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Prince William Board of County Supervisors Meeting, Tuesday, October 28, 2025

Date Tuesday, October 28, 2025
Place Prince William County Board of County Supervisors, Virginia
Length 7h 49m (video)

- Official meeting video (Prince William County, Granicus): <https://pwcgov.granicus.com/player/clip/3720>
- Official Board of County Supervisors page (Prince William County): <https://www.pwcva.gov/departments/board-county-supervisors>

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-29. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:01] All right, good afternoon, everyone. It is 2 o'clock on Tuesday, October 28th, and we're going to go ahead and get started with our meeting. First, let us begin with a moment of silence.

[00:00:30] All right, thank you. Please rise, if you are able, for the Pledge of Allegiance.

[00:00:54] All right, thank you so very much, everyone. We are going to move into agenda item number three, community presentations. I will let our CXO tee it up. Thank you very much, Madam Chair.

[00:01:10] Good afternoon, members of the board. I just wanted to first welcome Dean Lynch, who we all know, and thank him for personally coming up to deliver the awards. You all may know, but this is the VACO Achievement Awards has been going on for 23 years.

[00:01:27] So this is the 23rd year, I believe, 155 winners, and three of those winners are right here in Prince William County. Thank you, Dean, in advance for delivering the message.

[00:01:43] This is really a recognition of the innovation and creativity and cooperation. And so Office of Elections, ADC, and our Department of Transportation all receiving awards today. So, Dean, I will turn it over to you.

[00:02:05] Good afternoon, Madam Chair, board members. I'm Dean Lynch, Executive Director of the Virginia Association of Counties, and it's my pleasure to be here today to present the VACO Achievement Awards.

[00:02:26] And for the benefit of your constituents who may not be familiar with the Virginia Association of Counties, VACO has existed since 1934 to serve and support your efforts as county officials. We support counties in many ways. First is through our advocacy efforts at the state legislature and in Washington.

[00:02:46] Second is through our educational programs that many of you have already participated in, and also through member services and our communication efforts. And I hope everybody is reading our newsletter that we send out twice a month and all of our alerts that we're getting ready to send out when the General Assembly is back in town in January.

[00:03:06] In 2003, we established our Achievement Award program to recognize counties that have adopted innovative approaches to providing public services and identifying programs that could serve as models that other counties could emulate. And today, I'm proud to present Prince William County with three Achievement Awards.

[00:03:22] As Chris just mentioned a minute ago, this is our 23rd Annual Achievement Award program and we received over 155 entries this year. Prince William County now has won the award 33 times and Prince William County ranks fourth of all-time and all-time winners.

[00:03:44] Prince William County has also won the award 13 consecutive years and Prince William County has won the Best Achievement Award in 2020. There were several guidelines that our judges used in giving out the awards.

[00:04:00] And number one, is the program an innovative program or solution to a problem? And does the program promote intergovernmental cooperation or cooperation with the local, state, and federal level? Number three, does the program provide a model that other counties can emulate?

[00:04:19] And number four, is the program an innovative approach or a customization of local government? And with your three awards, I'll quickly read the winners right now, just a little bit about them. One winner is the Office of Elections, Open House.

[00:04:36] Prince William County's sold-out Open House allows hundreds of voters to get a first-hand view of the Office of Elections. They can demonstrate transparency and the effectiveness of voting processes, and they also garnered significant media attention across the region.

[00:04:53] In August of 2024, the Prince William County Office of Elections opened its doors to the public for two full days to demonstrate five major election areas. Voter registration, mail voting, election equipment, election officer training, and results reporting.

[00:05:12] Guests of the open house toured through the Office of Elections to hear lectures, participate in hands-on activities, and ask open questions of election staff. Nearly 300 reservation slots sold out in just a few days, and the event had a large waiting list.

[00:05:28] Many requested the event be repeated, and it will apparently continue in 2025. Individuals who attended included election officers, election skeptics, and voters with curiosity. They all came away with increased confidence in the voting system and a deeper understanding of how elections work.

[00:05:48] Not only were participants impressed by the many layers of security in the elections, but the act of demonstrating such transparency has value with the broader public. So congratulations on that innovative program. The second winner is the Reentry Center.

[00:06:05] The Reentry Center program is a vital initiative designed to support returning citizens as they transition back into the community after incarceration. Reentry is often marked by significant struggles, including limited access to housing, employment, transportation, health care, and their social supports.

[00:06:27] The consequences of inefficient support can be severe, not only for the individuals themselves, but also for the broader community. When returning citizens are left without adequate resources, the risk of recidivism increases, perpetuating a cycle that weakens families and strains public safety systems.

[00:06:46] The Reentry Center addresses these challenges through a comprehensive, person-centered approach. The program provides access to a food pantry and a clothing closet to meet the basic needs, while also offering essential services such as mental health counseling, job readiness training, peer support, and connections to housing and legal assistance.

[00:07:06] These supports help remove critical barriers, foster independent self-sufficiency, and restore dignity. This is all accomplished through a cost-effective and impactful model that leverages resources and fosters collaboration with local community partners, stakeholders, George Mason University, and the GEO Group.

[00:07:28] These partnerships enable us to maximize our reach and effectiveness while ensuring high-quality support for those who are served. Ultimately, the Reentry Center program plays a pivotal role in strengthening families in building a safer, more resilient community.

[00:07:44] By investing in second chances and providing the tools for successful reintegration, we create pathways to opportunity and long-term stability for all. So congratulations on that winning program. And finally, the last winner is the Route 234 Mobility Program.

[00:08:04] Route 234 in Prince William is the most powerful corridor in the county and is vital to local, regional, and state mobility, land use, and economic development. It creates the only connection between Interstates 95 and 66 outside the Beltway and serves several activity centers, George Mason University, Innovation Park, three commuter rail stations, a regional airport, seven commuter lots with bus and ride sharing, Quantico Marine Base, a 13,000-acre national park, eight schools, and a wide variety of industrial, residential, commercial, and civic land uses.

[00:08:41] These demands create extensive and wide-ranging needs. The county began the Route 234 Mobility Program in 2018 as an alternative to the previous narrow-scope, auto-centric improvement approach by creating a coordinated, comprehensive program using innovative design, funding, and delivery methods to bring \$400 million in multimodal solutions that support the broader economic development, land use, and transportation goals, and have demonstrated state, regional, and local benefits.

[00:09:17] So congratulations on that program, and congratulations on all the fine programs that are provided here in Prince William County. You are truly innovative, and I can see us looking again next year to steal some of your ideas and share those with the rest of the state.

[00:09:36] So if we can get a few photos, that would be great. Madam Chair, I've got the plaques here. So I know that we're going to have the individual photos with the different groups, and I don't know if you have that much information, Mr. Shorter, and then we can take one big photo at the end out in the atrium.

[00:09:58] So do you want to call up the first group? Sure, so maybe elections office will have you all come up, and we'll do as we always do and take a photo right there in the middle. Dean, you can come right in the middle there.

[00:10:19] Perfect.

[00:10:43] Thank you. And, Chair, these will be in our newsletter, and we will be, for those that are going to our annual conference next week, we'll be putting those up on the list. Yep, and we'll have our adult detention center. They brought the leadership team, dream team.

[00:11:00] Dream team. Yes. Perfect.

[00:11:23] and finally the best transportation department in the commonwealth come on down rick where we head out to take all of the photos i know um a couple people may want to say something so i want to give

[00:11:56] them an opportunity i love this i love seeing that our team is constantly being recognized for the excellent work that they do prince william county we're on the move and the people who work County are leading the way. I have Supervisor Franklin and then Bailey. Yeah, thank you. Thank you, Dean, for making these presentations and congratulations to all of our departments who received this plaque. I don't mean to let the cat out the bag, but I do want to just press that

[00:12:30] it is anticipated that Victor Angry will be the upcoming president of VACO, which is actually a really big deal here in the commonwealth so just wanted to flag that our very own will help to lead the charge for vaco throughout the commonwealth so i didn't want this moment to pass while dean was here without recognizing that i was going to get him later but okay all right supervisor bailey because we are all very proud of supervisor not so angry all right supervisor bailey not so angry Dean, thank you so much for coming and bestowing these wonderful accolades.

[00:13:08] We just have the dream team in Prince William County, and we are so proud of the service that we give, not just to Prince William County, but to the state of Virginia. And so congratulations to all the recipients, and it is an honor to serve with my colleagues, Supervisor Franklin, and our soon-to-be president, Supervisor Angry, Happy, Supervisor Happy.

[00:13:32] It is an absolute joy to partner with our colleagues across the state and make things happen for the state of Virginia. And so, Dean, you're an excellent leader. Thank you for always recognizing us and making sure that we're in the fold, making a difference in the lives of our communities.

[00:13:51] And I'll say, Madam Chair, oh, please. I'll just say, I was going to just thank the eight. So we got, um, so many applications, uh, and submitted, uh, on behalf of Prince William County.

[00:14:06] And I just want to thank all of the department's offices that submitted, uh, took this award so seriously. Uh, and then certainly for the three that, uh, are recognized today and that received the award, want to just to give them, uh, much praise for the great, uh, great work.

[00:14:24] Uh, and I know we've all said it, but Dean, thank you again. This has become a spotlight opportunity for Prince William County, and so we appreciate the forum and the opportunity to shine

within the Commonwealth. Excellent. Great lead-in, Chris.

[00:14:43] For our departments that won these awards, congratulations. I've got to just say that we're talking about 95 counties in the Commonwealth that compete for this, and for us to always be recognized, you said 13 years? Consecutive.

[00:14:59] consecutive uh in 20 so that's like this is a really big deal for the county so i just want to recognize and thank all of our staff i know you don't hear that a lot when we when we're working rolling up our sleeves here but it just goes to show statewide not countywide that what you do is noticed and seen throughout the county so and to mr dean lyncher who's been the most awesome outstanding executive director for vaco for many many moons now um actually got to actually work with Mr. Jenkins when he was president of VACO, and I just really want to commend you on your leadership and always coming down here to be a part of this ceremony as we recognize departments

[00:15:38] for the hard work and the creative work that they've been doing throughout the year. So thank you to everyone, and thank you to you, Dean Lynch. Thanks. All right, we are going to take a short break because we are going to do photos with each, we're going to do a group photo and do photos with each of the award winners so give us a moment um and we will all i guess we'll take five minute

[00:16:03] recess thank you item number four and that's accommodations and proclamations we have one

[00:16:39] item and that's a proclaim november 2025 is native american heritage month can i get a motion to move second all right let's go ahead and take a vote unanimous supervisor franklin absent from vote all right thank you and if everyone associated with native american heritage month can come down

[00:17:09] to the podium. Thank you. And this is 4-4-Ang, proclaiming November 2025 Native American Heritage Month. The enduring history, rich cultures, and invaluable contributions of Native Americans have

[00:17:45] shaped the tapestry of our nation since time. Native American Heritage Month provides a significant opportunity to celebrate and honor the diverse traditions, languages, and legacies of the different tribes. I am apologizing. I don't have a pronunciation, and I'm you know um i don't want to mispronounce anything no no that's dog dog algonquin known as a taxahenant all right who lived along who lived in the villages along the north banks of the ocaquan

[00:18:25] and potomac rivers their name is memorialized in place names like ocaquan quantico brumsc and other tribes that have inhabited different parts of our county and indigenous people across the land. It is crucial to acknowledge the profound impact and ongoing presence of indigenous peoples whose culture and influence is found in our nation's arts, science, philosophy, and culture.

[00:18:51] Recognizing this heritage requires a renowned commitment to upholding trust and treaty responsibilities, strengthening tribal sovereignty, and working in partnership with Native nations to advance their self-determination and prosperity. The resilience and strength of Native American communities in overcoming adversity is a testament to their enduring spirit and a source of inspiration for us all. Therefore today the Prince William Board of County Supervisors hereby proclaims November 2025 its Native American Heritage Month and urges all citizens, employers, and community

[00:19:25] leaders to observe this month with educational programs, ceremonies, and activities that celebrate the rich heritage of Native Americans, fosters greater understanding, and recommitting ourselves to building a more inclusive future.

[00:19:41] Would you like to offer any comments? Hello, my name is Charlene Govan, I'm Navajo, from Arizona. Thank you to Madam Chair and the board for this proclamation for Native American Heritage Month.

[00:20:00] So my language has won wars, and I am standing here with my ancestors' prayers and my grandmother's stories.

[00:20:21] So thank you for recognizing the indigenous people. Thank you.

[00:20:27] all right we are now on to the consent agenda before we do um i have a couple people who need

[00:21:28] to read their statements thanks madam chair before the board considers and votes on item 5a which transfers budget and appropriates funds for schools public safety technology upgrades and item 7a which authorizes school bonds i need to declare a personal interest in these matters my wife is a special education instructional aide with the schools as a school employee my wife and I are members of a group which is affected by these matters I will be participating in these matters because I am able to do so fairly objectively and in the public interest thank

[00:22:03] you madam chair madam chair before the board considers and votes on items item 5a which transfers budgets and appropriates funds for school public safety technology upgrades and item 7a which authorizes school bonds I need to declare a personal interest in these matters my wife is a school's employee as a school's employee my wife and i are members of a group which is affected by these matters i will be participating in these matters because i am able to do so fairly objectively in the public interest thank you madam chair all right thank you so very much um looking at the consent agenda does anyone have anything that they would like to pull off

[00:22:41] madam chair items 5b 5i 5b and 5i all right does anyone have anything else that they would like to pull off all right i would like to get a motion for 5a 5c through 5h 5j through 5m so moved madam chair second it's been properly moved and seconded any discussion on these items madam chair all right supervisor bode thank you manager just very quickly wanted to thank rick and azales and his

[00:23:21] team for the continued work on 5g and 5h um these are just more steps in the direction of bringing together that uh that spooie as we call it at Prince William Parkway and Mineville Road that'll be a game changer um for all the folks that drive through that area every single day both Prince William Parkway and Mineville Road are major connectors in the county obviously they they sort of span the county in different ways so wanted to continue to uh uh um uplift and commend Rick Canizales and his team all the work they're doing on the interchange thank you madam chair all right thank you so very much Supervisor Gordy and I will continue the appreciation

[00:23:58] to our transportation folks and Rick and his team for item 5D, which will provide funding for the construction of the Devlin Road widening. This is a road that continues to see increased use, and so this is a very important expansion of Devlin Road with all the other previous efforts at addressing traffic in the area, So really appreciate all the hard work on our transportation department to continue these projects.

[00:24:32] Thank you, Madam Chair. All right, Supervisor Angry. Thank you, Madam Chair. Yeah, and to 5G and 5 Hotel, Golfing Hotel. Just want to let the public know that we are here now. So you're going to start seeing a lot of movement in that area of Minnieville and Prince William Parker for this buoy.

[00:24:51] So traffic's going to start being rerouted. You're going to start seeing that road come in. You're already seeing the course development coming in. We are working them simultaneously together, so a lot of moving parts. I know there's going to be a lot of frustration. We've been attempting to prepare you for this, so it's only going to get just a little bit worse before we start seeing some actual daylight in this.

[00:25:13] So these two items have given us a lot more flexibility to get this project moving in the right direction. So I just want to, again, make you aware. And we will be having another community outreach to talk about some of the areas. And one of the biggest things to discuss right now is whether we want to move ahead with overnight construction to help speed this project up instead of pushing it out to delay.

[00:25:37] So we are going to be having those discussions. Be on the lookout. If you want to be a part of that and you're not, just shoot me an email and we'll add you to the distribution list. Thank you, Madam Chair. All right. Thank you so very much. So let's go ahead and take our vote for those items. Vote unanimous.

[00:26:03] All right. Thank you. We are going to now move on to item 5B. Now, before I ask for a motion, Supervisor Vega, did you have questions for staff? I do, Madam Chair. And while we get staff up here, item 5B is requesting that we transfer \$300,000 from contingency to the Office of Procurement Services for on-call project labor agreement consulting services. And so I have a few questions. Welcome. Thank you. My first question is, can this work be completed in-house?

[00:26:34] No, it would put too much strain on our resources to conduct that work in-house. Okay, and how did we arrive at the \$300,000 figure? We arrived at that figure based on general analysis of what the cost would be.

[00:26:52] Also, Loudoun County issued an RFP earlier in the year for Project Labor Consulting Services, and their costs were significantly higher than \$250,000. So I based, I bumped it up to \$300,000 based on the cost of their contract.

[00:27:11] Thank you for that. And then what happens if it exceeds the \$300,000? Do you find yourself in a position coming back to us asking us for more money? So the contract is for on-call project labor consulting services. So when we have, they would conduct the feasibility study to see if it's feasible for us to do, to have project labor agreements on projects within this current market.

[00:27:34] Once they conduct that analysis, then if we have a project that we would like to do a pilot on, we would contract with them to do that pilot, and so we would use the \$300,000 on an as-needed basis. If we exceeded the \$300,000, we would have to come back, but it is for on-call services on an as-needed basis.

[00:27:56] Gotcha. And then I assume this does comply, this request does comply with Virginia's right to work principles? We are hiring a consultant to conduct that feasibility study to let us know if it is feasible.

[00:28:13] We are required to follow the Virginia Public Procurement Act and all of our procurements, and that's what we base our procurements on. So I can't tell you whether it will comply with that until we conduct the study. Thank you for that. Obviously, Madam Chair, that gives me great concern that we're

going to go ahead and approve an initiation of something and allocate such a large sum of money to something that, in my opinion, we should have an answer to before making that decision.

[00:28:42] And I would like to consult with the county attorney to see if the county attorney has an opinion on this request in regards to it being in compliance with Virginia's right to work principles and or laws. Madam Chair, members of the board, I think the request is for a consultant to review all of the information and we'll work with the county executive and the Office of Procurement based upon the consultant's work product, and we will review and do the legal analysis on that work product.

[00:29:07] And I understand that, Madam County Attorney. I just think that that should be basic knowledge that we shouldn't have to sign off on \$300,000 to get the answer to that question. So I want to interject because... I just want to make sure that she has an opportunity to answer my question or if she has anything else to say about that. If it's the Board's prerogative to move forward with a consultant, we will work with the consultant's work product before it's provided to the Board to make sure it's in compliance with Virginia law.

[00:29:31] Madam Chair. So from what I understand, right to work is you don't have to join a union. You are not compelled to join a union. And if there is collective bargaining in place, you will still benefit from it without joining a union. This is regarding us working with project agreements, but again, I don't think it requires or compels anyone to join a union.

[00:29:58] As was stated, you know, we will be looking into laws and making sure there is no conflict. But I do think that they might be two separate things. Supervisor Franklin? Madam Chair, I'm not done. No, I'm sorry. I didn't realize that you're not finished. All right. I'm not done. And I understand that the main reason why I ask is the fiscal impact.

[00:30:17] We already know the huge price tag that collective bargaining has brought upon the county and the taxpayers. I warned against this, and that number keeps going up. We're opening the door to something that we're never going to close the door back on. This is going to be seen through one way or another.

[00:30:34] And so I do think that it would be prudent for us, you know, to really examine this and the request that is being made. I did ask several questions, and I appreciate the response that was given to me offline, but the answers to the questions were very vague and give me greater concern, which is the reason why I ask.

[00:30:51] I also want it to be on the record that we received a couple of emails from other businesses, other entities concerned about the county entering into the possibility of entertaining PLAs. And for me personally, I want to know, you know, what the need is, especially when we have members of the business community talking about how PLAs have historically increased cost of projects.

[00:31:16] It reduces competition by limiting the bidding pool. I don't understand how this is a good practice for the county to enter into if the goal is to not pick winners and losers and allow the bidding pool to be as big as possible to ensure that there is efficiency And there's cost savings when we're talking about projects in this county.

[00:31:34] I'm happy to follow up with you, Supervisor Vega, to provide more clarity and context on the answers to the questions that I provided to you. Again, we follow the Virginia Public Procurement Act, which requires us to conduct our procurements with the maximum competition as practical.

[00:31:54] we also are we have the option to we have broad flexibility and fashioning that particular competition and including requirements that meet the needs of the county and not writing our requirements to favor a particular vendor so that's how we conduct our procurements but i'm happy to follow up with you to answer any questions yeah and i look forward to that to that additional information madam chair i will not be supporting this today i don't think i'm going to have the support to not open the door for it, but once that information is made available, I will be closely

[00:32:30] looking at it, and I'm sure that I'll have much more to say on this topic. Thank you, Madam Chair. Thank you. Supervisor Franklin. Yeah, sure, and Madam Chair, I think you already kind of responded to this, but also just want to flag the difference between right to work and PLAs. The PLAs is an agreement on certain types of labor conditions, but as the Chair mentioned, you know, that's not necessarily related to a union type itself. So I just want to clarify for the public that these are kind of two separate discussions.

[00:33:03] All right. Thank you. Hold on. I'm going to go to Supervisor Bailey. Thank you, Madam Chair. And I also, just for point of clarity, this is a continuation of something that we voted on in terms of collecting bargaining, that to do the bidding for a project labor agreement, but to investigate what are the principles and what we needed as it relates to that collective bargaining agreement.

[00:33:29] Am I not, am I understanding that okay? It's a continuation of what we voted on already. That's what I'm trying to. Yes, staff was directed to investigate, you know, what was the requirements for the county to consider an ordinance for project labor agreements, and these are the initial steps to investigate, have a consultant to do that research to let us know these are all the requirements and if it's even feasible for us to do that within this particular market.

[00:33:58] And that's based on the negotiations and the discussion that was made with the agreement, am I? Not the collective bargaining agreement related to staff and HR, and the county executive can speak to that. I just need clarity on it, please.

[00:34:14] So the county has already voted on and approved a collective bargaining ordinance. This is a separate matter from the ordinance altogether. And so the subsequent collective bargaining agreements that have ensued with our fire and our police, again, are separate matters entirely.

[00:34:36] And so I don't know if that. No, it's clarity. I'm just trying to understand in terms of project labor agreement, in terms of procurement, this is the next step of what needs to be done to make sure we're on the right path. Right, to get all of the information for the board to consider if we want to move forward.

[00:34:57] Okay, that's all, that's what I wanted. Okay, thank you. All right, does anyone have any additional questions? If so, please jump in the queue. Are you jumping, are you jumping, are you jumping, looking at you? Okay, you're good. All right, then I would like to get a motion for 5B. So moved. Second.

[00:35:12] All right, it's been properly moved and seconded. Is there any further discussion? Supervisor Bodie. Sure, thank you, Madam Chair. And thank you, Madam Chair, for your earlier directive, which gave rise to this. If folks might recall, a couple years ago, I actually issued a directive for us to look at a couple different potential projects throughout the county for a pilot program to look at PLA.

[00:35:32] So I appreciate that work coming back, Madam Chair, so I wanted to highlight that as well. As far as my research goes, at Liam's board meeting, we do indeed have the authority. I will leave it to the

legal experts and the consultant we're going to contract with if this passes to look into that. But based on what I've seen, Virginia Code 2.2-4321.2 does give us the authority to do this.

[00:35:56] Obviously, as Ms. Terry said earlier, there's a difference between what's legal and what's feasible, right? As was said, there's prevailing wage issues. There's other concerns that may be had by folks as it pertains to does it actually make sense for us to do this? I think that this is the very reason why we would do a pilot, right?

[00:36:12] We look at a couple of projects, we get one or two, see how it works with PLAs, see, be able to compare it to comparable projects throughout the county and see what the benefit is, right? I've seen unions do incredible work, sometimes deliver projects below a budget and actually ahead of schedule.

[00:36:28] It doesn't always work that way, but I think it deserves to be penciled in and tested out. So I will be participating in this. I will be supporting it. Thank you, Madam Chair. All right. Does anyone else have any additional comments? Supervisor Vega? Thank you. Just in closing, the perspective that I'm bringing and coming from is the fiscal impact.

[00:36:47] You all complain and email this board constantly, and then you're right to do so about how high taxes are in this county. I just want folks here in chambers and folks watching at home to understand what's happening. There's always a price tag that comes with these asks, and when we talk about the budget and when we talk about the cost of living and when we talk about taxes, this is the very reason why your taxes continue to go up and why they don't go down, because they start with \$300,000. I'm not a betting woman, but if I had to bet, I guarantee you that it's going to be a lot more than \$300,000. And what is the end goal? What is the end goal here? At the end of the day, I am not against the work that unions do, but there is a reason why

[00:37:25] there's a huge push and a huge advocacy from this day is from unions and for unions. And I'll be talking about more. I'll be talking more about that when the time comes, but make no mistake, you have to look at this through a lens of fiscal responsibility and fiscal accountability.

