Did you guys mention your showers? I used to always, when I was the Chair of State Board of Corrections, I used to always miss checking off how many showers you had. I was like, I'm sure they're showering, I promise, but that's really good. That's a wonderful report. Well, not wonderful, but you know what I mean.

[01:00:19] It's a very thorough report. So thank you all so much. I think we probably have lots of questions. At least I have lots of questions. If you have questions, put your light on. Mr. Letourneau. Thank you, and I appreciate that. I had an opportunity to speak with one of the deputies who was one of the first on the scene to that homicide shortly after it happened and heard just what a gruesome scene it was and also how, as you said, there was just no indication of what could have happened.

[01:00:46] So tremendous work to bring that to justice.

[01:00:58] In light of all that, my question may seem a little less serious, but lately we've been seeing a number of incidents involving e-bikes and e-scooters and actually gotten a significant volume of community concerns about it, mostly teenagers ranging from middle school up who are using these. We did have two incidents in the Dulles District recently, both when vehicles struck individuals crossing on these e-bikes and e-scooters.

[01:01:20] One of them was a lot more serious than the other, you know, pretty serious injuries on the first one. None of the juveniles seem to be wearing helmets, or most of them, in this. We do have a helmet ordinance in Loudoun County, which I feel like is not well known.

[01:01:35] So I just wondered if perhaps we could or if you have thoughts on, you know, how can we get the message out a little bit? First of all, on helmet use, I did a deep dive into this whole area. I know that only class three e-bikes are regulated differently.

[01:01:52] One and two are the same as regular bikes. But you do have to obey traffic laws whether you're on a regular bike or an e-bike. So, you know, I know how difficult it is for the sheriff's office to try and enforce something like this. But could there be something proactive through the schools, through the SROs, you know, or to parents about, hey, you need to, you know, really, I mean, watch what your kids are doing on these things?

[01:02:14] We can definitely look at that and definitely look at what messaging, you know, we can do on that. This is an extremely difficult area, you know, because, yes, you're right. There's a county ordinance on that. But, you know, we are not in the business of charging kids with county ordinance violations. You know, so, like, it's a very – It does say in the ordinance that the first offense is just – No, I get it.

[01:02:33] informing them. Right. Exactly. Like it's, it's really difficult, you know, when you see kids that are, you know, zooming around these things and, and they are, I mean, I see them in my neighborhood as well. They're, they move, they move quickly and, um, you know, they're, they're all over the place. And a lot of times where we do see the crashes is because yes, they are supposed to abide by, by, you know, traffic law, but a lot of these kids don't understand the principles of who has the right of way and when they have it. Um, and a lot of these intersections, you know, obviously, you know, if they have the, the stop and the walk lights and things like that, that makes it easy, but a lot of our intersections don't, you know, don't have those. So, you know, most of the crashes, you know, that we see are related to just the lack of knowledge

[01:03:13] of the traffic laws that they're supposed to be abiding by. We could definitely look at the messaging. They're going all over the place in all these communities. So I definitely understand the concern. Thank you. Ms. Umstead. Thank you, Madam Chair. Two questions. I was talking to one of the officers in the Leesburg Police Department, and they utilize their officers

[01:03:47] in Leesburg schools as SROs, as you know. And one of the things they have begun to try to do is educate boys and young men in how we as a country approach violence against women in the home.

[01:04:12] And a lot of these boys may see violence in the home, and because they speak English, they've learned it in school, they will call the police when that happens. The mom might not want the police because the dad is bringing home income, but RSROs feel it's important to educate boys and young men in what the law is in this country.

[01:04:45] Do you all have an opportunity outside the town of Leesburg to engage in the same education programming? So we do. And actually, we just started this year with the Virginia Rules Program, which has violence prevention kind of built into that.

[01:05:06] So that's an area we can look at. I don't know off the top of my head if that is specific to violence in general or violence against women, but that's something I can definitely look into. Okay, great. And then the other thing we've noticed in Leesburg is that Target is very good about prosecuting shoplifting, whether it's individuals or organized retail theft.

[01:05:31] Our outlet malls are not quite as good at it. Is it your experience in the county that Target is one of the most aggressive prosecutors of retail theft?

[01:05:47] Yeah, so a lot of these companies have corporate policies as it relates to how they handle shoplifting, whether they want their staff to engage, you know, whether they're going to prosecute, things like that. Target has a very robust loss prevention program. Yes, they do. Thank you very much.

[01:06:04] Ms. Glass. Thank you, Madam Chair. And I would like to thank the Sheriff's Office for the ride-along that I had participated in last month. And I especially want to thank Lieutenant Blake Echam, who drove us around Broad Run on a Saturday night, which I found very interesting.

[01:06:28] It was mentioned during a conversation on my ride along that the sheriff's office employs social workers to participate in the response calls for individuals who are experiencing mental health crisis.

[01:06:49] So could you tell me a little bit about that? Sure. So point of clarification, we don't employ them. That's our co-responder program that is in partnership with Loudoun County Mental Health,

Substance Abuse, and Developmental Services. And that is the co-responder program that was brought and has been funded for us to be able to respond to calls with people in mental crisis.

[01:07:12] so we have a law enforcement officer and a clinician paired together to try to you know ensure that we have the best chances for you know successful de-escalation of those situations and then be able to start providing um you know essentially mental health care right on scene there so that's our co-responder program it's been live since july 1st as the official rollout we had a you know kind of a soft launch before that but that's a phenomenal partnership that we're working right now between um the sheriff's office and uh and loudon county mental health substance abuse environmental services.

[01:07:42] Thank you. And I also wanted to ask one or two questions because you mentioned domestic violence. Is it, does the victim have to press charges when the officer comes in and there's, you know, when they see the incident coming along, you know, may have evidence that, you know, that something did occur? Or do they have to have the person that was being harmed

[01:08:20] to press charges for that to occur? So, no. And this is a great thing about, you know, the Virginia legislation. When it comes to domestic violence, it's actually the law enforcement officer that is pressing the charges so that it doesn't have to be on the victim. Because, you know, years ago, that's the way the legislation was. But then the issue is that the, you know, the person who gets charged, the offender, is then even more upset with the victim because they're the ones who's actually pressing the charges.

[01:08:49] So Virginia law was changed, you know, a while back to say that it's the law enforcement officer that is the one who's seeking the charges, and it's also a mandatory arrest. So it takes our discretion away. So we are able to tell victims that, you know, look, we are the ones who are going to charge, and then when we're dealing with the offender, we can tell the offender, no, this isn't, you know...

[01:09:10] you know, your spouse or, you know, whatever the relationship is, they have nothing to do with the charges. I'm the one pressing the charges because I found probable cause, you know, that the assault occurred. So we take that off of the victim and we take ownership, you know, for that. And then there is, it can still be difficult, but there is victimless prosecution in Virginia where even if the victim says, I don't want to prosecute, we can still move ahead with prosecution on the victim's behalf because of that you know extremely difficult you know position for a victim to be in

[01:09:43] the middle of. Thank you. Thank you Mr. Turner. Thank you. Just very briefly if I heard it correctly do you have any idea why the domestic violence incidents were so high last year? I mean that's a hugely significant spike in domestic violence. Yeah so the short answer to that is no not necessarily. There's there's a lot of layers to this so we're trying to uncover it. We've been working on a lot of training as well of our staff on recognizing strangulation. So strangulation is one of those charges that bumps it up to serious assault. So the chart I showed was serious

[01:10:21] domestic assault. And so that's one of our theories is that it could be better recognition of deputies on the street as to serious assault versus lower level, you know, more minor assaults, which those numbers are actually decreasing right now, you know, which is good. But at the same time I don't want to have a glasses half full you know answer and just say well that must be it and then we dismiss it as a problem because we just say we're better at recognizing it so I'd like to think that it's because we're our deputies are becoming better at recognizing serious assault um you know we also worked very diligently um Sergeant Lorraine Goldberg to get suffocation

[01:10:58] added so strangulation really you know required um it was very specific we got suffocation added to the Code of Virginia. So that is also in that category. So it could be some legislative changes to that as well that allow us to charge higher level, you know, charges when we have more serious cases. But we're still trying to work out what the cause is. I was going to say because if, and that makes sense what you're saying, but if it was a measurement issue where we're more accurately defining what serious domestic violence is, then how do you explain the rapid drop-off the following year? Because we're using the new procedures. So it's a question mark. Correct. So

[01:11:34] So we are presuming on the path of it's not just us being better recognition, something else is going on. And we're trying to work with partners to be able to identify what can we do to really have a meaningful impact in this area that is such a difficult area. I would really like to know what your conclusions are as you continue to analyze that.

[01:11:52] That's a pretty serious statistic. Yeah. Absolutely. Thank you. Thank you, Mr. Turner. Ms. Briggsman. Well, thank you for illuminating that because, you know, it strikes fear in me when I hear that just the domestic violence is going up. So it's good to hear there may be a mitigating factor and that we're identifying it more.

[01:12:11] I would also, along the lines of what Supervisor Letourne was talking about, I'd like to have a conversation with you maybe offline about the e-bikes and what you think might be the safest path going forward because I'm seeing a lot more of them as well. And my concern is we don't have dedicated bike lanes everywhere on the road And so they're on the multi-use paths, which I think is really dangerous for anyone else that wants to use the multi-use path.

[01:12:41] And so I'd like to better inform how we're doing bike facilities in the county based on what you think about the e-bikes. If we could have that conversation, I'd appreciate it. Absolutely. And thank you for the gun, the firearm thefts information. I appreciate that.

[01:12:57] And it looks like, boy, last year we recovered 13 of the 16 that were stolen, so that's really great. And so thank you for that, and I appreciate you guys including that in the report. I did have a question about, I'm sure you probably saw the school board now will require guardians and parents to sign an acknowledgement about the new Virginia law about safe storage and access to firearms by minors.

[01:13:27] Has that come into play for you? Are you guys now willing to charge guardians and parents if a minor gets access to a firearm? And do you think, you know, I'm not a law enforcement officer or a lawyer, but I would think that having this provision that parents and guardians have to acknowledge that would make a case stronger in the end if there is a suicide or somebody harming somebody else.

[01:13:53] I know that's a lot, but, uh, sure. So, um, with every investigation, we look at all potential charges and culpability on every, on every front. Um, so certainly if there was a case, you know, where we believe that there was negligence, those are charges that, you know, that we would seek. So, um, every situation is a little bit different, but we'll thoroughly investigate as we do everything else and get any, any relevant appropriate charges.

[01:14:19] Okay, thank you. And then on page 16, I was looking at the percentage of total stops by race and then the tickets and then the percentage of being searched. And am I reading this correctly in that if you're Hispanic or Latino, you have a two to four times more likely chance of being searched as compared to if you're white?

[01:14:41] Because the chance of being searched if you're white and you're stopped is 0.5%, but if you're Hispanic or Latino, it's 4.1%, and if you're black or African American, it's 1.9%. Am I reading that correctly, and can you explain why they would be more subject to being searched?

[01:14:57] Sure. So traffic stop and search data is extremely difficult to extrapolate. We're also dealing with a fairly small sample size here. So, over this 90-day period, we had 72 total searches. And as we've talked before, those searches are based on a myriad of factors.

[01:15:17] So, if you're, you know, if you're stopped and you have a warrant and you're arrested, inventory searches of your vehicle is included here. You know, if you're arrested for DUI, things like that, you know, that's included. You know, this does include probable cause searches as well. So if a deputy walks up on the vehicle and sees something, you know, that's, you know, that they believe is illegal in plain view, that's a probable cause search.

[01:15:41] That's included here as well. So this is difficult to compare when it comes to specific, you know, races and things like that because we're covering, you know, 24 hours over, you know, a broad area of the county. And it's hard to just look at specific demographics because they're not random.

[01:15:58] So we put it here, you know, out of abundance of transparency. But to be able to go into these and look and say exactly what was it that caused these, you know, these stops in the first place, they're all stopped for lawful reasons, and then what was the basis of those searches gets extremely, extremely difficult.

[01:16:17] So, I mean, those are the percentages for this past quarter. We're aware of those. We look at this data extensively. I spend a lot of time looking at this. Our command staff spends a lot of time looking at it. We do command staff review of every single one of the searches. So we have a first lieutenant who goes back over every one of our searches to ensure that we are not operating in a biased manner, that we have lawful reason, you know, for doing these things.

[01:16:40] The other thing I'd say is that, you know, of these 72 searches, they were conducted by 32 deputies. So it's an average of 2.1 searches per deputy over a 90-day period of the deputies who did vehicle searches.

[01:16:57] So trying to get in and go, "Well, why did you search this one? And why did you search that one? And what are those reasons?" They aggregate to these numbers. And again, you know, for sake of transparency, we put them out there because we believe it's important. But to then come back and, you know, look at these -- at the searches and go, "Why is it higher, you know, for this race than that race?"

[01:17:16] There's so many factors that go into this. I actually read a really interesting study from the RAND Corporation that is specifically on the use of police data, stop data, and demographics, and they go into the complexities of why demographic data and police data don't match.

[01:17:34] It's a pretty detailed read, but there's so many factors that really go into this, you know, that it's difficult to say. But again, we believe in putting the numbers in front. We read them just as you do. We look at them just as hard as you do.

[01:17:51] We want to ensure we are not operating in a biased manner. We do a lot of training on culture diversity and baron and partial policing and all kinds of things to try to make sure, but that is what the numbers are for this quarter. Thank you. I'm going to piggyback on that because these are the numbers for

this quarter, but this question has come up, I know for me, at least three times, and so this seems to be a running trend.

[01:18:15] I should say first, I really do appreciate you putting them there for transparency because you don't have to actually report them, and you're doing it for transparency, and I really do appreciate that. but if you're going to show them to me, I'm going to ask. And because this is consistently happening, when you look back, maybe not this high, this is a little higher than normal, even for, but if you're going to consistently show them to me, then at some point the answer of, well, we don't really know, it can't, we just, I mean, that, you know, I do know that you all have questions about, you know, bias.

[01:18:49] And truthfully, you know, I don't know that I believe there's obvious bias there, But that doesn't mean there's not something there, right? That doesn't mean there's not something there. And so these numbers are disturbing to me that for Hispanic it would be 4.1, African-American 1.9, almost 2, and for white Americans it's 0.5.

[01:19:12] That's a big difference. That's a big difference. And you can't put all that on, well, it's just kind of nothing. When you have numbers that great, usually there's a reason. And I do appreciate you guys looking into them, trying to figure out what the reasons are.

[01:19:28] A couple other questions. On page 16, the CHANCE program offered, is it offered to female inmates as well as male inmates? You knew that was common. No, thank you, Chair Randall, for that question.

[01:19:45] So part of the conversation, as of yesterday, had to do with the kitten program, potentially. So we're looking at a way to offer a chance program involving kittens for female inmates. That's one of the things that is on the horizon as we explore the expansion of the program.

[01:20:01] And also, you know, the funding that's been appropriated for phase three construction of the ADC, in particular, goes to programming. This could be something of the future for sure. Because, you know, we still hear that. There's not as many programs for females as males. And you know how I have a little bit of a bias toward jail officers.

[01:20:21] think they have a very tough job. Two more things. One, I do want to clear up something because I've heard, Mr. Sainz has heard too from a lot of, not from a lot, that's not wrong, but some of our constituents that the reason there sometimes is not patrolled on the streets is because we, the board, didn't approve any of the positions brought to the board from the Sheriff's Department. I want to clear that up and say as far as I know, we have approved almost every position brought to us by the sheriff's department so I just want to get that out there and make sure that's clear can you tell me without telling me any details or facts

[01:21:00] what we've done to try to make sure that we don't see another inmate suicide or at least decrease that possibility sure so in this particular situation we were in compliance on the times and the checks so that is one of the things that's very very much at the forefront of the It is. Duties and responsibilities of one of our deputies. So one of the things that we did do to mitigate though is you may be aware we put up fencing on the top tiers of the ADC. So on the second tier because there was a suicide a few years ago where someone jumped off of the top tier and committed suicide.

[01:21:25] So those installations have been completed. Thankfully with the good work of the people over DGS coming in and doing that those installs were made over the summer particulars.

[01:21:46] And then also being able to do a mental health assessment, of course, anytime enters into the facility to determine whether or not there's a risk of any type of mental health abuse or situation. And so that continues every time, and that's revisited on a regular basis.

[01:22:04] I'll give you just one example. We've had one inmate that has been TDO'd, I think, three times in the last two and a half weeks and brought back. because sometimes it's declared as being behavioral versus true mental health issues.

[01:22:20] So we're not taking any chances is what I'm saying. And anytime there's any indicia of a mental health situation that could worsen, we are gonna seek the appropriate treatment. And we have, of course, mental health folks there at the ADC on board, supplied by the county, and then also the outside availability of mental health treatment.

[01:22:39] - I really do appreciate that. And also please take care of the officers who might find the person who died by suicide, because that's hard for the officer, too. Yes, absolutely. Yeah. All right. Thank you, gentlemen, very much. We appreciate y'all being here this evening. Thank you. Supervisors, it's a little too early to do the one resolution we have, so we might be able to go.

[01:23:05] Oh, actually, no, we're not even doing that right now. We might be able to go to an action item, because it's a little too early to do the resolution. Well, let's say the vaccine is going to take a long time, so we're not going to be able to do that one.

[01:23:26] No, that wouldn't be the one that we'd do. Let's do number 15 because it's a BMI, so it's easy because Mr. Turner is sitting right here in front of us. So do you mind doing your BMI right now? Okay, let's do number 15 then.

[01:23:46] This is a district discretionary funding program. So what we do for BMI's normally is have the person who's putting them up, putting them forward, just take just a couple of minutes, Mr. Terrence, to explain what you're trying to do and then go to a motion and then we'll go from there.

[01:24:02] Thank you, Madam Chair. So I had a situation in my district just recently where we had two crosswalks. We had an HOA that was split over a major road and we had requested two crosswalks to cross that road And the application had been in for quite some time.

[01:24:22] The total of both crosswalks was about \$385,000. And I thought afterwards, I thought, you know, it makes a lot of sense to me that as we get into the end of year fund balance discussions, there are probably small but potentially highly impactful quality of life projects in each supervisor's district that could probably be accelerated if we can sort of pre-allocate the money.

[01:24:47] Now, I know staff has looked at this a little bit. heard through the grapevine this this proposal comes up every couple of couple of years within a term of supervisors i guess i would be interested to know why it got shot down in the past um probably legitimate reasons i just don't know what they were the way this would work is each supervisor would have a pot of five hundred thousand dollars when we go into the fund balance discussions you could use that five hundred thousand dollars for any project in your community that you wanted it for.

[01:25:16] If you funded it, it would move immediately up to the, and I don't know what the size of that group is, but any group of fully funded projects in whatever category it's in. So if it's in the intersections

program or the trails, sidewalks and trails program, immediately becomes a fully funded project, moves to the top of the list.

[01:25:35] But it would be behind other fully funded projects at the top of the list. I may not have that concept right, but that's what I intended. Supervisors can combine their \$500 if you have a project that stretches between two or more districts. If you didn't spend all your money, it simply remains in the pot.

[01:25:53] If you spent some of your money but not all of it, the following year the requirement would be for staff to plus you up to \$500,000 at the start of the fund balance discussion. So that's essentially the concept. Would you like to make a motion and answer questions inside the motion?

[01:26:08] I move the Board of Supervisors and direct staff to establish the District Discretionary Funding Program in the Capital Projects Fund and return to the Board with suggested program guidelines by April 2025. Second.

[01:26:25] Motion made and second. Before we go into people's questions or a vote, Mr. Timstreet, do you have any thoughts on this? You said to me that this has come up before. I actually don't remember that, but you said it's come up every term. I don't remember.

[01:26:41] But do you have any thoughts and anything you want to add to this discussion? So the issue of discretionary funds for board members have come up in different ways every board term. Sometimes it's adding additional discretionary money to individual district budgets for operational purposes.

[01:27:01] The last time it was discussed on the capital budget was around streetlights, where there was a suggestion to add a certain amount of money for districts to propose streetlights in their district for an amount.

[01:27:17] So that was discussed, and there's been other iterations over time. There hasn't been discussion around this issue in the past. The way that the board has traditionally dealt with this is we have two or three contingency funds that are set up for these types of projects we usually set somewhere between two and four million dollars of contingency in those accounts and then when a small project or a minor project like this comes up staff recommends that it be covered under that contingency which is how I believe supervisor Turner there was a two or three items that you brought up recently and

[01:27:55] that's how it was covered so that is how the board has dealt with it traditionally my concern here is that which is why in working with supervisor Turner has been very gracious to allow us to come back with if you approve this to come back with some suggested program guidelines because if we give each board member half a million dollars each all nine of you decide you're funding a project that just added nine projects to the capital improvement program I don't know how to prioritize that. So we've got to come back with a framework as to how those things are

[01:28:32] prioritized. The way that I understand this would be used could be for smaller projects. So if each of you had 10, \$50,000 projects and you came back with that, you just added 90 additional capital projects to the workload for staff. And so again, I don't know how to prioritize that. So we would have to, that's why I appreciate the allowance that this passes to be able to come back and think through this. If we hit a certain point in terms of additional projects, I would probably recommend, you know, several additional positions just to manage the board,

[01:29:11] additional board projects that are coming out of, out of, out of this type of program. So, but yes, this comes up every so often. Okay, thank you. Mr. Turner, you made the motion. Would you like to make an opening? No, I think I'm here.