[00:37:41] and ensuring that in this process we're not just picking unions and excluding companies that are not a part of a union when it comes to putting bids and to ensure that every project that is being conducted in this county is being conducted in an efficient and prudent fiscal manner.

[00:37:58] Supervisor Franklin. Yeah, just want to just say that the reason why these projects sometimes can cost a lot of money is because in the PLAs we're actually pushing to pay people what they are worth. That costs money. It's not just the materials and the other general cost that comes with building a facility, but a lot of the money goes towards salaries and making sure that these individuals can actually make a livable wage.

[00:38:30] So when we talk about the expenses, let's talk about what those expenses actually go to. Madam Chair. How was I going to speak? Well, go ahead, Yessi. Go ahead. You know, my mother owns a small business, okay? she hires folks. She knows what is in her capacity to be able to pay these folks, and these folks work and take the job as it is. The government should not put in additional red tape and additional burden when it comes to these contracts to benefit unions. Competition breeds excellence.

[00:39:04] Let there be a competitive bidding pool to attract the most talented, most qualified, and the most appropriate bid when it comes to the county projects. All right. I am going to move this forward, but

I'm going to say this. We're not requiring. We're not requiring. I just want to say this. We are not requiring. We're not requiring.

[00:39:24] We are looking at this. We're exploring an option. It may work. It may not work. But that is the first step. I don't want anyone to think that we are requiring anything. This is a first step. And we are, I'm sure, going to have a spirited discussion later when we talk about other things, you know, regarding contracting. I want to see what our options are. I'm not going to make any assumptions. I want to see what our options are. And that's why I agree to do this.

[00:39:54] The \$300,000, it may grow, it may not grow. We may not have projects where this is applicable or is a good idea. But in order to get the answer, we need to explore. And for me, this is simply the first staff. So with that, I'd like to call for the vote on item 5B. Motion passes 5 to 2. Supervisors Gordy and Vega voting nay. All right. We are now going to move on to 5. Supervisor Vega, did you have

[00:40:31] any questions for staff? Yes, Madam Chair. I don't know. I don't think it's for staff, but more so for Mr. Shorter. I don't particularly have an issue necessarily with the request. Again, my issue is making budgetary decisions outside of the budget cycle. And my question is, can this position wait?

[00:40:48] The ask is to reclassify it from part-time to full-time. I will say that the team is under a great deal of pressure. This is a social worker case manager position, I believe.

[00:41:07] Phyllis is certainly here to answer any questions that the board might have for it. We wouldn't bring it if we didn't need it now. And so I agree with you that typically coming with off-cycle FTEs is not something that we would want to do as a regular thing. But in this case, we are under significant pressure.

[00:41:26] There is a vacant part-time position. The staff report indicates that we will be able to do this this year with no additional cost. And so we will deal with it, certainly with the board, as part of the budget process in years ahead.

[00:41:42] But this is a right-now concern. That's good enough, Madam Chair. Thank you. All right, Supervisor Bailey. Thank you, Madam Chair. And I understand, to the county exec, what you just mentioned about it's a need now position, particularly with the error rate focus that we have to have from going.

[00:42:06] Prince William County is at a good place, but we have to get it down to 6%, from 11% to 6%. And so I remember when Phyllis made her presentation a couple weeks ago, or maybe even a month ago, you mentioned this position as it relates to the casework.

[00:42:22] And so I'm associating this with that. So thank you so much for bringing that back to us. All right. If we don't have any questions, I would like to contain discussion within the motion. So can I get a motion for 5-I? So move, Madam Chair. Second.

[00:42:38] All right. Is there any further discussion on this item? All right. Seeing none, let's go ahead and take our vote.

[00:42:53] All right. Thank you very much. We are now moving on to agenda item number six, and that is public comment time. for public comment time looks like we only have um one person who is signed up um i'm sorry what yeah everyone else that's what i'm looking um so we have one person signed up to speak in person wait i'm sorry is this the correct sheet all right so mr ben young if you can go to the back

[00:43:30] how we yes if you can go to the microphone over there a few instructions haven't seen you you're not one of our freaking flyers you have three minutes to speak on any topic please make sure that the microphone is close to you because sometimes you can move it you're kind of tall i would move it just move towards you just move it towards you over there on that screen you will see up there you have three minutes will be a countdown just begin by stating your name and where you generally reside may i ask a question yes i can't hear you but that's what i'm saying move that microphone if we're testifying on behalf of an organization we get five so that is public

[00:44:04] hearing time that's why i wasn't sure if this was the right sheet um so are do you want to speak during public hearing time yeah that's what's a public comment what are you speaking on what is it that you're with an organization virginia coalition for fair contracting and employee protection correct 5b okay you get your three minutes sure just get everything i said just say it again for the record your name where you didn't reside that good fun stuff sure good afternoon chair jefferson and members of the board of supervisors my name is ben young and i am testifying today on behalf of the virginia coalition for fair contracting and employee

[00:44:44] Protection, also known as Virginians for Fairness. It's located headquartered in Dulles, Virginia. Our coalition represents more than 1,000 Virginia construction firms across multiple industry sectors that participate in the Commonwealth's commercial construction market. The members of Virginians for Fairness support open, fair, and competitive bidding processes on public procurements, and as such, they oppose government-mandated project labor agreements.

[00:45:08] Virginians for Fairness opposes item 1B on today's agenda, which would transfer, which has transferred \$300,000 in taxpayer funds to hire outside consultants to study the use of PLAs and recommend changes to the county's procurement rules. Our members believe this is an unnecessary and wasteful expenditure and, frankly, are perplexed as to why the public input comes after the approval of the motion.

[00:45:33] The independent, peer-reviewed research is clear. PLAs reduce bid competition and increase project cost. For example, the nonpartisan and highly respected RAND Corporation, Center for Housing and Homelessness, recently found that when the Los Angeles City Council, when they mandated a PLA on Proposition HHH, a \$1 billion voter-approved affordable housing initiative, project costs rose by approximately 21%, and completion times were delayed by 27%.

[00:46:04] In large part due to the PLA, LA did not come close to the 10,000 new affordable units that voters were promised when they voted for the initiative. The author of the study explained, A simple rule of thumb is that the use of a PLA incurs a cost equal to one of every five affordable housing units that could be produced through funding programs without a PLA.

[00:46:24] In other words, under a PLA, taxpayers get only 80 units for every 100 units they pay for. This phenomenon holds true across all project types, transportation, health care, stadiums, and more. PLAs dramatically restrict bid competition, and that alone drives up project cost.

[00:46:41] Our members do not believe Prince William County taxpayers would support this approach, especially given there's been no demonstrated need for a PLA, no market analysis of its local impact, and no meaningful public input on a policy that could cost taxpayers millions more for no clear benefit.

[00:46:57] Now, some argue, and you've heard it here, that the higher costs associated with the PLAs are justified because they supposedly raise worker pay. That is a myth. Our coalition, these projects, will all be subject to the prevailing wage ordinance. Our coalition recently analyzed wages and benefits under both PLAs and the federal Davis-Bacon determinations in northern Virginia, and the results were clear.

[00:47:21] In nearly every trade, workers actually take home less under a PLA. Union deductions and mandatory payments to union trust funds often reduce a worker's real compensation, while many of the so-called benefits flow to the union, not the employee. So they start equal, and then you take the deductions on the PLA, whereas under prevailing wage, you stay here.

[00:47:43] I'm closing. In short, PLAs make construction more expensive, limit opportunities for Virginia contractors, and leave many workers with smaller paychecks. The county should not spend \$300,000 of taxpayer money on expensive consultants to confirm what the data already shows.

[00:48:00] Thank you. All right. Thank you so very much. I am now going to turn it over to Supervisor Bailey for virtual. Thank you, Madam Chair. Shall we begin? We have the first speaker, Mr. David Peterson.

[00:48:20] Thank you. Sir, you can begin. Good afternoon. My name is David Peterson. I live in Gainesville, Virginia, and I'm speaking as a Prince William County resident.

[00:48:37] I'm not representing any organization or entity. Thank you for this opportunity to address the Board of Supervisors on an important topic, an injustice that is being served upon the Gainesville Magisterial District. I urge the Board to delay voting on any proposed noise ordinance until after the upcoming election and a new supervisor for the Gainesville District is seated.

[00:49:02] On 16 May, April 1963, Dr. Martin Luther King Jr. wrote a letter being held in the Birmingham City Jail. One sentence in this letter particularly resonates today. The law is unjust if it is inflicted on a minority that as a result of being denied the right to vote had no part in enacting or devising the law.

[00:49:25] In the spirit of Dr. King's just governance, we must delay voting on any sound ordinance until the new Gainesville supervisor has been elected and seated. Today is not the first time in recent memory that the Gainesville district has been denied the right of representation while the Prince William County Board of Supervisors made decisions directly affecting the Gainesville district.

[00:49:49] In late 2022, then-Supervisor Peter Canlan first recused himself from votes and then ultimately resigned from the board. Thus, the Gainesville District was denied a voice in the November 2022 board vote from Prince William Digital Gateway.

[00:50:06] Further, the Gainesville District was denied a voice in the board's December 2022 approval of Pathway to 2040, which eliminated Rural Crescent protections. It was not until February 2023, when the late Bob Weir assumed office as the new Gainesville District Supervisor, that we were once again having a voice on the Prince William County Board of Supervisors.

[00:50:31] Unfortunately, in those four months, while we were without representation, the rural character of our district was greatly damaged. And now, due to Bob's tragic passing, the Gainesville district is again without voice or representation.

[00:50:49] Thus, in the spirit of just and fair governance, you must delay voting on any sound ordinance until the new Gainesville supervisor has been elected and is seated. Thank you. Thank you, Mr. Peterson. Next speaker, please.

[00:51:06] So next speaker is Bobby Kelly. Thank you. Mr. Kelly? I know it's Bobby Kelly. Okay, Miss Kelly, please proceed. Thank you. I wanted to take an opportunity to talk to you about the same thing that Dave Peterson spoke to you about. And that's item 7J on the proposed noise ordinance. I too remain opposed to that ordinance as written.

[00:51:41] Further, I remain called by this board's actions that totally ignore Prince William residents and totally dismiss actions that address the health and welfare concerns by county residents.

[00:51:57] If you all are elected officials, hmm, who put you in those seats, resident or the data center industry? Guess we have your answers given your actions, which continue to reinforce that your preferred priorities, at least for supervisors, Angry, Bodie, Bailey, and Franklin, remain the data center industry rather than your own residents.

[00:52:27] You had the perfect opportunity to embrace the work of the data center ordinance advisory group, yet you ignored their recommendations and you disbanded the group. How many work hours and due diligence did that group give you, and yet you ignore all of their recommendations?

[00:52:50] How does 7J provide safeguards and protection for your residents from this out-of-control industry? You want to lead the way with data center development, but you don't want to face all that entails, like protecting your resident.

[00:53:06] So you've continuously told us that we do not matter. That remains a concern for me. And the fact that you do that without a Gainesville supervisor seated just makes it all the more offensive. You must delay this vote until the Gainesvilleers want to get represented and stop exploiting our vacant seat.

[00:53:30] Thank you. Thank you, Ms. Kelly. Next speaker, please. Our next speaker is Jessica Groves. You can proceed, Ms. Graves.

[00:53:51] Ms. Groves, next speaker, please. The speakers, thank you. There are no other speakers?

[00:54:09] Correct. Okay, thank you so much. Madam Chair. All right, thank you so very much. And this closes out agenda item number six, and that's public comment time. We are going to move on to agenda item number seven in public hearings.

[00:54:28] I've heard from some folks on the board, but there are some things we are going to take separately. 7F, we're going to take that separately. 7H and 7J. Does anyone have anything else that they would like to take separately for public hearings?

[00:54:48] 7F, 7J, 7H. All right. 7D, is that for purposes of voting down? Because if you want to highlight an agenda item, we'll leave it, you know, I'll do it with everything else.

[00:55:10] Well, no, I mean, do you want to leave it with everything else? Do you want it separate? I can put it. All right, thank you. So is there anything else? All right, so I'm going to go ahead and I'm going to open the public hearings for items 7A through 7E, 7G, and 7I.

[00:55:44] And if you need an agenda to understand which items those are, we have agenda items. The ones that I'm leaving off 7F, that is about the towing ordinance. 7H is dismissal of rezoning and special use permits.

[00:56:04] And 7J is about the noise ordinance. So those we are going to take separately because I know that there's greater interest in those items. All other items, I'm going to go ahead and open the public

comment time. You have three minutes unless you are with a 501c3 organization.

[00:56:22] Then you have up to five minutes during public hearing time. When I call you, please go to the back of the room. If you want to take the five minutes, you have to let me know what organization you're representing. State your name, where you generally reside, or your organization. That television screen back there will let you know how much time you have.

[00:56:42] I have two people right now. I have Noelle Schott and Andrea Codd. So, Noelle Schott and Andrea Codd, if you can stay in the back. Everyone else, if you can take a seat. I have a slide to show on the projector, please. All right, we will get you, Elmo, going.

[00:57:01] all right everyone else do you guys can you take a seat i'll give you one second i want to make sure that everyone's seated all right are you ready to go there's no way to zoom in on that is there not really no but also please just adjust the microphone too so that we can make

[00:57:37] sure that we can hear you is that better yes thank you want me to go okay hi i'm noelle shot i'm the aquaquan district appointee to the animal advisory committee as well as vice president of the prince william spca i want to thank the board for approving in this year's budget the funding for the animal services center to implement the trap neuter vaccinate and release program two years i think it's been almost two years now since the animal advisory committee sent the first resolution to the board asking for us to please start implementing tnvr so we're excited that we're here today for this public hearing to make the program a reality a code change is required to

[00:58:17] permit free roaming cats why is it important to implement tnvr in prince william county Community cats are unowned, free-roaming cats. They live independently in an outdoor environment, forming colonies around sources of food, water, and shelter. In most cases, they are considered unsocialized or feral and will not be adoptable.

[00:58:38] The most effective way to stop reproducing and help cats stay safe is a TNVR program, which will reduce their numbers over time. TNVR helps with other undesired behaviors, such as yowling, fighting, and territorial spraying. Those are all diminished and eliminated once cats are sterilized.

[00:58:55] And vaccinations help prevent the threat of disease spreading across wildlife and in our community. Implementing the TNVR program is critical for reducing overpopulation of community cats. The graphic that is hard to see on the screen kind of gives you an illustration of how this happens very quickly.

[00:59:14] An unspayed female cat and her offspring can produce up to 350,000 kittens in just seven years. This is because a female can have three litters per year, with each litter containing four to six kittens. This totals 12 to 18 kittens a year. Then if these cats aren't spayed or neutered, their population grows exponentially.

[00:59:33] The statistic shows the urgency to spay and neuter to control the community cat population. By addressing the issue of unspayed cats, we can help reduce the number of unwanted litters and improve the overall welfare of cats in our community. Again, I just want to state I'm in full support of the code change that will help us implement TNVR in Prince William County.

[00:59:55] Thank you. Thank you. Next speaker, please. Hello. My name is Andrea Codd. I reside in Manassas Park, and I'm part of the Prince William SPCA. I want to speak to let you know that I'm also in

support of this code change.

[01:00:15] And just to be clear, if there's concerns, it does say the approval of free roaming cats. The reality is that those exist today. Really, the code change will enable us to reduce those numbers and greatly impact in a good way the population across Prince William, as Noelle said.

[01:00:37] So I ask the committee to approve this code change so that we can implement the trap, neuter, vaccinate, and release program. Thank you. All right. Thank you very much. Did we have anyone else who want to speak on those agenda items?

[01:00:54] All right, then I ask everyone to please take a seat. Do we have anyone, Supervisor Bailey, who has signed up to speak remotely? Andrea, I don't see anyone.

[01:01:11] No. All right, so then I'm going to go ahead and close the public hearings for item 7A through 7E, 7G, and 7I. And with that, I would like to get a motion to move forward those items.

[01:01:29] Again, 7A through 7E, 7G, and 7I. So moved, Madam Chair. Second. It's improperly moved and seconded it. And discussion, Supervisor Bode. Thank you, Madam Chair. Just first, 7E is all I'm going to speak to right now.

[01:01:45] I wanted to thank Noelle, who's my appointee, Kelly Easterly, who I know represents Supervisor Angry, and all the other folks on the Animal Advisory Committee that helped get us to this point and everyone else for their perseverance on this. I say that, I'm going to kind of sound like a broken record a little bit this meeting, but this has been years-long work, as was mentioned, got us this moment.

[01:02:03] I gave a directive about this all the way back in 2022, which is based on a memo we got back in 2021, which was then based on a directive that was made in 2021. So in short, been a lot of memos and directives. I can go on and on about that and my frustration with that, but I will not do that right now.

[01:02:21] I will just say that I appreciate the work that has been done. I agree wholeheartedly with the folks that spoke and the advocacy that's been done at this point. This will help cats and the community in the long run. It will allow us to help better control the population of feral community cats.

[01:02:37] It will also help, frankly, keep them safe, because if they're vaccinated, they will no longer be spreading disease to not only other cats, but to other animals and other people as well. So that's a good thing. At the end of the day, this will reduce disease and euthanasia rates in our shelters.

[01:02:54] So it's actually the most humane way we could go about this. So again, just wanted to say wholeheartedly support what's being done here, and I appreciate all the advocates and the members of our advisory group that got us to this point. Thank you, Madam Chair. All right. Does anyone else on the dais have anything else to say?

[01:03:10] All right. Let's go ahead and take our vote on those items. Unanimous. All right. Thank you so very much. We are going to now move on to agenda item number 7F.

[01:03:29] I'm going to go ahead and open the public hearing for item 7F. Is there any signups?

[01:04:04] Thank you very much. And 7F, again, is for the amending chapter 13, Motor Vehicles and Traffic, the proposed towing ordinance. I have four people signed up in person. Again, I will call you to the back.

[01:04:20] You will have three minutes unless you are an approved organization. I have Michael Fernandez, Dominic Ward, Lorraine, I think Lorraine Small, and Daryl Abilene.

[01:04:39] I'm sorry. All right. You can go to the back. So those four people, if you can go to the back. Again, your time will be up on the monitor and make sure that you adjust the mic so that we can hear you properly.

[01:04:58] So first speaker and also state your name where you generally reside. Thank you, Madam Chair. My name is Michael Fernandez. I'm a 40 year resident of Prince William County in the Manassas area. I'm the owner of Battlefield Tone and Storage and I've been in business for 30 years.

[01:05:14] I'm asking the board to reconsider the proposed 10-minute wait requirement for violations on private property. This proposed ordinance is going to cause mass confusion with the public. From news articles, people are going to interpret this as, I can park anywhere for 10 minutes without getting towed.

[01:05:37] The department and the person that handles complaints from consumers is going to see a dramatic increase with invalid complaints. Safety risk. Toe operators already faced dangerous, unpredictable situations. Being forced to remain on site for 10 minutes would expose drivers to increased threats, assaults, and vandalism. A 10-minute wait per toe would cut productivity by 25% or more. It would also delay service for legitimate parking complaints and worsen parking shortages in an already crowded residential community.

[01:06:14] The SEC cost study did not account for waiting periods, so current rates would no longer reflect actual operating costs. Private property rights. Private property owners have the right to control who parks in their properties, allowing unauthorized vehicles to remain even briefly infringes on that right.

[01:06:37] A forced delay would encourage violators reduce available parking for residents and make enforcement insufficient and costly. Simply put, a law that allows someone to park in your driveway for 10 minutes without consequences would never be acceptable, and neither should this be.

[01:07:00] My recommendations to the board today, and I respect and urge the board, to oppose the proposed 10-minute waiting period for no permit tows. At least defer this so you can have private property owners have input, public input, and more towing input.

[01:07:23] And please adopt the other agreed-upon advisory board recommendations. The towing advisory board, which is a committee, obviously, that you all make up, is made up of law enforcement, towers, and property managers. Reviewed this thoroughly and voted against a waiting period.

[01:07:42] Against the waiting period. Their decision strikes the right balance between safety, fairness, and property rights. In short, this proposal would endanger operators, reward violators, and penalize responsible property owners and residents.

[01:08:01] Please stand with the advisory board experts' recommendation and oppose these changes. Thank you for your time and consideration. Thank you. Next speaker. Hi, good evening. My name is Donnie Ward, and I've towed in Prince William County for 36 years.

[01:08:34] I've lived in this county my entire life. I sat on the towing advisory board where we voted against the 10-minute delay, spending countless hours and nights working on it. A lot of thought went into it. I've towed everything from rolled-over tractor trailers, DWI arrests, accidents, broke-down cars, cars for evidence to the county, and illegally parked cars.

[01:09:02] Most people don't like what we do, but they do like to have their parking spot when they come home at night. Could be a 911 dispatcher, could be a nurse, could be a bartender. But when they come home, they want their parking space. They pay for it. It's their space.

[01:09:17] They do not want to call anyone, they do not want to wait, and they do not want a conflict in the middle of the night in front of their house. The 10-minute delay will cause problems, but we're dealing with a lot bigger problems.

[01:09:37] Most townhouses have two spots, maybe less. So when you're allowing someone to park there for 10 minutes before they're towed and that person gets home, they have to get out of their car and ask them to move or they have to call a towing company or they know we're coming back in 10 minutes and they're ready for us when we get back.

[01:09:56] Huge safety, huge safety risk. I mean, I've seen videos from other towing companies and it's horrendous, you know, what these guys go through. It will increase man hours. I agree with the new signage and more signage.

[01:10:17] I agree with that. I agreed with that the whole time. I agreed with delaying tone for dead tags and inspections to give people time. But I cannot agree with the 10 minutes. It's very scary for me. I'm in the property. I'm in the parking solution business.

[01:10:35] I'm not in the creating problems. I want to help. I'm always here to help. I've been on this board the whole entire time. So in closing, all I want to say is if you're moving forward with this, I ask two things, considering deferring the vote to allow the tab to establish a set time for the required 10 minutes.

[01:10:55] I don't think that we need it at 2 in the morning to wait 10 minutes. There's no purpose. No one's coming out at 2 in the morning. And a grace period for the new signage to be put up or a clear definition of when we'd have to have it. I would say that would take 30 days.

[01:11:12] Thank you for your time. All right. Thank you so much. Next speaker. Hi, good afternoon. My name is Lorraine Small. Okay, so the two gentlemen were talking about townhomes, but I live in an apartment building in Woodbridge.

[01:11:29] And last week, my car was towed because I didn't have my placard in the window, okay? I cleaned my car, put it down, forgot to take it out. They came and they towed my car. And when they talk about 10 minutes, 10 minutes is not even enough time because I want to know how that predatory tower is going to get in touch with me to know which my car to know that that's my car to get in touch with me and wake me up at two something in the morning my car was told to something in the morning okay I was at my car

[01:12:03] before five o'clock and it was already gone okay so I live in a building and as I've had people say that's their money maker well I don't agree with that okay and you know how you know these people are going to get in touch with the owner of the car. They don't have our information at two something in the morning. I have PTSD. So when I'm sleeping, I take medication to go to sleep.

[01:12:29] How are they going to wake me up? Okay. We have electronic pass to get inside of the apartment building. Okay. But yet still, those people are predators inside of our building, checking our cars to see if we have a placard in there. There's two tags we have to have, the placard to have in the window and the one to get to lift the gate. After 10 o'clock, I think everybody is in their spot. And if they are

not, okay, I don't see the problem with them calling someone to have the car towed. But once again, my car was in its spot. And if they have to wait 10 minutes, I want to know

[01:13:07] how they're going to get my information to know what apartment I live in to get it. Now the warning should be coming by the apartment complex. That's where it should be coming from. The second warning should be a fine that we get by the apartment complex and then maybe I can see towing but our home where we live is supposed to be a safe space not to have predators in our building checking out a vehicle to see if we have a placard in our car I don't agree with um you know this whole 10 minute thing they don't know how to get in touch with me because once again when it comes time to get in touch with me I want to see how they're going to say oh we waited 10 minutes for her to get there

[01:13:45] I am 61 years old I get shots in my knees and I have to walk with a cane I can't move as fast as they want me to to get in 10 minutes coming inside a building that we already have access to and then seeing them in there that's that's not that's not safe I'm sorry I don't agree with that so I'd appreciate if um y'all allowed the building complex I can't talk about townhomes and everything else but building complex where we have to have a pass to get inside anyway with the gate to lift And then we see predators in there towing our vehicles out, and it was a tight space.

[01:14:21] So now you have a car on the left and the right beside of me, and how did they get my car out without damage? I just want to know how they're doing this. I think it's unfair what they're doing. Thank you. Thank you. Next speaker. Members of Prince William County, Board of Supervisors, my name is Daryl Akins, and I thank you for my short period of time.

[01:14:45] I manage an HOA. I'm the president of an HOA community, the villages at Rippon Landing. I'm against the 10-minute rule for a lot of different reasons. For the most part, during the daytimes, we have activities where contractors come in and they need to have access to certain areas.

[01:15:03] So if I'm paying someone to come out to the community to do work and then I'm holding them up for 10 minutes, it's costing me money. I think it's unsafe for the drivers to come up on site and wait 10 minutes.

[01:15:19] We had a situation a couple of years ago where we used to have a lot of drug activity in the community. We posted the signage placard required. With the help of the police and the parking enforcement and the towing, we shut down that drug activity.

[01:15:39] But pretty much everybody knows pretty much any way you go now, you have dedicated areas you can park, you know, but people take chances. They can say, hey, I got time to run in here and do what I need to do and be back.

[01:15:57] But that ain't always the case, so I'm against it. Or at least I would like to see the board of supervisors, you know, take a little bit more time to reach out to more community residents and change the time, you know. give a certain window of opportunity, maybe from 8 a.m. to 6 p.m., but I think I'm against the 10 minutes rule. Thank you for your time, and that's all I have. Thank you so very much. Supervisor

[01:16:31] Bailey, do we have anyone online? Madam Chair, I have one person. Our speaker is Ray Reynolds. Thank you very much. Mr. Reynolds, please. Hello, can you hear me? I can. Okay, any feedback or am I clear. Any microphone feedback or is it clear? No, sir. We can hear you clearly. If you could just speak a little louder. Okay. Yes. So my name is Ray Reynolds, and I am a property owner in

[01:17:04] Prince William County. I have managed commercial and residential property for many years, and I wanted to talk about the negative impact of the proposed 10-minute wait from that perspective. I've lived in a few areas across the country, and the best that I have been able to ascertain, parking violations across the country are enforced by government when they're witnessed, not 10 minutes later.

[01:17:36] It would be a colossal waste of time and taxpayer dollars for enforcement personnel to sit and wait 10 minutes every time they see a violation. For the same reason, I think it's an unreasonable waste of time and resources to relegate private co-vendors to sit and wait because a property owner is not present.

[01:18:02] We don't need to be present. We shouldn't need to be present. We generally have contracts authorizing this type of activity, and I think the wait period would solve nothing, but it would create a lot of confusion and other problems.

[01:18:21] If you can take a minute to think about how confusing a sometimes wait period might be to the public, unless I misunderstood it, the proposal is going to allow people 10 minutes to park illegally sometimes.

[01:18:38] And I repeat sometimes, and I'll explain. If I, the property owner, don't call the tow company, a car can park for 10 minutes. But if I do call the tow company, a car can be towed immediately.

[01:18:55] And I think that's unnecessarily confusing. When the public sees this in the news and online, if it happened to be imposed, what they're going to remember or take away from it is, I have 10 minutes to illegally park. They're not going to think about the finer details.

[01:19:11] And I think that is just going to cause confusion over a process that's already very clear and easy for all to understand. If you illegally park, you don't comply with the rules, then you can be towed forthwith. A couple of bullet points I wanted to mention are I think it incentivizes illegal parking or trespassing.

[01:19:35] I think car owners might start to feel entitled to park illegally, albeit for 10 minutes. It might lead to more illegal parking and trespassing. I think it imposes unnecessary liability on me, other property owners.

[01:19:51] For example, if our tow company only waited nine minutes and 50 seconds, that could put the property owner or property manager or others at legal liability for the tow company's negligence.

[01:20:07] And I think it's just an unnecessary... Thank you, Mr. Reynolds. Your time is up. Thank you. Are there any others? I have a Mr. Carroll here. There are no others signed up right now. Okay. All right. Thank you very much.

[01:20:23] Madam Chair, back to you. All right. I'm going to close the public hearing for item 7F. I also ask people standing in the back, everyone's going to need to have a seat, so please find a seat. Before I call for the vote, I want to see, does anyone on the dais have questions for staff that we would like to ask or any clarifications?

[01:20:44] All right. Seeing none, I'd like to go ahead and call for the vote on 7F. I'm sorry. I need a motion. So moved, Madam Chair. It's been properly moved and seconded. For 7-F, do we have any discussion?

[01:21:02] Hold on. Did we, someone, did you have something, Supervisor Franklin? Yeah, thank you for this. One thing I do want to mention, and I don't think that, I think with public hearings, without having to

re-advertise, does it have to be significant changes or any changes?

[01:21:21] Any changes. Okay, because what I suggest is, and we had this conversation in my office last night, is, you know, come back in six months to see kind of how this is working. And maybe the TAP group can kind of reconvene and kind of share data and share notes.

[01:21:38] And if we see any real significant problems, then I think that would be the opportunity. And we'll have actual data to kind of back it up to potentially reopen if we feel that we need to. So that's the only suggestion I wanted to make to maybe kind of follow this over the next several months.

[01:21:57] And I would just ask the towers to keep, you know, really good records on kind of what's going on on the ground there so that we can kind of reevaluate kind of where things are. Thank you. All right. Supervisor Gordy. So piggyback on what you just suggested.

[01:22:13] We can do that in the form of a directive, rather, as opposed to an amendment to the staff to come back with revision or with analysis and a report back to the county on the effectiveness of the ordinance, correct? If the board passes the ordinance today, you can then issue a directive to the county executive to come back and report in six months or however long you want it.

[01:22:38] I'm sorry, Madam Chair. Well, I'm sorry. Did you have anything else, Supervisor Gordy? If not, I'll go to Supervisor Franklin. No, I just, I'm really struggling with the 10-minute thing. I'm not happy with it. I, you know, I've, I do think it jeopardizes the safety of our towers.

[01:22:57] I know we're trying to get after an issue. But, you know, where the right, where this thing settles out and what the right approach is to it. I mean, we have a new, you know, with our electronic economy with Uber drivers and with, you know, folks delivering food and packages, you know, there's a lot of nuance to this now.

[01:23:27] This is not, so, you know, I know we're trying to get after, you know, this idea of what we, what's called predatory towing, which I'm still trying to understand from a, you know, how that gets defined and who gets to define it.

[01:23:44] But at the same time, again, you know, when you're waiting for 10 minutes and some, you could be putting a tow driver's safety at risk and that very much concerns me. Thank you. Thank you. Supervisor Franklin? Yeah, I'm happy to issue that directive later and kind of see where things are.

[01:24:06] Like I said, I'm really more interested in are we seeing those safety concerns over the next six months that Supervisor Gordy mentioned? And, you know, we can talk about the effectiveness of the ordinance.

[01:24:21] I mean, we already currently have an ordinance in play. We're making changes to it. So, yep, happy to do that later in the meeting. All right, does anyone else have anything they would like to add to this? Now, I think that giving it some time to see how it, you know, to implement this and see how it works in actual practice, I am concerned, given the comments that I've heard tonight and given the emails that I've received, safety is a real concern, and I don't want to put someone in jeopardy.

[01:24:57] So I think that a six-month maximum, and I will certainly work with you, Supervisor Franklin. I will certainly work with the county executive about making sure that this gets back on the agenda in the near future. I have great concerns about this.

[01:25:15] I have great concerns after hearing from the community. But I'm going to turn it over to Supervisor Angry and then Vega. Thank you, Madam Chair. I'm willing to go forward with this and really hope we can look at this again in six months. I just got to go back, I think people know that, you know, I'm huge on people illegally parking and towing because I just want people to do the right things.

[01:25:37] I do know there are those situations to the point of someone running in their house, and there's so many, you know, nuances to Supervisor Gordy's point of apartments, townhomes, you know, on the street, parking, you know. I got issues on Princeville right now, and there's just this sense of do the right thing when you know where you're supposed to be parking.

[01:25:57] So I hope that we're doing that with folks in this parking situation and that our towers are there for a reason because clearly people have just gotten complacent in parking anywhere. Now, for those who are in their rights in this parking, those are the things we need to figure out and work on and tighten that up better.

[01:26:17] I just, you know, I'm going to go with this. I like the six-month idea of coming back to seeing what it all pans out to be and what the issues are if we can get there. So that may be a painful six months, but I think we've got to explore this and see where it goes and what the real issues are that we're really trying to address.

[01:26:34] So thanks, Madam Chair. All right, Supervisor Vega, then Gordy. Thank you, Madam Chair. I want to thank folks from the towing industry, if you will, along with our police department, for coming together and working to come to a happy medium, if you will.

[01:26:51] I have heard the concerns not just mentioned here today, but also while we were in my office. I will say that there is much work to be done in regards to improving towing in Prince William County. During the meeting with representatives from the community, there was a lot of information that was shared with me that I did not know. For example, some of the challenges that we're having perhaps are not challenges that are being, or practices rather, that are being committed or carried out by towing companies in Prince William County, but rather towing companies way, way

[01:27:24] outside of prince william county um it's kind of uh unfathomable unfathomable to me that some a towing company let's say from culpepper can come into prince william county tow a vehicle from prince william county and take it to wherever their yard is so far out of prince william county that causes additional hardships for folks whose vehicle was towed that is happening we have to put a system in place that has standards because I think that it's unfair to penalize towing companies that are operating with integrity while we have other companies that don't even

[01:28:00] do business if you will in Prince William County towing vehicles outside of Prince William County so certainly there's an opportunity here to put parameters in place to ensure that there are better practices to ensure that we are really looking out for the towing companies along with addressing the issues that our constituents have brought forward to us there are there have been some practices that we are not happy with i shared with folks in the industry that i've been um i wouldn't say a victim but that i've experienced those those those um practices myself and um we have delivery folks um that have experienced that we've had realtors changing a lockbox that their

[01:28:36] vehicle's gone within you know five minutes and so i say all of this to say that there's a lot of work to be done if we have to come back to the drawing table to ensure that we modify something

especially when it comes down to safety we will absolutely do it but if there are instances i will support this today but if there are instances um where safety is is in jeopardy i hope that you call the police that we have documentation and the data to be able to come back to the drawing board and make the necessary changes so thank you to the towing uh uh community to our police department and to county staff for working uh with supervisor uh franklin and i because i know that this was

[01:29:10] an initiative that she cared about and that I did too. And we look forward to strengthening our partnership. So thank you very much. Thank you, Madam Chair. All right. Supervisor Gordy and then Bailey. Thank you, Madam Chair. A little bit on topic, but I think, you know, in the conversation with the towers, you know, I asked them, you know, what is your business?

[01:29:36] What's happening with your business? Where do you see towing requirements increasing? And interestingly they said the number of tows coming out of townhouse developments is growing exponentially and the reason is is that families and townhouses are almost they're trapped because they can't afford to move to a home that that is uh that suits their growing families because once again we built one type of house in the in this county for the past 15 years and we've not and this gets after having housing types, multiple housing types. If you want to leave a townhouse

[01:30:13] today to go to a new construction single family, you're talking about leaving a house that's \$700,000 trying to get into a house that's \$1.3 million. It's unaffordable. And so we've created this challenge that literally is holding people into the home that they're outgrowing. Their kids now have cars they have limited number of parking spaces and and that in and of itself is creating challenges for our families it's creating challenges for the towers it's creating challenges for um the the homeowners associations and so as we think about our housing types and and the way

[01:30:50] that we get after our housing it's amazing how all this gets tied together right and so um so I think in the short term, until we adjust and affect adding different housing types to get folks out of townhouses into homes that meet the needs of their growing families, I think we're going to continue to see this problem. And so I think from a land use perspective, this is a challenge that we have to face, and we have to figure out how we're going to resolve that.

[01:31:21] Otherwise, we're just going to keep seeing folks have this challenge of towing. It's just a symptom, a symptom of another problem, and I appreciate the tow companies and the representatives for all the information that they've provided to us to help us better understand their industry and the challenges that they're seeing out on the streets.

[01:31:39] Thank you, Madam Chair. Supervisor Bailey. Thank you, Madam Chair. I think everyone has said what I was thinking, but I appreciate the visits that I've had to my office. I've had several of them, and I think we do have to start somewhere, But I think it is well worth the time if we circle back, as Madam Chair said, in the next six months to make sure that we are on the right track with this.

[01:32:03] It is a housing concern, and it's a seasoned housing concern with not just townhouses but apartments. So I am very much sensitive to that. And so I think we do need to circle back and look at it again to make sure we're making a stronger decision on this.

[01:32:23] But we have to start somewhere, so I'll be supporting. All right. I don't have anyone else in queue. So thank you so very much. Let's go ahead and take our votes. All right. Thank you so very much. We are now going to move on to, sorry, I'm just going to let people, sorry, Supervisor Franklin.

[01:32:55] I'll go ahead and issue the directive now. And without objection, we'd like for county staff to work with the TAP to come back in six months with essentially a report and some data points on any safety concerns or any other impacts with regards to the updates of the towing ordinance.

[01:33:18] All right. Thank you. Hold on. I don't see any objections. So, all right. And I'm sorry, Andrea, I know we voted. Did you already post the results? Yeah, okay.

[01:33:34] I just wanted to make sure because I was doing that and I heard her in my ear. All right. We are going to move on to agenda item number 7H, and that's the dismissal of rezoning and special use permit applications, CPAs and ZTAs, and this is going to be countywide.

[01:33:51] I would like to open the public hearing for item 7H. I don't know if we have anyone. No one? Do we have anyone online? Yes we do. Supervisor Bailey. Thank you very much Madam Chair. Shall we begin please? Yes our first speaker is Michael Whitlock. Thank you very much. Mr. Whitlock please begin. Can everybody hear me? Can you speak a little louder? You're breaking up.

[01:34:29] Yes. Yes, my name is Whitlock. I'm Madam Chair and Team Supervisor. I am a resident of Prince William County. I work with the Prince William Chamber of Commerce, business owner, and I'm speaking for our merchants, especially my merchants in the county. The variance, lack of clarity and vagueness for the snowy organs is really what they do. The variance process is vague. The complex measurements are confusing. Tonal sound.

[01:35:01] Hold on, this is the wrong item, but I was going to let him finish speaking. Okay. Oh, okay, they called my name, so. Yeah, please, continue. Yeah, yeah, the tonal sound versus the intermittent noise is very, very confusing. We're trying to one-size-fits-all for data centers and other businesses in the county.

[01:35:21] I also want to bring them to lack of grandfathering a business. There's not much time to even adjust. Six months is not a time to adjust for businesses when they need about 12 to 18 months. The cost of a business to be able to come in compliance and perform, I don't even know what that cost would be, business to brick business, but that's more and more burden on all of our businesses in the county.

[01:35:51] I just sat with a brewery owner back in the summertime, and she actually had tears in her eyes when she was telling me about the noise ordinance, which I wasn't even really aware of. And she's close. She's afraid she's close. So so I think taking the time to educate the merchant as to what this really is and make them feel comfortable about it.

[01:36:15] I think it's really the key. Thank you for letting me speak to the board of supervisors. Thank you, Mr. Whitlock, for your patience. Next speaker, please. I'm sorry. The list that I have has 7H and 7J together, so I don't know who signed up for what according to what I was given. I apologize.

[01:36:39] So we're on 7H. So he's saying he's not sure who's speaking. So for everyone who is online, I'm asking you, are you signed up to speak on item 7H, and that's the dismissal of rezoning and special use permit applications, comprehensive plan amendments, and zoning tax amendments?

[01:36:56] If you are signed up to speak on those issues, please, you know, I'm sorry I haven't used the virtual system so long. I don't know if there's a way to raise your hand or to know for the speaker. I'm sorry. There's a chat that they can say that. If you could put yourselves in that chat, we are going to get to everyone who wants to speak.

[01:37:15] But in the interest of time, I would like to have 7H and 7J speak separately. So is there anyone online who has indicated that they would like to speak on 7H? I'm seeing everybody for 7J.

[01:37:35] 7J, all right. Well, shall we continue? 7J? No, we haven't opened it up yet. So what we're going to do is we're going to finish out 7H, and then we, you know, I'm going to go ahead and close the public hearing for 7H, and then I am going to ask for a motion to move forward with item 7H.

[01:37:56] So move, Madam Chair. All right, so it's been probably moved to second it. Is there any discussion around 7-H? All right, this is pretty, here we go. Supervisor Franklin Gordy-Bode. Yeah, I just want to point out, at least for the businesses in my district, I think we've been in touch with them and that they are not interested in moving forward.

[01:38:18] So we're all good in terms of at least the Woodbridge District. Supervisor Gordy. Thank you, Madam Chair. Also, same thing with the ones in the Burnsville District. But I do want to point out that the Compton CPA rezoning and SUP were for a data center next to the Manassas Mall.

[01:38:40] This is one that we were able to stop at the Planning Commission, and I'm finally glad to see that it is being dismissed. So this literally makes the second data center that we have kept from coming to life in Prince William County.

[01:38:56] And I appreciate all my colleagues and all my previous planning commissioners for the support on that. The one question I do have, Ms. Washington, if I could have you, you know what I'm talking about. So you know that I'm planning to put a directive in later that discusses the issue of TDRs and the establishment of that.

[01:39:18] The TDR is being proposed as being rolled into a larger in-block amendment, but that could take two to three years. but I'm looking at trying to get this TDR problem established much sooner. So do you believe it is more appropriate to pull that from this so that we can address it sooner rather than later?

[01:39:37] Tanya Washington, Director of the Planning Office. Based off of Supervisor Gordie and I did have a conversation about this, and if it is the Board's wish to pull this off of this case dismissal list, this particular ZTA for the transfer of development rights was one of several initiated zoning tax amendments that we intend to roll up into the comprehensive zoning ordinance update so that the work would still happen, just not as a separate ZTA.

[01:40:03] But if it is the board's interest in keeping the transfer development rights ZTA separate, then we would move forward on that sooner than when we would complete the comprehensive zoning ordinance update. Okay, and your estimation on the completion of that is? We've said two years, at least two years.

[01:40:20] So, Madam Chair, I would like to make a friendly amendment to pull DPA-2017-TAC-0008 from the motion. Any second? Second. All right.

[01:40:36] Second of it. I'm sorry. If it's a friendly amendment, it can just be accepted. Okay. All right. Yeah. I just need the motion to agree to it. Please. All right. Hold on. Supervisor Franklin, I'm just waiting.

[01:40:53] Andrea, you're, she's, okay, go on. I was just going to get the DPA number. It's DPA 2017-0008, Transfer of Development Rights. Yes. Thank you. Madam Chair. And you're speaking on what Supervisor Gordy said?

[01:41:11] Yeah, although there was a motion and a second, but I have questions. You can still go ahead. So I heard the discussion, but can you talk or someone talk a little bit more specifically with regards to

what this motion will do and the specific property and what is the current comp plan amendment on it, kind of the overview.

[01:41:37] So this relates to a zoning tax amendment that has already been initiated by the board for the transfer of development rights. A ZTA, I don't remember what year it was initiated. Do you remember? 2017. Yes, 2017. So it's a ZTA that's been, you know, on the list to work on.

[01:41:56] But like I said, it's already been initiated. This particular action, all it would do is remove it. Practically speaking, what it will do is instead of us rolling that CTA into the comprehensive zoning ordinance update that will take a couple of years to complete, it would move forward for the staff to continue to work on as a separate CTA that would likely come to the board before the comprehensive zoning ordinance update.

[01:42:21] Okay, and so we still have an opportunity to kind of review this moving forward. And then what's the property again? My apologies for that. So it's not associated with a specific property. It's about creating a transfer of development rights program. Okay. All right.

[01:42:38] Does anyone, before I go back to folks in the queue, does anyone have anything specifically to say in response to Supervisor Gordy? All right. I accept your friendly amendment, but, however, since I had already moved it, we had to properly move and second it.

[01:42:54] Supervisor Franklin, I see your light's still on. Did you have anything else? Because I'm going back to the queue. Yeah, just, I guess, a procedural question. So is this going to be part of the general 7H? We're still on 7H. Is this going to be part of 7-H, or can we move that out separately?

[01:43:13] You want to separate it out? I think so. For purposes of discussion, or do you want to vote it down? Well, I'm just not sure I'm supportive of that. And quite frankly, I don't know that I'm even prepared to really vote on it today. But I don't want to hold up the rest of the votes either.

[01:43:32] Hold on. Did you have something to say real quickly, Supervisor Gordy, or should I just go ahead to Tanya Washington? Just a procedural point is, so a motion was made. I'm asking to amend the motion by withdrawing this piece out. We're not voting on that piece, which we will deal with at some point, hopefully in about six months.

[01:43:53] But what it does is it keeps it in process so that they can move it sooner rather than the overarching ZTA that will take two years. All right. Supervisor Washington, did you have anything you want to say? I'm a supervisor, everyone.

[01:44:10] That is a demotion. I think Supervisor Gordy just pretty much stated what I was going to say, which is that this ZTA would still be on our work program. It's just a matter of would it move forward separately sooner or would it be part of the larger zoning ordinance updates, but we would still be working on it.

[01:44:31] All right. Sorry, before I go back. So, again, Supervisor Gordy wanted to strike that out. And Supervisor Franklin, are you comfortable with that? So you're going to vote against that?

[01:44:49] If you vote against, that means you're going to be voting against 7H. Okay. So I can. Point of order. It was a friendly amendment. You made the motion, right, Supervisor? Right. And you accepted the friendly motion.

[01:45:05] Okay. All right. We're jumping all over, but all right, Supervisor. I don't want to jump over. I'll wait my turn. No, no, go ahead. I want to stay with this right now. So Supervisor Bailey. Okay. So I accepted his friendly amendment because I'm going to support the item, but he wants to take it out.

[01:45:26] That's why I accepted his friendly amendment. Yeah, he wants to take it. Yes. I'm just clarifying. Okay. All right. We'll get back to that one. So, Madam Chair, once again, point of order. Since it's a friendly amendment, we do not vote on that.

[01:45:44] It is accepted as an amendment. So we now have an amended motion. All right. Yes. We're voting on 7-H without. Madam Chair, I'm sorry. I'm getting really, I need to know who was the original maker of the motion to approve 7-H, and who was the second, Franklin, the original motion.

[01:46:12] Okay. And are we good with the friendly amendment? Oh, okay. Hold on. I want to discuss this with the parliamentarian. Because Supervisor Franklin has an, I assume, you have an objection, Supervisor Franklin, correct? She has an objection to this.

[01:46:32] So because she has an objection to the friendly amendment, how are we handling this? Because from what I would understand, we would have to take a vote because it's no longer a friendly amendment. Correct. If Supervisor Gordy would like to make a motion to remove the DPA number that he had listed, we would need a second on that.

[01:46:52] We would vote on that. If the motion is successful, then it comes out of the 7H item. If it fails, it remains in 7-H as part of that whole action. Okay. And we can do that. I just need to know if...

[01:47:07] Supervisor Gordy. Yes, Madam Chair. I would like to move that we strike DPA-2017-TAC-0008, Transfer of Development Rights, from the original motion.

[01:47:29] Would anyone like to second that? Second. It has been properly moved and seconded. any discussion on the motion on the floor which was originally a um friendly amendment and we're going to eventually get back to everyone poor bode supervisor bode has been very patient i see him supervisor bode thank you madam chair appreciate the conversation and i i know that this is a tool um that was talked about quite a bit back in 2016 the initiative in 2017 then came back to the board in 2021 which is when we remanded it um i appreciate the work that's sort of been done behind the scenes on this

[01:48:08] over time. I'm still a little bit frustrated that we're sitting here now in 2025 and we're not even going to really move on it right now and as Supervisor Gordy said, if we left it to be still wrapped up in the comprehensive zoning ordinance update we'd probably be looking at 2027 if not later on something that was frankly really kicked off almost 10 years ago.

[01:48:33] So I support us moving forward with the transfer development rights program, which is why I'm not going to be supporting, which I will be supporting pulling it out. But I just wanted to say why I'm going to be voting the way I will. All right. Thank you. Supervisor Angry. I just got a question. Can I ask?