[01:29:27] You sure? Okay, Mr. Crony. Yeah, thank you, Chair Randall. So I support Supervisor Turner's BMI, and that's because there are lots of missing links in the Little River District, sidewalks, trails.

[01:29:43] I have one missing link where the kids can't get to a crosswalk that has crossing guards, and the parents are asking for that, but it's way down on the list of our sidewalk and trail programs. So this would allow us to, this would allow me to bring it up because it seems kind of crazy that these kids can't get to a crosswalk with crossing guards. So I do think this is important. Um, I, I think it's hard to, to get your initiatives, uh, into the CIP the way we have

[01:30:22] it now, and this will allow kind of these smaller projects that I think get overlooked, um, to get done. And I would, I would agree, Mr. Hemstreet, with adding staff. Um, I'm hoping that in, with our next, uh, budget that, um, DTCI add some staff for trails and sidewalks. I'll be looking for that because I think we need to put more of a priority on that, and I think this program will allow us to implement these smaller projects that are way down on the list but could have a big impact

[01:30:56] in our district. Thank you. Thank you. Mr. Letourneau? Thank you, Madam Chair. I don't want to be Debbie Downer, but when I read this, I was a little surprised by it because I share, I mean, look, we've all been there, and I've been there, certainly, but discretionary is a little concerning in the government context. One of our neighbors does something like this in Prince William and generates a fair amount of headlines over the years about it. Obviously, we would need to know more about the specific guardrails, but the bottom line for me is this is \$4.5 million

[01:31:34] of fund balance that would be essentially mandatory every year, and I mean, in the context of another recent item we were just talking about the pilot program on commuter buses which is two million a route and a conversation i'm having with staff during my pre-agenda we really can't afford to do more than two because we don't have the money so i have a hard time allocating an automatic four and a half million for you know a series of projects that aren't evaluated against everything else is the bottom line um you know that i am kind of interested and sympathetic and maybe thinking about is there some other kind of creative way to get at this

[01:32:12] during the fund balance project where some of these smaller projects could maybe get funded and kind of accelerated and maybe there's a way to do that but I think giving each supervisor just a discretionary account just is not only that as Mr. Hemstreet said it creates it's not just the 500,000 because the project has to be administered and managed and executed which all requires staff So it's adding new things to the plate that aren't evaluated against anything else.

[01:32:43] So I wouldn't be ready to support this, certainly this evening. Let me have a point of clarification that might be helpful to the conversation. Mr. Turner, were you meaning to say that you want to fold this into the operating budget every year? Was this a one-time event?

[01:32:59] Because Mr. Letourneau just made a comment of, you know, adding 4.5, first of all, 4, because I actually wouldn't take it because I don't really get into the CIP, so just take my part out. But were you meaning to say that you do this every year, that this would be, or I mean, I wasn't that really clear?

[01:33:15] Well, you've got the option to do it every year. So potentially it could be \$4.5 million, but it's also theoretically possible all nine supervisors would have no projects that year, and we wouldn't expend anything. Okay. It fluctuates depending on what's available. And I totally appreciate the problems with prioritizing staff and contracting the work and all those sorts of things.

[01:33:36] Well, wait, that was just a point of clarification. So, I'm sorry, you answered the point of clarification. Ms. Umstead. Thank you, Madam Chair. I mean, I share Supervisor Letourneau's concerns about this. Um, I don't think I can support it at this point, um, in part because it would require additional staff just to administer, uh, these projects.

[01:34:05] I also don't know, uh, how, uh, we, we would structure this. So if I had a \$300,000, uh, trail project that I wanted in Leesburg, um, does this, Is staff time allocated to that?

[01:34:26] Is that subtracted from my total \$500,000? Regardless, I think Supervisor Letourneau is correct. It's better for all our projects to be in competition with each other when it comes to deciding what gets funded and what does not.

[01:34:45] So I cannot support it. Thank you. Mr. Kirshner. Thank you, Madam Chair. I appreciate the concerns that Mr. Letourneau and supervisor said bring up. However, I think it's worth looking at, honestly. I really do. I think it's something that will give some flexibility.

[01:35:03] I do, I think kind of the devil's in the details on this, quite frankly. How, what will the parameters be? How will it look? How will it be administered or not administered? How many projects will you be allowed to put forward in your, in the fund? And I think the one thing I think that seems to me that we're trying to get at by creating this is giving the individual district supervisors a little more flexibility within their district for these smaller projects that, you know, just kind of don't ever get addressed simply because they're in a much larger pie.

[01:35:34] And so I think there may be a balance in how that can happen. I appreciate Mr. Hemstreet's concerns of if you, how will this get administered, et cetera. And, you know, obviously his job would be to have staff administer it however we did it. But I think perhaps we can put enough parameters around it and say, hey, these will be used for capital projects only or this type of project.

[01:35:55] And you can only do more than three a year out of the fund. And it would help bump some things up that we see as supervisors as a priority within the district that we don't have to go through a little bit more of a cumbersome process. I would assume also that if we wanted to do something with that, that it would still have to come to the full board for approval or not.

[01:36:13] I guess that would probably be one of the details that we would have to discuss in terms of. So I would support staff looking at this as a possibility, but I do see the pitfalls it could fall into, but I also see significant advantages. Thank you. Ms. Glass. Thank you, Madam Chair.

[01:36:28] And I think I'm agreeing with Supervisor Kirshner regarding this because I kind of see the pros and cons of having this. But I'm also concerned what Mr. Hemstreet was saying regarding staff time and that sort of thing.

[01:36:44] So, Mr. Hemstreet, do you feel that we would have to increase FTE if we were to do some sort of program like this? So, I don't, I'm not in a position to say that yet.

[01:36:59] I would want to have the time until April to go and examine that with staff. We need to talk through some of the parameters that Supervisor Kirshner raised that's also within the question you're asking. How many projects what is the size of project that we're talking about?

[01:37:20] What does the spending mean so is the half a million dollars? Does it so for example? Does it have to cover the entire cost so could a board member bring a? What could amount to be a 15 million dollar project and start with five hundred thousand dollars of preliminary design and planning?

[01:37:41] i don't know the answer to that so those would be things that we would need to talk through and determine how with the board how the board wants to accept that and what parameters you want to place on that because uh this would this potentially could completely turn all of your prioritization and the projects that you have programs that you have set up completely upside down and you know which is fine if that's a board that's what the board wants to do but There needs to be some parameters around that so staff understands what we're supposed to be prosecuting when we talk about the work.

[01:38:19] Thank you. I think I'm not sure. I'm considering, you know, staff looking into this, but I'm not sure if this is a good idea to have.

[01:38:39] I'm on the fence right now. Okay. Mr. Sains, I know you just got here, but do you want to speak on this item? I wish I could get a recap of some of the questions. So I'll put my disclaimer, apologize. You should vote yes. Thank you for that, Mr. Turner.

[01:38:55] I'll put my disclaimer, sorry if I ask questions that were already answered before I arrived. But regarding this item, I think it's a good idea. But unfortunately, there's a lot more questions that need to be answered Before I feel comfortable even voting to move this forward, because, you know, what would be the items that we could use it for?

[01:39:21] You know, I came in at the end about staff time, possibly hiring more staff. So to me, there's a lot more questions that need to be answered before I could even support this initiative. And then another example or the question is, how would we manage which projects were, you know, Say we're identified by Sterling District or Little River, you know, Broad Run, Dulles District, how would we prioritize which projects would get done?

[01:39:49] Because, of course, we all know we'll be sitting up here saying, hey, my project needs to go first. So how would we manage all that if we were to move forward with this? So I think there's more questions that need to be asked and have more discussion before I'm comfortable moving forward with this.

[01:40:05] But thank you. Okay. Ms. Bricksman? Thank you, Madam Chair. Right. I might be more comfortable if the motion were to direct staff to research the district discretionary because I cannot support establishing it right now.

[01:40:22] But I honestly don't even know if I want staff to spend time researching this because, I mean, two to three staffers, as Mr. Hemstreet said. I also believe that staff has a very rigorous and data-driven process whereby they have set the prioritization of projects in the county, and I'm not confident in the idea of us just turning that upside down.

[01:40:50] And if I'm correct, Mr. Hemstreet, we have traffic calming process and funds. We have a sidewalk contingency funds. We have intersection improvement program funds. We have sidewalks and

trails. So in my mind, those are, are there any more?

[01:41:08] I don't think that might be all of it. But in my mind, we have the capability to do this through all these other programs in the county. And actually, I've used them. It takes some time. It's rigorous. But there are opportunities to do that.

[01:41:24] And also, you know, one thing I was actually thinking today and looking through some of these land use cases we have coming forward, you actually can also ask developers to do these things. And honestly, in some of the other districts, I don't see, well, I mean, to do a sidewalk next to a housing development, you can ask them.

[01:41:43] And that's a much faster way to get things done. And whenever there's a land use case in my district, I ask them to do things like that. And I've been able to kind of tick off a lot of little projects in my district that are accomplished and accomplished faster. So, yeah, I'm not comfortable right now saying yes to this.

[01:42:07] And honestly, I don't know that I would be comfortable approving this in the future. And again, I do think that there are some optics here that could be, how do I want to say, the optics may not look so great if we each have just \$500,000 that we can put toward projects at our discretion.

[01:42:32] And I do think it's going to put a lot more strain and pressure on departments like DTCI when they've already kind of done all this work to prioritize things. And then we're just going to come in and say, oh, no, this is what you need to do. So I just honestly, I don't think we need it.

[01:42:50] Thank you, Madam Chair. I want us to be really careful when we talk about we can ask developers to do it because proffers are proffers. They don't have to do anything. So if you ask the developers to do it, and then you vote no on something, and it can be said that you're voting no because you asked for a voluntary proffer that they did not give you, and you get yourself in real big trouble.

[01:43:10] I think we should be really careful asking for voluntary proffers. We walk ourselves into some tricky areas when we do that, so let's be careful about that. I actually was kind of neutral on this. First of all, I wouldn't take the \$500,000, because I don't really, if you all have noticed, I kind of stay out of this process to a large degree for obvious reasons.

[01:43:35] So I've been kind of neutral on this already, and I know that I wouldn't take it. Something Ms. Umstead, because I was actually going to abstain on the vote. Something Ms. Umstead just said to me, though, just said, is pushing me to vote for it. When she said, or whoever said, we all have to come back and vote for it.

[01:43:52] hall has to have competition because what I know is what we first arrived on this day as Mr. Sains and I, the reason he had to use up the entire money for sidewalks and trails because it hadn't been done in his district. So he had to take all the money for sidewalks and trails and do that.

[01:44:11] And it was really, it was tough to do in that way because of his predecessor, let's just say that. Secondly, I see a lot of things that need to happen in Western Loudoun County that can never get five votes can never get five votes in western loudon county you get the three of them we can't get any higher in western loudon county and so i was actually going to abstain until i heard we have to put you know put things against one another but i don't know that that's i wish you all would really stop talking it's just

making me crazy so i don't know that that's um the way we want to do that and also mr hemstreet did not say it would take two to three staffers he actually

[01:44:48] said he didn't know how many it would take so he shouldn't put words in our county administrator's mouth because he didn't say that. So although I wouldn't want to take the money myself and though I was going to come up here and abstain on this item, the conversation has actually pushed me into saying yes. However, Mr. Turner, let me ask you this. Do you think it might be more appropriate to say instead of saying go on and establish it right now, I do think our colleagues have asked pretty valid questions I was just do you think it's okay for the to change this motion not say establish it but say research it look into whatever the verbiage might be versus establishing

[01:45:28] it because I do think the questions I'm hearing are valid questions yeah I think they're valid too I was going to propose a friendly to my own amendment to that effect how about you do that okay um so I would amend the motion to be I move the board of supervisors direct staff to examine the feasibility of establishing the district discretionary funding program in the capital projects fund and return to the board with the suggested program guidelines by April 2025 should the program be established.

[01:46:00] Okay, that was made in a second. Did you guys get that motion okay? All right, so we're not going to do a second round of, no, we're not going to do a second round. No, we're not, no, we're not, no, we're not. No, I'm not asking for a second. Can you restate the motion just one more time for me? Sorry. Can you put that back together again?

[01:46:21] I move the Board of Supervisors direct staff to examine the feasibility of establishing the District Discretionary Funding Program in the Capital Projects Fund and return to the Board with suggested program guidelines by April 2025 regarding its feasibility.

[01:46:40] Okay, and that was seconded by Mr. Crony. Okay, so that's the motion we're talking about right now. And I think we don't need to, we're not going to discuss it again, how about that? All in favor of that motion, please say aye. - Aye. - Opposed.

[01:46:57] Okay, so that would still be a five to four vote with Supervisors Umstead, Sains, Letourneau and Brixman voting against the vote, thank you. All right, I think we're at 5:30, we're past 5:30, so we can do our resolution, and who has it in front of them right now?

[01:47:18] I handed it down that way. And you handed it to Karan. Who left the dais? Okay, there's only one. There is only one tonight. We have a wonderful resolution for Mr. Edward Page Moffitt.

[01:47:36] If he is here, I think he is here. Hello, sir. Which district is this in? Matt, do you know whose district this is in? Mr. Moffitt, where do you live? Okay, Ms. Umstead, will you join me down front, please?

[01:47:54] Mr. Kirsten, you too, because I don't know. Sometimes Leesburg is not always Leesburg. So I'm going to go to that. Sure.

[01:48:14] Very good. So I can let people come up here with you, because they can. Come on. Yes, absolutely. Anyone who'd like to, we'd love to have you down. Mark, that would be you. And now it's just an order.

[01:48:40] Where in Leesburg do you live? Country Club Drive, just a second. Country Club Drive. That's Leesburg proper. OK. Yes, sir. Mr. Kershaw, stay in here. Thank you for being here. Thank you, everybody, for being here.

[01:48:56] We were going to read this resolution, and then I'm going to hand the microphone to you, sir. Thank you, ma'am. Whereas Mr. Edward Page Moffitt was appointed to the Loudoun County Board of Supervisors Zoning Appeals, BZA, on February 14, 1986, which is Valentine's Day, and repeatedly reappointed by the circuit court judges of Loudoun County.

[01:49:17] And whereas Mr. Moffitt has retired after serving for more than 37 years as a highly valued and dedicated member of the BZA. And whereas Mr. Moffitt's survey on the BZA was instrumental in upholding the integrity of the county zoning ordinance through its continuous evaluations and fair rulings on numerous applications involving variances, appeals, and special exceptions, and whereas Mr. Moffitt always conducted himself with the highest integrity and willingly shared his expertise with his colleagues and eloquently presented his positions and opinions involving cases before the BZA,

[01:49:55] and whereas Mr. Moffitt consistently treated his colleagues, applicants, and county staff with kindness and respect. Therefore, be it resolved that the Loudoun County Board of Supervisors presents this resolution of appreciation to Mr. Edward Page Moffitt for his many years of dedicated service to the Board of Zoning Appeals and the citizens of Loudoun County.

[01:50:18] That is a lot of service, and you've seen a lot of changes to Loudoun County. You have watched a lot of growth in Loudoun County. So first of all, thank you for your service. And secondly, before I hand you the microphone, would you like to say anything, Mark?

[01:50:36] You're good? Who'd like to speak first? Okay. It has been my pleasure and privilege to serve on the Board of Zoning Appeals with Mr. Moffat since 1986. He has the most wonderful combination of amazing intellect and wisdom.

[01:50:56] It's a rare combination and so valuable. And I miss you terribly. Would you like to say something? Thank you, Madam Chair. I really appreciate it. It's been a real honor for me to have served on the board. I'd like to thank Judge Horn and all the many judges that continually reappointed me for perhaps reasons I don't understand.

[01:51:21] I'd really love to thank my beloved chair, Nan Forbes, and Rory Clark, who was the vice chairman, and Kelly Gray and the other members with whom I serve. And most of all, I'd really like to thank Mark Stoltz and Michelle Lohr and Stephanie Capps, who, in my opinion, are the most incredibly consummate professionals I have ever worked with, not only during this time, but in my tour with the federal government.

[01:51:52] so I wanted to thank them they did extraordinary work that perhaps was not always appreciated by the community but which I always appreciate it and thank you very much madam chair thank you that's a lot that is so much service so thank you very much we appreciate it we're going to hand you this because that

[01:52:09] is yours we're going to take a picture how's that sound okay okay it is it is

[01:53:58] It's pretty close to public comments, but it's a little too early for that as well. And so we're going to do another action item, because if we can tick off as many of these as possible before we go into our first two closed sessions, because we have six closed sessions tonight.

[01:54:13] So if we can do another action item, that would probably be pretty smart. So looking at the list - just take a second, that doesn't get us through anything.

[01:54:29] um i think our color town center would take a long time probably not um actually let's do let's do 17d um zoning ordinance committee bylaws update let's do that dan are you in the room you guys in the room or oh my god somebody's running down the stairs from the fifth floor i'm sorry stay where you are let's see if we can do is is all the planning and zoning staff upstairs okay and that's my fault because i did not tell you you're going to go early so people are rushing down the stairs right now let's go in and do appointments and confirmations and then we will come back if you

[01:55:08] have an appointment a confirmation appointment rather i'm sorry let's try that again if you have a nomination would you please put your light on we have no nominations tonight i do have one go ahead everybody wake up i was just reading the item we were going to go to and then you know mr quoney you ready yeah yeah okay i nominate john rizik to the little river district seat on the community criminal justice board thank you mr letourneau i nominate david brent as a dullest

[01:55:45] district representative on the community criminal justice board and i nominate carrie ann mosley as the dullest district representative on the community services board thank you miss um brixman thank you madam chair i nominate sashanka brower as the algonkin district representative on the housing advisory board that's actually a reappointment and i nominate ben folsom as the at-large representative as an at-large representative on the housing advisory board.

[01:56:12] Wonderful. Thank you. All right. That is all. And if staff is here, we can go on and let's try to kick off item number 17D, if you're here. And if you're not, we can do item six. Is staff down?

[01:56:31] Item six is the Arcola Town Center. And item 17D is zoning ordinance committee bylaws update. either one is fine with me dan give me a yes no something nobody no no yes yes yes for which one item six i'm sorry haven't you just learned that the stairs are faster than the elevator that's what you just learned huh i apologize but but you don't have to stay here all night with us

[01:57:10] now this is item six good evening board uh marshall brown with the department of planning and zoning i have the item for arcola town center um i can skip right to updates i have a brief presentation otherwise i can answer any questions if you would like to do so this is your district this is your district mr latourne you don't need the update or any you'll need the presentation

[01:57:47] okay um any particular any any updates since last we heard that'd be great otherwise i would go to mr latourne for a motion sure i can skip right to the update slide Primarily the applicant is proffering to design and construct a shared use path expansion on Arcola Boulevard. This is north of the site off site. It's a missing link essentially that will connect existing trails along Arcola Boulevard. The applicant has increased the number of live work units on site from five to ten and the proffers have been revised to ensure that the historic barn is utilized for a non-residential or civic use for no less than five years or until 30,000 square

[01:58:27] feet of non-residential use has been developed on the property. I want to note that the action item has a minor typo. It says 3,000 square feet. That should be 30,000. Not a big difference there. And the applicant is also proffering an additional \$1,000 per market rate dwelling unit for transportation projects in the Dulles planning sub area. Previously when I brought this item to the board, I noted that there had been a discrepancy with the Arcola town center, the Arcola center project as a whole with credit that had been given. So this is part of the rectification of that. But however, I do want to note there's a fuller explanation in the action item, but

[01:59:06] the proposed additional contributions do not mitigate the total credit that was erroneously received. Otherwise, the outstanding issues remain as they are as it was previously presented. In terms of updates, that's the brief explanation. Thank you very much.