[01:48:53] I'll let you. So it was in here and we're pulling it out basically to expedite you all in six months to come up with a decision on tdrs versus taking two years to be clear we have not stated that this would be done in six months okay and because that's kind of i mean it's in here so i'm curious it was in here and we were going to vote on this which meant we were voting to remove it i'm imagining it's what it so yes so the the purpose of the motion as i understand it from supervisor

[01:49:26] Gordy, is to separate, keep the CTA separate so that we can move forward and work on it sooner than completing the comprehensive zoning ordinance update, but we've never stated that it will be done within six months. Got you. And I will simply say, because this thing has been on the book since 2017, you've been kind of working, you weren't here, I clearly weren't here, we weren't here, but this whole six-month window will allow you then, whether it's six months or not, whatever that time tends to be but you basically are expediting putting this ahead of things that you could be doing to move i'm going to say you can continue doing other things but you're basically pushing

[01:50:04] this up to get a find a solution to it sooner rather than later and within the two-year range you're saying but bottom line is this it's going to come back to us in some time frame of six months to whatever for us to make a decision on at that point and because initially with it being in here being removed that was meaning it would have been off your plate no so the purpose of including this cta as well as there are some others such as the big box zta filter and non-conforming uses these are several initiated ztas that the planning staff determined that we

[01:50:43] could roll up into the comprehensive zoning ordinance update so we would still be working on And the matter is that the ZTAs are calling to be worked on, but they wouldn't be done as separate ZTAs. And so the request is just to dismiss it as a separate ZTA, but we are still rolling it up into the larger project.

[01:51:00] Thank you for that. I just really needed clarification because there's been so much discussion. So thank you for that. Okay. All right. All right. Supervisor Franklin. I would like to adjourn. No, I want to withdraw my objection. This was just me seeing if you all knew your rules of procedure.

[01:51:22] going she wants to withdraw to a friendly amendment yeah no in all seriousness i mean i've had some conversations with supervisor gordy just now um and with the chair so um i'm good with moving forward still with the understanding that i do have some um concerns over a tdr program but we can talk about that at a more appropriate time i believe thank you you're back to square one Supervisor Boat, did you have anything else? No. All right. I appreciate this. Is there anyone else?

[01:51:58] All right. That is great. Let's go ahead and vote. All right. Thank you so very much. We are now moving on to item 7J. And I'm going to remind everyone to have decorum. I know that this for some people is a tough topic, but in order to expedite this meeting, to make sure that everyone is heard and that all voices are heard, I'm going to ask that people maintain the quorum in the board chambers so for 7j i am going to go ahead and open the public hearing for item 7j and just

[01:52:38] as a reminder everyone has three minutes to speak unless you're with an improved organization then you get five minutes to speak everyone will have an opportunity to speak again right up there on that television it's a timer so please be mindful when your time is up i ask that you conclude and so that we have time for the next person.

[01:53:00] And so I'm going to call everyone up in groups of five. I'm going to start with Martin Jeter, Kevin Allen, Robert Pixley, Martha Henley, and Michael Slater. Good afternoon, Chair Jefferson, members of the board.

[01:53:20] My name is Martin Jeter. I live in the Aquaman District. My old boss told me a long time ago, he said, Martin, don't come at me with problems unless you have solutions for those problems. And so I'm coming to you today with a couple of possible solutions to some problems.

[01:53:39] So first off on the noise ordinance, I just want to offer that you have three different proposals in front of you. Well, not in front of you. You're only voting on one of those today or presumably voting on one. But there are three proposals that exist on the noise ordinance.

[01:53:57] And I would suggest you take a step back and look at each one of these proposals instead of just one. One of the proposals was developed by the Data Center Ordinance Advisory Group, a group of citizens that worked a couple of years and a lot of hours on their recommendations.

[01:54:14] And I think it's important to make sure that they feel that they've had a public hearing, at least on those recommendations. And in a situation like this where this ordinance has human health involved in it, human safety and health involved, I think it's really important to get it right.

[01:54:33] We've been working on this for at least two years, and I don't think it would hurt to wait if it takes a couple more months. Certainly, we should wait until the Gainesville District Supervisor is seated. Gainesville District obviously has a lot of data centers and a very big interest in this noise issue.

[01:54:49] So I think it's much more important in this instance to get it done right than get it done right now. So the other thing I wanted to talk about is related to the DCOAG. That group was dismissed at one of your previous meetings by the board. I would say that I think it's still important that we have some sort of a group that advises you on data centers and data center impacts.

[01:55:12] I think that should be a commission rather than a group. And what that will do is act like any of your other commissions, like the Sustainability Commission or the Planning Commission. It reports directly to the board and not to staff. And I think that was a problem that the group felt like they weren't being, their ideas weren't being transmitted through the way they wanted them to.

[01:55:35] So if you make this a commission, an official commission, like all the other commissions you have, a citizens commission that advises you, you can take that advice or leave that advice as you wish, but you would actually, they would actually be reporting directly to you. So I think that's very important.

[01:55:52] So now I've honored my old boss and gave you a couple suggestions, and my work is done. So have a great meeting, and thanks. Thank you, sir. Next speaker. My name is Kevin Allen.

[01:56:07] I'm from the Brentsville District. I'm president of the Silverleaf Estates Homeowners Association. I would request five minutes, please. I am here today to talk about, is the five minutes granted? She's working on it right now.

[01:56:23] Okay. You can go ahead and start speaking. So, again, my name is Kevin Allen. I'm president of the Silverleaf Estates Homeowners Association. Our development is going to be surrounded by multiple data center complexes. The Hunter Trust property with Chuck Kuhn, Devlin Technology Park, Mango Farm, and I believe it's a Microsoft site.

[01:56:46] We're going to be surrounded by three sides on data centers. We're very concerned about this noise issue. We're frankly surprised that the working group was disbanded and that you're moving so quickly to move something forward.

[01:57:02] without getting adequate input from the community so they have a chance to understand what you're trying to do, a chance to be able to make intelligent comments on how to fix it or make suggestions or see if it answers our concerns. It seems like this process is being rushed while the Gainesville district supervisor seat is not filled.

[01:57:21] It's gonna be filled next week. I don't know, we've been waiting for this for three years. I don't know why we can't wait a month or two to be able to get more information out to the community so they can adequately comment on this change that's happening. And frankly, there's just not a lot of trust in our community with the Board of Supervisors, the staff, with the way all of these processes have worked.

[01:57:49] When the Hunter Trust property was rezoned for data centers, one of the key things that one of the few concessions we got was that the buffer, any utility easements going through the buffer had to go perpendicular through the buffer and not parallel to the buffer. Within weeks of that proffer being signed, developer came in and ripped out a swath of about 25 feet wide, ripping down the trees that

[01:58:22] were in our forested buffer and without any notification, came in, wiped it all out in a couple of days, trees that had been there for decades, and you can't replace those easily. Then when they went in and planted these ridiculously small trees to fill in the buffer that we were promised was going to remain an untouched buffer, they died within a few months.

[01:58:51] And as far as I know, nothing has ever been done to replace those trees. So we would have had several years of trees growing to try and at least fill it in a little bit, and nothing has happened. I've made repeated complaints to the county. No one's gotten back to me, and so there's no trust in anything that you guys do that it's going to solve our problems. All we know is that we're going to be surrounded by data centers through construction noise, through blasting that's going to damage our homes. Yeah, I know we're supposed to have legal protections for that, but none of us believe that we'll be protected.

[01:59:31] We don't have any faith in the system, and you're rushing this through when there's an open supervisor seat just adds to our frustration and lack of trust. And so I really wish you guys would slow down and try to address the concerns of homeowners that are going to have data centers in their backyard.

[01:59:51] We have data centers built 100 feet from my backyard, And there's going to be, between all the complexes together, probably 40 data center buildings. And there's been nothing to be done to address our concerns about the noise, about the noise crossing from different developments, what they're going to do with the blasting to make sure we have protections on our homes.

[02:00:17] And I don't know if any of you are familiar with that area, but a long time ago, it was slated to have a quarry there because there's a lot of rocks there. And when they did the blasting for Mango Farm, which is the farthest development away from us, we had homeowners had things falling off their walls, things falling over.

[02:00:38] I believe some even had damage to their foundations. And so there's nothing the county is doing to help mitigate these data centers that are being put right in our backyards. And so I urge you not to move forward with this, not to build trust in the system, to take adequate community comment, to have a full board of supervisors, especially because one of the districts is the Gainesville District, which has a lot of data centers in it.

[02:01:08] So I urge you to try and build some trust with the community, try and do something to help the homeowners that the board has voted to surround our communities with loud, noisy data centers. Thank you. Next speaker, please.

[02:01:28] My name is Robert Pixley. I live in the Great Oak District, or Housing Development. I've talked to you before, and I'm hearing the same thing from other people. We don't see that much is being done

other than now submarining our good faith attempt to come to some sort of agreement on how to regulate all of this.

[02:01:51] We talk about things, and then as soon as there's an opportunity, the board, you know, the DC OAG is disbanded, and now we're rushing this through with a seat that's missing. I'm also disheartened to hear other topics discussed today where there was a definitive clear, we want to get data. We want to get good data before we make a decision. And now we have a proposal to scrap good data and just take something that somebody made up, somebody who's been against data centers, or not been in favor of data centers, they just made up. We're going

[02:02:29] to use that that's a crazy way to go about this and it's hypocritical frankly um we we talk about one of the things i remember the data centers asked was could we run our our generators during high power things and violate the clean air acts and fortunately that was denied well how would they violate how would we know they violated the clean air acts i assume there is some sort of monitoring process for air quality why is there nothing for sound quality we should have require measurement, ongoing measurement microphones that measure at the edges of their properties.

[02:03:05] That way we don't have to triangulate where it comes from. That's been mentioned as a problem. How do you determine where it's coming from? If you have something on three sides and they're all one decimal under the limit, you're going to be over the limit, but nobody technically is over the limit. Who do you blame? You have to come up with some way to handle that. They're not technically in violation, but there is harm being done because we've allowed things to be cited so close to residential neighborhoods. Another argument against regulation is that we have other dwellings or other businesses that cause noise, like hospitals. They run 24-7, but if you

[02:03:45] live near a hospital, you get a benefit. You're close to a hospital. If you live near a grocery store, they're going to have AC units that are running all the time, but you live near a grocery store. You could walk there. If there is a restaurant, they're probably not open 24-7, but now you can walk close to entertainment. That's a benefit for most people, a walkable community. The VRE is something I'm experiencing now. I retired last year, and my schedule is just that I'm up quite late. And I live more than a mile away from the VRE, and I can hear it every

[02:04:19] day at 3.30 when those engines kick on. Every day. It comes through the walls. But the VRE provides our community a great benefit there are trade-offs what benefits do the data centers provide us other than money and a minuscule amount of employment which every other business in this county does as well so they provide us no benefit and yet we're giving them all of this extra

[02:04:42] leeway thank you for your comments next speaker please good afternoon my name is martha henley and i'm here to bring you a resolution from the prince william county republican committee

[02:05:12] I am in the Gainesville District. I've lived in the county for 57 years now, and the resolution here concerns really just two matters about this noise ordinance.

[02:05:35] The first is you have a group of citizens appointed to a citizen committee that haven't been heard. we'd love to hear from them that's called transparency and you know as well as uh they they had uh several consultants it cost the county a lot for that and we would like to hear uh what what they concluded secondly is about representation uh really uh Gainesville is

[02:06:11] suffering with having that empty seat up there that I'm looking at and it would not take long the election is next week, that we could have a representative sitting with you up there on the dais. I will read you the resolution here. Whereas it is the intention of the Board of County Supervisors to vote on a data center noise ordinance just one week before the seriously impacted Gainesville District has the opportunity to elect a representative to the board,

[02:06:46] And whereas four Democratic members of the board voted October 7th to disband a citizen advisory committee that had worked for two years with expert consultants to address the unique challenges of noise from data centers. and whereas both the Republican and Democrat candidates for Gainesville Supervisor have voiced concern about the inadequate regulation of data center noise, therefore the Prince William County Republican Committee recommends or commends the supervisors who oppose the politicization of the decision-making process

[02:07:23] and urges the Democrat supervisors to show respect for their candidate in the Gainesville race by delaying a vote on the noise ordinance until a new Gainesville supervisor takes office so that all citizens of the county are represented in this matter, especially those most heavily impacted. And I have a copy here for you. Who do I give that to? You may give that to the clerk.

[02:07:52] They'll come back and get it from you, ma'am. All right, before I call up the next speaker, I want to call up my next group of five, and that is going to be Henry Polgar, Patrick Harters, Barbara Benny, Irene Kelly, and Neil Kelly.

[02:08:20] So if you guys can make your way to the back, and the next speaker, you may go ahead and speak. Hi, my name's Michael Slater. I live in Four Seasons. I've seen you folks before, and right now I'm starting to feel like an old horse that's been ridden hard and put away wet. And that's because for the past several months, we have endured sleepless nights and gnawing anxiety in wondering what will become of our homes because of proposal to put data centers in our backyards.

[02:08:49] On the morning of October 17 of this year, CNN reported that average household electricity costs have risen more than 20% in the last two years. And one of the major causes, they said, is the rapid expansion of artificial intelligence and data processing centers.

[02:09:08] National news. And over time, national news has focused on various counties in our nation because of attention-grabbing, motive, emotive issues. And it's only a matter of time before that spotlight shines on Prince William County because we are the nation's hub of data centers.

[02:09:29] And when that happens, the headlines will write themselves, soaring real estate costs, small businesses squeezed out, schools and neighborhoods ignored, quick decisions made prematurely without representation of all county districts.

[02:09:48] And reporters will be asking that deciding question, who is allowing this to happen? And the answers will be obvious. The names of our board of supervisors will rise to the top, just like fine cream. And their voting records are a matter of public record.

[02:10:06] We'll have the yes votes, the campaign contributions, the implied and secretive conflicts of interest. All of it will come to light on a national level. The truth always does. If you don't think so, we've got some folks who have the mechanism and the equipment to get it to that national level.

[02:10:29] But the solution's easy. The voters and the officials they elect should be on the same page, all of one accord. And I ask you, are they? I don't think so. So, members of the board, how do you want to be remembered? Will you be the champions who safeguarded the county's integrity or the silent perpetrators of a preventable tragedy?

[02:10:52] History will decide, but the choice is yours. You can make history. Make no mistake, your vote will carry consequences. The public is watching, and the people of this county have a long memory. Come election time, we will remember who stood with the residents and who did not.

[02:11:12] Accountability is inevitable, and the record will speak for itself. Thank you. Thank you. Next speaker, please. Hello, my name is Henry Polgar, and I'm from the Potomac District.

[02:11:28] And this is a statement, a short statement, on behalf of Lisa Polgar and myself. Dear Chair and Board members, we want to express our deep concern that this Board will be taking on a noise ordinance vote introduced by Supervisor Bode that does not reflect the recommendations of the Data Center Ordinance Advisory Committee.

[02:11:50] The election results for the open Gainesville seat will be in a week, and the new supervisor will be in office the following day. What is the rush to vote on such an important ordinance where the most affected district by data centers will not have a voice?

[02:12:06] The late Bob Weir, who was a champion for the residents of the Gainesville District in opposing the explosion of data centers in residential areas, was a strong advocate for the Data Center Ordinance Advisory Committee, which has been summarily disbanded by this board.

[02:12:25] at least have the respect for his memory and his commitment to his community and wait until that district is represented to pass a noise ordinance that reflects the results of the Data Center Ordinance Advisory Committee. We urge you to delay a vote on a noise ordinance until the new supervisor takes office and until a noise ordinance is drafted that does not bow down to industry but takes into account the communities that are detrimentally affected by harmful data center noise.

[02:12:58] Thank you. Thank you. Next speaker, please. Patrick Harders, Gainesville District. First of all, I'd like to commend each of you on pushing the TDR program forward on Supervisor Gordy for working on that.

[02:13:17] That's a powerful tool to help preserve open space, our forests, our streams, our rivers, and great job with that. I love seeing that today. So often we see Prince William is one. We hear about Prince William is one, and there's been so much progress made.

[02:13:34] You know, from where we were at five years ago, I don't know if you remember the 24-hour meetings, the 16-hour meetings, the 18-hour meetings, where it was just chaos. And Prince William County was not one. It was a divided county. There was fights. It was chaos.

[02:13:50] And so much progress has been made over the last two years. We've seen the board working together. We see Bob Weir as an advocate, not just for the Gainesville District, but for everybody in Gainesville, everybody in Prince William County. Bob, we understood that, you know, how one community is affected affects the rest of our county.

[02:14:13] And each of you have demonstrated that as well. And we've seen so much progress. This month, as we're in this election that's been going on, has been discouraging for the Gainesville District.

Because we saw the work being done by citizens in the D.C. O.A.G.

[02:14:32] And we saw what they were preparing and the innovative solutions they were coming up with. and we saw that dismantled. Now we see this new ordinance coming in, and we do need a noise ordinance. We do need to lead the way. We do need innovative thought, but we are one week away from an election, from allowing the people to speak. And as you know, as supervisors, it's more than just a vote. That's not all you do. You don't just sit up here and vote, but it's the dialogue that happens beforehand, meeting with planning staff, meeting with citizens, your perspective, talking to

[02:15:07] other supervisors. We have not had that this month. And so I simply ask that whether it's myself or my opponent or whoever is sitting in that chair just next week, that you defer this vote today. We make certain we get this right. We make certain that Gainesville, the Gainesville district, which is affected by this, has a voice, has a representative, and that you give that opportunity. That is truly acting as prince william is one and that is what we simply ask is that we have proper representation

[02:15:43] that we have a voice that we have a representative on the dais that is serving us thank you thank you next speaker please good afternoon board i appreciate this time to talk i'm barbara benny i live in the potomac district in the beautiful four seasons 55 plus community i am here today before the board votes on a watered-down version of the noise ordinance that will not protect any Prince William County communities. I am opposed to any noise ordinance which will lessen the noise

[02:16:20] requirements of any development near residential communities. Many of the Four Seasons residents are in their 70s and 80s. We are at risk for noise impacts due to changes in sleep, illness, and all the other challenges that come with aging. The noise ordinance approach proposed by Supervisor Bode's document will be grossly ineffective. Specifically, I take issue with a change from octave bands to the C-weighted filter, which allows six more decimal points.

[02:16:50] This matters because our community will hear the data center and the traffic eventually from Van Buren Road, and we already hear traffic from 95 day and night. Using octave bands would allow a professional to separate data center noise from Van Buren traffic and the data center. Think of the octaves on a piano keyboard each make its own tone, its own frequency, and can be hit lightly or harder to create some intensity. Intensity by frequency is inherent in octave bands providing a unique signature for each data center building that can be isolated from traffic noise. The

[02:17:28] proposed C-weighted filtered decibels removes all that information to one number averaged over all the frequencies. Further, it filters out some of the worst low-frequency noise, so you won't even know that it's being captured on the meter. It won't pick it up. If the proposed Lexora project is approved with these noise changes in the proximity to Four Seasons, the residents will hear and feel more noise frequencies at their homes. We will be closer to the proposed data center than the current Great Oak community who hears and feels a noise from the Amazon centers.

[02:18:04] we're closer the proposed noise changes also removes all penalties i'll skip over that because i'm running out of time so please say no to the watered down noise ordinance and revert back to the expert developed provision for which prince rovin county has spent a million dollars of taxpayer money for noise and zoning they consumed over 2 000 hours 60 meetings numerous field tests experts vote no to watered down noise ordinance reinstate the prince rovin county data center Ordinance Advisory Group, approve the expert and advisory group noise ordinance approach.

[02:18:40] Protect Prince William residents, protect us voters. We matter, we care, we live here, we love this area. So please, please listen to us. Thank you. Thank you. Next speaker, please. What she said. No, hi, I'm Irene Kelly from Gainesville. And I laid in bed this morning, And I said, I knew I was coming here.

[02:19:06] And I said, what can I say to you folks to really have you understand where we're coming from in terms of our needs as your citizens? And Supervisor Angering, that was mean what you did.

[02:19:27] I mean, we're is only dead a couple of weeks. And you throw out that whole community, what are we calling it, the data center ordinance group. That was community. And you threw it out knowing that Weir wasn't here to vote.

[02:19:44] And I think that's mean. That's just downright mean. Supervisor Bodie, you have a baby and you have kids. Maybe some of you have grandchildren. We need to show them what a government really does.

[02:19:59] And it should be listening to its citizens giving it a fair deal. We don't have representation. Please hold off. Please wait. That's all I can say. Thank you for at least hearing us, I hope.

[02:20:18] All right, sir, before I get to you, I do want to call up the next group of speakers, and that is Carol Bell, Ross Kerr, Stephanie Chartrand, Charles Seltriman, and Margarita Weiland, if you can all stand in the back. All right, sir, you may proceed.

[02:20:44] Good afternoon. My name is Neil Kelly, and I am a resident of the historically unrepresented district called Gainesville. It's once again deja vu all over again as a great baseball philosopher said that here we are united speaking in front of the board asking you to consider voting no on something that your citizens advisory group has said no to. When the citizens advisory group came out and issued their report and requested these noise ordinance be put into effect what was your reaction? To have a public hearing on it? To discuss it openly? To have a town hall on it? No.

[02:21:21] it was to tell them, thank you very much for your services and have a good day, and we're going to come up with our own. These people wasted two and a half years of their life that they devoted to trying to make Prince William County a better place, and this is how you show your respect and thanking them. You want people to participate in your government and your process of the government, and then this is what you do to them.

[02:21:42] It's not surprising that you didn't like the ordinance because it took so long to get here, but relatively speaking, compared to what we're waiting for the water study, it was done in meteoric rocket time. So if you cannot find it in your heart today to vote no for the noise ordinance, please at least consider it until we get a representative to represent Gainesville. Because once again, I am embarrassed to be a resident of Prince William County. The J-Lock Commission report that came out pointed out the numerous flaws on how Prince William County is leading the way in the downhill race to be overpopulated,

[02:22:18] oversaturated and over concerned with our data centers that one of the roles of government is to protect the citizens and provide for its safety. You're not doing that because you're ignoring our health, you're ignoring our hearing, you're ignoring the volume that we're going to hear from this noise consistently. You're ignoring us because of the lack of vegetation in the green trees that produce oxygen and you're also ignoring us because the water study was never done. So if you can't vote no today, at least wait until we can get somebody to sit up in that chair and as has been said, both the candidates as a bipartisan thing have said that they would be in

[02:22:52] favor of continuing the noise study and continuing the data center overlay group. So please bring them back. And the gentleman who suggested to make them a full-fledged commission, I wholeheartedly agree with that because that might make it a little bit more rougher for you to decide to pull a plug on the next group you don't like what they're saying. So with that, I'm going to say have a nice day. All right, next speaker, please. Thank you. My name is Carol Bell and I reside at of Four Seasons. And I'm going to ask people to make sure that you bring the mic a little closer

[02:23:28] if you stink. So I want to make sure that we can hear you. My name is Carol Bell and I reside at Four Seasons Historic Virginia in Dumfries. The senior communities are sanctuaries of rest, reflection, and connection. They are built not just with accessibility in mind, but with emotional and environmental tranquility as a priority.

[02:24:02] The quiet streets and peaceful environments of Four Seasons of Historic Virginia are meant to be a refuge, a place where older adults can enjoy their golden years in comfort. That is the reason why we, and I believe every other senior, bought into Four Seasons.

[02:24:26] We recognize that technology is advancing at a rapid pace. However, the proposal to place large-scale data centers in and very near our Four Seasons community hosts many problems.

[02:24:53] I'm just, I'm sorry, I'm just, my eyesight is not so great. Do you know where I was getting at, Wayne? While we recognize that data centers are essential for modern technology, rather than placing them in our community, why not locate them in an industrial zone?

[02:25:27] Data centers are industrial facilities that clash with the needs of a senior community. The constant noise, environmental pollution, and strain on essential resources are direct assaults on the peace, health, and well-being that our neighborhood is designed to provide. We must advocate for thoughtful, responsible zoning that protect our senior

[02:26:03] citizens and preserve the quality of life that we have worked so hard to achieve. Thank you so much. Thank you. Next speaker, please. My name is Ross Kerr, Gainesville Heritage Hunt. I am sure that I share the sentiments with others as to why we still have to attend these meetings and speak up

[02:26:37] against the unrelenting growth in data centers. The reasons for our speaking out apparently have no end as you, the supervisors, especially the four of you from the eastern side of the county, have absolutely no shame when it comes to ginning up additional reasons for continuing the unrelating erosion of land in the western side of the county. You have reached new lows in the recent weeks with the voting to eliminate the advisory group you originally set up to work out reasonable and common sense controls to put in place. Apparently working together, especially

[02:27:16] when you don't get the results you want, is not in your interest. Or stated in a more likely way, the results are not in the interest of your handlers, the data center industry, and the big money classes. Compounding now, this now, is the proposal dreamed up by Supervisory Bodie to put in place some half-baked proposal that hasn't been vetted or thought out. And all of this is being done when the Gainesville district is again without representation. The big question

[02:27:52] for you supervisors, especially from the eastern side of the county, is have you no shame? How many of these monstrous data centers, buildings, will finally be enough? When no more land is available?