[01:59:22] Let's do questions inside the motion. So Mr. Turner, would you like to make a motion? Yes, Madam Chair. I move the Board of Supervisors approve Leji 2023-0030, Arcola Town Center Residential, ZCPA 2022-0001, ZMUD 2022-0013, ZMUD 2022-0014, and SPMI 2023-0016, subject to the proper statement dated October 27th, 2024. The conditions of approval dated September 27th, 2024 and based on the Planning Commission's findings for approval provided as attachments one, two, and four to the November 7th, 2024 Board of Supervisors business meeting action item. The motion has been made by

[02:00:01] Supervisor LeTournel, seconded by Supervisor Brixman. Discussion on the motion, Mr. LeTournel. Thank you, Madam Chair. It's been a long journey on this application, but I think we've gotten there and I appreciate the work of the applicant including most recently we deferred this item at our last business meeting to allow some time to work out that agreement on the use of the historic barn what we're trying to do there is ensure that there's the opportunity for a commercial use to come in and use that as business space as well as make a commitment on a certain

[02:00:36] amount of square footage being developed non-residential being developed we also doubled the number of live work units in the multi-family attached building. You know this is an area that is seen a lot of data center development so obviously this is not that and this is a mix of residential uses but with a I think innovative way of providing some additional non-residential use to this area. In addition we did work closely with the applicant to try to take care of some slightly off-site improvements related to Arcola Boulevard and the

[02:01:15] shared use trail so the proper package I think is is good on this it is a well designed project it's been through several significant revisions over the process and I think we've gotten it to a good place that I'm comfortable supporting it. Thank you very much any other anybody else? Ms. Umstout? Thank Thank you Madam Chair I appreciate Supervisor Letourneau's hard work on trying to get something into this area and I do agree with him that the barn

[02:01:48] is very attractive and hopefully will be a great asset but again I am hung up on the annual operating costs for the school needs of this project and that'll be \$5.6 million every year, and with an estimated capital cost of almost \$23 million. So sadly, I cannot support it. Thank you. Mr. Crony? Thank you, Chair Randall. So I have a question about the barn, which I'm hoping you can answer. It said the barn is to be constructed by the

[02:02:26] 150th Certificate of Occupancy. When is that estimated to occur? Do you know? I do not have good answer for you on that. Okay, because it says the barn is only committed to commercial or civic uses for five years from the date of approval. Is that correct? That's correct. Okay, so I won't be supporting this. I think very little has changed. I know Supervisor Letourneau kind of moved it to the next meeting, but there's still no guarantee of any commercial. The proffers still state that

[02:03:01] commercial shall be limited to a total of 70,000 square feet, which means that it could be zero. And the application lowered the commercial requirement from 530,000 square feet. So we're down to 70,000, and that may or may not be built, and the barn may or may not be a commercial use. I think with the five-year commitment, it could be something else. It may not be commercial. I appreciate the increase from 5 to 10 live work units, but that's really

[02:03:39] not a lot. And I just think that this should have had more commercial. Remember, the board did approve a Google data center in the middle of this community, so it really got cannibalized by industrial. And so I do think more commercial would have been ideal, kind of keeping with what was originally approved for the Arcola Center when we were supposed to get kind of that nice one loud and high-end retail. So unfortunately I can't support it, but I do appreciate Supervisor

[02:04:15] Letourneau giving more time on this to try and work it out. Thank you. Thank you. Ms. Brixman? Thank you, Madam Chair. So staff, the barn could be commercial and or civic uses, correct? That's correct. Okay. Was there any indication as to what the civic uses might be?

[02:04:34] I believe the discussion was around it being oriented to essentially public use or community space. Okay. It is not specifically programmed. Okay. I think this is a good application. Could you just confirm the off-site trail extension, this voluntary proffer of an off-site trail extension along Arcola Boulevard between Arcola Mills Drive and this particular address on Arcola Boulevard. Did you say that was a missing link? That's correct. I do have an illustration of this

[02:05:06] area. So you can see the subject property. You can see all of Arcola Center in this image. The red line that you see, I wish it was a bit bolder, but that is an area. That's pretty long. That's an area of missing shared use path, and that's what they are proffering to construct.

[02:05:24] Do you know where that missing link lands on our countywide missing links program? That I do not know. Whether it's high or low or, okay, okay. All right. I just wanted to highlight that example.

[02:05:40] Thank you. I'm happy to support. So Mr. Letourneau and Mr. Crony are right, both right. We have been talking about this application for a very, very long time. And, you know, Mr. Crane, when you say commercial, do you really mean retail?

[02:05:58] Is that what you're saying? Because you said like the one loud and feel, so you're talking about restaurants and, yeah. You know, what we keep, the thing that keeps being repeated to us over and over and over and over and over and over again is retail and restaurants do not work without rooftops.

[02:06:16] And you have to put in the rooftops before you put in the retail and restaurants. That is what we know. And so I understand wanting retail, and I definitely understand wanting to diversify that tax base and adding more businesses to the tax base.

[02:06:32] But you're going to have more businesses closing if you do not have people there to use their business. And so you don't have one without the other. It's just not realistic. I also, Dan, when we're looking at these applications, are you all factoring the capital intensity factor?

[02:06:51] Yes, it's calculated into all of our items. So, when we look at these numbers and someone says it costs this much, it costs this much, that's before the capital intensity factor is factored in or after the capital intensity factor is factored in? I'm not sure I understand your question.

[02:07:07] So, if someone -- so, Ms. Umstead routinely sorts a -- I'm sorry -- talks about how much each person will cost. If she's doing that, is that after or before the capital intensity factor is factored in and after or before you make the assumption that people who are living there are also paying taxes?

[02:07:33] So the, just to answer this in a more hypothetical sense, the capital cost of a facility would be factored in, any ongoing or maintenance costs would not be, and I believe I've heard That's what I thought.

So those numbers are just not correct. They're never, they've never have been, they're just not correct. All right, Mr. LaTourne, would you like to?

[02:07:52] Yeah, just to clear up a few things from the board discussion here, and I appreciate my colleagues' input on this. That missing link is actually not even in the program because it wasn't identified at the time that we did the last missing link study as an actual missing link because we hadn't opened Arcola Boulevard yet, but when it opened, it opened without that, so we were able to work with the applicant to get them to address that project.

[02:08:16] I'm sure it may have not rated that highly, but it's going to be a nice addition here. Regarding the -- yes, the Google data center site is there, but I do want to just correct the record that 75% of that was by right. So it wasn't -- the board just didn't simply plop the Google data center there.

[02:08:33] It was already the existing zoning. Just the overall discussion about commercial here. So look, I've been trying to get commercial into Dulles South as long as I've been on the board. went through avonlea we have cedar terrace which is a you know i think r1 loudon type of project but the bottom line is in talking to all these folks you can't cannibalize your your retail arcola center has a retail component with target that has now broken ground so we're excited about that the walls are up on the target we're tracking weekly progress that is their commercial center so that's where the commercial entities are going to go you know five minutes from here

[02:09:12] and then across from that is dullest landing which quite frankly has not been the healthiest shopping center but we're working to try to rehabilitate so like that plus the cedar terrace project which is effectively across route 50 that's all your commercial your dining there's a lot of i mean we don't lack for approved projects in this area what we do lack for our users so just simply creating more commercial for the sake of it into a project like this is not going to actually bring in commercial and history tells us that because this has been you know they've been marketing that way for you know decades and haven't gotten anywhere so I do think the barn is an interesting

[02:09:49] concept and the way that it was worded in the proper agreement and the arrangement that we have the reason you know for that timing they their intention is to essentially lease this out to a commercial user like a three silos type of user which is in Prince William County that's sort of an entertainment concept. However, we wanted a backstop. I don't want that to just sit vacant for 10 years if they can't find one. So there's language in here that allows the future HOA once it's established to request control of that facility so that they can use it for an entertainment venue, food truck day, whatever that they want to. But it just essentially gives them flexibility to

[02:10:28] do that if we don't end up having a commercial user here that's viable. So that's the reason for that, but I think it's a, you know, it's a good way to get at it in this type of situation where we don't have a lot of retail demand, but we are adding residential units. Thank you, Madam Chair.

[02:10:44] Thank you, sir. All right. Mr. Letourneau made the motion. Ms. Brickman, did you second this motion? Seconded by Ms. Brickman. All in favor, please say aye. Aye. Opposed? Nay. That motion will pass 7-2 with Ms. Umstead and Mr. Crony voting against the motion.

[02:11:00] Okay. We are -- it is time for public comments. I do want to say that there are a couple of people who are speaking on the commerce-- I'm sorry, in the Valley Commerce Center annexation, and you absolutely can speak. Absolutely.

[02:11:16] Absolutely. I did want to let you know that that item was deferred to a future meeting, so we won't be voting on that item tonight. But if you want to speak on this item any way, you absolutely can speak on this item. I think that's the only item that has been-- I'm sorry, nope, the other item that has been deferred for tonight is Greenland Park.

[02:11:35] And again, you can speak on it, absolutely, but the item has actually been deferred. We won't be listening to it tonight. If we have any people who have signed up in the past since we started the meeting, can you bring them up to me, please? And the first speaker is Michael Parrish, followed by Monica Gaswami, followed by Barbara Wasserman.

[02:11:56] Good evening, sir. - Good evening, Madam Chair and members of the board. My name is Michael Parrish, and I live in Purcellville, Virginia. As you know, we recently had an election this week, and I just wanted to make a brief statement of gratitude to you for your willingness to work with Mayor-elect Berto and the Newtown government, and thank you for all that you do for the citizens of Loudoun County, and that's all I have.

[02:12:27] Wow. Listen, you want to talk for two more minutes, we're going to let you do that. No, I'm just kidding. No, I'm just kidding. Thank you so much. We appreciate it. Monica Goswami, followed by Barbara Wasserman, followed by Lauren Law. I think Ms. Goswami, is that person on the virtual?

[02:12:46] Is she on WebEx? Who's doing WebEx tonight? Is it Andy? Okay, we're going to come. Is she available? Is she ready? She's ready. Okay, let's go. Hello, everyone. My name is Monica Goswami, and I'm a junior at Potomac Falls High School.

[02:13:03] Recently, you might have read a letter from me regarding composting and climate change. From your replies, I have learned that the composting pilot program, which was to end in November, has been extended. I'm calling in today to sincerely thank you all for extending the program. And I want you to know that this decision will make a difference in our fight against climate change and that more needs to be done.

[02:13:21] Almost two decades ago, the atmosphere's levels of methane, which is a dangerous greenhouse gas that is over 80 times as potent as carbon dioxide in the short term, started to climb. The growth of methane concentrations, which had been stable for years, nearly doubled in 2020. Recent satellite measurements show that concentrations are now rising at a rate that is in line with worst-case climate scenarios.

[02:13:41] One of the ways methane is released is by the decomposition of trash in landfills without oxygen. By composting, we are taking important steps to decrease methane emissions, which is necessary, as 2024 is on track to be the hottest year on record ever. There are small actions that all of us can take as conscientious citizens, but as the Board of Supervisors, you have the power to make a huge impact and leave a great legacy.

[02:14:02] Next time you think, wow, I can't believe I'm wearing shorts in November, or how do I still have the air conditioning on, I urge you to think a little longer about how you can take actions to help future generations and live a more sustainable life. Composting helps the earth in so many ways. Unfortunately, I don't have the time to listen right now, but the bottom line is, not composting, food waste is not a sustainable option anymore.

[02:14:22] Just like recycling, which is something we all do without thinking, composting will have to become a way of life. Please help Loudon get started today versus tomorrow. 2024 will be the first year on record to smash a warning limit scientists warned about. We can't afford to let the next administration take needful steps.

[02:14:38] As you approach the decision deadline next year regarding composting, I would urge you to please consider adding programs to educate the community regarding the importance of composting and the county's composting sites. Also, more importantly, I strongly urge you to add more accessible drop-off locations. For example, all Loudoun County farmers markets should have a drop-off.

[02:14:57] Composting can be a simple and easy way to help the earth. but only if it is accessible to the community and they know about its importance. Thank you for your time. Thank you so much, Langley. I love having high school students talk to us. That's great. Thank you so much. Barbara Wasserman, followed by Lauren Law, followed by James Russell.

[02:15:14] Good evening. Good evening. I've been a proud resident of Loudoun County for more than 25 years. I actually live in South Riding. I'm very proud of that. At the October 16th board meeting, various speakers spoke about wanting Loudoun County to divest from Israeli companies.

[02:15:34] The reasoning is said to be apartheid and genocide. Accusations of apartheid are false. Apartheid is defined as a system of legalized racial discrimination and segregation that deprives a racial group of their political and civil rights.

[02:15:50] For example, in South Africa, the white minority has segregated black Africans in housing, transportation, educations, and stripped them from citizenship and positions in government. In Israel, all citizens, whether Jewish, Arab, Muslim, have equal rights.

[02:16:08] They can live, work, and travel wherever they want to, and they are provided the same government services equally. They attend the same universities, and they have the same voting power and opportunities. Israel is a multi-racial society where Arab citizens have full rights.

[02:16:24] It's also interesting to note that Israel is the only democratic country in the Middle East. The second statement that Israel commits genocide is also false. Hamas is responsible for the deaths of Palestinians. Let me start off by saying that any loss of innocent lives is tragic.

[02:16:42] Numerous military leaders, including John Spencer, who is internationally recognized as an expert and advisor of urban well warfare has repeatedly quoted as saying and i quote israel has implemented more measures to avoid civilian casualties than any other military in the war hamas intentionally put civilians in line of fire let me repeat that hamas contentiously put civilians in line of fire while israel and the idf often loses the element of surprise by sending leaflets and calls to the citizens of gaza to evacuate targeted areas have we forgotten

[02:17:18] that israel did not start the war on october 7th and that that hamas after 398 days is still holding innocent israelis and innocent americans i ask that the board continue to main to maintain diversity diversity in the community and diversity with companies that serve loudon county please do not support bds do not support divesting and israeli companies please continue to support and protect our community and protect our democracy with misinformation thank you thank you very much

[02:17:56] lauren law followed by james russell followed by reverend trammell good evening hi madam chair randall and distinguished members of the board of supervisors it has come to my attention that many have spoken lies about Israel. I'm here to tell the truth. Up until October 6th of 2023, Palestinians crossed into Israel thriving in jobs as lawyers and doctors, etc. They came to a country

[02:18:31] where there were churches and mosques next to synagogues. They came to a country to work beside Israelis, where Arabs held positions in the Knesset, where Arabs served in the army, where Arabs held positions with whomever that they worked with where Arab women didn't suffer the oppression they do in the surrounding countries. The Palestinians crossed into Israel where gays were able to walk freely without recrimination. They crossed into the only democracy in the

[02:19:04] Middle East. On October 7th of 2023, all that changed. Many happy civilians were taken by surprise at a brutal and barbaric terrorist organization Hamas. Babies were put in ovens, burned alive. Women and men were raped and people were decapitated. A pregnant woman's abdomen was slid open, her fetus removed, and killed in front of her before she was fatally shot. Hostages, including Americans, were taken and some are still there. So strange that so many actors are coming

[02:19:41] to you stating that Israel is the perpetrator. But as Goebbels, who was Hitler's minister of propaganda, said, if you tell a lie a thousand times, it becomes the truth. President Biden has repeatedly said that Israel has the right to defend itself, and so has Vice President Harris.

[02:20:03] Hillary Clinton said that if there were a ceasefire, it would only give Hamas a chance to reload. And Bill Clinton reminded us and warned us that we should be careful in not counting the number of Palestinians lost as Hamas uses their own children as human shields. It's tough being a member of a minority when faced with bullies. Finally, I implore you not to succumb to those trying to normalize anti-zionism and anti-semitism in our county if i can assist in this way please

[02:20:42] let me know thank you miss law thank you um james russell followed by reverend tramell followed by susan susan kahilio good evening mr russell evening um there was an election this week And it seems much of the voting population was surprised by the result.

[02:21:11] I think people shouldn't be so surprised. You look at exit polls from 2020, Democrat voters said they were concerned about kids in cages, living conditions in the concentration camps on our southern border.

[02:21:28] They were concerned about kids in cages and the Biden administration with Harris alongside shifted to the right on that issue. They were concerned about abortion access, a woman's right to her bodily autonomy.

[02:21:47] The Democrat Party, with Biden at the head, failed on this issue categorically. I know I was concerned about, back then, the treatment of Muslims in the United States.

[02:22:05] The Muslim ban horrified me in 2017, and we know that the Democrats have failed on that issue. They have succeeded in enriching themselves off of the Gaza Holocaust, but I was recalling recently the first time I managed to speak to any of my elected officials directly about this was when I spoke with Supervisor Briskman.

[02:22:31] I saw her in a coffee shop, and I wonder if you recall me saying to you, this issue is going to pull the rug out from the Democrat Party.

[02:22:40] And now here we are, a Republican president, a Republican governor, and, you know, the people I've been advocating with are concerned for their safety and the future of their families, but they're not surprised, and they're not much more concerned than they were before this Tuesday, because in their estimation, they have been selected, or I should say, at least in my estimation, they have been selected by a two-faction, one-party system.

[02:23:25] They have been selected for cleansing. Okay, Reverend Tramiel, followed by Susan Cahilio, followed by Ted Lewis. Reverend Tramiel, speaking on Greenland Park.

[02:23:47] You're here, going once, going twice, and this person's not on the phone, right? That person's supposed to be in the room. Okay. Susan Cahilio, you will be followed by Ted Lewis and Steve Birnbaum. Susan Cahilio is speaking on the Valley Commerce Center annexation.

[02:24:09] are you here miss kahilio going once going twice and that person's not on the phone either right no no okay um ten lewis followed by steve birnbaum um followed by duna kasar i believe it is mr lewis are you in the room um i don't see mr lewis he's speaking on greenland park as well i think what happened was once we deferred some of these items the the people who were going to to speak for on them um decide not to come which makes perfect sense but this forgot to take the

[02:24:47] names off the off the sheet so that's okay steve birnbaum followed by duna kasar followed by jonathan avandano i do believe i'm saying that correctly to birnbaum welcome to the room how you doing good evening good evening i stand here before you as a jew and an idea veteran i stood in auschwitz when i was a teenager where the blood of innocent jews soaked through the ground as a result of the oldest form of hatred in the world, anti-Semitism. And I vowed then to ensure that this could never happen again. For 2,000 years after our holy temple was destroyed,

[02:25:24] we were kicked out from our land by the Romans. Jews have yearned to return. For 2,000 years, we were a people without a home. As an ethno-religion, the land of Israel is at the core of our identity and our faith, and therefore, Zionism is Judaism. What I felt at Auschwitz, I felt again when I stood on the blood-soaked ground of the site of the Nova Music Festival, where unimaginable horrors were committed against men, women, and children simply for being Jewish.

[02:25:48] Those who criticized Israel for defending itself, just as any country would do, trying to get 250 hostages taken, recovered, are really upset that Jews just weren't willing to allow ourselves to be slaughtered quietly enough for them. In October of 1993, a month after the Oslo Accords opened the door for peace, Hamas leadership in the U.S. met in Philadelphia to create a strategy to undermine it, to funnel money to Hamas overseas, and to deliberately cede anti-Semitism throughout this country. The anti-Semitism that Jews have been subjected to on campuses, on city streets, and in this very room over the past year, have roots in the campaign of hate launched from that

[02:26:24] meeting 31 years ago. In just the past week, Jews were slashed in the face in New York and shot in Chicago just because they walked down the street looking like Jews. Jewish businesses have been vandalized, reminiscent of Kristallnacht in Nazi Germany. Those responsible for all these attacks claimed that their attacks were driven by anti-Zionism. If a man in a white hood stood behind a person of color in this meeting and disrupted their speaking, you would take immediate action. You would call it for the racism and hate that it was. Yet Jew hatred has faced a double

[02:27:00] standard in the country and in this room. It's unacceptable. Virginia law was changed, adopting the IRA definition and describes this exactly for what it is, which obligates this board to act in the face of anti-Semitism. Legitimizing anti-Semitism in this room leads to attacks outside. I call on this board to act swiftly and clearly, just as you would do for any other blatant act of hate and racism committed in front of you. The inaction has sent a message that emboldens and legitimizes those who hate Jews. Thank you.

[02:27:39] Mr. Birnbaum, I will give you a call tomorrow or sometime next week. Duna Kassar, followed by Jonathan Avendano, followed by Donna Wadowski. Duna Kassar has not called in today.

[02:27:56] He has not called in yet. Okay, thank you. Jonathan Avendano, I hope I'm saying your name correctly. If I'm not, please correct me. Followed by Donna Wadowski, followed by Robert Griffin. Good evening, sir. Good evening, and yes, Avendano.

[02:28:13] Good evening, members of the board, and thank you for allowing me to speak. I come before you not only as a proud Latino American, but also as someone who supports Israel and stands with the Jewish people, especially the Jewish American community here in Loudoun County. I'm here today to speak against the anti-Israel narratives that have been brought to these meetings, narratives that I believe are misguided and harmful.

[02:28:38] Having personally visited Israel, I've witnessed firsthand the beauty, unity, and resilience of the Israeli people. In a region often marked by conflict, but with their unity together, they stand as a beacon of freedom, democracy, and inclusivity.

[02:28:58] The Jewish people's bond with their land and their heritage is a profound example of strength and unity, one that transcends borders and resonates with all who value peace, truth, and justice. As we know, there are those who would seek to paint a distorted picture of Israel in the Jewish community.

[02:29:18] They attempted to make this an issue for Loudoun County, injecting their political agenda into our local discussions. There's only so unnecessary division within our community. Our county, like our country, is built on values that champion freedom and support allies.

[02:29:33] Israel and the Jewish people are not just an ally to America, but a partner in advancing these values everywhere. We cannot allow false narratives to go unchallenged, and we must make it clear that we, the people of Loudoun County, do not support an anti-Israel resolution.

[02:29:50] The board needs to see our community's support for truth, unity, and justice. The anti-Israel voice may be loud, but they do not represent the values of most Americans or those here in Loudoun. this is great this is a greater opportunity to support our synagogues jewish-owned businesses and our jewish neighbors together let's stand firm for the truth for unity and for the community that supports peace thank you mr abendano i don't normally do this but i'm fairly confused has somebody told you or are you under the impression or the beliefs that the board is

[02:30:25] bringing a resolution no but the motivation of wanting to do that is have you have you heard anybody on this board say anything except we're not doing that? No. Okay, thank you. Ms. Wadowski, followed by Robert Griffin, followed by Riley Tuhill. Good evening. Good evening.

[02:30:46] Good afternoon. I want to congratulate, first of all, Supervisor Kirshner on his superb luring and the jury who found ex-Fairfax Police Sergeant Wesley Shiflett not guilty, a man's involuntary manslaughter. A year and a half ago in Loudoun, I attended a Democratic town hall for candidates.

[02:31:10] A board of supervisors member got up and spoke. They called their Republican colleagues on the board MAGA extremists and proceeded to make disparaging remarks about them. I was appalled by it. Chairman Randall, if you care, I think you would agree this is no way to build a consensus on the board. In 2016, Democrat presidential candidate Hillary Clinton called the Donald Trump supporters a basket of deplorables. This caused myself and two other women to form the

[02:31:48] deplorables of Fairfax, which has now spread to Loudoun and other counties. Our group consists of Supreme Court wives, a former congressman, a university professor, author, teachers, first responders, to name a few. President Biden has now called me and my fellow Republicans garbage. Vice President Harris has called President Trump a fascist, and others in the Democratic Party has called him Hitler. This is particularly disturbing for me because my

[02:32:25] grandmother survived under Mussolini and the other part of my family survived under Hitler. President Trump is not Mussolini nor Hitler. It is an insult to say the least. Many Democrats have said that the Harris-Waltz campaign was poorly run. I would have to agree. The bottom line, Trump surged among blacks, Hispanics, women, Jews, Muslims, evangelicals, and the youth vote, to name a few. President Trump won across America, making the election the greatest victory

[02:33:03] in modern political history because he cares about Americans. I hope the name calling will stop on both sides and we can get to what is most concerning Loudoun County residents. Thank you. Thank you. Robert Griffin, followed by Riley Tuhill. And I'm not sure if Matthew Noonan did come in the room. You're still down in my paper. So if you are in the room, you can speak. But I'm just not sure if you're still here, Mr. Noonan, when we get to you. Mr. Griffin, good evening.

[02:33:35] Yeah, good evening. I, too, applaud this woman who spoke of courage, called garbage. That's deplorable and despicable. Of course, it pales with Mr. Suhas campaigning on we're going to get MAGA. We're going to get MAGA extremists.

[02:34:05] Resulted in two assassination attempts, that hate speech. Protected hate speech under our Constitution, which you Democrats say we are trying to destroy. We're trying to destroy our democracy. Well, Mr. Turner, many years ago, when he first came into the office, or shortly thereafter, or shortly before, complained about Barbara Comstock.

[02:34:23] And he went to a Barbara Comstock town hall meeting and said, In all my years of military experience, service, I have never seen a more concerning and deep threat than this president, President Trump, destroying our Constitution.

[02:34:44] That's shameful, sir. Have you ever apologized for that? have you apologized for Mr. Suhas? I think he owes all of us a real apology. Of course, my complaint of a couple of weeks ago was Mr. Turner dragging the reputation of this board, of him, and you, Madam Chair. He drug it into a legal matter that did not concern him, did not concern Loudoun County. But there he was putting his reputation, your reputation,

[02:35:18] Right out in front to bolster his false narrative, uncalled for and out of control. Oh, yeah, I'm just so deplorable. Did not concern you in any way. But there you were with a false narrative, a gaslighting narrative.

[02:35:38] And you know it. So do others. That's shameful, sir. Very shameful. And this Saturday when I was out giving campaign literature, there were you, Ms. Bristman, jumping up and down in joy and giving

pizza to the people in line.

[02:35:54] to vote for Harris. You could have been the joyful dancing Harris if you wanted to be. It's shameful. It's not laughable, sir, ma'am. Thank you, Mr. Griffin. Riley Tuhill, followed by, is Matthew Noonan in the room? Are you in the room? You are in the, did you want to speak? He's not in the room.

[02:36:16] Okay. Riley Tuhill, you will be followed by, give me one second. If I say your name incorrectly, i apologize hosef uh hosef exit exilov i think and then by joan hun good evening um sorry hi um my name is riley two hill i am um from round hill um i'm speaking on the greenland park issue tonight um i'm probably gonna embarrass myself in front of all of you

[02:36:55] take your time sorry this is my first meeting i really don't like public speaking can we stop her clock for just a second guess what i really don't like public speaking either and it's really really hard to do so just take one deep breath and and we'll start your time again okay okay start our time again please i am speaking tonight um because i've had a rough few

[02:37:27] days and i've hit my limit of things i can deal with this week um i don't know how much you all care about this issue, but I care about it a lot. My understanding with the Greenland Park issue is basically building a new data center there. I have some concerns about that, mainly with the environmental damage that will accompany that. As we all know, it's a very hilly area.

[02:38:09] There's very steep slopes. Those slopes have poor soil quality, and with the removal of the 200-year-old mature forest there that will lead to excessive erosion, extreme erosion.

[02:38:25] And with the Cyclone Park Creek nearby, there are some major concerns with damage to that system and water quality issues. I care about this for many reasons, but mainly personal reasons.

[02:38:49] i have not seen a monarch butterfly this year it was 81 degrees two days ago i saw six bald eagles this year two of them two of them in ashburn that's insane that's more ball that's more than i've ever seen my entire life loudoun county is my home i just want to keep it beautiful

[02:39:24] miss two hill thank you very much thank you um you're gonna have to pronounce your name for me sir when you come up if you do not mind you will be followed by joan hun followed by gary cats good evening sir good evening chair randall it's uh yosef azakilov i got the first part right the second part not quite no worries at all um yes good evening members of the board of supervisors and uh residents of loudoun county uh yeah as i mentioned my name is yosef azakilov i'm a community

[02:39:59] organizer with new virginia majority um motivation organization that advocates for equity inclusion the undocumented and working-class community. As you all know, we have been steadfastly committed to ensuring all residents in Loudoun have the ability to afford to live in this great county. At present, however, too many of our residents are struggling with finding affordable housing, paying rent, to say nothing of purchasing a home of their own. At the moment we have 10% of our

[02:40:33] our population earning less than \$50,000. Way too little to pay for the median rent in this county. We have members of our community spending upwards of 70% of their income on rents. We have folks working two and even three jobs to afford a place to live. I recently spoke with one of our community members that says that she said that basically at the beginning of every month she has to

[02:41:06] choose whether she can pay for her for her rent or for her medication and we've appreciated the efforts of members of this board at trying to address this issue most recently I was pleased to to hear

that the board is looking into efforts to expedite affordable housing applications through the legislative review process I think that's a welcome step forward as you all know you know a lot more needs to be done it's for this reason that we started a campaign to push for rental housing vouchers and more affordable housing construction to be

[02:41:46] included in next year's budget we've had you know great support from from supervisor Turner from chair Randall from supervisor Coney we had a great conversation with Supervisor Briskman. We invite the rest of the supervisors to join in that conversation. We're having community meetings on November 13th in Leesburg, on November 20th in our offices in Sterling, and November 21st in the Sterling Community Center. So we hope to continue that conversation with you all and ensure that Loudoun is a place for everybody to be able to live with dignity. Thank you very much, sir. Thank you. Thank you. Joan Hun, followed by Gary Katz,

[02:42:25] will be your last speaker. Good evening. Good evening. Tonight I am compelled, despite this cold and laryngitis, to be here to speak out for the country, Israel, which I consider my second home. I was born in the United States since we're both my parents. All four of my grandparents were born in Eastern Europe. My brother is named for my grandfather's brother, who was unable to make it to this country during World War II, along with the rest of his family, who all perished because of Hitler and the Holocaust. Israel was created by a vote through the United Nations, and yet there was still a war of independence in order for Israel to have existence.

[02:43:03] Over many of the years since its creation in 1948, there have been wars in order to keep its inhabitants and borders safe. On October 7, 2023, the terrorist group Hamas attacked Israel from Gaza and violently killed over 1,000 people, ordinary people, including women, children, and babies.

[02:43:20] They raped many women even before cutting off body parts and then killing them. There are still thought to be 101 hostages left of the many hostages they took. Are they even alive? I'm being told that there is a call from Loudoun residents to use BDS, which is Boycott, Divestment, and Sanctions, against Israel because they are genocidal.

[02:43:39] Why on earth would Loudoun County do that? Is there not enough anti-Semitism where I live? Is it not enough that I am a woman who is daily losing any respect in this country of ours? Is it not enough that I am a Jew, a person who is in a minority that is being hated and ignored in our country?

[02:43:55] My Israeli friends do not particularly care for Netanyahu. they believe in a two-state solution a separate palestine and israel but no one is saying genocide hamas continues to not make any deals for returning the remaining hostages and it's now 13 months more they purposely put all their ammunition and gathering places exactly where they are using women children and other civilians as they are human shields years ago golden one mayor said we can forgive the arabs for killing our children but we can never forgive them for forcing us to kill their children. Israel is not genocidal. Hamas hasn't figured out

[02:44:31] yet that Israel has a right to exist. Thank you. When Mr. Katz concludes speaking, I'm going to actually make a statement because I am getting frustrated with the mist and disinformation that's been in this room myself, and so I'll be making a statement with Mr. Katz. Mr. Katz, you're next, please. Good evening. Good evening. I had prepared remarks tonight, actually, unlike last time, but I'm going to deviate based on some things that I've heard. I'm actually very more curious to hear what

[02:45:09] you're going to say. But let me be really direct. Why are you seeing the Jewish community and allies come out? It's because you've been seeing in this room, this boardroom, being used as a platform to amplify anti-Semitism within the broader county and also to attempt to institutionalize it into county policy. And now some of that has been enabled by this board, some intentionally, some unintentionally, but well-meaning. So, intentionally. Vice Chair Briskman, it was

[02:45:44] your press release that signaled to the community that there may, in fact, be an appetite for this type of resolution or action within the county. And what have we seen? We saw nine anti-Israel speakers come, and we saw Jews being heckled, not once, not twice, three times. Once, twice to me, once to Vicki Fishman of JCRC. So, I share your frustration, Chair Randall. I really do. I don't want to be here on this issue. But at the same time, there have been some unintentional enablement of this by you, Chair Randall. And I don't mean this as an attack. I mean this actually as a

[02:46:17] well-meaning thing. You fact-checked someone. By doing so, you played into what they want. See, they want you to think twice about anything dealing with Israel. You attempted to fact-check a public speaker about a month ago and correct them, which I appreciate. I understand what I think you were trying to do, and I applaud it. But in doing so, they're getting the win because they want you to look into these things. They want you to think twice about it. They want that should any Israeli or Jewish issue come up, that you think twice on it, whether

[02:46:52] it's through a resolution or through de facto how you look at things. So I'd like you to make a statement. In fact, I'd like all of you to make a statement tonight in your board comments. Put this to bed. End this madness. Rebuke the overt anti-Semitism that has been taken place in this boardroom by members of the public. Call it out for what it is. And make it clear that there will be no appetite for any resolutions whatsoever. Reiterate that, not just as part of a Q&A with another public speaker, but all of you. Make it clear that there is no

[02:47:27] appetite for this behavior and that what has been seen in this boardroom is despicable. Thank you. Thank you, Mr. Katz. Okay. First of all, if you know me, you know that I say this all the time.

[02:47:53] I am deeply and crazily in love with my country. I say that all the time. And one of the things this country allows for is free speech. People can come into this room and say things that I don't agree with. You have come into this room and said things that I don't agree with. You said things that just are, in my opinion, flatly untrue about me and my chief of staff, to be quite honest. People are allowed to do that because that's what America is.

[02:48:12] I am never going to stop someone because they are speaking unless they're threatening or unless they're doing something that's inappropriate. It is my job to allow people to take part in free speech, and I do that no matter who walks in this room.

[02:48:29] I don't allow threatening language, and I don't allow threatening behavior. But one person's truth is another person's lie, and it's my job to allow speech. We had a person in this room who was a Jewish person who spat at a Palestinian, a person from, yes, we did.

[02:48:49] Yes, I didn't say he was Jewish. You may not, you finished speaking. You're finished speaking. I handled that. I handled that because that's not allowed. When people coughed, I think I gave it a name, conveniently coughed, I handled that.

[02:49:11] Not only did I handle that, I said I would clear this room. You do not hear me say that, that I would clear a room. But I would have cleared the room because people who are here speaking on the pro-Israel side have a right to speak without being heckled and without being coughed at while they are speaking.

[02:49:28] That is just not acceptable. I will not stop people from speaking. That is inappropriate. It is not my job to say who can speak unless you're saying something threatening. It's just not. So if anyone's asking me to do that, I'm not going to do that.

[02:49:47] There has been nothing but clarity from this board over and over and over again that we're not putting a resolution forward. I set this agenda. I set this agenda. So when I say there will be no resolution coming forward, there will be no resolution coming forward.

[02:50:07] I'm not sure how many times or how many ways I can say that. And just because somebody puts it on social media that they're thinking about it does not mean it's true, and it's never been true. It has never been true. There will be no resolutions coming forward, nor will there be me stopping people from speaking if they're not being threatening and they're not being inappropriate.

[02:50:30] Even if they're saying things that I don't think is correct, it is not for me to be the judge of that. It is for me to allow people to have their two and a half minutes to speak when they come into this room. That is what I have always done. That is what I will continue to do.

[02:50:47] Thank you. We did have the last person that was on the speaker's list to call in. Did they just call in, or were they on the phone before and we just missed them?

[02:51:07] They were on the phone before and we missed them? Okay, well, then I'll let them talk. Dona, I think is how you pronounce the name. Kassar? Hi there. it's quasar but thank you i'm sorry oh it's all good thank you so much for taking my call even though i called late i got home late um but i really just wanted to come and speak i had a friend speak for me at the last board meeting uh because i couldn't make it but yeah um i wanted

[02:51:41] to speak obviously you know as many others about the results of this week's elections and i want to speak from a place of empathy and solidarity with everybody i wanted to say that i see a lot of finger pointing being thrown around um from

[02:52:13] you know, local people here in the DMV who, you know, voted for Harris and who are obviously justifiably upset as the results came in. But at the same time, I wanted to just point out that the reason why we are here where we're at today is basically because we do not listen to

[02:52:46] each other and we pick and choose which groups that are you know convenient enough for the privileges and rights we enjoy here in the United States but we don't support each other we don't support the people who are like-minded we don't support the people who are differently-minded Um, and, uh, it's really just, um, disheartening to see that, um, as somebody from the Arab

[02:53:21] American community being blamed, um, not supported at all throughout this whole campaign. And, um, and that's all really, that's what I really wanted to say.

[02:53:37] I just wanted to say that I'm disappointed in people that I thought were fighting alongside beside me for like a better tomorrow, that they did not seem to value my humanity as much as I initially thought they did. And I hope that -- Ma'am, I'm so sorry. Your time is up. You can't -- you may not be able to

see the clock and I should have told you to set your own stopwatch. I apologize for not telling you that, but your time is up. Thank you so much.

[02:54:05] Thank you so much. Okay. All right. That is all the public speakers. Supervisors, As much as I'd like to push through and do one more item, I think we need a break, to be quite honest. So let's read in the closed session for closed sessions 1 and 2, and then we'll do a dinner break while we're in closed sessions 1 and 2.

[02:54:23] We'll come back out. Ms. Bricksman, will you read us in the closed sessions 1 and 2, please? Yes. I move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to sections 2.2-37, excuse me, 11A3 of the Code of Virginia to consider acquisition of parcels of property for public use in the Leesburg Election District.

[02:54:43] I further move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2-3711A3 of the Code of Virginia to consider acquisition of parcels of property for public use in the Dulles Election District. Motion is made and second. Discussion on the motion.

[02:55:01] All in people say aye. Aye. Any opposed? That motion will pass to 9-0.

[03:15:37] Ms. Brickson's going to read us back into closed session,

[03:46:26] except Mr. Crony is not in the day as after closed session. We've got to come back in the day as folks. It's happened to more than one of us in the past. I'll have us do a quick break in a second.

[03:46:42] No, I mean because we haven't had a break yet. Ms. Bricksburg, will you please be back in the closed session? I will. Out of closed session? I move that the closed session be adjourned. Excuse me. That the Board of Supervisors reconvene its public meeting. That the minutes of the public meeting should reflect that no formal action was taken in the closed session.

[03:47:00] And further move that the resolution certifying the closed session be adopted and reflected in the minutes of this public meeting. I will second that. Discussion on the motion? No, ma'am. Seeing none, all people say aye. Aye. Any opposed? That motion passed 9-0. There is a motion on the dais, Supervisor Umstead.

[03:47:19] I'm sorry, yes, let's say I affirm. Affirm. Mr. Sains? Affirm. Mr. Letourneau? Affirm. And I affirm as well. Thank you, everyone. There is a motion on the dais, Ms. Umstead.

[03:47:36] All right. I move the Board of Supervisors authorize the county administrator to execute a purchase and sale agreement and closing documents approved as to form by the county attorney with Leesburg Office LLC in the amount of \$7,900,000 for the purchase of property identified as PIN 189-29-9923-000.

[03:48:06] and authorize the expenditure of \$200,000 for due diligence and closing costs. I further move that the Board of Supervisors direct the amendment of the fiscal year 2025 capital improvement program by directing staff to execute a budget adjustment to move a total of \$8,100,000 from the County Land Acquisition Contingency Account to a newly created Trailview Boulevard Land Acquisition and Due Diligence Project to acquire the property and conduct due diligence activities.

[03:48:45] Motion is made, sir, a second. Miss Motion is made, second by Supervisor Crony. Discussion on the motion? None. Anybody else? All in favor, please say aye. Aye. Any opposed? That motion will pass 9-0.

[03:49:00] Supervisors, we haven't taken a break there. Let's try to do this, let's try to do our board comments and then take a break and come back and do the legislative item and the item 1C, the Account Development Advisory Committee appointment. But let's go ahead and do board comments and then we can take a break because we haven't had that yet.

[03:49:19] So board comments, Supervisor Glass. Thank you, Madam Chair. On Wednesday, October 30th and Thursday, I'm sorry for the glasses. On Thursday, November 7th, my staff met with representatives of the Greenland Park Data Center application.

[03:49:42] On Thursday, November 7th, my staff met with representatives from Milestone Towers to discuss the Clark's Gap and Belmont cell tower applications. That's all, Madam Chair. No comments? Mr. Kirshner.

[03:49:57] Thank you, Matt. Thank you, Madam Chair. The only thing I want to say is that I had a great evening on October 25th, Supervisor Dr. Crony and Supervisor Randall. Sorry, I thought you were talking to me. Supervisor Randall, we attended the Loudoun Winery and Wine Growers Association Awards. It was a great night. We had some tremendous winners, some of the best wines out there, and we had one of the relatively new winners, Enhart Vineyard, won four different times and won

[03:50:33] the best wine overall, so congratulations to them. It was fun. The wine awards are always fun. Thank you. Subhasa Umstad. Thank you, Madam Chair. We have coming up two Veterans Day ceremonies in Leesburg on Monday, November 11th.

[03:50:57] One will be the dawn ceremony at Balls Bluff National Cemetery, and that happens at dawn. And the other will be the annual Veterans Day ceremony at the George C. Marshall International Center in Leesburg, and that will start at 10 a.m.

[03:51:19] In relation to some of the comments that we heard tonight, I do want to say that, as I've said before, I would not support a resolution from the board on the issues related to Gaza.

[03:51:39] It is worth noting that the United States belongs to the International Holocaust Remembrance Alliance, and the U.S. State Department has adopted the definition of anti-Semitism developed by IRA, as has the Virginia General Assembly.

[03:51:59] One of the examples used to describe anti-Semitism in the International Holocaust Remembrance Alliance definition is that claiming Israel should not exist or is racist is a statement to that effect would be anti-Semitic.

[03:52:22] We have heard at least one of the speakers who opposes Israel make such a statement at a past meeting. We have also, as speakers have pointed out, had pro-Palestinian speakers come before us and interrupt or try to drown out Jewish speakers and only Jewish speakers.

[03:52:56] um, during the Jewish speaker's, uh, remarks. That in itself is anti-Semitic. And I think that, um, it's important to note, as has been said multiple times, that Hamas, um, attacked Israel.

[03:53:17] Israel did not attack Hamas a year ago. And, uh, 1,200 Israelis and Americans were killed. And Americans are still being held hostage by Hamas. I was privileged not too long ago to attend a briefing by a member of the Israeli Defense Force who, with his fellow troops, were trying to liberate a group of Palestinians from a school.

[03:53:52] And when they called out and asked for Hamas to release the civilians and allow the civilians to come out, a little five-year-old ran out of the building and a Hamas soldier shot the child in the head, killing him in front of his mother.

[03:54:12] So that is the kind of terror that Hamas imposes on Israel, on Palestinians, and would like to impose on the rest of the Western world. So I do appreciate folks coming out tonight to speak.