[02:28:08] When cooler heads prevail and you lose an election? When will effective noise controls and oversight be implemented? Apparently, the real issue is that money sure does talk very loud and clear. There's plenty of money being spread around and apparently has found its perfect home here in Prince William County, especially in the eastern districts. Again, the big question for all of us is, have you no shame? Unfortunately, the answer seems to be a resounding no.

[02:28:42] Next speaker, please. Good afternoon. I'm Stephanie Chartrand from the Gainesville Magisterial District for 40 years. So, thank you for the opportunity to speak with you today. I am hoping that, Supervisor Bailey, I hope you will embrace a statement that you made on September 9th during your supervisor's time, where you mentioned the phrase, one Prince William.

[02:29:17] And I liked what I heard, one Prince William. You said, we are one Prince William, September 9th. So what does that mean? It means the East and the West think about the impacts of their actions to the other part of the county, the whole county.

[02:29:36] So to me, one Prince William is transparency and having the report out from the working group of citizens and experts who worked for the last few years on a new noise ordinance for the data center industry.

[02:29:56] That's what one Prince William looks like. It's transparent. One Prince William also looks like eight votes on this critical decision that you're looking at today.

[02:30:11] It's not seven minus one, one representing up to 70,000 residents, me included. So, Supervisor Bailey, I hope you will embrace the words you said on September 9th, we are one Prince William. We should have each other's backs. And that, to me, what does that look like in this decision before you now? It looks like a no or a delay until we get a Gainesville

[02:30:42] supervisor who can represent us, 70,000 of us. So it also looks like sharing, having an out report from the noise ordinance group made public. We want to see what these brains put together over two years what the county spent good money on over two years we want to see that so please be transparent we are one prince william and i hope your vote will reflect that thank you next speaker

[02:31:18] please uh my name is charles seltman i've been a gainesville district resident for 44 years

[02:31:29] i am here to protest the voting today on action 7j once the election is over all is fair hi my My name is Margarita Moylan, and I am a resident of the Gainesville District for 23 years.

[02:32:07] I'm here to ask for you to please defer or deny the noise ordinance proposal being presented to you today. How does this board disband a data center ordinance advisory group that was established to address the noise limits and developed from two and a half years of detailed work with two nationally recognized industrial noise and acoustic experts that you approved and paid for through our tax dollars.

[02:32:40] Instead, the board is willing to fast track a new plan developed by Kenny Bode, who along with Franklin, Angry, and Bailey voted to prevent any meaningful public safety ordinance brought forward by disbanding the coalition. This is a travesty to the county and once again done when the Gainesville district sits unrepresented. The counties most impacted are being silenced.

[02:33:16] The ordinance that was established by the coalition provided the guardrails necessary to provide some relief from the noise impacts from data center industry that cares more about their profits than protecting the citizens' quality of life. Not one of you who disbanded the group live near a data center

and don't have any in your district. Your conduct has betrayed your duty to protect the citizens of the county. Remember, you serve us all, one Prince William,

[02:33:55] not just your district. Thank you. All right, let me call up the next group of speakers and I have Dale Brown, Catherine Kulik, Nancy Armour, Nicole Riley, and Kyle Hart. So again, that's Dale Brown,

[02:34:13] Catherine Kulik, Nancy Armour, Nicole Riley, and Kyle Hart. So I represent the Great Oak Homeowners Association. I'd like to request five minutes. If we're ready, I'll go ahead and start. My name

[02:34:48] is Dale Brown. I've lived in Great Oak for 32 years. I was the president of the HOA when all this started. It's safe to say that we're here talking about the noise ordinance today because of Great Oak and because of what I brought to this board year over year over year, now been three and a half years of recording data, of fighting. Back in April 2022 is when we got the first complaint. It took about three months to get Amazon to the table because Great Oak was the first data center affected community. Supervisor Vega, I want to thank you because that first meeting with Amazon would have never happened without you helping to facilitate to get that going.

[02:35:26] You've stayed engaged and you've helped us all along the way answering questions and checking in to make sure we were doing okay and that we were getting what we needed from the county. So thank you, ma'am. You have been instrumental and helpful. Supervisor Gordy, you were at that first meeting with Amazon in the home of one of my neighbors.

[02:35:45] I remember very, very well. You were not a supervisor at the time, but you were very interested and very concerned, and you shared a lot of information about the noise fight that you had at the Oceana Naval Air Station. I remember it well, and that experience of yours has helped you stay engaged and helped you facilitate us getting to the point that we're at through the DCOAG and everything else.

[02:36:03] So thank you, sir. I appreciate that. Madam Chair, you have been out to the community multiple times. You check in with me periodically to make sure that we're doing okay and to find out if anything's changed and anything else. Your leadership and your support has been a stalwart help for us to get through and to get to the point that we're at.

[02:36:25] I've been a resident member of the DCOAG for the last two and a half years and fighting Amazon for three and a half years. I have made every one of the 60 meetings. I've been in here and briefed multiple times, so I've done my part, spent many, many hours, a great sacrifice to my wife and family in order to work through this.

[02:36:44] This is not the conversation I expected to have. I expected us to be voting on the DCOAG expert-approved noise ordinance that was blessed also by the resident members. This is happening, this conversation, this errant conversation is happening because the staff introduced a six decibel interim noise standard, moving things up.

[02:37:05] And then Supervisor Bode, you took your ordinance and adapted, took the same six decibels, and then on top of it, you removed the octave bands. The octave bands will give us a frequency signature, as Ms. Binney from Four Seasons said, that will allow us to separate and isolate.

[02:37:22] that signature will allow us to pinpoint which data center is making the noise. In Great Oak, there will be 14 campuses and 25 data center buildings surrounding us. Tell me which one is making the problem. So the 6-decibel increase is arbitrary, should never happen. For purposes of comparison, since

September, when Amazon completed what they were doing, September of 2024, Amazon reduced their noise level to 62 decibels, and it's been averaging 62 decibels since.

[02:37:50] Your ordinance, Supervisor Bodie, said 68 at night, 6 decibels higher, and 73 during the day. And it's intolerable at 62 decibels. That is a failed proposal. We cannot keep going here. We know that Supervisor Angry and Supervisor Bodie, the steps you took this month was nothing but industry meddling and also influenced by the Chamber of Commerce.

[02:38:14] You're not representing the county. You're elected to a seat to represent your district. But when you vote and you make decisions, you're voting for every resident in this county. And you need to take that seriously and take that to heart because you're not helping Great Oak. You're not helping Four Seasons. You're not helping Silverleaf. You're not helping Amberley.

[02:38:31] You're not helping any of the Gainesville data centers that are going to be surrounded by 34 and 37 different data centers. So from that standpoint, you have to vote no on this. I want to go to to talk to Supervisor Bailey. You see all the green shirts in here, ma'am, and those shirts are here because I asked them to show up.

[02:38:50] I also helped them, sent them a document, which you've all seen now, that helped them frame what they were going to say. All right. That's 800 homes in your district that you're going to lose because you're supporting an HOA board that wants a new kitchen being promised by a data center.

[02:39:05] You really need to rethink because those 800 people, over 55, last time I checked, I think they're of legal age to vote, and it will hurt you. So please rethink your position on this, because you've got some citizens who are going to be hurt, vulnerable citizens are going to be hurt by this.

[02:39:22] So I ask that you all take this very, very seriously. And also note that we need to go back to the octave bands, especially in Four Seasons, because Van Buren Road will now be between that and the data centers. Separating that traffic noise from the data center noise will not be possible with a single DBC number.

[02:39:41] It just won't be easy. And I know you can use the octave bands as advisement. The meter collects the octave bands on its own. It's not math. It's not hard. So thank you very much, and I appreciate your time today. All right, next speaker, please.

[02:40:04] Good afternoon, Madam Chair and members of the board, and Catherine Kulik, HOA Roundtable of Northern Virginia, and a member of the Data Center Ordinance Advisory Group. The DCOAG began work in July 2023, but after a year, it was clear the issues associated with data center noise required considerably more expertise than the general consultant, JMT, could provide.

[02:40:30] They were supposed to bring on additional expertise but failed to do so. Then, the staff engaged David Nelson, a nationally respected board-certified acoustic noise control engineer, to guide development of noise limits and enforcement. At his urging, more than 50 tests of various residential and business sites across the county ensued to understand the current acoustic environment of various communities and what the unintended consequences might be on other uses such as general business types, utilities, and schools.

[02:41:01] With that information and decades of acoustic engineering education and experience, he developed a carefully designed set of octave band limits that he said, and I quote, in the report that you

have in your packet, they are necessary to account for the frequency-dependent sensitivity of human hearing, unquote.

[02:41:20] But the industry and Chamber of Commerce complained the levels were too restrictive and criminal penalties would be unfairly assessed. To address these issues, noted expert Eric Zwirling from Rutgers University, was brought in to address enforcement and measurement techniques to ensure the proposed ordinance octave bands affected only 24-7 continuous low-frequency noise sources.

[02:41:42] The work was detailed, technical, and two problems were challenging these experts. One, capturing and confirming the high levels of low-frequency noise residents were experiencing in the county, and two, isolating them from ambient noise such as traffic.

[02:41:58] and the ability to attribute them to a specific source, particularly when multiple data centers or campuses are potentially nearby violators. Then, in July of this year, during multiple days of testing carefully guided by David Nelson, a breakthrough happened.

[02:42:16] Simple. He advised putting the meter on a 15-foot pole to simulate the location of a typical second-story resident's bedroom. And the readings came in much higher. Just as the residents had claimed and measured for three years. It was a dramatic turning point that validated Nelson's proposed limits.

[02:42:35] But the issue of enforcement and ensuring there would be no unintended consequences also needed to be confirmed. To address these issues, expert Eric Swirling recommended the octave bans for only noise violators that were confirmed 24-7 continuous. The vast number of existing county businesses and other entities would be regulated under the current ordinance.

[02:42:57] that has been in place in this county for 35 years and for which no violators have ever received a day of jail time as a penalty. Zwirling also recommended a set of well-established locational guidelines for placement of the meters to ensure noise captured was from the violators and not ambient noise such as traffic.

[02:43:16] Nelson recommended the octave bands also are key tools to identify and regulate the actual source of the noise by identifying their particular noise signatures. The octave bands are essential elements, and as part of the regulatory framework, they are not a nice-to-have, quote, advisory tool.

[02:43:32] Far from complicating enforcement, Zwirling's work simplified the process and made it abundantly fair and straightforward. At least that's what any reasonable observer would conclude. But as soon as the experts zeroed in on the solution, things started to unravel.

[02:43:48] The undermining began. A staff member unilaterally and arbitrarily relaxed the limits proposed by a whopping six decibels without seeking advice of the expert consultants, and this was to allow the industry to more easily comply. Then, Supervisor Angry, you engineered the disbanding of the DCOAG, a citizen-based advisory group that worked two and a half years, 2,000 hours, 60 meetings, numerous field tests, experience surveys, and an extensive review of authoritative medical literature.

[02:44:17] Why? And if that wasn't chaotic enough, Supervisor Bode came up with his own version, jammed through for a public hearing today by suspending regular order. Gee, what's the rush? Sir, in your Inside NOVA article, you say, I appreciate all of the work and research put in by the county staff of the advisory group.

[02:44:34] However, I spoke to local businesses, utilities, and even schools. It became clear that ordinance that came out of this process would have chilled economic growth and been impossible to enforce. What? Did you actually read the expert's recommendation? They address all these issues, but theirs are based on facts and evidence.

[02:44:51] where did you get your clarity who was there taking the test who was there talking to the families who was there seeking these ordinance limits and writing the procedures the dca oag didn't write the proposal sir the expert did don't rush forward with this please vote no and put this through a process and let's see what your what the experts have to say about your proposal that's the way to do this and serve the public interest thank you very much next speaker please looks like we

[02:45:30] have a fancy podium now. Hi, I'm Nancy Armour, and I am from the Occoquan District. I've been a resident for over 38 years. Thank you, Madam Chair and Supervisors, for the meeting and for hearing from the residents today. A few weeks ago, the Governor of the Commonwealth of Virginia was in our county to celebrate the opening of the Mental Health Crisis Receiving Center, an innovative approach that would help citizens of this county. Several years ago, the Board of Supervisors formed the Data Center Advisory Council. One key issue they were tasked to address was noise levels.

[02:46:09] Experts were finally found in a process to identify where noise originated from and the levels was created. Instead of continuing this groundbreaking innovative work, the Data Center Advisory Group was dismissed. The data, including the testing process created by the experts, was also dismissed. Innovation was shut down. There are people all over the world and county and state that were looking for this important data because they wanted to learn from what Prince William was doing. But that's been shut down. And why? Why? You dig down deep and you think, what is the rational

[02:46:48] reason for that? I can't figure it out. So now tonight we have a critical vote for an arbitrary ordinance before the board with no representation for the Gainesville citizens. So I ask the board to please defer the vote until we have representation for the Gainesville citizens.

[02:47:10] we also need to have a meaningful noise ordinance that includes open discussion of results from experts we paid for and recommendations from the data center advisory group and we need to do some testing to see the impact of any proposed ordinances that are on the table today what does that have to do with anything does that ordinance solve the problem and protect the health of our citizens also regarding agenda item 10a we don't get to talk about that today as a public

[02:47:44] but my concern there is why are we paying for two engineers and I realize it's a part-time partial pay for the year so the proposal for 10A is to pay 200 plus thousand dollars for two engineers to measure noise levels for what we know probably isn't going to solve the problem so we have a whole bunch of citizens who live next to data centers today who could be protected with the proper noise ordinance and we have a whole whole bunch of more citizens in this county who have data centers that are

[02:48:24] going to be built next to them let's develop something that's going to help our citizens and be innovative and solve the problem thank you next speaker please hello good afternoon madam chair and members of the board my name is nicole riley and i represent the data center coalition thank you for the opportunity to offer comments this afternoon as the board considers the county's noise ordinance we appreciate all the time and work staff and members of this board put into this process, and we recognize

it's a complex topic. At this time, we continue to have significant concerns over deficiencies in this draft, and I would like to briefly speak to those.

[02:49:05] As we have consistently discussed, the lack of a grandfathering provision for existing facilities is troubling. Significant investments have been made by data center companies in good faith to ensure the buildings and design are in compliance with the current ordinance. While new developments can be calibrated to new rules, existing facilities could face considerable challenges to retrofit their buildings to the new ordinance a wholesale change and requirements should only apply to new facilities with existing facilities being grandfathered in the absence of grandfathering the county should issue clear guidelines establishing the process and standards for

[02:49:39] granting a variance cited in section 14 a 8 1 to provide new and existing facilities with realistic options for compliance this would include clearly defined modification criteria processes and timelines and the availability of a safe harbor while requests are being considered, as well as extensions for those who demonstrate a good-faith effort in taking steps towards compliance.

[02:50:02] Additionally, we are concerned the six-month delayed effective date does not contemplate the reality that engineering solutions take time and the supply chain challenges operators face in obtaining specialized equipment. The phase-in period should account for the average design, noise modeling, permitting, procurement, and construction timelines for major retrofits, which likely average 18 to 24 months per site it also lacks clarification that a civil enforcement mechanism will hold corporate entity entities accountable rather than criminal penalties for individual employees in short we urge the board to consider appropriate actions to address these

[02:50:38] deficiencies to ensure sensible noise standards aimed at protecting community health while also offering long-term regulatory certainty thank you all right next speaker please good afternoon my name is Kyle Hart. I represent the National Parks Conservation Association, a registered 501c3 nonprofit, and would like to request five minutes if that's possible, though I hope I don't have to use all of them. I will grant that. So NPCA, National Parks Conservation Association, is a

[02:51:13] nationwide nonprofit. We have 1.2 million members and supporters nationwide, 33,000 of those here in Virginia. My job is to protect national parks for present and future generations, a job I don't take lightly. Quite frankly, here in Virginia, the biggest threat to national parks, obviously both in Prince William County and beyond, is unfortunately data center development, unfettered explosive data center growth. The numerous environmental risks posed from data centers include, of course, water use, stormwater runoff, loss of land to industrial development,

[02:51:52] climate change from energy use, new power lines, dirtier air, loss of wildlife habitat, and yes, noise. I was appointed to the Data Center Ordinance Advisory Group way back in spring of 2024 to bring sort of the, you know, the opinion of national parks and parks around Prince William County to the discussion. And quite frankly, we've been hard at work with consultants throughout that whole time. So today I'd like to talk about this noise ordinance kind of in two

[02:52:25] parts. The flaws with the ordinance that is before you today as proposed, and of course the flaws with the timing, both of which you've heard from. First, as you're aware, the ordinance before you is totally deviated from those proposed by the noise experts that were hired by the county to the tune of nearly \$1 million to produce this noise ordinance. You've heard from many speakers today, but I'll just sort

of list a couple of them. The top line, which is our biggest concern, is the removal of the octave bands. As has been alluded to today, the octave bands allow

[02:53:04] enforcement to a specific facility. It was identified during the DCOAG process that simply looking at DCB or DBC only was essentially unworkable and impossible to really define whether the noise was coming from roads, crickets, or data centers. And the installment of the octave band measure was essentially identified as the solution to that measure as consultants. Our other concern is with enforcement. First, as you actually just heard

[02:53:38] from the data center coalition, we're not necessarily supportive of criminal violations for ordinance, but of course, state code currently restricts noise violations from being a civil penalty, so that change needs to come in the state code. After that, we'd love to see pretty stringent civil penalties, upwards of \$10,000 or more for violators, which would actually pose a significant financial burden to actually drive compliance to the noise ordinance. Now, our biggest concern here is obviously the flaws with the timing. As you're aware, both candidates for

[02:54:17] the Gainesville seat have asked for a deferral on this measure to ensure representation from the most impacted communities. You know, as we look at what is happening, this quite frankly reeks of an attempt to capitalize on the untimely passing of Supervisor Weir, who is of course a critical voice for the most impacted district, and that seat remains absent from this discussion. I asked sort of the board that if this was not the intent, if this was not the intent to capitalize on

[02:54:51] Supervisor Weir's passing, then why not defer and wait until that seat is filled? So in conclusion today, a strong noise ordinance protects national parks and communities in Prince William County. We were hoping that what passed in Prince William County could be utilized as a model ordinance in Virginia and beyond. And unfortunately, what is before you today is not that. This ordinance misses the mark on both enforcement and the actual ordinance itself and ensures that the work of nearly \$1 million spent on consultants in two and a half years from a citizen advisory board

[02:55:30] is essentially completely ignored. We urge you to consider those consultant expert recommendations and finally to pause this discussion until the entire county has a voice. Thank you. Thank you so very much. I am now going to turn it over to Supervisor Bailey for remote.

[02:55:52] Thank you, Madam Chair. Andrea, are we ready? Shall we continue? Yes, our first speaker is Elena Schlossberg. Ms. Schlossberg, please. Good evening.

[02:56:09] Good evening. So I wasn't going to speak because today's been a sad day, but I heard Bob on my shoulder saying, suck it up. So I'm here sucking it up.

[02:56:27] I want to address something that the data center coalition representative said about their significant investment. What about the investment of all the constituents of Prince William County who have had the quality of their lives impacted by the frequency and the sound?

[02:56:49] You know what I think? I think, does anybody remember the show Wife Swap? I think that before you vote on another data center or on this ordinance, you all should have to live in somebody's home who's dealing with this terrible 24-7 noise disturbance.

[02:57:16] That maybe would elicit some more empathy and better decisions. Transparency. There is such a stench of lack of transparency right now. The fact that the DCOAG was disbanded, we have not read their

report after two years, two and a half years of all this work, is just, it's not okay.

[02:57:47] And it doesn't look okay. Now, obviously, the biggest abomination is that that seat that Bob used to sit in is empty. And there are 70,000 residents who don't have a vote.

[02:58:04] But more than that, we don't have somebody on the dais asking really important questions. I do not understand why this board and why Supervisor Bodie would invite even the look of impropriety.

[02:58:22] So my recommendation is just defer it. It's the right thing to do. The Gainesville District, once again, it does feel like sometimes we are cursed. But we deserve to have somebody up there representing us.

[02:58:38] And I hope that you'll make the right decision. Thank you. Thank you, Ms. Schlossberg. Next speaker, please. Our next speaker is Rachel Ellis. Continue, Ms. Ellis. Hi, I'm Rachel Ellis, Gainesville District.

[02:58:57] I apologize for what appears to be an echo. That must be God saying you guys need to hear this twice. Recently, I thought to myself, okay, the Eastern Democrats are starting to see the western part of the county.

[02:59:15] I mean, there's one of you that can literally walk up to the person I'm speaking to, say hi to them, and totally ignore me. But then there are two of you who took the time to speak to me at Supervisor Weir's Celebration of Life. Two out of three is progress, or so I thought, until the vote to disband the Data Center Ordinance Advisory Committee.

[02:59:36] And then the directive that got us to this vote today, a vote on the noise ordinance that could easily wait until over 70,000 residents in Gainesville District have a voice. But in typical Eastern Democratic supervisor fashion, you are forcing this without proper representation for the whole county, without representation in a district that actually has data centers adjacent to people's homes, literally within a stone's throw.

[03:00:06] We deserve a seat at the table. Not one of you four, Bodie, Ingrid, Bailey, or Franklin, have constituents with data centers in their backyard. But here you are making decisions that directly impact other districts. The following statements are direct quotes from Supervisor Bailey in an opinion piece dated September 25, 2025.

[03:00:27] The board is asking tougher questions, demanding better data, and prioritizing public trust over expedience. This approach is exactly what residents have asked for, government that listens, learns, and leads. Let's discuss prioritizing public trust over expedience.

[03:00:44] How is forcing a vote without over 70,000 residents having representation gaining public trust? Literally one week from now, Gainesville residents will have a voice. How is this not expedience? Let's discuss government that listens, learns, and leads. Is anyone listening to the residents right now?

[03:01:00] There are actual residents that are living with a hell of data center noise. Who is listening to them? Have you and county staff learned so much that you know more than the acoustical engineers and other professional consultants the county hired at considerable expense? Or is it the money from the industry that you are listening to?

[03:01:16] It pains me to say this, but honestly, we are no longer one Prince William. We are four Eastern Democratic supervisors that continue to make destructive decisions in the western part of the county that

prioritize profit and donations over residents and their quality of life. We see the four of you pushing for a vote on something that does not and will not impact your residents. We see the empty seat for Gainesville District that is impacted by data center noise in this ordinance. And for those of you on this board that have aspirations of seeking a chair position in the future, we see you and will remember this. This board has zero trust zero understanding zero transparency do better wait until all residents have a voice

[03:01:54] on this ordinance which is woefully inadequate thank you thank you miss ellis next speaker please our next speaker is laura harders miss hard as you may begin hello um greetings chair jefferson and supervisors um i'm speaking you today just as a concern gainesville district resident um i am wondering why the data center ordinance advisory group was eliminated earlier we heard

[03:02:30] agenda items that valued uh the the input from advisory groups regarding towing and stray cats i ask that you consider reconstituting the data center ordinance advisory group to give a voice to the citizens and experts who have done years of research and put together reports along with staff for you to review. My concern is what has been removed from that report and findings from

[03:03:08] the DCO AG and not having the adequate time for supervisors to review the new proposed item that supervisor bode put together and also putting it into a public forum or a public hearing in which it is already to be decided upon while the gainesville district has an absent seat we also

[03:03:40] heard about removal of octave bands and i'm sure there are other items which the dc oag recommended which may be missing from what is currently before the board i ask that you please defer your vote and allow the election to take place so that a Gainesville district supervisor can be put in place and give the Gainesville district residents a voice. I would also mention that all of us

[03:04:15] doing virtual public comment are getting a continual echo and feedback. Hopefully you all aren't, but if Chris Graves or part of the tech team can fix that, it's really hard to talk and concentrate with your voice echoing back at you so that's just a little suggestion please but thank you all for your time and i please ask that you defer on the vote today thank you thank you miss harters and thank you for informing us about the sound next speaker please our next speaker is

[03:04:52] donna donna gallant miss gallant good afternoon oh yeah i got the feedback too it's terrible um Good afternoon, Madam Chair. We're working on it, Ms. Gow. Sorry. Oh, it's terrible.

[03:05:09] So I'm going to try and get through it. I am part of Devlin Defend Corporation, a 501C, and I would like to have five minutes. I hope I don't take those five minutes listening to myself. As a former member of the DCOAG, the actions taken by Mr. Angry are egregious.