[03:54:31] I have no interest in seeing Israeli companies in this county forced out, and I welcome all Israeli companies. As I would welcome companies that are owned by Palestinians or other members of the Muslim world.

[03:54:52] So for those companies that have been called out specifically by some of our pro-Palestinian speakers and attacked in front of the board, I would specifically say I am glad those companies are doing business in Loudoun County.

[03:55:10] and I hope they continue to feel welcome to do business here. Thank you. So I need to say for the record, because if a supervisor says, if a resolution comes, I will not support it, I need to say this for the record, there has never been a resolution that's been even offered or presented, nor will there be one.

[03:55:29] When somebody says, if one comes, it gives once again the impression that somebody has talked about that. Nobody is talking about that. It will not happen. I don't know any other way to say that. And I think saying those types of things causes undue confusion and fear.

[03:55:49] Mr. Crony. Thank you, Chair Randall. On October 31st, I met with Charles Yud, Mike Romeo, regarding the Greenland Park application. So I'm pleased to announce the Reservoir Park is now open.

[03:56:07] I went out kayaking the other day, and it was fabulous. So I encourage everybody to go out and participate in our beautiful new park in Loudoun County. I attended a COG Clean Energy Forum on October 28th at George Mason with the focus was solar and solar for all.

[03:56:27] And so I plan to talk about some ideas in the legislative program that's coming up, the legislative program item. I'm also going to be the COG Farm Policy Committee Vice Chair for Virginia, and I had a great D.C. farm tour on October the 18th with a focus on food security and food sustainability.

[03:56:52] So I look forward to participating in that policy committee. The Village of St. Louis Design Charette will be held on Monday, November, 18th at 6:30 p.m. at the Banneker Elementary School. Thank you to the St.

[03:57:11] Louis Village Plan Task Force for getting us this far in the process. We do have a draft small area plan but the Charette is an opportunity to come together as a community to share the vision for spaces like parks and walking trails and future construction like traffic calming. I encourage everyone to attend the st louis charrette on november 18th thank you thank you ma'am um supervisor maternal thank you madam chair um first just a quick metro update today

[03:57:50] in our metro board committee meetings um we advanced a revised uh metro rail and bus subsidy formula which is a very big deal for us um updates the formula for the first time in i think two decades and it is a I think a very good product that simplifies the formula takes into account actual ridership takes into account actual cost of the system as well as overall population and allocates costs differently. I don't anticipate huge swings and what each jurisdiction owes as a

[03:58:26] result of that formula. We have looked at some hypothetical scenarios there. I do think Loudoun County's share is going to go up a little bit and Mr. Hemstreet and I have had a lot of discussion about that so I won't be surprised for his budgeting purpose and of course we're not part of bus. Virginia's actually share of bus is going to go down. That's the first thing. The second thing we did today in our safety and operations committee was advance the better bus network and I know Chair Randall's heard about this as DMV moves but this is a complete sort of blank slate rewrite of the entire metro bus system we don't have Metro bus here but still I think of interest for the for the region and it

[03:59:06] really uses existing resources so it's budget neutral but provides significantly more efficient service better service across the metro system so two big things that we did we're gonna those will go to our second meeting in November for full board action where at which I anticipate to happen so I'm We're looking forward to that.

[03:59:25] Next, just very quickly wanted to thank everybody who helped make Tuesday's election a success from a operational efficiency standpoint, safety standpoint. I know it's a lot of work for staff and I think they do a great job and I think we've always done a great job running free and fair elections in Loudoun County, but it takes ever more people every year to make this happen.

[03:59:51] From our professional staff down to the folks who worked that day in a polling station. So just want to thank everybody there. And finally, just in case there was any question, I've always believed that we have plenty to do here in the Loudoun County Board of Supervisors as it relates to Loudoun County without wading into foreign policy.

[04:00:12] Agreed, which is why there won't be anything to wading into foreign policy with. Well, that's not the only reason, but yeah. Mr. Turner. Thank you, Madam Chair. A couple of catch-ups from me. I had stepped out when we did nominations. like to nominate bertram cream to the communications commission to fill the ashburn district representative position also an announce of the transportation land use committee for november 20th has been cancelled if you show up you will be alone on friday october 18th and monday november 4th i spoke with jeff ziggler from active infrastructure to discuss a potential application for spring valley tech park monday october 21st my staff spoke with colleen gillis from cooley

[04:00:51] to discuss the application for Fleetwood North. Monday, October 21st, my staff spoke with Molly Novotny from Curata Partners to discuss the application for Stonehill. On Monday, 28th and Thursday, 31st, October 31st, my staff spoke with Matthew Penning from Milestone Towers to discuss the application for Trailside Monopole.

[04:01:13] And then on Wednesday, October 23rd, my staff and I met with Matthew Penning from Milestone Towers, Gerob Bale from AT&T, and Aaron Frank from Cooley to discuss the application for the Trailside Park Monopole. All those prior ones I mentioned I was also in this meeting, so I should point out.

[04:01:31] On Wednesday, November 6th, my staff and I met with Jeff Ziegler from Active Infrastructure and Jeff Barber from Bloom Energy to discuss the potential application for Spring Valley Tech Park. On Wednesday, November 6th, my staff and I met with Mike Romeo from Walsh Kalushi and Catherine Bond from ILYOX to discuss the application for Greenland Park. Also last week I attended the COG Transportation Planning Board Regional Roadway Safety Summit, which was very interesting.

[04:02:00] It was actually three sessions. The most interesting, a couple of interesting data points, traffic fatalities are up in the DC metro area and have been steadily trending up since 2018. the uh set the

transportation department the u.s transportation department has implemented a safe system approach to traffic safety which includes a vision zero program and allies in action which reaches out to communities around the country to adopt a set of standards around highway safety during that discussion i noted that all of the dc metro areas including fairfax county were signed

[04:02:40] up for the Vision Zero program but they did not mention Loudoun County so I said I'm making a note that Loudoun County has not signed up and I said I will mention that to Chair Randall that Fairfax has signed up but Loudoun County has not which should guarantee that Loudoun will be signed up before the end of the week they came rushing over to me right after that session was done I said no no Loudoun has signed up and it's fully involved in the Vision Zero program so we are we are on board with that program so I'm very pleased about that. Thank you very much. Thank you very much.

[04:03:14] Mr. Sains. Thank you Madam Chair. On disclosures, November 1st I met with the Dulles Town Center and their land use attorneys, representatives. I don't remember the exact date but in the last i would say two weeks in october had a phone conversation with uh mr mr coon regarding uh the greenland park uh application um and again forgive me i don't have the exact date but

[04:03:46] time frame i'm hoping that's okay mr rogers by way of chair randall um and then in regards to I'll just say, I'll just simply say this.

[04:04:04] When speakers come to speak in the boardroom, I'll speak for myself. I appreciate everybody taking the time to come out and speak and share whatever you're sharing with us regarding a land use application that's in front of us or will be in front of us, an issue, a hot topic in the news or an issue that you care deeply about.

[04:04:29] I appreciate you taking the time to come out here and share those thoughts with us. It's definitely not easy to public speak and take the courage to do that. So I appreciate everybody doing that. But I will just say, with all respect, if you are going to come and share information and talk about topics, please come with 100% accurate information.

[04:05:01] understand some folks would like to speak about one side of an issue and another side will talk about another side of an issue, which is fine and that's your right to do so. But again, if you're going to speak about issues, please come and speak about 100% accurate information on that topic or subject matter and not give a glass-side overview of that topic or discussion. I'll just simply

[04:05:32] say that and also say that Loudoun County, we are open with welcome arms and to take a warm embrace of any culture, any belief, an idea that is representative of all of our community members with respect and love, any business, be it Palestinian, Israeli, you know, from North Africa, South Africa, anywhere in the world. If you have a business or have an idea, it's going to help people and you're going to provide for your family come on to Loudoun County we open arms we'll

[04:06:11] embrace anybody here as I have always said time and time again we need to keep hold the values of the golden rule as you have heard me say numerous times over and over and over again treat others as you want somebody to treat yourself and your loved ones your family just as simple as that treat others as you'd want somebody to treat your loved one your family members your mother your father your sister and your brothers and if we can all go to that we'll

[04:06:50] be living in a world of peace and harmony because i'm pretty sure nobody wants their mother father sister and brothers treated uh poorly and badly and treated bad you know harm done to them so i'll

just say that with all love and respect let's treat others as you want somebody to treat your family that's that simple thank you thank you mr sayings miss brixman thank you madam chair um by way of disclosures, I had a phone call this morning with Mr. Chuck Kuhn about the Greenland

[04:07:25] Park application. On October 28th, I had a site visit at the Oak Hill property with the Conservation Fund and the owners. I was able to, honored actually, to attend the LCPS legislative breakfast to represent just the local government angle and the tax rate angle, which was very interesting i think informative for a lot of people there um i do want to clarify pizza to the polls pizza to the polls is a non-partisan organization that you can send a photograph to

[04:08:02] if there are long lines at voter ballot areas sites and they will send pizza and i was getting a lot of texts and calls about the long lines at claud moore on saturday so i went on pizza to the polls and I shared a picture and they did in fact send eight boxes. I think it was eight. I worked with Quran on it. Yeah. Cause I knew Quran was going to be there. So I put his name, uh, on it, but I was able to go there as well. And, um, you have to check a box to maybe even two or three

[04:08:37] boxes when you order that pizza committing that you will be nonpartisan when you were passing out the pizza. And so I was nonpartisan and passing out the pizza. Um, I didn't ask people who they were voting for. I went up to the Republicans who were passing out sample ballots and they had some pizza.

[04:08:56] And, you know, we all did, it was a beautiful day outside and we had a nice time and we fed some voters and we fed some volunteers. So I just want to clarify that, you know, there was no ill intent or bribery going on at the polls on Saturday.

[04:09:12] It was actually really fun. And on that subject, we actually did pen a letter to the governor about the purge of poll of voters in Virginia, 1,600 voters, and I appreciate the supervisors who signed that letter, and Chair Randall and a couple other supervisors joined to have a press conference on Saturday to discuss, again, a nonpartisan issue, which is voting. And to date, I can say that there were at least six

[04:09:48] loudon county residents out of about 98 or yeah 98 that were purged six of them are in fact u.s citizens three of them had their uh registration reinstated two of them came in and had to do um same day voter registration to vote i knocked on a couple doors in my district and found one woman who um was purged from the polls she was socked oh now i'm hearing it was nine supervisor turner found a couple more um so i knocked on her door and i said are you registered to vote did you know that you were one of the people who was purged and she said i did find out

[04:10:28] i was shocked i had to go back and get re-registered thank god i did it before i had to travel out of the country for work this she is 60 years old and looks just like me basically um and she got her new voter registration back on october 7th she's been voting in loudon county since the year 2000 so you know i know that loudon county does our best and we succeed over and over again having free and fair elections with absolutely zero fraud and i find this voter intimidation and

[04:11:04] attempts at suppression absolutely disgusting because we know that that nine people who are U.S. citizens were cleared from the polls. That is not the way to go about doing it. And oh, by the way, the ERIC system could also help us with that, but we were unilaterally pulled out of the ERIC system, and I'm making every effort to make sure our voices are heard and getting us back in the ERIC system. Having said that, the election did not go the way we wanted, but I commit to continuing the work that our constituents

have sent us to do. Our work is based in democratic values of inclusivity, fairness, equity, protection of human rights, continuing to fund our excellent

[04:11:40] education system, and protecting the environment. Our voters sent us to this board to do that work based on the values that we share. To the extent that this work will clash with President-elect Trump's policies, his changes that he wants to make, and his Project 2025, we will see.

[04:11:59] But I will continue to fight for the values that my constituents put me here to fight for, And I will continue to do that. And if there is a clash, we will deal with it when there is a clash. There have been 14,405 total gun deaths in this nation this year, 446 mass shootings.

[04:12:16] The deaths include 204 children under the age of 11 and 996 teens ages 12 to 17. Thank you, Madam Chair. Thank you. On 10-22, I went on one of my field trips with Mr. Charles Jett to the Greenland site.

[04:12:34] And I have talked to either Charles Jett or Chuck Kuhn a couple of times about the Greenland site. Let me say this. I have literally sat on this dais and had people come speak to us, and somebody called me an animal one time.

[04:12:52] People have called me garbage. People have called me trash. I've had people who have sent me threatening e-mails, and then they walked into the room to speak. I can remember stopping one person because he actually was describing Ms. Bricksman's grisly death, and so I stopped him, but even with that, I told him he could not do that, and then I let him finish speaking, and he did finish speaking.

[04:13:13] It would be wholly inappropriate for me, by myself, to decide where I stop somebody's right to speech. It's just not appropriate. Not only do I think people need to come speak, should come speak, have every right to come speak.

[04:13:33] I really encourage everyone when we're up here to put down your phones, to put down, to stop talking to one another and listen to the speakers because they have taken their time out their schedule to come here and speak. But I will never, ever, unless there is something that is happening that is threatening, verbally or otherwise, limit someone's ability to speak, because that's not my job, that's not my role, and that's not what we do in this country, and we shouldn't do it in this commonwealth in this county.

[04:14:02] I will echo Mr. Letourneau. I think that our elections department is just bar none. Judy Brown, Ricky Keech, and all the staff over there are absolutely amazing. It is unfortunate that we had to call pizza to the polls because that means people were standing in line for two hours.

[04:14:20] Standing in line for two hours is voter suppression. People left the polls because they were standing there for too long. We can maybe return those early voting days, and you won't have that voter suppression. And I also think that it is a huge problem that people were purged from the voting rolls within 90 days, which is literally against federal law.

[04:14:42] I understand people are saying that, well, they can go register that day or vote provisionally, which means you're making them do something extra. You're making people who are citizens who have been voting jump through an extra hoop to exercise their right as U.S. citizens. We should not make people work harder to exercise their rights as U.S. citizens.

[04:15:00] I said it in paper. I'll say it right now. Mr. Youngkin, you were wrong to have purged 1,600 Virginians, 98 of them from Loudoun County, from the voting rolls within 90 days. And if we really want to fix this problem, like really fix the problem, fix the registration form at the DMV where you check whether you're a citizen or not because it's confusing.

[04:15:23] Some people are going there and inadvertently checking the box that they are citizens. They could be here legally, and they are here legally, but they're not citizens. So there's a box on the DMV form people check, and it confuses them, and that's where the confusion. So instead of purging legal voters, fix the DMV form.

[04:15:44] By the way, the DMV is a state department. So fix your own department, and you can stop purging legal citizens who have every right to vote. That's how that can happen and should happen. Obviously, I am – did not – I am – who I wanted to win the presidency did not win.

[04:16:07] That is obvious, and I would say nothing different. But I will also say this. Vice President Harris went out and gave a concession speech that was beautiful. There will be a peaceful transfer of power. There will not be an attempt to stop the counting of the votes or to take over.

[04:16:26] There will not be a threat on anyone in Congress's life because of how the election went. Because, again, we are America, and that's not how that looks. I also want to especially congratulate everyone who won at the local level.

[04:16:44] Kelly Burke, although she was unopposed, she ran again for mayor, and that's a hard job. So congratulations to Mayor Burke, congratulations again to Zach Cummings, and to our very good friend, Nick Kikowski, who is an active firefighter. He is a Leesburg Town Council member, and we are so proud of him.

[04:17:00] I do think the most important government is the government closest to the people, and so I am so proud of everybody who ran at the local level. And that is all I have for now. Thank you, everybody. Supervisors, let's, is the, well, we can, we can, we're going to take a break after we do the economic development appointment for the advisory committee.

[04:17:27] I think, yes, come on down, because let's get you out of this room. No. Hi, how are you? Good evening, supervisors. You have before you the recommendations from the Economic Development Advisory Commission for their 2025 openings.

[04:17:47] they did conduct interviews I will note that they had one of the largest groupings of applications that we've ever seen for the EDAC and that additional applications did come in after their process but they did review and meet with everybody they could in the packet before you and have made their recommendations both for returning members seeking a second term and for new members and I'm happy to take any questions you have just give me one second i'm not even on the item yet um so those people are on page two correct correct so

[04:18:25] you have the returning members on page two and then the recommendations for new members on page three on page three there we go okay all right i'm trying to see the geographical difference um all right um mr letourneau as finance committee chair would you like to make a motion i will Well, Madam Chair, I move that the Board of Supervisors nominate the candidates to serve on the Economic Development Advisory Commission as recommended to the Board of Supervisors by the

Economic Development Advisory Commission as presented on the November 7, 2024 Board of Supervisors business meeting action item.

[04:19:05] Motion is made second by Supervisor Sainz. Is that Supervisor Sainz? Yes. Discussion? Just we value our Economic Development Advisory Commission, appreciate the input they give to the Board of Supervisors and the work that they do to help support both the Department of Economic Development and the broader business community in Loudoun.

[04:19:24] And so we look forward to working with both new members and those who are being appointed for reappointment. Thank you. If I'm looking at this correctly, there is not a single person from the Catoctin District who has been recommended for appointment or on the board already.

[04:19:40] Is that correct? Or Algonquian. Well, this is not, Madam Chair, this isn't a complete list. This is only the members eligible for reappointment. and the new ones, so I don't know about in totality the commission. That's exactly what I just said.

[04:19:56] Like, literally, that's exactly what I just said. Well, no, there are people who are on the commission that aren't in this packet because they're not up for reappointment, so we don't know what the district is for those people because they're not in the packet. So they could be from Catoctin. I don't know. Do we know? I'm just simply saying I think it's really important to have geographical diversity on this commission.

[04:20:14] That's all I'm saying. I don't know offhand, but I can get that information. I'm going to vote for this, but I guess I'm saying in the future, when you all are interviewing people, I know that you have a whole host of questions that you ask, and they're all, I'm sure, very, but if we can make a little bit of an effort to have geographical diversity, that'd be great.

[04:20:33] That's all I'm going to, that's all I'm asking. Okay. Thank you very much. Anybody else? Okay. Mr. I mean, Ms. Bricksman? I can't remember my guy's name, so sorry. Ms. Latourne, you want to close him?

[04:20:48] No, thanks.

[04:20:48] All right. All the people who say aye. Aye. Any opposed? That motion will pass 9-0. Thanks for staying. All right. Thank you. Let's take a 10 minute break. We're back and we're going to do a legislative report. Mr. Freeman, where are you at?

[04:37:18] Oh my God, I'm getting tired. You okay? Not him. Not him. Not him. She knows who I'm talking to. Well, good evening, Madam Chair, members of the board. Before you is the draft 2025 legislative program. Before we get into the item, I just want to give a brief overview of this legislative session.

[04:37:41] So legislative session is set to begin January 8th, 2025. The crossover is tentatively scheduled to be the last week of January with session wrapping up Saturday, February 22nd.

[04:37:58] John, in a short session, can they file the same number of bills? They usually shorten the limit for the bills filed because, you know, during long session, that's a 60-day session, where they're adopting a biennial budget.

[04:38:14] During a short session, which this upcoming year, 45-day session, they are amending the existing biennial budget. Got it. I understand. I understand. Thank you. So, while formulating the item, we absolutely took into account short session.

[04:38:33] We also took into account the JLARC report on data centers, which is scheduled to come out December 9th, which will absolutely carry some recommendations for legislation. There were 17 bills filed last year on data centers alone, plus some budget amendments to one of which to roll back sales and use tax exemption for data centers and so we are operating as if all of those bills will come back with a twist from the JLARC report.

[04:39:04] However, staff has met with JLARC over these past few months to provide information on data centers from Loudoun County's purview. We are also operating as if our historical toll road issues are coming back as they annually

[04:39:21] We are operating as if the disclosure issue, which I will get into later when we get to Section 2, for noise disclosures for homes within noise contours around airports, we are operating as if that will take the same amount of time that it took last year, which was an abundance of time because, quite frankly, the realtors are formidable opponents.

[04:39:46] So with that, I will actually turn it over to our county attorney, Leo Rogers, to introduce Jan. Sorry, before we get into the item, because I know he wanted to introduce Jan.

[04:40:03] Thank you, Jonathan. A very pleasant opportunity I have here to introduce Jan Gustafson, who's somewhat new in our office. Jan interned with us while he was in law school last fall, came back to us as paralegal while he was taking the bar, passed the bar, and he is now working in our land use section.

[04:40:22] So welcome Jan Gustafsson to our office. He passed the Virginia bar on the first try? Absolutely. That's outstanding. Jan, where do you live? It was a pleasure to meet you all. I live in Waterford.

[04:40:38] That's okay. That's what I'm talking about. Good job. Right answer, Jan. Anywhere in Loudoun. Good job. Good job. All right. We're ready when you are. Welcome, Jan. So first in section one, these are policy statements that will allow the staff as well as our contract lobbyists, Troutman, to lobby on a whole host of issues.

[04:41:06] And one thing that's important to note, as we usually do on the first item on the legislative program, the statements from the previous year's program that you all adopted automatically carry over. So these are additions to that program.

[04:41:23] So the first of note is an issue that was talked about. The local personal property tax relief program, so the authority for localities in the Commonwealth to essentially supplement on the personal property tax relief that the state offers on the assessed vehicle, assessed value of vehicles here in the Commonwealth.