[03:05:29] When this board voted to put the DCOAG in place, it was for staff and residential representatives to come up with. Can you guys still hear me? Yes, ma'am. Yes, we can. Continue. Oh, okay.

[03:05:47] For staff and residents to devise and come up with a new, as Chris Shorter said, a cutting-edge noise ordinance that will set Prince William County apart from any other district. That's what the charter of the DCOAG was. That's what the DCOAG accomplished. Taxpayer money was spent to bring in industry and world-renowned experts to help devise that cutting-edge noise ordinance.

[03:06:22] I heard Mr. Angry talk about an advisory group or some group that's been in play for 12 years with nothing accomplished. This group has been in there for two years and accomplished an astronomical amount of work within those two years. And to be thrown out like the trash is disgusting. And yes, I am

upset. I live in Amberley Station, the most egregious rezoning that this board voted on, where I will be surrounded on all three sides of my neighborhood

[03:06:57] in excess of 13 data centers. And then let's add insult to injury with Devlin Tech Park with up to 14. Do the math. That's a lot of data centers. Mango Farms has just come online and they're doing load testing and the tonal noise coming from there never had a noise problem before. My neighbor's HVAC doesn't bother me. The cutting edge noise ordinance would pinpoint, identify, and protect the residents. What you have in front of you today is a farce. It's not cutting edge.

[03:07:36] It's not going to protect the residents. Every data center proposal that you all voted on, What did you hear from every data center developer that sat in front of you and said, we're not noisy, we're good neighbors? At some point, at some point, it has been determined they are not good neighbors. They are noisy.

[03:08:03] Now, because of the actions of this board, it is on each one of you to act in the interest of residential communities, citizens, parks, to do the right thing.

[03:08:19] And what you have in front of you is not the right thing. Eric Swirling, David Nelson, came up with the octave bands. For that to be thrown out like the bathwater is unacceptable. This needs to be deferred.

[03:08:37] the fact that this is going so fast leads me to believe there's some nefarious actions happening behind the scenes. I haven't checked anybody's campaign contributions lately, but I'm sure if I delve into it, the proof is in the pudding. In addition, you have a Gainesville seat that is sitting empty. God, do I miss Bob. Bob had the chutzpah to stand up for what was right for not only the citizens and the residents of Gainesville, but all citizens, regardless of the district for

[03:09:14] which they sat in. Something I'm not sure any of you can wear that badge of honor, but Bob sure could. Bob engaged with residents that were not even in his district. As someone whose home is going to be adversely impacted by this, we need to get it right, and we need to put the right thing.

[03:09:35] And Supervisor Angry, Supervisor Bailey, Supervisor Franklin, and Supervisor Bode, I invite you to come spend a week at my house anytime you want to pack a bag, And you can listen to the tonal noise that permeates every wall into the core of your body.

[03:09:55] And after you've lived through it for about a month, I really would like you to think differently. And I guarantee you, your thought process would be very different on what you have sitting in front of you today. Supervisor Bailey, you talked about when all your green shirts were sitting in front of you in the last board meeting.

[03:10:18] Oh, we're one Prince William. Are we? Are we? You said, oh, I like that, that we're once Prince William. No, we're not. We're the East versus the West, and the continental divide continues in this county.

[03:10:34] If you cared about one Prince William, you'd make the right decisions for all of Prince William, not just your district. Because, Supervisor Bailey, you got a data center getting ready to come to the back door of your over 55 community.

[03:10:52] You, too, will start getting the complaints. We won't even talk about the construction that they violate. I have more calls to the police department than you could possibly imagine. When my life is being interrupted seven days a week, because why?

[03:11:07] The industry continues to break the noise ordinance that is in effect. Where does it stop? The buck stops with each one of you sitting on that dais to do the right thing. Because clearly, as of today, you have not.

[03:11:25] The right thing today is to vote to defer this. So you have the right noise ordinance that the DCO AG. Thank you very much. Next. Jessica Grove. Thank you very much.

[03:11:46] Continue, please. Good afternoon, Chair Jefferson and Board of Supervisors. My name is Jessica Grove, and I live in the Gainesville District. Ms. Grove, can you speak a little louder, please? I'm Brian. Thank you.

[03:12:02] I'm Jessica Grove. I live in the Gainesville District, which is affected by the data centers and the complications that they bring. And here we are again without any representation, and the BOCS is making decisions that affect us significantly. Preston County has lost several very important community members in the past few years, Kim Hosen, Dr. John Liver, and our favorite board member, Bob Weir.

[03:12:23] Recently, our only seat at the table has been the D.C. O.H.E. For that to be disbanded is terrible governance. The Board of Supervisors is an elected group that is supposed to act on residents' behalf to protect us and preserve our quality of life. We've had a group that was willing to volunteer to protect residents, and you act like they're a nuisance.

[03:12:43] Please let me remind you of the times that Dr. Liver told you about the cost to the county that they could incur when data centers were up and running next to schools. Bristow Beat reported, according to NASA scientist Dr. John Liver, data center noise would reach 85 decibels at Piney Branch and Chris Young Elementary Schools due to clustered data centers sitting on just 100 feet from the campuses.

[03:13:08] That's the equivalent of what one would hear standing next to a blender. Already, our supervisors approved such a project behind the community Amberley Station. By some estimates, it could have cost approximately \$10 million per school to build sound barrier walls.

[03:13:25] Hopefully, alternatives can be found, but nonetheless, sound mitigation will be an expensive proposition for the county. These costs will be passed on to the taxpayers, even as the county gave tax breaks to billion-dollar tech giants. In a November 2023 article, Business Insider wrote, quote, The noise disturbing Brooks and her neighbors comes from a data center known as True North, made by Compass Data Centers.

[03:13:50] According to residents, Business Insider spoke with, and the complaints obtained through public records, it's in Leesburg, over three miles away from Brooks' home. Residents described the noise like a propeller, a loud drone hovering 24-7, a big fan, a construction site, A low-frequency sound, an airplane engine, a helicopter, a freight train, a leaf blower, and a lawnmower.

[03:14:15] When you hear something like that, it feels like an invasion of your space, Brooks said. Deputy County Executive Wade Hugh wrote in a September 17th email, the business community, not just the data center community, is expressing significant concerns with the approach we are taking with the ordinance.

[03:14:32] They understand the ordinance won't impact their business, But they're concerned with a larger message this sends about the county's business atmosphere. What message is that sending? That you care more about business that won't, that this won't even affect, but you don't care about the residents you're supposed to be protecting?

[03:14:52] I hope you'll do the right thing and say no to this unvetted noise ordinance before you. And I ask that you reinstate the Data Center Ordinance Committee, Advisory Committee, and bring the noise ordinance that they helped develop back to a vote. Thank you, Ms. Grove.

[03:15:07] Next speaker, please. Our next speaker is Vita Carroll. Continue, Ms. Carroll. Hey, good evening, Vita Carroll, Brentsville District. First of all, I want to thank all of the members of the Data Center Ordinance Advisory Group for all their time.

[03:15:32] I mean, this group met twice a month. During business hours, these people had full-time jobs, lives, and they volunteered their time for the betterment of this county. And I especially want to acknowledge Dr. John Liver. Four years ago this fall in 2021, fall 2021, I came and spoke in front of the board for the first time regarding data center sprawl into this county.

[03:16:04] And it is so disheartening that four years later, we are here having the same similar conversations and we are having the same gaslighting comments from supervisors on this board.

[03:16:23] If you want to protect small businesses and the spirit of small economy and business in this county, then what you need to do is eliminate by right data centers, which are driving up the property values for businesses like Merrifield Garden Center, which are creating an insane real estate land grab.

[03:16:47] It is not to pass a sham data center noise ordinance. Just three days ago, the BBC released an article about data center noise, and the focus was Loudoun County and Prince William County.

[03:17:03] The world is watching what this county does, and voters and constituents are watching what this county does. You are public servants. You serve the public. I hope you remember that when you vote today. Bob, I mean, Bob would be disgusted with this. I think that, again, this isn't the conversation.

[03:17:29] It is different than four years ago because four years ago, it felt often like we were standing up there alone. But now the world is watching what happens in Virginia and in Prince William and in Loudoun County. And you cannot hide behind a sham ordinance. You will not get the headline that you passed a groundbreaking noise ordinance. No. The headline will be that you undermined the community and you passed an ordinance written by and written for the most wealthy industry in this country

[03:18:03] for on the backs of the people who live here. Absolutely, you need to do better. I'm absolutely disgusted with what this board has done without your conscience bob over your shoulder. It's unbelievable. It's unfair. Thank you, Ms. Carroll. Next speaker, please. Our next speaker is Karen Sheehan. Welcome, Ms. Freeman. Continue, please. Hello. My name is Karen Sheehan. I'm in the

[03:18:43] Gainesville District, and I request five minutes representing the coalition to protect Prince William County. Yes, ma'am. Please continue. As most of you are already aware, in my program management role at Time Warner Cable, I was responsible for decommissioning one of our data centers when the company consolidated data management and storage operations into one massive facility in Colorado. For over one year, I worked personally and closely with the employees

[03:19:23] at the local facility and became intimately aware of data centers and their impacts, both inside and outside the building. There were hundreds of off-site employees who came to the facility as needed for periods of time throughout the work week. There were only three full-time on-site employees. Each of the on-site employees did something to protect themselves from the

[03:19:55] exhausting effects of the constant hum from thousands of computer servers, cooling fans, and rooftop air conditioners. Most notable were the large, expensive, noise-canceling headsets they continuously wore over their ears. Even some of the off-site visitors brought headsets.

[03:20:20] There were many times I had to tap the guys on the shoulders so that we could have a conversation over the hum. They would temporarily move the headset around their neck and then snap them right back into place over their ears as soon as we were finished talking. They told me that the headsets prevented most, but not all, of the hum from getting through. And they found that if they didn't wear the headsets regularly, that their time away from their jobs, particularly getting

[03:20:53] a good night's sleep was adversely affected. That hum was heard and felt by all who lived around that data center. Then there were the times that they ran the monthly tests of the diesel generators. All the generators would be turned on simultaneously to run for 10 to 15 minutes.

[03:21:17] The noise outside around the community was truly deafening, so much so that cars driving by slowed down to figure out what was going on. This is not hyperbole.

[03:21:33] This was my real, tangible experience at a data center for many months. One data center that pales by comparison to the multiple gargantuan data center buildings totaling 87 million square feet, which the county board of supervisors have enabled and approved to be built across Prince William County.

[03:22:03] The disregard by this county for residents' concerns about noise from data centers is absolutely stunning. The disrespect of citizens who spent over two years engaging experts and working to advise the board with world-class, common-sense noise ordinance recommendations is simply beyond belief.

[03:22:32] The four supervisors on the eastern end of our county, Bodie, Franklin, Bailey, and Angry, who voted in a surprise move to disband the DCOAG, are not representing the people of this county.

[03:22:48] They are bending to the will of their benefactors, benefactors who wine, dine, and fill their coffers, benefactors who demand the fealty of the supervisors at every twisting, turning gyration that they put us through with their march to industrialize everywhere they want to.

[03:23:09] I do not want any Prince William County resident to be beaten down, stressed, and exhausted by the continuous hum from all the data centers that are going to be surrounding our homes and schools across the county because of the board's data center approvals.

[03:23:29] This board is rushing about on a diluted noise ordinance with no teeth to prevent a residence before the Gainesville supervisor can weigh in on a balanced decision. You must put a stop to this. You must not ramrod this through to the detriment of the very people who put you on the dais to protect them.

[03:23:53] Thank you, Ms. Sheehan. Next speaker, please. Our next speaker is Bill Wright. Thank you very much. Mr. Wright, please proceed. My name is Bill Wright. I'm a resident of the Gainesville District. I was a member of the county's data center ordinance advisory group until it was disbanded by four unscrupulous board members, Franklin, Angry, Bodie, and Bailey, on October 7th.

[03:24:15] Over the past four years, citizens of Prince William County have endured the sheer determination of these four board members to subject the public to intolerable conditions in order to placate their data center masters. This unholy four has shamelessly exploited the death of Gainesville

Supervisor Bob Weir to ram through developer-friendly citizen hostile measures at the behest of their donor base.

[03:24:38] On October 14th, they voted to expedite today's vote on an eviscerated noise ordinance before Gainesville District representation could be restored. To make matters worse, Supervisor Bode proposed ignorant and industry-placating revisions to the noise ordinance that would further reduce citizen safeguards.

[03:24:57] Where did Supervisor Bode obtain his sudden expertise in acoustical engineering, And why does he believe he knows better than professional consultants the county hired at considerable expense? By his own admission, his remedial education was supplied by the business community.

[03:25:14] Why do their obviously biased voices transcend the more than 2,000 hours of informed resident feedback volunteered by an advisory group specifically authorized by the BOCS? We all know the answer. The un-only four has absolutely no interest in protecting the health and welfare of their constituents.

[03:25:32] Their sole interest, as they have demonstrated time and again, is in doing the bidding of their developer donors. They are brazen political hacks, undeserving of political offense. Supervisor Bode's noise ordinance light is another blatant gift to an industry that is destroying the quality of life in Prince William County.

[03:25:50] As noisy industrial facilities spring up all over the county, his sham proposal will do nothing to induce the industry to build quieter facilities. Rather, it is a ringing endorsement of Prince William County's head-in-the-sand accommodation of civic vandalism.

[03:26:06] Not only have the Unholy Four betrayed their constituents, they propose to relegate to the dumpster the significant professional accomplishment of true acoustic experts who produced a groundbreaking ordinance. I suggest that if Prince William County is not interested in protecting its citizens, we wipe the bacon grease and coffee grounds off the valuable product they threw in the trash and offer it to neighboring jurisdictions.

[03:26:33] Prince William County had an opportunity to be a leader. Instead, it will likely choose to double down on its penchant for being an embarrassing industry pawn. Wholesale changes are needed before this county can begin to restore public trust. I hope that journey begins today.

[03:26:50] Thank you, Mr. Wright. Next speaker, please. Our next speaker is Alan Fortine. Please proceed, sir. Hello, my name is Alan Fortine. I'm the general manager of the Manassas Mall, and I have been since 2018. I'm deeply concerned about the 7J NOIS ordinance negatively affecting the Manassas shopping mall.

[03:27:12] We have over 70 local national businesses that could be negatively affected by this NOIS ordinance. The Manassas Mall has been operating for 51 years, and this noise ordinance doesn't affect just data centers as I understand it.

[03:27:32] It puts the mall and myself personally liable for criminal misdemeanor charges. The tonal sound definition is difficult to understand, and the difficulty in separating extraneous sounds in a larger commercial district means we could be negatively impacted for noise we are not responsible for.

[03:27:56] The cost to upgrade the mall to an ultra-quiet HVAC system would put the mall in an impossible financial situation if we had to do that on a six-month time implementation. I am deeply

opposed to 7J, and thank you for your time.

[03:28:15] Thank you, sir. Next speaker, please. We have no more speakers. Thank you so much for your help. Madam Chair, back to you. All right. Thank you so very much. I'm going to go ahead and close the public hearing for Item 7J.

[03:28:31] At this time, I am going to invite our Deputy County Executive, Wade Hugh, up for his presentation. Good afternoon, Madam Chair, members of the board.

[03:28:52] Wade Hugh, Deputy County Executive. I have a presentation for you today, but before I begin, I'd like to introduce Ed Davidson. Ed is with JMT. When we first started this effort almost two and a half years ago, Ed was one of the first consultants that we brought on board and he has remained one of our lead consultants throughout our project. So for today, what I'd like to do just from an agenda standpoint is go through a background kind of leading up to how we got where we are today. I've been before the board back in March and again in June, so I'll go through this fairly quickly. And then we'll look at the current

[03:29:28] situation and we'll go through some recommendations on where the board is for now. Okay, So quick way in the background, the board back in 2022 directed staff to develop recommendations for regulatory changes to address data center development.

[03:29:55] And the regulatory changes, we're going to be looking at the noise ordinance, the zoning ordinance, design and construction standards manual. In July of 2023, we formed the data center ordinance advisory group to look at those three regulatory documents.

[03:30:11] We hired three noise consultants, and I'll talk about them in just a minute. We also consulted with Les Blomberg with the National Pollution Clearinghouse. He was a huge resource, and his expertise is actually in writing the ordinances, kind of the technical side of that.

[03:30:28] So our noise consultant team, again, mentioned JMT. We had David Nelson with Nelson Acoustics. We also had the noise consultancy, which was Eric Zorling, who also teaches at Rutgers University. As we've kind of worked, I said, you know, if you're going to put an ordinance together, this truly is the dream team, because you've got your expertise in doing the research to peer review, putting an ordinance together, which is very technical in and of itself. You had Nelson Acoustics expert in the acoustical side of things and actually the sound and coming up with the noise scale. And then Mr. Zwirling

[03:31:03] with Noise Consultancy, the expert on enforcement, trains officers all across the United States on how to enforce ordinances. You've seen this graphic before. I'll just show it again briefly. Our current scale that we use today for the noise ordinance is an A-weighted scale.

[03:31:22] And as you see at the top there with the piano keys, I really like this graphic because it shows, if you've figured the left-hand side is your low frequency, the A-weighted scale does not do a good job capturing low frequency. That's the noise and the tones that we get from these very large data centers.

[03:31:39] It serves very well over the past 30 years for what we've used it for, which is oftentimes concerts, residential parties. Maybe it's a shopping center where they have a loading dock. They're next to a residential area, so it's the thumping or the doors clanging. It worked well there, but again, won't work very well at all for data center noise.

[03:31:59] The C-weighting does a better job picking up low frequency. It does average or sum the octaves or the frequencies. So it does a better job with low frequency. When you get to the octave bands, and I'll be

talking a lot more about that, you really zero into each frequency and that's what's shown here on the bottom scale. So I mentioned before I was before the board in March. Some of the takeaways from the board at that meeting, there was concerns from several board members about ancillary impacts, making sure that whatever standard we come up with, we aren't impacting schools and hospitals and restaurants

[03:32:35] and other businesses. At that time, the direction from the board was to continue with Octobands because we had shared a scale at that point that we were working on, and we also had talked about the fact that we were going to need resources. At the very end, when we develop whatever this ordinance is, we're going to need the technical expertise and the resources to be able to enforce that ordinance.

[03:32:58] We also talked briefly about JLARC recommendations. You all know in your legislative agenda you have several of those items in the agenda, hopefully going forward to the state for consideration. Now, in terms of background, I talked a little bit about peer review. We looked at localities in Virginia. We looked across the United States. We looked internationally.

[03:33:18] Some of the takeaways was there are varying approaches to addressing tonal noise, low-frequency tonal noise. You can see ordinances that do you see weighted scales. You see octave bands. Planning and zoning, key takeaway, which you, the board, have told us through your discussions on the overlay, that's where it starts.

[03:33:38] putting the data centers where they belong not next to residential where we can not then have to deal with the noise issues the aesthetics etc but and we know that when you start addressing noise from industrial and commercial sites it does get more challenging i mean i look at what we're using today again i'll use a residential party as an example when the police have to go out at 2 a.m for a party complaint of noise it's simple you drive in the neighborhood there's one house with all the lights on, the music, the cars, you can zero in on that noise source.

[03:34:10] When you're in a community where you have a VRE station, an airport, you have other commercial businesses around generating noise, you have a highway, it becomes challenging. We've learned techniques, and that's one of the things here. We learned techniques on how we can target the source, but they can still be challenging. And then also, again, the enforcement component will involve, It's going to be technical, and it will involve that level of expertise.

[03:34:36] Noise testing, it's been said before, we did over 50 rounds of testing. I was fortunate enough to be directly involved in that testing, which paid huge dividends for me personally in understanding the process, but also being able to stand here before you and talk about some of the lessons learned and the challenges that we found.

[03:34:54] Some lessons learned, as you continue to drive that noise level down, you start having interference with other noise sources. Again, I mentioned techniques for identifying it. Mr. Zwirling was great and really was an eye-opener for us when he came on board in helping us to pinpoint some of these sources of noise.

[03:35:13] Again, I keep mentioning enforcement. It will be very technical. Whether we're going a civil route or criminal route, being able to stand there and defend it. When we took a reading, it absolutely came from the source that we're pointing to. The basis and background report.

[03:35:30] This is something that Mr. Nelson put together. it was part of the agenda packet that came out. That is really his summary of, you know, whether it's medical data, engineering data that supports the octoband scale that he puts together. So a wealth of information in there, talks about the steady tonal noise, talks about World Health Organization, you know, sleep patterns, noise at night. We'll talk about that a little bit more.

[03:35:55] He also talks about the implications of trying to raise his scale or lowering it, some of the challenges that you would face in doing that. So the scale that you see here, same scale that we shared, we were working on back in March, same scale I showed you in June for a steady tonal.

[03:36:12] These are octave bands at different frequencies. Just as a high-level summary, what I'll say to put it in if you want to say layman's terms is, so today, the A-weighted scale that everyone's familiar with, it's 60 decibels for residential daytime, 55 nighttime. If you were to summarize the daytime different frequencies, roll that up to an A, you would be at a 48-day. We're at 60 today, you drop to 48. That's 12 decibels. That is significant. Nighttime, today we're at 55. If you summarize this here, you'd be at 43. Again, a 12-decibel decrease. As we work through this,

[03:36:50] we were pretty confident that this is, if not the lowest in the United States, it would be one of the lowest in the United States. We had talked before about impulse limits. I know there was concerns from the board with construction noise. That's what we were trying to get at. We've removed that from the work that we were doing at that time. Also in the basis and background, this gets to the World Health Organization and their recommendation that to facilitate sleep, you need to be under 30 decibels if you're inside the home. And so what this table here shows is it shows the

[03:37:25] limits that Mr. Nelson had provided the consultants at nighttime. So that's the top bar. The red numbers that you see, that's, we'll call it the buffering that you get from your home. We all know sometimes you hear a noise outside, you walk, your neighbor's mowing, you walk inside, sometimes you can't hear it. Your home provides that. There are standards for residential stick-built homes.

[03:37:47] This example is with a stick-built home with the windows open, I believe, two inches. And that's the sound attenuation that you would get from the home. The bottom level is then what you would expect you would hear inside the home. So in this example, outside noise, if you were at 43 decibels rolling it up, inside it would be about 22. So the point here is the scale that he produced well below the 30 decibels that World Health Organization was recommending. I mentioned before, again, came back on June 10th to give the board an update. We walked away from that presentation

[03:38:24] committing to come back in october with an ordinance again the board expressed concerns with the ancillary impacts that's kind of been a common theme understandably with the business community and just making sure that whatever we said if we're truly targeting that 24 7 tonal noise from the data centers that we're setting something up that really targets just that even though the ordinance has to be written very general and the board requested additional testing at active construction sites which is why we decided to pull the impulse out of what we were looking at moving forward for consideration. This table here is just an example. Again,

[03:39:01] this is with the nighttime limits of what Mr. Nelson had put together. So I'm just giving you background information. You can see we compared it to Warrington, which does have octave levels, Illinois, and Oregon. And you can see here the point I made before, some of the lowest levels in the U.S. Now, when we kind of got to the end of the process while I'm transitioning to current situation. At that

point in time, we had the recommendation from the consultant team. I'll talk a little bit more about the DCOAG. But at that time, we were also, myself, going out and having outreach to stakeholders. We met with the Commonwealth Attorney's Office because we wanted

[03:39:39] to be sure that they understood what we were about to bring forward. Because if there's criminal charges, it will go through their office. And I also continued to meet with the business community. And so when I say business, I'm talking the chamber, restaurant owners, all the businesses. What I'm highlighting here, though, is in terms of the data center community, what we heard from them is twofold.

[03:40:01] One, if they know the rules going forward, they will design their building to meet those rules. They just need to know these are the standards. We're going to work to meet the standards. Now, I will say, in fairness, some of the acoustics engineers that were in those meetings cautioned some of the data center folks and saying, we've never seen levels this low.

[03:40:22] And again, we're talking about what was being discussed with the consultants, and it may be challenging to meet that. But those that were representing the data centers were saying, we will work to meet those. The second point was for the existing facilities. We know these are the richest companies in the world, and they can throw a tremendous amount of money at a solution, but that solution still takes time.

[03:40:45] These, whether it's fans, these are not off-the-shelf fans. they're going to have to be specially fabricated. I'm sure they'll need to be tested to make sure before they put 140 of these on top of the building that they know they're going to work. Depending on loading, when you put fans and different structures back on a building, was the structure built to handle it? If not, now you've got to do structural upgrades.

[03:41:05] So all this can take time, far more than six months, maybe 12 months, 18, could be as much as two years. That's just a reality of even a business owner that wants to do the right thing. So let's get to the work of the DCOEG. So the DCOEG, they were formed by the county executive, and they were formed to provide advice to staff, help advise staff. So their advice to staff was, let's go with what the consultants recommended. So what you're saying here is the exact table I just showed a minute ago.

[03:41:38] And in the event that we end up issuing a violation on a data center and they need time, what they were recommending, now they termed it agreement to hold an abeyance prosecution of the case. Commonwealth attorney calls it deferred disposition.

[03:41:54] And essentially what that is, if, and I'm going to really emphasize the if, because anything going through the Commonwealth, they will decide how a case is prosecuted. If they allowed this agreement, essentially that's where we, the county, would work with the business owner, come up with an agreeable timeline to bring something in compliance.

[03:42:13] So when that is taken before the judge, there is this agreement. The case is essentially continued to allow time to bring the facility into compliance. What the DCOAG was recommending was no more than 12 months. So we'll try to work with them, but we're going to cap it at 12 months.

[03:42:30] The recommendation from the county executive, which we were working on to present to you, was to establish an intermediate octave scale. And what I mean by intermediate is, you heard me before

mention that what the consultants had was a 12-decibel decrease, daytime, nighttime, from what we have today.

[03:42:50] This was taking an interim step and dropping it by 6. The thought process there is, I mean, we're taking something and essentially going from 0 to 100. We're going from pretty much a cookie-cutter ordinance that you would find anywhere in this region with an A weighting, and we're coming up with, if we go with the consultant's recommendation, one of the lowest in the nation, and that's the zero to the 100.

[03:43:15] The thought here is let's take an interim step, and a couple of thoughts with taking an interim step is, one, I'd like to be able to stand here and say to the board that that low scale the consultants came up with, we did a lot of testing, and I'd like to say I can guarantee you we would not have an impact on another business or hospital or school. Can't guarantee you that. I felt pretty confident with it. Couldn't guarantee it. So having this interim scale gave us a couple things. One, it gave the business community time to adjust, but more importantly, it gave us time to get experience.

[03:43:49] Yes, 50, again, 50 test sites is significant, but getting a year or so under your belt and really getting to use the octave scale and understand it and the techniques we felt was far more important. So what this shows here is with that intermediate octave scale, which is the proposed, so that's what we were working with the county executive, you can see the same comparison with Warrington, Illinois, and Oregon. We're now kind of on the higher end. Still, again, you're going to find some of the lower numbers in the U.S., but it adjusted on the higher end. So this brings us to

[03:44:26] October 14th the board meeting you all passed a resolution it basically directed two things one to bring an ordinance to public hearing today and to the ordinance that we would be considering today that ordinance is a C-weighted scale does have within the ordinance it has the guidance octave band scale which personally I like because with the C-weighting excuse me with the C-weighting we're going to really need that octave scale to weed out ancillary noise so if we're doing a test and the crickets are loud in the summertime and you're out there at night, that is going to skew that C weighting.

[03:45:02] But being able to pull up the octaves underneath will be able to say that reading was skewed because of this number. So we still have the octaves there. It's still there if we take a reading with the C weighting and say, well, this meets the standard. The folks are complaining. I'm looking at the octave scale, and there's one frequency, and I'll bet you that's it.

[03:45:21] Now we can go meet with that business owner and say, you're currently in compliance, But we want to let you know with these octaves that we just took, this is a problem. And hopefully as a good business owner, they'll take measures to correct and fix that. It'll also be there that when we work with new businesses coming in, it's a guidance tool.

[03:45:40] So don't get yourself stuck in you built something and now you're in violation. We're giving you this tool, this information to use right up front in your design. So from a resource standpoint, I touched on this earlier.

[03:45:56] If the board adopts the noise ordinance today, we will need resources. One, we'll need two principal engineers. These will be acoustics engineers. These will be the acoustics experts that we will need and have in-house. We'll need vehicles.

[03:46:12] We'll need computers, the meters, the training. So the estimated cost for this year, the remainder of FY26, would be \$219,000. Again, if this is approved by the board, we would put together an FY27 budget request, and that would be \$417,000 for the full year to bring this staff on board.

[03:46:32] The other thing is we would recommend to the board that the effective date of the ordinance be six months from, again, if you take action today, so that would be May 1. That six months gives us time to hire the staff, get them trained up, get this equipment purchased, and be ready to go out and actually start enforcing the ordinance at that time.

[03:46:52] So with that, Madam Chair, members of the board, we would recommend approval of Chapter 14 with the noise ordinance and happy to answer any questions. All right. Thank you very much. Before I open it up for questions, I just wanted to give some instructions because we're going to have to make a number of changes to the agenda because we do have a 7 o'clock meeting and that does need to start as close to the time that it's advertised as possible.

[03:47:18] So with that, we are going to ask questions, we're going to discuss this, and we're going to take a vote on 7J. After we close this item out, we are going to move immediately to county attorney time, and that's to authorize a closed meeting. After we authorize a closed meeting, we are going to go into closed session briefly, and we will come out and we'll certify the closed session, which is agenda item number 12.

[03:47:42] We will then move into the 7 o'clock meeting. After the 7 o'clock meeting, we are going to pick up where we left off, and that will be with county executive time. And then we will do agency time and supervisor's time, and then we will adjourn. So everyone is aware of the changes that we're going to be making to the agenda, and that is because we are going long.

[03:48:04] So with that, I'm going to start with the questions. I'm going to go with Supervisor Bode. Thank you, Madam Chair. Thank you, Wade, for the presentation. of a number of questions i hope to roll through them relatively briskly um you talked about sea weighting which is obviously what's before us today as the the prime uh weighting that we're going to be using for actually violations and enforcements um can you talk to me and we represent from jmt here can you talk to me about going back down uh memory road on what the original jmt recommendation was vis-a-vis sea weighting and and and what were there where that started

[03:48:43] Yes, good evening. Ed Davidson with JMT. Yes, early on in the process, the initial review of peer communities drove us down the sea wading path.

[03:49:02] That seemed to be the most available tool to use to start incorporating low-frequency noise. As Mr. Hugh discussed in his presentation, through incorporation of Nelsic Acoustics' expertise, we were able to identify an approach with the OctaVan data as well, which provided some more specificity both within the ability to identify sources as well as to fully capture low-frequency noise, some of which is still filtered out in undersea weighting.

[03:49:39] Appreciate that. And in your research, because you did a lot of look at peer jurisdictions throughout the country, throughout the Commonwealth, what have you, What were your experience and your findings from jurisdictions that adopted octave bans as a prime way to measure violations and enforcement versus C-weighting as the prime?

[03:50:00] Yes, so that varies as well. It seems to be pretty effective in Oregon as well as through Eric Zwirling. We had some additional insights into New Jersey's framework, which is considerably different,

but they have effective enforcement up there.

[03:50:18] Locally, with Warrington, we understand that they have significant challenges and effectively don't enforce their octave band criteria. So to say that again, Warrington, for example, adopted octave bands, but they had a lot of challenges surrounding enforcing it. That's my understanding.

[03:50:34] Were there other jurisdictions that had those same challenges in your research? Not that I'm aware of. Okay, appreciate that. Talk to me a little bit more about the challenges, and Wade, you spoke to it too, about measuring noise in environments with several sources, different kinds of ambient noise. So, you know, Wade mentioned crickets, roadways.

[03:50:52] We have a various diverse ecosystem of noise-making sources in the county. So can you talk a little bit about that and how sea weighting with octave bands can be helpful in sort of isolating that and using that to really help?

[03:51:08] Absolutely. So there are physical techniques, I would say, that can be applied to any metric, which is obtaining an ambient parallel level at another location.

[03:51:25] So it could be behind a barrier. It could be a set distance away from your enforcement observation point. There are different approaches to do that just by changing location. Certainly when it comes to insect noises, there are regularly in the higher frequencies is where you tend to identify impacts from insects and amphibians.

[03:51:49] And so those should show up in the octave band reading. So again, for the advisement purposes, that would help isolate those issues. Certainly, if you're in the field as an enforcement agent and you can observe that that is a contributing factor to the measurement you're taking, you would have the discretion to not enforce based on that observation, regardless of the type of measurement you're taking.

[03:52:19] When we're looking at trying to distinguish between different noise sources in a complicated environment, I think there is a little bit of confusion over the value of the octave band information. It is certainly useful to help dial in on the type of sound and where it's coming from.

[03:52:39] But when it comes to fingerprinting a specific source, that is extremely challenging under the best of circumstances and even more so in a complicated environment. So that gets more to approaches from the physical approach measurement side.

[03:52:57] Appreciate that. And, Madam Chair, I'm about to run out of time. Would you like me to take my second five now or wait for other folks? It is up to you because right now it's you, Supervisor Vega, and myself. I'll defer and let you two go. I'll come back around. All right, Supervisor Vega. Thank you, Madam Chair.

[03:53:13] First, I want to start by thanking you, Wade, thanking members of the DCOAG group and everybody else that has taken the time to voice their concerns and not just concerns made up, but concerns of actual lived experiences, especially those folks that reside in the Great Oak community.

[03:53:31] As you all know, for a little bit of history here, we are here today because of that very data center and the very reality that folks in the Great Oak community have been facing over the course of over three years now.

[03:53:48] So thank you for your advocacy. Thank you for your work also to our police department. This is going to be a little bit weird, Wade, because this version is not what you presented this governing body

with. It is a version that Supervisor Bodie presented, and so I personally would love to direct my questions to him since this is his version, but the chair has said that I need to direct the questions to you.

[03:54:09] Can you please tell me which acoustical engineer reviewed and endorsed Supervisor Bodie's C-weighted approach, and can you provide a technical justification for it? I mean, we didn't review that as part of the consultant's review.

[03:54:27] No, that was not part of that review. Okay. Remind me again how much, you know, we've spent over the last years trying to get this right. Probably close to \$400,000. Close to \$400,000. In Mr. Nielsen's report on page 5, it explicitly states that octave band analysis is necessary to account for the frequency-dependent sensitivity of human hearing.

[03:54:52] Can you explain to us why Supervisor Bodie's version makes octave bands advisory only against all professional recommendations? I certainly don't want to speak for Supervisor Bodie, but from our perspective as a recommendation from the county executive, we're looking at this, again, as kind of an interim step.

[03:55:10] The board may choose at a future date to lower it. They may not. But for us, having the octave bands as advisory, we're still using it as a tool. So we saw that as the benefit. And again, I think from our perspective, even coming up with the intermediate scale for octaves that we were talking about, it's taking that first step.

[03:55:31] Instead of going zero to 100, let's take the first step. Let's get comfortable with it. Let's make sure we can. I'd much rather have that recommendation to the county exec than we go all in and all of a sudden we're hitting businesses and all. And the board's asking, why didn't you think this through more? We felt like, let's take a small step.

[03:55:48] There's no harm in taking a small step. We can always then go to the next level. All right, I apologize. First of all, I really don't want to have a debate between board members, but because this is Supervisor Bode's proposal, what I'm going to do, and I thought that there was more collaboration, so what I'm going to let you do, if you are not able to answer these questions, that's fine.

[03:56:11] When, you know, after you're done speaking, I will allow Supervisor Bode to weigh in, and I'm hoping that, again, we can maintain decorum. Of course, Madam Chair. I wouldn't expect anything less. Well, I did ask two questions already to Wade. Supervisor Bode, do you want to chime in on the two questions that I've asked of him?

[03:56:32] Or do you have any other questions? Oh, I have a ton of questions, Madam Chair. All right. Supervisor Bode, I'm going to go ahead and let you start to answer some of those questions. And if we can stop the time for Supervisor Vega. Sure. So, I appreciate the question, Supervisor Vega. I know that this is an issue that's near and dear to your heart. As you mentioned, your community in Great Oak has been affected more so than almost any other in the county by this. So, I uplift and I appreciate your sensitivity to this.

[03:56:59] Your first question had to deal with, you know, the consultants, you know, vetting and looking at my proposal versus what was being recommended by either the COAG or originally the county exec and staff.

[03:57:17] My recommendation comes from, that was said earlier, the initial work that was done by JMT in the C-weighted scale. The numbers are a little bit different, yes, but it still uses those and all the testing that was done by Wade and the consultants over the last two years as a basis for that.

[03:57:35] So, again, they didn't vet my proposal directly, but I did base what I proposed based on what they said, especially early on before they went to the octave scale. So that's where my C-weighting comes into play, and the numbers I use is based on all the data that Wade has shown us over the last, especially the last few months around that.

[03:57:53] And what was your second question? The second question states that octave band analysis is necessary to account for the frequency-dependent sensitivity of human hearing, and your version makes it advisory only. Sure, I appreciate that. And then as the representative, I think Mr. Davidson, is that what your name?

[03:58:12] Sorry, just wanted to make sure, said it's done in various ways all throughout the country. You know, there are jurisdictions, there are states that you see waiting as the basis for that, And different papers that I've read about this say that sea weighting can also be used to cope and incorporate and discern what is actually from human hearing as a result.

[03:58:34] And that's why other localities, other jurisdictions, other states also have used sea weighting as the core and their basis of their measurements. Sure. Thank you for that. And when we're comparing to other states or localities across the country, what is their data center inventory? Sure. And that's all over the place too, right?

[03:58:52] So Warrington was used as an example. They're just beginning to see them. Other jurisdictions that we've looked at wasn't just data centers. It was other types of industrial noise, frankly, because data centers obviously aren't everywhere, but other manufacturing facilities and large industrial facilities that do make some of the same type of tonal noise that data centers do, but they weren't all data centers, so it was sort of all over the place.

[03:59:14] So a mix of a little bit of everything. Exactly right. Okay, in regards to your October 13 email, it states that you consulted industry-aligned entities? So that wasn't just industry-aligned entities. There were some industry folks that we received feedback from.

[03:59:31] So the Northern Virginia Black Chamber of Commerce, as an example, sent us a letter about it, and I did some digging around some of their concerns. You know, we heard from Virginia American Water, which is not industry at all, right, their utility. Heard from some of their concerns as well. I've heard from the chamber. I've heard from members of the Day Center Coalition, both individually and as a whole.

[03:59:50] And I've also heard from a business in Zurich, Angri's district, who runs the ice rink. So there were businesses, there were business entities. Again, it was a mix of several different entities that I talked to about this. Were any of those entities health experts?

[04:00:06] No. We did talk to some of the hospitals that we did, but we didn't talk directly to any health experts on the health organizations recommendations if that's what you're asking okay thank you and then in regards to enforceability given jlark's december 2024 recommendation which is cited on page eight it says that virginia allows localities to set data center noise rules and zoning ordinances with stronger penalties why are you seeking to weaken the penalties sure so that's a great question um first when we talked to folks whether it was county staff whether it was even you know

[04:00:46] DCOAG and other folks about some of the thought process there, I didn't hear anyone that wanted people to go to jail for this. And frankly, that was one of the biggest concerns that was shared with me by folks that own industrial land, folks that own warehousing, folks on Hornbaker, for example, who were concerned that there's a microcosm of business owners who will be brought into this, that, you know, whether it's a class one misdemeanor, which was what was originally They proposed in one of the earlier drafts, or even in class two, that there were serious concerns about the unintended consequences to people getting a criminal record, right?

[04:01:23] Because we know that the thought process, and I'll get into some of my questions later, is folks really want to go after the entities who are doing this versus individuals. That's not always the case. So the concern would be, hey, if a night watchman or the manager on duty, when a violation is made, and they're the ones that are served, who gets hit that criminal violation?

[04:01:43] we didn't want that to be overly punitive on frankly someone that has no control over the operational uh aspects of that business or especially the aspects of the the facility design or anything like that so that was why we took a step back from it frankly i look forward to us as was said before hopefully getting the authority from richmond to not to not have criminal violations at all on industrial land because i feel like again that that's the whole purpose of This is how people abate and change their behavior.

[04:02:12] To me, going to a random night watchman or a manager on duty or someone else who just happens to be up there at the time that gets served with it and putting them in jail, hitting them with a criminal record, all those other things, isn't really the core focus of this ordinance. And this change requires legislative action, yes?

[04:02:29] That would. Have you gotten any commitments from representatives of Prince William County that that's what they're going to seek in the next assembly session? I have not directly, but I know there's a lot of folks who are interested in implementing all of the JLARC study as it pertains to data centers.

[04:02:46] Madam Chair, I will come back for my next round of questions. Thank you, Supervisor Bodie. All right. Supervisor Bodie is in the hot seat, but you're handling it well. So I just wanted to, Supervisor Vega has addressed a lot of my concerns, but I have more.

[04:03:02] And it really is the octave bands versus the C bands. Because, you know, if the octave bands aren't the way to go, then why would the consultants propose them? I mean, what you're using is an earlier iteration. So I just want to understand why go back to that.

[04:03:20] Sure. Great question, Madam Chair. I appreciate that. So one of the things that was shared with me on business owners, big, small, otherwise, and frankly with some of the other folks I talked to that have been following this, is that when you look at octave bands, you're looking at several numbers that have to sort of comply.

[04:03:39] And it turns into, from what I've heard from other localities, sort of an expert war, frankly, where folks say, hey, there's all these numbers that some of these are in violation, some of them aren't. They call people to stand. It becomes sort of a back and forth. And then folks really spend more time fighting who was in violation and who wasn't based on whose measurements instead of working to actually abate the issue.

[04:04:03] And frankly, again, when we talk about not data centers who have the ability and the means to hire expert acoustical consultants and have, frankly, teams that are looking at this 24-7, Amazon being one

of them, as was mentioned before, you're talking about mom-and-pop businesses, like I said, industrial owners that are in Hornbaker and all these places that don't have the sophistication to really narrow in on that.

[04:04:25] yes the county would help them in doing the octave bands and getting to that point but when it comes to who can defend whether or not they are actually in compliance based on a very complicated scale and again we've heard and i've heard now that our mr davidson's mentioned that he's only heard warrant in having that difficulty but i've heard and researched several localities that have had issues and challenges actually enforcing it the point that quite a few of them not all and some Some of them have successfully done it, but some of them have adopted the octave bans and then not really enforced it.

[04:04:58] And that's part of my fear, frankly. We adopt something, folks from the public have an expectation that we'll be able to enforce it, and then we don't because it's too hard for certain folks to even understand what they're complying with or not. So I have a few more. First of all, have you met with residents who are impacted?

[04:05:15] Like, have you gone to Great Oak and met with the residents and spoken with them? So I've not met with them directly, but I have since the start anyway, but I have gone to Great Oak. I have gone to several of these communities where folks are being impacted, and I have experienced and heard myself some of the concerns that they've been saying.

[04:05:32] So while I've not met with them directly recently, I have gone to these communities to hear what they're going through. And the levels that you proposed, if they haven't been tested, then how do we know it's going to alleviate concerns? So while they haven't been tested since my proposal per se, and Wade, I would invite you to talk to this as well, again, my numbers are based off of testing that's already been done.

[04:05:59] It's not like because I proposed this, those numbers that were measured before change, right? Those numbers are the numbers that have been tested over the last couple years. So the basis of my numbers come from the testing that's already been done mostly. And so I just, hoping this is the best way to ask this, but if octave bands, you know, the octave bands and the recently changed language are not used for enforcement, then what's the point of taking them up even a little bit more? I mean, because that's where I'm getting confused.

[04:06:28] Sure. That's a good question. So as Wade mentioned before, to me, using the octave bands at frankly what has been described, and they're right, as some of the lowest in the country, once you get too far down, it becomes very hard to delineate what's actually causing the noise.

[04:06:50] Especially if you have, like I said before, in a various diverse noise ecosystem like we have in Prince William County, where you have industrial next to residences, next to highways like Prince William Parkway. I mean, some of the testing that was done at some of these data center sites and some of these residences, once you got too far low, you weren't able to discern what was the data center, what was people driving on Prince William Parkway on 234 in some places.

[04:07:15] So to me, going too far, at least in the beginning, would not have accomplished us getting to a point where we're able to delineate what's actually being caused by a data center or another industrial use or someone else who can actually fix it versus crickets and ambient noise and other things that just exist in the community.

[04:07:33] And so the thing with the octave bands, though, it captures that low frequency noise. And that's different than a cricket, you know, or a muffler. so i guess that's where i'm trying to make sure that i understand you know and even with the octave bands what the staff um recommended was higher than what the consultants recommend they added on you know six um dbz but you're going a little higher in that and so i have a lot of questions because i i just want to make sure that what you're proposing will take care of the low

[04:08:09] frequency noise you know and i i also want to be careful because i know that there's a lot of people businesses, and I don't want them to be afraid. The average restaurant is not going to be impacted by this. I don't think any will be. It's really getting that low frequency noise, which is not generated, from what I understand, by many businesses. Sure. And so to get that low frequency noise and why I brought in sea weighting and kept the octave bands is sea weighting does get that low frequency. Again, JMT originally proposed us going with the sea weighting get that that low frequency noise again there are several localities in several states throughout the country that they actually hang their hats on the sea weighting to look at that

[04:08:49] because again sea weighting is a lot better than a weighting and looking at the tonal noise and those little frequency noises so sea weighting still gets at that i think there was a reason why octave bands were proposed i do think that they get a little lower and they're able to capture better noise what my concern is and we'll talk about this because we do have additional discussion time and i'm going to kick it over to supervisor gordy i want to make sure that we're fixing a problem but i also want to make sure you know i have heard from the business community i know there's concern about like hey we may need time to um adjust to this i was also a little nervous

[04:09:27] about the staff proposal because i don't think people should be building to an interim scale you know so if you have people built an interim scale and then if we change it to some other point you know will they be out of compliance i do appreciate the conversation around this and i think that this is something that we need to have because of you know sunshine laws we are limited and how many people we could speak at one time so i'm hoping for everyone on the board that we can use this time to really talk about um not just a proposed ordinance but what is it that we're trying to do what is it that we're really trying to do if we're not going to make i feel significant

[04:10:05] change you know if we're not even also to you know as um some members of the dcoag recommended give businesses time to come into compliance i mean these are things that i'm really wrestling with but i'm going to go on to supervisor gordy thank you madam chair um as you know i as mr brown uh from great oak said you know i was there at that first meeting with amazon and i warned them today you have a perception problem if you don't get this fixed you're going to have a press problem and then immediately you're going to have a political problem and

[04:10:42] within two months it spun completely out of control um because they they couldn't identify the problem uh very well they they tried um uh solutions that just didn't work um and it took them a long time but they spent a lot of money uh my understanding it's over 20 million dollars to try to solve this problem and they've been at it for three years and it and uh i'm not sure that it's completely resolved at this point. The Brentsville District has more industrial acres

[04:11:14] than the rest of the county combined. And that's not all data centers. It's various types of industrial activities to include Jiffy Lube, which makes a lot of noise when the concerts are going on. So

this issue is of great concern to me in terms of what are the second and third order consequences of what we do here. Um, we've got a lot of good businesses who've never done anything wrong. And we just, and my, my concern is that we don't turn them into criminals, uh,

[04:11:49] when they've been good citizens all along. Um, and so I've heard from a few of those businesses, quite a few of them actually, uh, been to their sites. I've looked at, um, you know, their operations. Um, and so, and we've actually had some situations where, um, they were encroached upon we had an industrial business that had been there for decades never had a problem a residential development got built next to them and all of a sudden now they're out of compliance um and so the challenge um we've seen what unintended consequences can have upon current existing

[04:12:27] businesses um but chair jefferson you made the point um is like what are we getting after here and and the question is what's enforceable what can we adequately enforce and then but but also look at that is how do businesses find out whether or not they're in compliance without having to find out because a police showed up at their business um and so the challenge is you know if we're looking at octave bands wade i'm going to ask this these questions of you um how do they

[04:13:02] How would a business know whether or not they're in compliance with this noise ordinance? If we go with the noise ordinance, either as the octave bands as the trigger or the C band as the trigger, how challenging is it for those businesses to determine whether or not they're in compliance?

[04:13:27] With the octave bands, it will be a challenge for them, just like it's a challenge for us. I mean, they don't have the expertise or the skill. They're going to have to hire someone. They'd have to hire a consultant to come out, take readings around their business to determine if they're compliant. We would come out on the enforcement end, you know, if a call came in.

[04:13:43] But we just, with the two staff, excuse me, that we're recommending, we wouldn't have the bench strength to go all around the county helping the businesses take the readings. So it would be, it would be complex. Okay. And but then from the C scale? Much easier. Because C scale is very similar to the A scale.