[04:41:50] The next thing that I'll note in subsection B under the changes to human services statements is the public safety regulatory overreach, which is in relation to the issue that essentially forced Loudoun County as well as other localities around the Commonwealth to stand up its own pharmacy or work with their EMS regional councils to serve as a provider for refilling those drug kits that our first responders refill previously before the regulations passed with

[04:42:26] the hospitals. And they'll now have to refill that with our local pharmacy that we're standing up. The next thing that I will highlight in this section is the funding statement for fully funding the JLARC recommendations on education. This is the same JLARC report that came out in July of 2023, which

essentially highlighted that Virginia was vastly under funding our per pupil base funding formula for students by \$2,000 per student essentially

[04:43:06] or almost \$2,000. And so one thing that I want to highlight is there is a joint subcommittee that is currently looking at school funding to fulfill those JLARC recommendations is the joint subcommittee on elementary and secondary education funding, and the leadership that is on that subcommittee of note are essentially five members from the House and five members from the Senate.

[04:43:40] The chair of that subcommittee is Senator Locke. The vice chair is Delegate Russell, and so they have also looked at some near-term recommendations that we will bring to you all at a later date along with LCPS to essentially go over what those near-term recommendations are. And these are recommendations that they have found can be fulfilled in the next two fiscal years. So we will bring that to you all and talk

[04:44:12] about that at a later date with LCPS. With that, if I may, I will also highlight that in our funding priorities, we included a funding statement to essentially allow us to lobby on getting state funding for our pharmacy that we are standing up, and essentially this is to allow us to engage in conversations as they ensue at the General Assembly, as they

[04:44:46] essentially look at some of the issues in regards to locality standing up their own pharmacies and so that continues to be an ongoing conversation but this would allow us to essentially be a part of that conversation if you will. Going into section two we have the airport noise disclosures within the state code. So just to give some background as as you all know this issue well this essentially

[04:45:20] is an issue dating back to 1993 if you will. So in 1993 essentially Loudoun County and Dulles Airport came together and said the airport's going to grow and so is the county. And so we must partner together to find a way to ensure that as we grow together that there aren't any issues in regards to that growth and so placed in the zoning ordinance was essentially a noise disclosure for if you purchased a home within the airport overlay district you received

[04:46:00] a disclosure that essentially says you will hear noise from the airport. we found as we were doing a zoning ordinance rewrite is that essentially it was not happening on subsequent sales and so the board added to the zoning ordinance for it to be done on subsequent sales so essentially not just new development but if someone's purchasing a home they also receive that same noise disclosure so last session there was a bill put through as you all remember well that essentially said that localities may not mandate these noise disclosures or require

[04:46:39] these noise disclosures rather by ordinance no locality in the commonwealth may do it loudon county was the only locality doing it in the commonwealth and so essentially it only affected us and so uh proceeding session uh in this bill passing which went in effect july 1st of this year. We have been working with EMWA and the Housing Commission to essentially figure out a path forward alongside the realtors so that there is not this big fight this upcoming session.

[04:47:15] And so we've been working with the Housing Commission throughout the year. We gave a presentation back in June to the Housing Commission essentially laying out how we develop these noise contours and that our process is official. It is essentially marrying the part 150 process that the FAA sets out and so these noise contours if you will were not just developed overnight. There's a very thorough process that created these noise contours and this is a process

[04:47:48] That's essentially that has worked as a consumer disclosure tool, if you will. And so what we have done alongside EMWA is continue to look at this effort.

[04:48:04] And so this is a proposal to essentially allow us to not just advocate for mandatory disclosures, which is the separate disclosure, but also advocate for buyer beware potentially. And buyer beware is a long list of provisions, essentially, that you receive when you're purchasing a home that says these provisions are things that will apply to your property and, you know, it is essentially on the owner of the home to look through those provisions and understand what that means for the property.

[04:48:38] And so we would allow, essentially, our lobbying team to look at both proposals and see what peace in the valley we can come up with down in Richmond. So with that, I can stop and take any questions before we move on to the presentation on the second initiative. With peace in the valley.

[04:49:04] Yes. I know where that come from. Thank you, John. Questions? Mr. Crony. Thank you, John. So this is about the airport, right? Is that where you're taking the questions on? That's correct. Okay. So when I met with DAR, they mentioned that their big issue is that one-mile buffer, not necessarily the 60 to 65.

[04:49:28] So you know how we have different contours. I'm wondering if, you know, one thing I talked with them about is rather than having a disclosure that's put with the resale of the home, having like a map showing, hey, this is where the airport is.

[04:49:47] You're buying a home in that one-mile buffer. so maybe that's how you get to a compromise dar seemed open to that um and i i would be okay with that i know chair rannell and i've spoken about that but again that's the contour that's furthest away from the airport the one that has the most noise is closest and probably should have some kind of disclosure that's more official you know in writing so that's just something an idea to

[04:50:17] to think about when you're working through this yeah thanks um my only uh question so so the j-lock study has on k-12 has been for lack of a better word accepted and now they're going to put together a committee and and what incrementally try to try to increase the funding allotment for for for our public schools is that the goal i mean because it can't happen all at once probably

[04:50:52] but that's the goal so essentially yes that's correct um the uh i'll just give a brief description of the joint subcommittee if if i may um and it is to provide an ongoing direction and oversight of the standards of quality funding cost policies and to make recommendations to their respective committees that's the first sentence and that that pretty much captures exactly what they are doing Because the JLARC recommendations on education are obviously very, very expensive.

[04:51:28] And so this work is going to take years. And so what they're working on right now is identifying pieces of the JLARC recommendation that essentially are things that they can address in the near term, which is the next two fiscal cycles.

[04:51:48] One of my, first of all, I'm glad that they're even starting to look at it and that they've accepted, I'm not sure that's the right term, but they've accepted the study. One of my concerns sometimes when the General Assembly, when these things happen, is that they may implement things on a geographical basis.

[04:52:09] And there are times when it might be believed that Northern Virginia doesn't need to receive what everyone else is receiving or what other parts of Virginia are receiving in the same time period.

Should we be on the lookout for that? And if so, what do you think we should do with that?

[04:52:26] Because that's happened before with us. So I think that this is an ongoing conversation with LCPS because we, on the legislative team, we see the recommendations, we see what the near-term recommendations are and what they are looking at.

[04:52:46] But in terms of fully understanding what the impact on LCPS is, that is something that we continue to work with. Well, the impact's not just on LCPS, it's on all county services, because if student funding is vended correctly from the state government, then that means that that will significantly change our budget and the revenue we have to work with as well.

[04:53:08] Absolutely. Understanding exactly, you know, when it comes to these initiatives, exactly how much money this means for Loudoun County. Okay. All right. Thank you very much. I appreciate it. All right. Ready to go on to the next section? Yes. So, for the second initiative, this is a very technical change, and quite frankly, we view it as an unintended consequence from some language cleanup. And so, I'm going to turn it over to a dear friend of ours, Gwen Kennedy, from Building and Development, to explain how this

[04:53:45] It seems very apropos that Gwen is at the table for the legislative update. Hello, Gwen. Welcome back. Good evening, Madam Chair and members of the board. She's like, yeah, yeah, I'm good.

[04:54:02] So this initiative particularly is trying to give authority back to the county that was interrupted as of July 1st. So prior to July 1st, there are separate code sections related to stormwater and erosion and sediment control.

[04:54:20] Those were combined and became combined, and now there's a erosion and stormwater management regulation, and then there's basically a regulation that applies to anyone doing an ENS program that doesn't have a combined program. So what happened was when they passed the legislation, they kept the language from the Stormwater Management Act, which basically says that if there has right of entry provisions that allows us, if we receive a complaint, to basically investigate that complaint.

[04:54:53] Well, the Stormwater Management Act, it made sense what Stormwater said, well, if that would only, if you were an MS4 locality, so if you know Loudoun has an MS4, but that's only about a third of the county, that if it was a stormwater issue and there was that type of complaint, it would matter only in the MS4.

[04:55:15] So anything that drains in the MS4, you basically, that would be the only thing that you can look at. So they kept that language, but that's very problematic for erosion and sediment control because we get complaints across the entirety of the county. So you can imagine when we want to go investigate those complaints, this now leads us into a problem because we no longer have the ability and right of entry provision.

[04:55:40] So we're really just asking for the same authority we had before July 1 and the same authority that other localities still have that do not have combined programs. so that's what this is okay okay do we have questions for miss kennedy we should because she likes staying here as late as possible i'm just wondering if we can do that for her we can we can accommodate for that this time all right thank you gwen all right mr freeman and with

[04:56:12] that madam chair uh that um is what i would like to highlight in the um item and oh i'm i apologize getting ahead of myself in section three uh some items that i would like to highlight in particular are essentially an amendment to the freedom of information act to allow more than two members of a public body to meet either in person or otherwise without providing prior public notice in the event of an emergency and so madam chair i know this is something that

[04:56:48] affected you all. Yes and so I could stop there and turn it over to you if you would like but you know essentially this is something that I think that localities that have experienced drastic emergencies. I know there was you know some issues that happened with the hurricane that came through Virginia a couple of years ago. There was an issue with mudslide in southwest West Virginia and so this would essentially allow us to start talking to other localities

[04:57:24] to understand how this section of code essentially really affects them in the state of emergency where they are trying to essentially convey a message on what is happening within the jurisdiction.

[04:57:39] Yeah, so this came up, colleagues, this came up, this actually has come up more than once, but of course it came up during the tragedy when we lost Firefighter Brown when, when, you know, during that entire time when I'm trying to update you all of what's going on, I'm having to make eight separate phone calls in the middle of the emergency to update you all on what's going on, and, and it, it is, it hampers the ability to give to the same message at the same time and then, and then move in the direction that we need to

[04:58:11] move if the chief elected or whomever has to make multiple phone calls to say the same thing. And so what I sat down with both David Reed and then later on Senator Danica Rome and asked is there some way that, you know, because on that night, you know, our county administrator was literally, you know, halfway to Pennsylvania. Our fire chief was, I think, in the Outer Banks. It was just, it was a very, very tough night anyway, but then everyone

[04:58:49] was scattered. And so it was not the most effective way to communicate. In fact, it's probably the least effective way to communicate, to have to make that many phone calls, of which I did that throughout the entire time. We also had a much, much more minor incident where we had a, if you remember, we had a bomb threat in the school and we called everybody off the day as one by one by one by one.

[04:59:16] When it would have been a lot easier to just say, take a break, everybody go to the back, this is what's going on, and then come back on. And I said to Senator Rome, when you're calling everybody off the day as one by one by one, it looks like we're doing something shouldn't be doing, right? And so, you know, I'm simply asking them, in the moment of an emergency, to allow the chief elected official or their designee to talk to everyone at once and then find some mechanism later that we can come back and report what was said and when and those types of things. But to, you know, make us do it like that, it's just not, It's just very ineffective government.

[04:59:56] So that's where that came from. Ms. Umstead. Thank you, Madam Chair. I'd like to ask Mr. Freeman a question on another area of legislation. I think last night the town of Dumfries passed part of their legislative packet to request that the General Assembly uphold the ban on skill gaming machines and enforce measures that protect communities from their predatory nature.

[05:00:35] Would it be possible for you all to look into that and see whether you would recommend that the board take a similar position? We could absolutely check with Vaco and see what localities, particularly counties, are doing around the Commonwealth on this issue.

[05:00:55] That would be great. Thank you very much. That's all. Mr. Sains. Thank you, Madam Chair. I'd like to bring up another topic on our legislative program in Section 3, the Elections Policy Statement, in regards to implementing ranked choice voting states right now for statewide and general assembly races.

[05:01:17] But forgive me, I forgot to include in this federal elections as well. And I'll give an example if everybody remembers when we had the primaries. So hold on just a second. So you're not asking a question about what's already on the agenda, are you?

[05:01:34] I'm asking. Are you asking a question about what's already in the legislative package? Are you trying to present something new? I'd like to add just the verbiage to say federal elections. You just add the verbiage to say, okay. Yeah, on was it section 3 point A, A1.

[05:01:51] Okay. Colleagues, does anyone have any objection to that? Well, I have some questions about it. Okay, because we're going to make a motion. Well, all right, I'll make the motion to add federal elections into our -- Tell us exactly where it says.

[05:02:08] People can go read it, please. Section 3, and it says A, Elections Policy Statement, which is page 4 in the -- or page 5, excuse me, in the package. Mm-hmm. right now we have statewide general assembly races but we also should include federal elections as well and as i was saying in the example uh that i like to use is you know when we had the primaries for um the 10 cd nominations on the on the democratic side we had what not almost what 12 or so um or plus candidates uh for that race so i think um again with ranked choice that would be

[05:02:46] that that's perfect example right there of of using ranked choice for that for that election clarification yes if i could ask the way it's written then it would include general elections not just primaries if there are three or more candidates in a general election then you'd use ranked choice voting in virginia yes or if you're i'm open to saying primaries if that'll make it so you want to do it would be helpful to make a motion say it again i'm sorry um go i'm sorry i'm I'm okay with general. I mean, I'm okay with ranked choice voting in general elections.

[05:03:18] I just want to be clear. Everybody understands the way it's written right now. It's primaries and general elections with more than two candidates. Actually, the way it's written right now, it's not even primaries. It's just general election. Well, then I can add the words for primaries. I mean, like, literally read the motion.

[05:03:37] And that's actually more of what I'm getting towards, and thank you for bringing up, Mr. Supervisor Turner, and I'll add in the words primaries is more my my goal and not um because primaries will have definitely more more candidates especially on the democratic republican side so um so if I have to make a full motion it will be to amend uh section three point a elections policy statement to the include the word statewide and general assembly and federal primary races when there are three or more candidates on the ballot to implement ranked choice voting in general so let me just

[05:04:14] make us take a stab at it because i think you also want to do you want to include local races as well because that's not on here either local we will we don't local we don't probably have to be a separate conversation because we actually already have the authority from the general assembly to do local

elections for county primaries um but we have to implement it ourselves which we have not done that's just primary so right local primaries not local general um i would defer to our to our folks our further for that clarification but but we don't i don't think we have to add local right now because we have the authority to do local ranked choice voting we just haven't enacted it in louisville county okay so why don't you read the whole thing one more time although i i don't

[05:04:53] think we have the authority to do local prime the local general but let's go on anyway and assume that we do if not we can all right so section three recommended changes to policy statements point a election policy statement i move to include the following new election policy statement implement a ranked choice voting system for statewide general assembly and federal primary races when there are three or more candidates on the ballot.

[05:05:16] Okay. That's the motion. Is there a second? He's actually making a motion. Is there a second? Second. Motion is made in second. Mr. Sainz, you want to? Yes, thank you. And again, I'm going to use the primary, for example, this past June when we had the Democratic primary for the 10th congressional seat.

[05:05:36] Again, I forget the exact number, but I know it was definitely more than, I'll just use five candidates for that race. So I believe this is a good example to implement ranked choice voting. I would like to see that enacted. We have to go to the General Assembly to do that for statewide races, General Assembly races and the federal election races.

[05:05:58] Having that many candidates, I think ranked choice is the best way to go for those situations. We've seen this enacted actually in Alaska. They have ranked choice. There's one more other state that has a ranked choice for their elections, and I believe this is the right way to go.

[05:06:17] We actually do have Republicans here in the Commonwealth of Virginia in the last few years have used ranked choice voting in their firehouse primaries for when they did their nominations for the recent governor elections, when they did the lieutenant governor races as well, And also for one of the races for congressional seats, they did a firehouse primary where they used ranked choice voting to elect their nominees in the last few years.

[05:06:46] So we have seen this happen here in Virginia. So we'd like to make it more official and go down to our other general assembly partners and advocate to make this happen. I need a point of clarification, Mr. Sains, because there's more than one type of ranked choice voting.

[05:07:02] In Georgia, they have ranked choice voting, but you wait another month or something and do a whole different campaign, which costs a lot more money. They'll do a runoff afterwards. So we need to, I don't know what the different types are called, but we need to actually, I think, stipulate what type of ranked choice voting we're talking about, just for the purpose of this conversation.

[05:07:24] Because I don't know if you mean the type of ranked choice voting that's in Georgia. You might, but okay, so. No, I would. So you're saying ranked choice voting that all happens in the same election. Correct. Where it's, I believe that the number is, you're looking for, is either 50 or 51 percent, you know, the majority.

[05:07:40] In the same election, 50 plus one in the same election. Yes, yeah, 50 plus one. Okay. And the reason why I didn't. That's fine. That's fine. I just point for clarification. That's all. That's all. I don't, yeah, that's all. Mr. Turner. No. Oh, okay. We're in a motion.

[05:07:57] Okay. Mr. LeTourneau. So, A1 here, Section 3A, recommended changes. Recommended by who? Like, how did this get in here in the first place? Because the board didn't vote on it until just right now.

[05:08:15] He's asking how it becomes a policy statement. Is it a recommendation from the Supervisor Saines and the chair? No. I'm fine, but no. He's asking how to get the policy statement to begin with. Yeah. Which is a valid question. Go ahead.

[05:08:30] Oh, I was going to say, I put this, but, you know, our legislative team ask every supervisor's office to submit your interest for the legislative program that goes to the legislative team, review, and then we bring the legislative packet, myself and the chair and our staff that's sitting in front of us.

[05:08:54] This, I don't want, maybe I'm having a memory lapse, I'll just go with that. Well, again, well, this is the process. Our staff asks and every office submits and then the legislative team reviews and then brings a package forward in front of the full board too.

[05:09:10] Reclaiming my time. Yeah, I guess I never quite understood that that's how that works. So maybe I'll be more robust in submitting my requests to let you guys not include them. But, yeah, I don't know what exactly I think about ranked choice. I've heard arguments on both sides of it.

[05:09:27] Arlington's tried it. I think it's been kind of confusing in Arlington. when they've done it for their local elections. I found it to be somewhat undemocratic in terms of the Republican primaries that you're referring to, and that the candidates who got the third-place candidate ended up winning one year, who got the third number, most number of first candidates.

[05:09:47] For the record, Republicans no longer do it because the Attorney General decided that firehouse primaries are disenfranchised military voters. So from that point forward, all Republican nomination processes have been through a normal election but in any event bottom line is i'm not going to support i wasn't going to support it in this as it was and i'm not going to support this amendment because i just don't have a well-formed enough opinion nor do i think it is something that the county should particularly be advocating for one way or the other we're talking about congressional races and general assembly races i certainly think the general assembly members themselves have a valid opinions on this they don't need the board of supervisors allowed in county telling them what

[05:10:26] what to think. Wasn't this how Mr. Youngkin was elected in the ring choice voting? Well, was that a convention? No, it was ring choice. It may have been. I think you told me that. It could be. But I don't know. Either way. Yeah, I don't know. Mr. Kirshner. Yeah.

[05:10:43] I don't have a lot to say. I want to reiterate what Supervisor Letourneau said. I will tell you that when Republicans ran in the primary, it was a mess, if you ask me. It was so confusing, and there were half a dozen, three quarters of a dozen candidates. And quite frankly, I said this needs to get thrown out and never happen again.

[05:11:01] So, I mean, maybe it could be perfected. And, again, I'm like Supervisor Letourneau, you know, I've read some of the arguments on both sides. I don't know if we should – this is something without a lot of thought we should be kind of delving in and putting our legislative. I think our lobbyists probably could work on some things a lot more important to our locality as opposed to a rank.

[05:11:21] And I, quite frankly, think that the more traditional process of a runoff probably produces a better candidate in the end. That's just my thought process. Interesting. Okay, I'll come back. Ms. Umstead. Thank you, Madam Chair.

[05:11:37] I'm not a fan at this point. I know there were problems in Arlington when they implemented it. And so I would not favor having this at all in our legislative program, despite the fact I appreciate Supervisor Sainz being on the ball and getting proposed legislation into Mr. Freeman.

[05:12:11] But I have not seen evidence that this is a better system than what we've got now. Thank you. oh i'm sorry the answer yes thank you um i so the way you read the motion it reads only in primaries you did not say so you want only primaries to be ranked choice voting may i respond madam chair yes i'm sorry may i ask him a question yes but that's not correct he didn't read the

[05:12:47] motion like that he read the motion to say general no he didn't no i said primary well and i am i'm so confused i personally would say primaries because that's where we see okay that's what the motion says that's what that that was your intent yes okay um i think and also the way it reads it says three or more candidates on oh it's just primaries okay i'm good with that however i guess i think it's really rich that we would put this in our legislative agenda when we have not taken advantage of ranked choice voting in the county.

[05:13:24] We have advocates for ranked choice voting come to speak with us probably half a dozen times saying the county should do ranked choice voting. We have the authority to do it and we have not done it. And now we're going to try to tell the General Assembly and congressional candidates that they should have ranked choice voting in their primaries.

[05:13:45] What? i i i didn't hear what he said but i'm sure it's funny um i i just don't i i don't and i i actually kind of agree that i think i would rather have staff unless we know there's legislation coming that we want to support this i don't know that i really want staff working on this either i'm not going to support the motion and maybe somebody will make a motion to take it out but right now the motion is just his amendment correct the motion is just for his amendment not to take it

[05:14:22] out or put it in exactly yeah okay thank you I won't support thank you yeah um so I I actually I think I do like a runoff better than ranked choice for and it's it's really interesting because my my my first election to this position I got 40 percent of the vote so if there has been a ranked choice I wonder if I'd be sitting here or not I have a feeling I probably would have Even in the ranked choice, that was a general.

[05:14:50] In the ranked choice, it was four people on the ballot at that time. But 40% were four people ain't bad. So this wouldn't mandate the General Assembly to do it. It just gives them the option if they wanted to do it, correct?

[05:15:05] So we're not telling them what to do. We're saying that they want the option. But the thing about the General Assembly part is, would that be the General Assembly? No. Yeah, we're not telling them they have to. They can if they wanted to. Correct. What we could do is do a local option similar to what is already enacted from the General Assembly to do a local option for ranked choice voting for county and city races.

[05:15:32] I had not heard, and I would be a little concerned about the impact on military. That would bother me. Military voters. Would they actually have the chance to do that? Can you tell me what the issue was?

[05:15:48] That was just with the firehouse primary. Oh, the firehouse primary. But if this is a state-ran, they would get the ballot just like normal. Okay. I mean, I don't think this is going to pass, but I'm willing to support and see what happens. Okay.

[05:16:03] You want to close? Yes. Thank you, Madam Chair. Again, this is to give our legislative team the, you know, put it in our legislative packet, and then they can go present this to the General Assembly. Yes, I know this is a, you know, they can, they'll probably, they probably won't take but I think this is a good notion and moves us in the step forward in the right direction.

[05:16:23] Again, you look at the case that we have. Imagine if we had this this past June for the primary for the 10th congressional race. This would have been a great tool to have. This is, yes, it has been implemented in Arlington. They've done it twice now. They did it a few years ago, took a pause. Their Board of Elections did a great job of educating their constituents, and they just did it this Tuesday, used ranked choice voting in their elections.

[05:16:50] Everything went well, and actually if you read some of the exit polling and read their local papers, the citizens were in favor of it, had no issues with using ranked choice voting. So I encourage, I would like to keep this in our package and implement it officially. Thank you. Okay. Point of clarification, what we're voting on is just the amendment to what's already in the package, right?

[05:17:10] That is correct. It would take a separate motion to take it out. Yes, you got that right. Yes, and Ms. Prexman just asked that same question. All right. Mr. Sains made the motion. Mr. Crony, did you second this motion? Mr. Crony second the motion. All in favor, please say aye. Aye. Opposed? No. Okay. No. Okay. That would fail 5-4. That would fail 5-4 with Mr. Turner, Crony, Fiorendo, and Mr. Sains voting for the motion. So it fails 5-4. Okay. So I think Mr.

[05:17:43] Letourneau has another motion. Yeah, I will just move to remove 3A from the legislative pack. A1, you mean? Sorry. Yeah, 3A1. 3A1. Okay. So he is making a motion to remove it as it reads.

[05:17:59] Do you mind reading as it reads? Would you try to remove Mr. Letourneau? It's election policy statement, including the following new election policy. What do you want me to read? Yeah. Including the following new election policy statement, implement a ranked choice voting system for statewide and general assembly races when there are three or more candidates on the ballot. Okay. Yeah. Did you like the opening? Not much of one. I'm just going to point out again, like where it's just weird to me that the county would go down and advocate for statewide and general assembly races to the general assembly. Like if they want to do it, I'm sure they'll have a debate and do it. But I always ask myself with these legislative program

[05:18:38] questions, what does the county, what's the county's role in this and what do we bring to the table? And I understand we run local elections and we run elections, but this is a policy statement that affects them, not us. So to me, it's just rather presumptuous of us to put this in our packet and spend any resources on it. Okay. Mr. Sainz. Thank you, Madam Chair. Again, we're seeing more and more, not just your traditional one candidate or two candidates running for positions.

[05:19:06] We are seeing three or four candidates running for more and more positions. So that is why I brought this forward and try to get it into our legislative program because the tradition of just one or two people running your Democrat Republican one person on each side is we're seeing that time and time again now more and more elections we're having multiple candidates on both sides running for for

positions where we saw it just more recently on the Democratic nomination for for the governor's race we had about I think five candidates then for that race and then that lieutenant governor's race we had maybe about seven or eight candidates for that up for the

[05:19:45] election as well. So we are seeing more and more candidates running in these primaries for these seats. So in order to fix this problem, I think ranked choice is the right way to go. So hopefully we can keep this in our policy statement. Thank you. Make it into our policy statement. Well, again, I mean, Mr. Letourneau, I don't think we're trying to tell the General

[05:20:14] somebody what to do. They can do it or not do it. I guess, Mr. Sains, I mean, what is your fear if it doesn't? I mean, are you fearful that you have 10 people on the ballot, somebody will win with 10% of the vote, and that doesn't really say, that doesn't really, what's the fear? What's the goal?

[05:20:39] Yes, perfect example. The Democratic primary that I just spoke about in June, the nominee won, I believe with 34% of the vote. So, so yeah, so. So, but why is that? Yeah. Why is that? Tell me why that's a problem. That's really not reflective of the. It's reflective of who came out and voted.

[05:21:00] Yeah, it's true. You know, yes, that person won, but again, with 34% of the vote, I'm pretty sure there was other folks that were, you know, again, you could do option A, option B, option C, option D, And then you can really, you know, have a plurality of the electric with ranked choice voting.

[05:21:20] Yeah. I think it's six in one hand, half does it in the other, to be honest. So, okay. All right. Cool. Do you want to have a closing? I'm sorry, Mr. Turner. Thank you, Madam Chair. I've seen ranked choice voting used a couple of times. What you end up with is instead of a single candidate with 34% of the vote, you end up with the candidate that all of the voters believe if they had to pick someone to get more than 50%. This is the one most people believe should have more than 50%. And you always end up with 50 plus one in a rank choice voting process. So you basically add to the 34%, everybody that

[05:21:55] picked that person who got 34% as second choice, and then as third choice. And I think it's a much more democratic way because you always end up with a candidate who has 50% plus one vote. I like rank choice voting. I think it's a better way to do it. I didn't know Arlington had problems with it i don't know why you would it's instant runoff voting all you have to do is learn how to calibrate the vote count and you just got to train your counters to figure out how to do that but i i think rank choice is a good is a good idea i i'm going to support supervisor letourneau's motion because i absolutely agree we have no business dictating the state how to do their

[05:22:32] elections thanks okay miss latour would you like to make a motion i mean i would like to have a closing no all i'm going to say is i'm not really arguing the merits of rank choice voting or not because I'm kind of undecided about it I just don't think it belongs in our legislative program okay cool all right Mr. Letourneau made the motion Supervisor Umstead seconded the motion all and people say aye aye opposed nay I'll support Mr. Sainz um so that would be that will um pass 7-2 is what I think I just heard um Supervisor Sainz and share around the for the motion okay thank you that was a fun little detour

[05:23:12] i know i'm not finished but um uh you're good because i'm gonna go miss brooksman for whatever she's been previously looking up over here okay go well that was one of the things i want a clarification on um there are a couple of things i want clarification on and then i have a motion madam chair i don't know when you want me to make the motion but um the support local authority to reject land use or other application if it can contradicts the terms of a proposed ordinance

[05:23:48] that is on file and open to public inspection at the time the application is filed so i i don't I think what this is saying is if we have an item that we are debating on the dais, but we haven't voted on it yet as far as a ZOAM or CPAM, that we're allowed to make land use decisions before it is actually implemented into our ordinance?

[05:24:15] Here's how I would describe it. And is that legal? Yeah, okay. So this is a judicially created doctrine that comes out of South Carolina. And what it does is if a locality has the ability to deny a permit or other authorization which would allow the commencement on work on a project which would be made impermissible by a new ordinance or a new ordinance amendment.

[05:24:49] So we could say we're going to not vote on these applications because we are waiting for our zoning ordinance to get implemented that we think may not permit what the applicant is asking for.

[05:25:08] So it would be sort of a pause. It would be a pause. It would require the board to have made a motion such as a resolution of attempt to amend. Okay. And then during that pause, while the board's in deliberation of the ordinance or ordinance amendment, the locality would have the ability to deny these permits or other authorization.

[05:25:34] Now, you're using a term, permits, which is very specific. What about a rezoning or a land use application? And I'm going to run out of time for my second topic, but... Well, we could consider making that language. This requires enabling legislation from the General Assembly.

[05:25:50] Okay, okay. And so I'm using the language that South Carolina used when they implemented this doctrine into local ordinances. Okay, because permits isn't going to cover, I think, what we want. And then my other question was, oppose legislation for a single staircase in residential buildings up to six stories.

[05:26:08] We have heard from housing advocates that that can make attainable housing more expensive. And my question is, would there be other ways, if there's a single staircase, would there be other ways to provide methods of escape that would be satisfactory to the people who want us to oppose this legislation?

[05:26:31] Which one is that, Ms. Brooksman? Where are you at? Public safety. Oh, public safety. Okay. I'm going to turn this over to Chief Johnson, who's worked on this issue. Thank you. Hi, Chief. How are you? Good evening. So this was put in by me, and obviously I sit on the Board of Housing, Community Development, so a little background here.

[05:26:51] This was put in through a House Bill 368 and Senate Bill 195 last year was put in through the General Assembly to direct the Board of Housing to set up an advisory workgroup to study this issue. So what this proposal does would allow a building to be built, which is not allowed today, allow a building to be built up to six stories in height above grades it would technically be more than six stories but above grade to be built with a single staircase today's code requirements requires two staircases one on either end of the building for occupants to escape in

[05:27:28] in a case of a fire or other emergency so this would allow buildings to be built taller skinnier with one staircase so the advocates are putting this forward as a potentially an affordable housing issue to reduce the footprint of the building obviously one less staircase that it reduces cost but the issue here is fire safety and safety of the occupants every single fire service organization international association of firefighters metro chiefs international station fire chief have come in opposition to this um again this this is an advisory group i have attended the advisory group

[05:28:04] sessions but again it'll come to me as a full board and where they're required to give a recommendation or findings back to our board and the General Assembly this by December 1st. So really that is the basis for the opposition is that you have you would have firefighters going up our stairwell to fight a fire with occupants coming down and you know the staircase would be smoke-filled or contaminated and ultimately jeopardize the safety of the occupants.

[05:28:33] Okay, thank you. Right now it requires two stairwells, three stories up to six. okay thank you that was really that was very very helpful thank you we're good or you want to make a motion right now or do you what do you what are you raising your hand oh i was going to comment on okay on this yeah i was going to say we definitely need to pose going to a single stair equation in a residential building because i'll give you an example um my parents recently moved and they're in uh mr sands there's no motion well no but i'm just going i'm speaking to the

[05:29:07] to the topic i can't speak no you've already talked you know what i'm sorry pretty sure there's one year around on this day as two thank you very much oh well we can't speak on well but you you've asked your question we had a whole whole long thing with you just a little while ago okay never mind that was on one topic i didn't know where it was just open-ended no one topic mr saint turn your light on thank you madam chair um i mean i point of order because if she's like she spoke she spoke

[05:29:45] on rank on rank choice now you're going to allow her to speak julie spoke of rank choice she spoke to make choice in a motion that's not the same thing you actually made the motion so took your time for that that was speaking in the motion oh yeah me all right uh i i understand And the builders desire to not be overly burdened with costs when they're trying to provide affordable housing.

[05:30:18] But I think this is such an awful, awful idea to put people who can't afford market price housing in a fire trap. And I just think this is the worst example.

[05:30:34] But we're not doing it. There's no motion. We're not doing it. We're not in a motion. I don't know what else to say right now. I said what I needed to. Thank you. And Mike's not even here. His light's just on just because. Can I make a motion? No, there's no motion. No, do you?

[05:30:49] Are they in the package? Yes, it's in the package. All right, yeah, so what's the problem? There isn't, I don't know. It was not. Can I make a motion? You have another motion on another issue altogether, yes? Yes. Okay, make that motion on another issue altogether.

[05:31:08] The pink, the pink paper, pink paper, my friends. It's only 9.30, guys. We've got a long time to go. Pull it together. I move that the Board of Supervisors insert, quote, support full funding of the child care subsidy program to alleviate the existing wait list, unquote, as number 11 in the proposed 2025 state funding priorities in table one.

[05:31:32] Thank you. Motion made and seconded. Now we're going to have discussion in the motion. Okay. Ms. Brickman. Thank you. So this came up, gosh, I think we were about three-quarters of the way through the year and found out that according to the Virginia Department of Education, we had 9,657 children on the child care subsidy program wait list.

[05:31:56] That includes infants, toddlers, school-age children, about 100. So the General Assembly had allocated \$830 million over two years in the last session, but the first year of funding ran out about three-quarters of the way through the year, creating this waiting list.

[05:32:13] So they need about \$112.7 million, and additional funds would be needed to fully cover all the children on the wait list. And this is statewide. This isn't just Loudoun County. We actually don't really know how many of those children were in Loudoun County. It's just the fact that the state ran out of money three-quarters of the way through the year and left families in the lurch without access to affordable quality child care.

[05:32:41] So I'm asking my colleagues to support putting this funding priority as number 11 in our list of funding priorities. And I appreciate staff working with me on this. I brought it up sort of late. It didn't get in the draft that we have in front of us today.

[05:32:56] That's why I'm making this motion to put it as number 11 in our funding priorities. And thank you, Supervisor Sains, for seconding my motion. My pleasure. Folks, listen, it's important that, and I didn't know this was coming because I gave Mr. Turner different instructions.

[05:33:18] If you don't get it in in time, you need to send something out and put it in the next time because bring it to the next meeting because it's really confusing to do this like this um i'm not gonna i'm gonna let it go right now but it's confusing when no one has the time to look at it in the in in advance now you just gave a great explanation and that was really helpful but for for now on let's try to so people can see it in advance all right because we have because this is only our first this is only our first our first shot we have a long way to go so okay that's not everything we'll do everything right tonight mr sayings thank you madam chair just for

[05:33:52] clarification if i may through the chair to miss brisman um you're asking this to go to number 11 but currently we have vdot operations as number 11 for 2025 so would vdot operations go to 12 and then everything else the numbers would just go you know down one yes okay just wanted to clarify okay thank you mr letourneau yeah so i didn't know i mean i i fight i i have so many arguments about that VDOT stuff because they're so underfunded so I mean I'm fine with adding this to the list I just don't I don't know exactly where I would put it in the priority list I don't think

[05:34:32] it would be above that I definitely don't think it'd be about transit funding I cannot cannot in good conscience be a metro board member and have transit funding that low although we're in decent shape for next year I probably would put it above some of these other ones I'm happy to but it's of hard to do this on the fly so in your time may i offer we could put it number 13. okay you okay with that i i think uh madam chair yes yes i'm as a second in motion i'm fine with that okay that's fine that helps me too thank you helps me a lot good it helps me a lot because i i just talked

[05:35:12] about mvta and not wanting to do i mean i just talked about that so it helps me a lot too i couldn't okay all right fine you should i can make a closing all right mr mr bricksman made a motion mr sane second the motion there was a friendly amendment to move it from 11 to 13. we're good all the people say aye any opposed that motion will pass 9-0 are there any other motions on the dais for the legislative agenda are there any other questions for staff are there any other staff statements are you good can i make a quick question can i ask a question about an item in here

[05:35:50] have you asked questions yet? What are you guys doing tonight? If you've asked questions already, we're not going back and having a second round of question asking. I thought we were asking questions on the specific motions that we were going through and the specific priorities. I have a general question I would like to ask about the process. I will hold it off if you want.

[05:36:14] I'll just make a motion at the next session that we do. Yeah, this is only the first time, And, yes, and we have to make a draft motion for all of it, to be honest. I need to make one more motion for all of it tonight. You can talk inside that motion, though. How's that sound?

[05:36:29] Okay. Yeah, look at that. I move the Board of Supervisors to adopt a 2025 draft legislative program as founder in Attachment 1 to the November 7, 2024 Board of Supervisors business meeting action item and as amended tonight during this meeting.

[05:36:51] I further with the Board of Supervisors direct staff to advertise the draft 2025 legislative program as found in attachment one and as amended tonight to the November 7, 2024 business meeting action item for the December 11, 2024 Supervisors public hearing. Motion is made and seconded by Supervisor Sains.

[05:37:10] Thank you very much. Yes, guys. So this is the first. This is the first. I think we're just kind of all out of shape doing legislative stuff, right? This is the first whack at it, what is going to happen, which is why John went kind of through the laid the groundwork for it to start with.

[05:37:27] What's going to happen is it is a short session, but as things come up, we may be able to make policy statements. We'll also know if someone's carrying legislation, we'll also, I mean, it's only November. And so this is not the first and last time we'll have to look at this and massage it if we need to.

[05:37:48] So just know that, okay? okay yeah all right mr mr. Turner I have a question yeah good that's why I called that's what I thought thank you I'm sorry I was in a sidebar so I've been waiting for the J Lark data center study to come out because I will have a motion related to the J Lark study I want to make sure that the timing is correct I'm not sure when the J Lark study is coming out but I can make a motion at the public hearing i assume i think the public hearing study would be out december 9th

[05:38:24] that's correct so that might be actually too late um i'm ready to go with the motions now i just want to we're not doing motions right now i know i just want to i just want to the motion is ready to go and i it will not take me long at all to review the jlark results to see whether the motion is valid or if i want this simple 11th okay that sounds good if i can make the motion at the public hearing i'll do that you can do that okay fine thank you you can do that yes mr crony okay so um you know i'm new to this process are you coming on november 19th or does this just go directly to public hearing uh this would go directly to public hearing um unless the board

[05:39:03] desire unless i put it on the agenda because people have more questions and need to have more things done yeah i mean i can always add something to the agenda because i went to that clean energy Forum that I mentioned earlier, and I have some solar ideas that I'd like considered about net metering and state tax credits for solar, residential solar. So, yeah. Yeah, I know about those. Did you look at what NBCRC is already doing? They were at that Clean Energy Forum, so he agrees with my two things. So I did speak with Bob Luzaro. You agree? I did. No, I did. He was

[05:39:39] yeah yeah yeah and then and then also i do have something in this packet that i don't support in the attachment but i don't know how to do that either is that something i could bring up well we could have done that tonight we could just taken it out if it's in this package right now but we're not going to go back and do that right now but we if you want to bring it to the 19th can i do i might make it i might put in the agenda for 19th so you guys thank you i didn't know yeah that's fine that's fine if there's something you

want to add you want to take out ask questions about everything is is is the the led staff is very available they're in the building every day

[05:40:14] go down sit down talk to them ask them they're very very helpful very helpful yeah thank you okay mr kirchner thank you madam chair i'm not going to support the emotion i think it's no comes to no surprise we had this debate last year i didn't make a big issue of it but obviously the reproductive rights language in our legislative agenda is just something i can't personally I also think given the hundreds of bills that get put forward at the General Assembly asking our staff and our lobbyists to follow up on all those matters, I think it's quite frankly a waste of time.

[05:40:46] We're dealing with rules state. I said before, I'll maintain it, that we should probably not be concentrating on those things, but those things that most directly impact the things that we deal with on a regular basis on this dais. So I'm just not going to support the legislative language. Can I make a suggestion for next time, for the 19th?

[05:41:02] So what you could do is ask to take that out instead of voting against. But then we would have been here another 30 minutes going through that. Come through, there's some things in here you do want to support. Oh, and that was my follow-up on my statement. I do support most of the legislative package here. I think we've done a pretty good job of putting together some things I might differ with, but nothing I would quibble with significantly.

[05:41:23] I do think we have a lot of good things that we're moving forward, but for those specific reasons, I'm just going to vote no. Thank you. Okay. All right. Well, think about that next time so you don't have to vote on the whole program if you don't want to. So, Mr. Letourneau. Yeah, same as Supervisor Kirshner.

[05:41:39] I mean, I think we didn't do it because it wouldn't have passed and we would have spent a half an hour on it at a long meeting. So, but I do want to specifically recognize the addition of the power line language that was part of the motion that I brought, thank the staff for their work on that.

[05:41:56] I know, I believe, Mr. Hemstreet, there's still information coming back to the board on the overall strategy on that topic, correct? I'm sorry, yeah. Sorry, I didn't mean to cut you off guard. We can certainly do that.

[05:42:13] We have provided the language in the packet, and then if, I guess I'll just ask the board, did you want a formal item on that in addition to the policy proposals that are being proposed as part of the legislative agenda? Well, I thought it was sort of both.

[05:42:31] Okay. I don't want to speak for, I mean, if it doesn't have to be, I guess. We can definitely do that. We can bring another. Certainly, I think, a lot of interest in that topic, and it might be worth a little bit more discussion. But I do appreciate what was proposed by staff in here. We didn't talk about it, so I wanted to thank you for that.

[05:42:49] So, Mr. Rogers, we may not be able to figure this out right now, and Mr. Quintine, Mr. Freeman, and talk to you all to see if we can accomplish two goals. Because I do want to respect what Mr. Kirshner and Mr. Letourneau are saying.

[05:43:07] I think it's so much more powerful, though, when you pass a Ledge agenda and the entire board supports it. The entire board has voted for it. So I'm trying to figure out if there's something that we

can do to allow them to vote their conscious on reproductive rights and then be able to vote for the rest of the Ledge program.

[05:43:24] because to not vote for all these other things in our ledge program and for every item, for literally every item in the ledge program to be a 7-2 vote, it just doesn't, I mean, you know, I don't think that's the intention, and I don't think that we go down to the General Assembly with the same weight to be able to say things like, like, the entire board supports this, which is important to do sometimes.

[05:43:46] So if we can talk offline with you all to see if there's any way that both of these goals can be accomplished, that would be really helpful so okay we're good mr sandra and i can talk about that too since that's the ledge team okay all right i made the motion saints um who's also on the ledge team with me supported i'm taking the motion i'm able to say aye aye opposed that motion will pass 7-2 with mr um letourna mr kirstner voting against the motion and again we'll try to figure that out later Thank you very much.

[05:44:25] Okay, let's do the Fleetwood item.

[05:44:54] Okay, hilarious. All right, everyone, that's number five, the Fleetwood application. Okay, Fleetwood is in the Little River District.

[05:45:18] Is there something new in here? This hasn't been presented to us before. And Mr. Crony, there's something you want to see that you didn't see already or that you don't know, or something like that? I just had one question. Can I ask you the question?

[05:45:35] You can ask the question. There is one new thing. Is there one new thing? Well, I think so. The Heartland Drive is new? Yes, I have a slide for brief updates. I can go to that if you like. Yeah, let's do the update slide. So in terms of updates, since this was last before the board, Certificates of occupancy for no more than 135 of the residential units will be issued prior to April 30th, 2028.

[05:46:00] So that does mean that they can continue construction, but no certificates of occupancy will be issued for those units. Evergreen Mills Road shared use path is now located outside of right-of-way and within a public access easement. So it's been shifted inward a bit.

[05:46:17] The sidewalk on Sleeping Woods Court has been upgraded to a six-foot wide trail. It was previously a sidewalk and that will tie into existing trail on Heartland Drive and the other update is that the applicant is now proffering to design, build, and construct two-lane section of a missing link essentially of Heartland Drive from just south of Mayfield Falls Drive to Route 50 and this includes acquisition of right-of-way and construction of a shared use path on one side of the extension. The applicant is seeking credit against capital facilities contributions for this extension so i just want to note that the county has a roundabout

[05:46:56] project on route 50 and lena farm lane that's what you see in the purple and the blue section blue dashed line is the missing link that as um that the applicant would be constructing at this point in time and that ties into a county project that is shown in the orange so that the blue is the missing link and as for the outstanding issues they are the same as they were before when this was last for the board you good for marshall okay um thank you marshall so uh the

[05:47:32] question i had is about the missing link um what is the estimated time for completing that missing link did the was that i didn't see it in the proper statement i do not believe there is an estimated

time for completing it but they would initiate this process within eight months of the approval of this zmap so that would kick off the process okay so hopefully it would be before the whole completion because the missing link is to help with the traffic there's no timeline okay there's no timeline in the proffers just really just the initiation of it okay eight months okay

[05:48:06] okay that was my question okay um yeah i guess so because because the the the first motion the board the staff motion the first motion is for denial so let's get all the questions out before we get to that motion and I'm not sure what motion Mr. Crone is making. So, yeah, Mr. LaTuerre, yes.

[05:48:30] All right, so on that Heartland Drive stuff, there's language in there, I think, that says if the amount to construct exceeds the capital facilities credits, then the county has to pay the difference? The language in the proper states that the applicant would be able to seek a resolution for reimbursement from the board. What exactly does that mean?

[05:48:51] essentially um if they exhaust any of the regional roads credits or the capital facilities contributions amounts then they would be able to approach the board for reimbursement up for whatever was above and beyond was the board required to give the reimbursement there's no language stipulating board actually so basically it says they can ask us for reimbursement they can ask so we could say no that's correct do we know what what amount of money are do we does transportation have an estimate on what this costs i would defer to dtci i do have them on the line okay and then and then versus what the capital facilities credits are

[05:49:27] in this project i don't know if we've done the math specifically for that but i would defer to dtci if there's any estimate for the missing link okay you said they're on yes supervisor letourne based on the capital intensity factor that was adopted last year by the board we would estimate that this is roughly 5.2 million dollars for the missing link okay so how does that compare to cap facilities on this project in terms of capital facilities on this project i believe it amounts up to 56 million dollars however the applicant is also seeking a number

[05:50:07] of credits for other improvements associated with this project but probably not that many just one it should not probably go up to 56 million now okay well so just perfectly there's no obligation that we have to pay the over that is correct the proffers cannot okay that's an That's an important point for me on this.

[05:50:24] Okay, thank you. All right, Mr. Crony, you don't have to make the first packet motion. You can make whatever motion you'd like to, and then we vote. So it's your district. Would you like to make a motion? I move that the Board of Supervisors approve LEGIE 2023-0012, Fleetwood North, ZMAP 2020-008, ZMOD 2023-009, ZMOD 2023-0010, ZMOD 2023-0048,

[05:50:58] ZMOD 2023-0049, and ZMOD 2023-0050, subject to the proffer statement dated October 9, 2024. conditions of approval dated October 10, 2024, and based on the Planning Commission's findings for approval, provided as attachments 1, 2, and 4 to the November 7, 2024 Board of Supervisors business meeting action item.

[05:51:26] Motion to main segment Mr. Briggsman, discussion on the motion, Mr. Crony. Okay, so I worked with the applicant long and hard, and I have to give them credit. They came up with a very creative solution.

[05:51:42] Fleetwood is paved as a rural rustic road, so it cannot handle the traffic that's there right now. Heartland has 775 homes coming, and they are all right now using Fleetwood.

[05:51:59] So this would give another access point to Route 50. It's a definitely needed road segment that would get people off of Fleetwood Road and onto Route 50. So this would alleviate the traffic that's occurring right now.

[05:52:16] I do know there's some issues with the schools because the schools are in a non-traditional approach with Independence and Brambleton Middle. So that's why I asked for the phasing, because that would, the phasing would be tied to the opening of HS14, which is the middle school, the high school that will alleviate Independence High School.

[05:52:44] I think, you know, Fleetwood really, I felt, went above and beyond this applicant regarding really looking at what's going on in the area. I wouldn't have approved it if it wasn't for Heartland Drive, to be honest.

[05:53:01] So I think that this provides relief to the communities that are along Fleetwood Road. There's a lot of communities there. And I know that it also provides a little bit of affordable housing, not as much as I probably would have liked.

[05:53:20] But we have 13 percent, which is what's required. And they also are doing, you know, keeping some 14 residential units at 2,250 square feet, which is on, you know, some of their smaller units.

[05:53:36] And we are getting one at housing unit. So I think this application has a lot of positives and will help the traffic in that area. And also, as I said, the phasing will prevent some of the concerns I had with the school overcrowding.

[05:54:01] Okay. Mr. Letourneau. Thank you. Yeah, I was pretty skeptical about the application at the hearing. I do wish we could go back in time and make some changes to the first Fleetwood rezoning, but we can't.

[05:54:19] I'm actually going to vote for this because of the phasing and because of the Heartland Drive commitment. that's why i really wanted clarity on that last piece um i you know i can't say for certain whether all those cars are actually going to divert to heartland because if they're going east fleetwood is east of where heartland comes out and i think those people still may use fleetwood however we do have north star coming in here which should help with the cut through traffic and so if you're talking you know more about the the local traffic it's it should be able to handle that a little bit better there's no way I would have voted for this without the phasing because we really have

[05:54:58] some significant issues in that cluster of schools and we've approved a bunch of residential applications there you know I always say like the issues with some of the housing is not necessarily an opposition to housing it's the inadequacy of the infrastructure to deal with that housing and I really do believe that's the biggest obstacle in the southern part of the County. It's not necessarily that people are opposed to housing or I'm against housing. It's that we don't have the level of improvement that you have in the Ashburn area to be able to support the level of housing. You know, we don't, we have traffic lights everywhere. We don't have interchanges, all that stuff. So that's why, you know, these, these applications require a great

[05:55:38] deal of attention. And frankly, I think maybe a tougher screen than, than some of the other ones in other parts of the County. But all that said, I think, um, you know, what Supervisor Crony was able to do with the applicant here makes it much improved so i will vote for it in light of that thank you miss umstead uh thank you madam chair so i appreciate supervisor to crony's hard work on this application i remain concerned though that uh this is this is going to result in

[05:56:10] about 5.6 i'm sorry this is 4.3 million dollars a year in school operational costs and \$17.5 million in capital costs. The two residential rezonings we are looking at tonight are going to cumulatively require, we're approaching an additional penny on the tax rate to pay for the costs of these two applications.

[05:56:45] And that's why I really can't support it. but I do appreciate Laura's hard work on it. Thank you. Mr. Kirstner. Thank you, Madam Chair. I'm not going to support this application. I think I learned my lesson on Fleetwood South, Mr. Letourneau. It's funny that we're now taking up positions on this given the infrastructure that was argued then and now you're saying, oh, the infrastructure is okay. So maybe a couple years has made the difference. I don't know. But I just think the obviously the intensity here is I'm pretty familiar with this area.

[05:57:18] I used to hunt these properties a lot, generally, in that general area. There used to be some really good turkey hunting in there. Now, no longer. Houses are going there. Maybe there's a few turkeys moving in. I don't know. What's that? Yeah, right. So I'm really familiar with this area, and I just don't think at this point in time this can handle the level of density here.

[05:57:40] So I am not going to support this application. Ms. Bricksman. Thank you, Madam Chair. I appreciate all the work on this application. I think it's a great application. Staff, if you might, if I might just ask a question or two, how many ADUs are in here?

[05:58:02] There are, let me move back up to my notes, there are 13%, as Supervisor DeCrooney said. They're providing essentially what the minimum, 12.5% for a single family detached and one additional UNU.

[05:58:19] Okay, okay, and then we have some smaller units. So it does, we're making a little bit of progress on the attainable housing, but in this area of the county, would they have been permitted to have duplexes, build duplexes?

[05:58:42] Are you asking under the zoning ordinance or from policy? Zoning ordinance. Under existing zoning, no. And under policy? I'd have to double check, but I think no. Okay, okay, okay, all right.

[05:58:59] It's a great application. Congratulations, Supervisor Crony. I think you did a lot of great work here, and I thank the applicant as well. Happy to support. I'm going to make the assumption that people living here are also going to be paying taxes because that's usually how it works, and so the amounts quoted, again, are not correct.

[05:59:20] Supervisor Crony, good job. Mr. Kirshner, I told you already, I came home to my house, sir, and there was a buck, two does, and like three fawns in my front yard. Listen, if you want to hunt, they're sitting right there, man.

[05:59:36] They're sitting right there. Do you have a tree stand? No, you're kidding. I'll bring my tree stand over if you have a tree. Okay, just letting you know. It's not that hard, man. Mr. Crony, would you like a

closing?

[05:59:52] I will never tell you when I see animals in my yard. Because I know you will show up. I have a duck outside my office that you can come visit him. So one thing I want to, I know Supervisor Letourneau mentioned that, you know, it might not help Heartland going towards Evergreen.

[06:00:17] However, it's the road that's south of Heartland Drive Circle on Fleetwood that is in need of improvement. The road north of Heartland Drive Circle is actually pretty well. I mean, I think it's done to the collector road that we need the, what is it?

[06:00:35] I think it's actually improved as a rural two-lane undivided section. So this is going to really help the Heartland community going south, you know, going down towards Route 50. You know, it really will help them because that portion of Fleetwood is not improved at all.

[06:00:54] And I would like to improve Fleetwood eventually in that section to a minor collector road. I would like to see that done at some point. I do wanna say that there are some upfront transportation improvements being done like a roundabout at Heartland Drive, Sleeping Woods Court and Everfield Drive and also a right in right out access at Evergreen Mills Road.

[06:01:14] So we do have some upfront transportation improvements. I think this is a really good application. I think it helps with Fleetwood South. didn't have much in the way of transportation improvements, so I think Fleetwood North is providing that, and again, we're phasing the application for the school to ensure that HS 14 is, when it opens, you know, that not, that this development is phased and that way it can accommodate the students.

[06:01:48] Thank you. Okay, the motion was made by Supervisor DeCrony and seconded by the Supervisor Bricksman on people say aye aye opposed that motion will pass seven two six three who were the other person did oh you said you said name okay six three supervisor saints kirchner and umstead voting against the motion thank you very much we have one more action item it's the zoning ordinance committee bylaws update and uh this this is only because miss miss uh to crony wants to have a motion on who can be

[06:02:27] on the zoning ordinance and so um committee and so we're just going to go i'm just going to let mr carnegie go straight to her motion we're going to get this done right right quick here this is 17d everyone well yeah there's just no there's nothing else to do i mean this was going to be in consent except for the fact that she for this motion she just wants to take somebody off the yeah we could ask questions to staff in the motion okay i move point of order madam chair

[06:03:02] yes she can't make a motion modifying a position which is approved in the main motion oh that's right that's right wait but that's right well she has to propose it as an amendment i have to make the motion and she has to propose the amendment and i won't accept it as a friendly yeah but i'm not sure that's right yeah okay you want to make the motion no mr mr turner you might make a motion i move the recommendation of the transportation land use committee that the board of supervisors

[06:03:40] approve the revised zoning ordinance committee bylaws provide his attachment to the November 7th, 2024 Board of Supervisors business meeting action item. Second. Thank you. All right.

[06:03:55] So, so, so the first thing you want to look at him and ask, do you want, would you take a friendly? He's going to tell you no. Do that. Would you accept a friendly? No, ma'am. So, so now you have to

make a motion. Okay. Yeah.

[06:04:10] Within his motion? No, it might now. It's a motion. You're making an amendment. You're making an amendment to the motion, yes. Okay. I move that the Board of Supervisors modify the proposed visit loud and stakeholder organization position to be designated as a non-voting position on the Zoning Ordinance Committee and that this change be included in the Zoning Ordinance Committee

[06:04:46] bylaws revision considered at the November 7th, 2024 Board of Supervisors. Motion is made. Is there a second? That motion. Almost made. Almost made. I want to hear the argument.

[06:05:05] Okay. All right. All right. Thank you. I did. Okay. So, um, so my reason, okay, my reason is that, um, Visit Loudon is the coordinating lead for the rural CPAM and ZOAM, representing business and tourism.

[06:05:26] So they have a seat at the table for that CPAM and ZOAM, and the coordinating lead gets to choose 21 stakeholders for seven stakeholder meetings. ZOC members cannot participate as a stakeholder. So it seems that having a voting seat on ZOC gives two bites of the apple for Visit Loudon for the rural CPAM and ZOAM.

[06:05:49] I believe the seat that we added for the agribusiness on ZOC, representing wineries, breweries, and distilleries, addresses the need for that voice. We do not need to add Visit Loudoun as a voting member. They can have a seat at the table as an ex-officio member and participate.

[06:06:06] And just as an aside, another reason why I thought, you know, it's a zoning committee. And Visit Loudoun is funded 93 percent by the county through TOT tax, which was confirmed by Mr. Hemstreet.

[06:06:21] So I also think it would make more sense for them to have a seat at the table, but as a non-voting member, funded 93 percent through TOT. And they already are the coordinating lead for the Rural Zoam and CPAM.

[06:06:38] Thank you, Mr. Crony. Anybody else want to speak on this item? Mr. Turner. Thank you, Madam Chair. So the reason, well, I'm going to speak on the amendment, but it's the main motion.

[06:06:54] The reason I proposed to visit Loudoun's seat on the Zoning Ordinance Committee is that if you all remember when the Zoning Ordinance Committee was first set up, What resulted was a number of votes over a period of time that demonstrated to me that there was an uneven balance between Western Loudoun conservation-concerned citizens and Western Loudoun business-oriented citizens.

[06:07:21] And so what this does is this adds two more seats that I think fairly represent Western Loudoun business interests and creates a balanced voting block on the Zoning Ordinance Committee. That's why I'm doing it. It's balanced. To Supervisor DeCaroni's point, which really isn't addressed in his motion, but I'll just say it because it's relevant.

[06:07:44] We did, and I think we passed it out of the board, that if you are a sitting member of the Zoning Wonders Committee, you cannot be on the stakeholder groups in the rural CPAM-ZOAM discussions. You can be a coordinating lead, but you can't be one of the stakeholders.

[06:08:00] So Ms. Erickson would be precluded from sitting as a stakeholder on the rural CPAM-ZOAM, but she can still be the coordinating lead, so there's no violation there. I checked with the county attorney,

and he confirmed, and feel free to speak up, that there is no conflict of interest in her in Visit Loudon sitting as a voting member on the ZOC, if you want to confirm that, Mr. Rogers.

[06:08:29] I don't see any legal conflict of interest. That's all I have. Thank you. Thank you. Anybody else? Pardon me? What he said. Okay. Wonderful. Wonderful. Anybody else? All right. Mr. Crony made the alternate motion. And just to keep us here longer, Mr. Letourneau seconded. So all in, people, please say aye. Opposed. Nay.

[06:08:47] That motion will fail. 8-1. Thank you, Mr. Crony. Now we're back on the motion.

[06:09:07] So the motion which is made by Supervisor Turner and seconded by Supervisor Who seconds your motion? Supervisor Kirshner Like this a lot of other Supervisor Kirshner, so you have to give your first name, okay? Discussion on that motion discussion discussion on that motion. No, I'll say aye Any opposed that motion will pass 9-0. Thank you very much

[06:09:37] I think that's all of it for tonight except for four more closed sessions yes okay yeah yeah let's do all four we can't go all go home we have a we have a four closed sessions we're about to be read all right anyone need a break

[06:10:16] before you read in the closed session okay I said anyone not just mr. I move I move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2-3711A5 of the Code of Virginia to discuss prospective business or industry expansion of an existing business or industry where no previous announcement has been made in the Leesburg District.

[06:10:40] I further move that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2-3711A3 of the Code of Virginia to consider acquisition of parcels of property for public use in the little river election district i further move that the board of supervisors recess this public meeting and enter into closed session pursuant to sections 2.2-37118 and a29 of the code of virginia to consult with legal counsel pertaining to the negotiation of a collective bargaining agreement where the public funds where public funds are being expended and where negotiations in open session would adversely affect the bargaining

[06:11:17] position of the county. I further move the Board of Supervisors recess this public meeting and enter into closed session pursuant to Sections 2.23711A78 of the Code of Virginia to consult with legal counsel and staff members pertaining to the actual or probable litigation and a specific legal matter requiring the provision of legal advice by such counsel regarding a settlement dispute in the Little River Election District.

[06:11:43] Motion is made and seconded by Supervisor Letourneau. Discussion on the motion? Seeing no, all of them say aye. Aye. Any opposed? Thank you. When we come back on the dais, I need everyone to come back on the dais, please.

[06:11:59] We're back in closed session. Ms. Bricksman, will you read us out, please?

[07:57:34] Yes. I move that the closed session be adjourned, that the Board of Supervisors reconvene its public meeting, that the minutes of the public meeting should reflect that no formal action was taken in the closed session, and further move that the resolution certifying closed session be adopted and reflected in the minutes of this public meeting motion is made in second discussion on the motion all in favor say

aye aye any opposed the motion passed 9-0 would you please all affirm Ms. Umstead affirm affirm affirm affirm I affirm as well we have two motions on the dais Mr. Crony thanks chair Randall I move that

[07:58:13] the Board of Supervisors approve a grant in the amount of 22 million to the conservation fund for the purchase of Oak Hill as a future Virginia State Park and I further move the appropriation of 22 million in appropriation back debt and the creation of the Oak Hill project for this purpose. I further move that the Board of Supervisors authorize the county administrator to sign a grand agreement in a form approved by the county attorney on behalf of the county that defines the use of county funds for this purpose. Second. I will second that.

[07:58:47] Yep. Discussion on the motion, Mr. Crony. No discussion. Question, sorry. Yes. Mr. Hemstreet, in light of the other motion this evening, is it necessary to specify appropriation back debt still to the \$22 million, or could we leave that to staff discretion?

[07:59:08] Could there be a chance that staff may not choose appropriation back debt if the other funding is available? No, we've, our recommended funding source is the appropriation back down. Regardless. Yes. Okay, thank you. All in favor say aye.

[07:59:27] Any opposed? The motion passed 9-0. The motion passed 8-1. There's a second motion. The day is Ms. Bricksman. Thank you, Madam Chair. I move that the Board of Supervisors direct the county administrator to rescind the county's purchase and sale agreement with Dunland Farm LLC in the amount of \$29 million for the purchase of 335 acres located west of Evergreen Mills Road and east of Gleadsville Road where the Catoctin and Little within the Catoctin and Little

[07:59:55] River election districts. Second. Motions made. Second, Mr. Buzza-Laterno. Discussion on that motion? No. Anybody else? Want to be able to say aye? Aye. Any opposed? Aye. That motion will pass 7-2 with Mr. Buzza-De Crony and Kirshner opposing that motion. Anything else? All right, we are adjourned.



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