[04:14:00] You have your meter. You're essentially taking a reading. You can see the sea level right there. Now, the part they won't be able to get, if they're picking up some of those ancillary noises, since the sea rolls everything up, they won't be able to look at the octaves underneath to say, let's take a reading later on, does that interference with highway noise or bugs?

[04:14:19] They wouldn't know enough to do that with the sea. But it's easier than the octaves. Okay. In terms of the staff hiring that's part of a later thing that we're going to vote on, How long do you anticipate it's going to take to bring staff on and get them up to speed on their role and their enforcement activities?

[04:14:43] We were recommending six months. Six months. So we'd be looking at, you know, what, June timeframe? First of May, about that time. Okay. Okay, that's all I have for now, Madam Chair. Thank you. All right. I was getting ready to communicate with a few people.

[04:15:01] Looking at the time again, and I know that there's additional discussion, but we are going to need to go into closed session. And that's probably going to take what you said, around 30 minutes, 30 minutes. So what we're going to do, and I apologize because I know there are a lot of people here who really want to hear this discussion, but I also have to make sure that we're moving the meeting along and that we start at 7 o'clock as close to 7 o'clock as we can.

[04:15:23] So I'm going to have us, we're going to put a pin in this. I want to have continued discussion and take the vote a little later because what I need to do is move into item number nine to authorize a closed session so that we can go into closed session. We will do closed session. We will go to agenda item number 12 and certify a closed session.

[04:15:39] And then we will go into the seven o'clock meeting. After the seven o'clock meeting, we will resume with item 7J. We will go into item number eight, county executive time. We will go into agency time and then we will do supervisor's time and close, I'm sorry, and then adjourn the meeting.

[04:15:57] So I do apologize to everyone because I know a lot of people are here. But I'm going to have to move the meeting. I'm sorry, did you have anything you want to say? Madam Chair, if I could very quickly, since some of the staff may not be here later on, I know we thank the DCAG members who dedicated a lot of time into this process.

[04:16:13] I'd be remiss if I didn't thank the staff. We had a lot of staff that were involved. And I know a couple of folks, Major Poirier, Lieutenant Day, Captain Castilla, with the police department were there all the way with me and helping. So I want to make sure I thank them. Thanks. All right. Again, I apologize, everyone.

[04:16:29] But I am thinking to first. I'm sorry, Supervisor Vega. Thank you, Madam Chair. We have folks that arrived here before our 2 p.m. Yes. And I think that it would be better if we put closed session until the very end and we allow the discussion to continue and then we do another time check as we creep up into the 7 p.m.

[04:16:50] so that folks don't have to sit around and wait. There's no urgency in going into closed session. I have spoken with the county executive. We've agreed because of some of the items that we have to take up and some of the additional people here. And I respect what you're saying because I do hate that people have come out.

[04:17:08] And this is a hard decision to make because this is a very important discussion. No, no, we don't, no. What I'm going to do is I'm going to, I will, I'm sorry, I will clear the board chambers. I have asked for no disruptions.

[04:17:25] This is a very difficult meeting. We've had a lot more discussion and I would like to continue having a robust discussion. So what I'm going to do is i'm going to turn this over to county attorney time i am asking that people respect the rules that have been set in place so with that i am going to move this on to item number nine and that is county attorney time so madam county attorney the floor is yours and i ask that people be respectful and take a seat point of order yes um miss roble we have opened the public hearing If we're going to move on.

[04:18:03] We've closed it. You've closed it. I had to go ahead and do everything. And then, you know, as I had alerted everybody, we did the public hearing and then we're doing the presentation. We did things out of order. I just want to ensure, Ms. Robo, that the way this is being handled is within legal compliance.

[04:18:23] My understanding, the public hearing has been closed. So, yes, it's in compliance. So, it is in compliance. All right. Thank you very much. And, again, I do deeply apologize. I know that this is tough, but I do need to move this along. So I'm going to turn it over to agenda item number nine.

[04:18:41] That's county attorney time. Thank you, Madam Chair, members of the board. In closed session, we will have consultation with legal counsel and briefings by staff members regarding plans to protect the public safety as it relates to cybersecurity threats and vulnerabilities with briefing by staff members and legal counsel concerning actions taken to respond to such matters.

[04:18:59] the discussion of information subject to exclusion in Subdivision 2 of Section 2.2-3705.2, Virginia Code, where discussion in an open meeting would jeopardize the security of the county's information technology system and software programs, the discussion of reports and plans related to the security of government IT facility system or software program, along with the legal advice and personnel discussion regarding the following pending internal audits on external and internal penetration testing telework tax consulting and america rescue plan act subrecipient monitoring final all of where discussion in an open meeting would adversely

[04:19:36] affect the litigating posture bargaining position or negotiating strategy of the public body we will have personnel discussions and considerations relating to the hiring of the new deputy county executive for government operations performance and innovation the director for the department of public safety communications and the director of the finance department slash chief financial officer where consultation, briefing, or discussion and open meeting would adversely affect the bargaining position, litigating posture, or negotiating strategy of the public body. And we will have consultation with legal counsel and briefings by staff members pertaining to discussions concerning economic development item regarding

[04:20:13] an expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in expanding their facilities in the county, along with the discussion or consideration of the disposition of publicly held real property. All where discussion in an open meeting would adversely affect the litigating posture, bargaining position, or negotiating strategy of the public body.

[04:20:33] These items are appropriate for closed session pursuant to 2.2-3711A1358 and 19 of the Code of Virginia. Second. Let's go ahead and take our vote. Unanimous.

[04:20:54] All right, and we will come back afterwards, and we will have to roll into our seven o'clock meeting and then we will resume everything later.

[04:22:34] Just waiting for everyone to come in and get seated.

[04:24:06] I'm going to have a few more people. All right, I'm going to gavel us back in. So we are going to pick up with agenda item number 12. We're going to start, we're moving? Okay. So we are going to certify the closed session.

[04:24:25] Can I get a motion? So moved. Second. All right, let's go ahead and take our vote. Vote unanimous. All right, we have some items to report out.

[04:24:40] First, Supervisor Gordy. Madam Chair, I move to authorize a public hearing to consider the execution of a cell agreement for county-owned property located at 9349 Hornbaker Road, Manassas, Virginia, 20109, and consisting of approximately 11.06 acres in the Brentsville Magisterial District.

[04:25:02] Second. All right. Any discussion? If not, let's go ahead and take the vote. Vote unanimous.

[04:25:20] All right. We're moving on to our next thing to report out, Supervisor Bailey. Thank you, Madam Chair. Madam Chair, I'd like to make a motion to accept the following internal audit reports, external and internal penetration testing, telework tax consulting, and American Rescue Plan Act subrecipient monitoring final report.

[04:25:43] Second. Thank you. All right. Any discussion? Let's go ahead and take the vote. Unanimous. The next item to report out, Supervisor Bodie.

[04:26:03] Thank you, Madam Chair. I move that we appoint Leslie Weldon, Director of Finance, Chief Financial Officer. Second. Any discussion? All right, let's go ahead and take the vote. Unanimous.

[04:26:28] All right, the next item, Supervisor Franklin. Sure. It's my pleasure to recommend or make a motion to appoint Dr. Alicia Hart as Deputy County Executive for Government Operations, Performance, and Innovation. Second. Any discussion?

[04:26:46] Let's go ahead and vote. Unanimous.

[04:27:03] And our final motion, Supervisor Angry. Thank you, Madam Chair. Madam Chair, I move the appointment of Kay Carroll as the Public Safety Communications Director. Second. Any discussion? Let's go ahead and vote. Unanimous.

[04:27:27] All right, thank you so very much. Mr. Shorter, I don't know if you have a few quick things to say. Yes, thank you very much, Madam Chair, members of the board. I want to first thank you and appreciate you for your support for all three of our new leaders. I want to thank certainly the leadership team and the cabinet for your support in this recruitment process for all three of our new leaders.

[04:27:49] And I would also like to say to each of them, welcome. Welcome to the role and welcome to the county. With that, I will ask Leslie Weldon if you will come up just to introduce yourself to the community. Good evening.

[04:28:07] I'm Leslie Weldon, Madam Chair, County Supervisors, County Executive Shorter. I want to say I'm very appreciative of your support. I'm honored and privileged to be able to serve as the next director of finance for the county of Prince William.

[04:28:26] I am looking forward to collaborating with each of you, with the finance team, with the other areas of the government to meet the future needs of Prince William and its residents. I'm very excited and look forward, and I thank you for the opportunity. Absolutely. Thank you. We are happy to have you here.

[04:28:41] Thank you. Dr. Hart. Good evening, Madam Chair, Vice Chair, Supervisors, and County Executive. Thank you so much for the confidence in appointing me tonight as Deputy County Executive.

[04:29:00] I am looking forward to returning to the county. This is my second time working for the county. I'm very pleased to be back. As a county resident, I am looking forward to making inroads in this position and continuing to move the county forward in multiple ways. So thank you all for your confidence, and I look forward to starting.

[04:29:16] Thank you. Welcome. Welcome. And Katie Carroll. Chair Jefferson and members of the board, County Exec Shorter, thank you so much for this opportunity. I'm really looking forward to continuing the success that we've already had and continuing my career with the Department of Public Safety, the first of the first responders.

[04:29:39] Hear, hear. Thank you. Welcome. Thank you, Madam Chair. All right. So we are going to, first of all, I do appreciate the applicant and their attorney for the 7 o'clock hearing agreeing, actually suggesting that they are willing to move back their presentation so that we can finish item 7J. So I really just want to name that. So what we're going to do is we're going to finish item 7J. We're going to finish discussion. We're going to take the vote. And then we're going to go on to the 7 o'clock agenda. After we do the 7 o'clock

[04:30:15] agenda we are going to come back and we are going to go to agenda item number eight county executive time and then agency time supervisor time then we will adjourn so picking up with where we left off for 7j let's see i have supervisor vega and bode all right all right you're still so um supervisor bode i guess supervisor vega is going to defer to you sure i'll wait for wade to get ready i know he just got back thank you wait are you are you set ready to go i appreciate you i

[04:30:50] just had a few more questions um you know a lot of what conversations have been had and concerns have been expressed even during the public hearing uh factor around you know what happens is there a violation what happens if we find that someone uh is out of compliance with the new noise ordinance um and as was said and you mentioned to yourself the time and the effort and the expense it would take to get into compliance so from a property code enforcement perspective what is the philosophy be around approaching folks who are found out of compliance, and sort of what happens when you find someone that isn't...

[04:31:27] Well, thank you for that question, Supervisor Bodie, and kind of a longstanding position of the board has been for us to seek voluntary compliance, so in general, that's exactly what we do. We run somewhere between 70 and 80 percent voluntary compliance on our zoning cases, building code cases, so we're very proud of that.

[04:31:45] everything is case by case. So we're going to try to seek to work with the business owners. And as long as they're coming up with a plan of action and following through, that's the best way to work forward. Appreciate that. And given that we are still keeping the octave bands for advisory and abatement, but then the C-weighted for the actual enforcement, can you talk about how the ramp up would be to working with folks to come into compliance? Well, I mean, by using the So make sure I'm understanding your question correctly.

[04:32:17] You're saying that so if we went out with the C-weighting and found they were in violation using the C-weighting. Right. And then how we would use the Octobands to supplement that. Well, the Octobands will really help us zero in and will help the customer better understand the business owner. So, again, the C-weighting is just your average.

[04:32:32] But if we zero in on a certain frequency, we may be able to pinpoint it's your HVAC system or it's a blower unit you have on the building. And, again, hopefully that helps them maybe save some money, especially if we did get to a smaller business because we're actually providing that input to them.

[04:32:50] Appreciate that. And my next question is you mentioned earlier that the enactment date that's proposed for the ordinance is May 1st, which is the crux of that is to give you time, hire staff, train folks, get them up to speed, get measurement equipment. I know that we've approved that, and we're also going to be approving more of that likely later tonight.

[04:33:09] That's six months from now, but as we said before, some folks may be able to do some things in that time, but frankly, when it comes to large-scale renovations and what have you, it might not. What does a timetable look like from your perspective? You know, six months to hire folks. The ordinance goes into effect May 1st of 2026.

[04:33:28] What's the timetable like to really work with folks, knowing that, you know, to get procurement to get things renovated, what have you? What's the timetable like to look like that? Well, I mean, hopefully, if the board were to adopt the ordinance this evening, then we want to start immediately working with our Economic Development and Tourism Department to help push information out about the new ordinance, our communications office, to make sure that we're getting the word out to the business owners as soon as possible.

[04:33:54] Then from the time that we start enforcing, again, it's going to kind of be case by case. We're going to have to look at how egregious the noise is in terms of how long we can work with folks, but we're going to have to look at what is it that they actually need to do with the facility. And in almost any case, they're going to need to come through the building department.

[04:34:11] So we'll be able to work with staff to also get a sense of, okay, if they're saying they need to replace X, how long should that take? And that will at least give us a sense of is what they're sharing with us a reasonable time frame. But, again, a lot of it's going to go back to how egregious is the noise.

[04:34:28] Sure. But, you know, but if I'm reading this correctly, so abatement first is sort of the thought there and then sort of good faith effort and checking in with folks to make sure they're actually working to comply. versus just sitting on their laurels. Right. And again, because we're seeking voluntary abatement, we look at the case specific.

[04:34:45] But in a scenario where we could sit down with the business owner, they come up with a plan to say, we're going to hire an architect, we're going to hire the engineer, we'll submit plans within 90 days, all those little checkpoints. And as we work with the business owner, as long as things are moving forward, and we understand there may be situations where there's a supply chain issue, for example.

[04:35:04] They're on schedule, but now it's a three-week delay. We're going to work with folks on that. My last question, Madam Chair, and this comes into that, what you just said, if they had to do renovations that would require some kind of permitting or site plan change or what have you, is there an opportunity for them to maybe get expedited review and things like that?

[04:35:21] Because frankly, what I've heard is folks don't want to start working through it, and then they're held up for a few months because the county is taking a while to do the permitting side of it and the site plan review. Yeah. Yes. I'll answer and say yes. And the reason I pause there is it's just going to depend on, you know, hopefully we're not seeing a lot of violations and there are small enough cases that we can move these things through.

[04:35:43] You know, but again, we'd have to kind of look at workload, but that would be the goal. Get them get them up and running as quick as we can. Thank you. All right. Supervisor Bailey. Thank you, Madam Chair. I just wanted to, I know that, don't want to go back, but with the 20-year season ordinance and all the work that you've done, Wade, and the DCOAG poured into this, does this look like we're going in the right direction as it relates to our new businesses, our new industry, that kind of thing?

[04:36:20] And if so, will a new advisory group, once you stand up the department, will a new advisory group be needed going forward to make sure that we don't go another 20 years? I mean, how do you see that in the future?

[04:36:37] Well, as far as all the work that's been done is not lost. And I guess maybe that's what I think some folks may be looking at it, that we did all this work. The work is still there. The research, the information, the data, everything is there. We have it. So to me, by doing this, if the board were to approve the C-weighting scale, again, it gives us an opportunity to hire the staff, get them trained up, get them familiar with going out in the field and getting even more experience under our belt.

[04:37:03] So by doing that, I absolutely think that's the right thing to do for the community and for the businesses. And the board, again, can choose down the road if we see we're still getting noise complaints. We didn't quite ratchet the scale far enough, certainly in the board's prerogative, to take another step.

[04:37:18] And again, you would have all that information to fall back on. Yeah. So from that standpoint, in terms of pulling together another committee, personally, I think we're at a point now where we would be ready to stand this up and let's see how it works on our own. I don't know that we would need any additional input, at least initially.

[04:37:36] Thank you. All right, Supervisor Vega. Thank you, Madam Chair. Wade, C-weighting only considers low and high is not a full picture of the whole sound impact, correct? Correct.

[04:37:52] It's giving you more a high-level kind of an averaging, if you will. Okay. On page 9 of Nelson's report, there is a chart, a table rather, that shows that the expert recommendation results in 22 DBAs indoor at night, meeting the World Health Organization's 30 DBA sleep guideline.

[04:38:16] My question is in regards to what's currently being proposed. This results in approximately 37 DBA indoors. Can you explain to us why we're adopting standards that exceed what the World Health Organization recommends by 7 decibels? And I'm not sure where the 37 would have come from.

[04:38:32] What we did on our end, because it's very difficult taking a C weighting, a specific number, and so I went out and took a reading, this is the number. And now you're having to kind of manually extrapolate that into an octave scale. What we did is we took the consultant's octave scale, And you can look at the curve that he set with all the different frequencies, and you can plot it.

[04:38:57] We then overlaid that with, we had the staff where we were working on the intermediate scale. We used the same curve. If I use that exact same curve for the sea weighting, we came up with about 28.6 indoors, not 37. So like I said, I'm not sure where the 37, and I have to keep caveating that's using that exact same curve.

[04:39:18] Every noise will be a little bit different. and it's not going to ride on that smooth curve all the time, but it was 28.6. Okay, and then just for clarification purposes, we keep talking about octave bands and whatnot. The current proposal on the table is advisory, yes?

[04:39:36] For the octave bands, yes, it's an advisory table. Okay, so are we still going to spend over \$400,000 on equipment and training if it's optional? Even on the C-weighting, because the \$400,000, that's mostly going to be your two staff that you're hiring. So that doesn't include equipment and training?

[04:39:52] Well, the 417 includes the equipment, includes the training, the vehicles, the staffing. But once we get those initial resources, now it's mainly your staffing, your vehicle maintenance. But we're going to

need that expertise because, again, with the commercial noise, you're going to have to use the techniques that have been taught to be able to zero in on what that source is.

[04:40:13] You can't literally just go out in someone's yard, take a reading. And you're going to have to understand the noises. You'll still have to look at those octave scales. That's all I have for now, Madam Chair. Thank you. Supervisor Angry.

[04:40:29] Thank you, Madam Chair. Just a real quick way. Supervisor Bodie was mentioning about code and, you know, if they were in violation, kind of, you know, expediting timeframes. I know I'm looking at page 14 of the ordinance.

[04:40:45] I think that's maybe it is, but it's item K, and it's the second bold italic, which basically, so we're saying that if we approve this tonight, six months before you enact this ordinance which would be i think you said may 1st okay but if in fact after that you go out you find a data center in violation and i know we we've been talking about goodwill and working with them to get them in compliance but there has to be a time frame on that right so i don't know it says 12 up to 12 to 18 months or it could take up to do we have

[04:41:23] language in this ordinance that says exactly what we're providing 12 months 18 months is there even a time frame for them to get in compliance no we just had the effective date which would be six months again if the board approves that six months from today so as of may 1 we would start enforcing the ordinance and again because we're going to take the volunt seeking voluntary compliance and everything's case by case but we would start working with the owners and realizing as we walk in it may take 12 to 18 months that we're working with them but if we're seeing the progress being made we'll continue working with and i like that approach i just i know we're talking this board

[04:42:00] in 2025 you know 10 years from now seven years from now whatever more than likely won't be us i don't know if you'll still be here but just curious about language that actually lays out you know what that time frame looks like versus interpretation you know you know 10 years from now. Well, and I would look at this very similar to when we're looking at whether it's zoning violations or building code violations. I mean, we have the code, we issue the violations up front, or we work the voluntary compliance. And again, every case is different, but we don't have anything

[04:42:35] in the building code, for example, that is prosecuted criminally in Prince William. We don't have anything in the code that allows for a timeframe. That's all going to be case-by-case basis okay thanks can i do a quick follow-up um wade what uh quantifies progress being made how do you measure that how do you measure progress being made based on the timeline so again if we meet with somebody if we use the amazon as the example of great oak and if we met and we knew they're going to have to replace every fan on the top of that building we would say give us the timeline you know when are you going to have the engineering report done when are you going to submit the

[04:43:14] plans to the county for review, permit, construction, and we would look at what timeline they submit us to see if that looks like a reasonable time frame to make all those changes. And understanding there, especially if we're talking data centers, these are likely going to be very substantial changes.

[04:43:31] Supervisor Bailey. Thank you, Madam Chair. Just something real quick. Have we had a lot of complaints in terms of the noise recently? In general, from noise complaints?

[04:43:47] Yeah, in general. No, we don't get a lot of complaints in general, no. Now, with some of the communities that are near data centers, yes, we have had complaints, whether it's construction noise or

data center. But if I look countywide, we don't have a lot of noise complaints. But this will help us as we go forward just to support the community and make sure that they're even less than what we've got.

[04:44:07] Yeah, yeah. Okay. Those levels are going lower. Yes, ma'am. Okay. Okay. Thank you, Madam Chair. Thank you, Wade. I just have a couple questions because I really want to dig into testing. Do you know what the levels at Amazon are right now, average readings?

[04:44:22] I don't off the top of my head I don't and when we were going out and doing some testing I can absolutely go back and pull those figures I know the community does regular there's folks I think they might even be doing it daily that they're watching it but I don't I don't have those off top of my head. Now the reason why I asked you because I mean there was a problem and I don't know if these noise levels would have addressed that issue um so I just want to double check on that um I'm gonna say I guess I have a supervisor Gordy and then we can unless there's any other questions then we can do a motion and open this up for debate further debate to going back to um

[04:44:59] to the discussion on kind of future steps so we're talking about uh implementation may one um and just like what we we discussed today with the the toe uh ordinance um how long do you think it would take you to put together some analysis um and a report and and to come back with uh with that report to the board after may one in order to determine you know the effectiveness of what has been passed you think six months i would say six to nine months and the reason for

[04:45:38] that is i think your summer months because as hot as it is i think the data centers are working harder right to get exhaust the heat out of the building and so i think it'd be perfect if you did may and did the entire summer and pulled that in so probably be six six eight months okay so if we said basically a year from now um gives you six months to get everything and ready to go for implementation six months to to do initial uh analysis and the report back with any potential revisions um that could be an option so yes madam chair members of the board if i may add

[04:46:14] if the ordinance goes into effect on may 1 say on may 2nd a call comes in alleging a violation and county staff or the police go out and they they do it they may work with the the alleged offender if and i'll analogize it to the property code enforcement cases that we have staff works with them if they're not doing what they need to do they file a violation of notice then we go to court there's a first arraignment on that then that gets continued over for another date they may come in and ask for a continuance by saying i'm continuing to work on this it's up to the judge

[04:46:51] And the two parties, if it's criminal, the Commonwealth attorney and the defense attorney, may both agree to it or not agree to it, and it's up to the judge whether to continue it. Then you're setting it down for a trial. If the noise ordinance goes into effect on May 1, I don't think we will have results of court cases six months after that.

[04:47:12] So you may not, if you set a review time six months after May 1, you may not have a lot. You may have some data as to whether or not we are alleging there's a violation. But the court is the one that determines whether or not there's a violation, especially in a criminal case.

[04:47:28] So you might want to just take that into consideration if you want to review. Thank you, Madam Chair. And if I may, Madam Chair, if I could just add, and thank you, Michelle, for that. So maybe just make sure I'm understanding the question that you had, Supervisor Gordy. What I was almost envisioning is when the staff come on board, sure, we'll start getting some complaints that they'll be going out.

[04:47:45] But we'll also, I'm hoping, going out and doing some proactive ambient readings just to get data. And that's what I was thinking in that six months. We'll have some good data to look at. Like I said, we've done 50 tests up until now. Hopefully, we'll have a lot more under our belt. And so that's how I was answering that question for you.

[04:48:02] And probably within the next six months or within the next year, we're going to have additional data centers coming online that are in close proximity to other data centers. So this will begin to tell us, is this effective or not? Telling us, is this identifying, if there's a noise problem, that will the C-band work?

[04:48:24] and then the analysis provided by the octave bands to be able to pinpoint where that noise is coming from and get after the problem source in order to work towards a solution. I think, you know, I mean, we've got numerous data centers under construction right now and that are probably going to be coming online within the next 12 months.

[04:48:46] So I think that you're going to be put under a lot of, you're going to be, no shortage of opportunity. um, during that time. So, um, and so I think what I would appreciate, and I don't know if my, my fellow board members agree is a, you know, what are you seeing? Is it, are, are we effectively identifying the, the point source of noise, um, and, uh, on, under this, uh, ordinance and is it,

[04:49:16] is the ordinance giving us the level of, um, um, the appropriate level to protect the community and so um and and so that's the things i think i don't regardless of what ordinance we pass we've got to make sure we we must ensure that what we're doing is appropriately addressing the problem um and so and i think routine updates to the board on that that progress

[04:49:51] and the effectiveness of the ordinance that that gets passed um and then any revisions that we need to make then we retest over time again so that's just my opinion thank you i'm going to add my two cents um please give them back any change so why not do a pilot program you know why not do a pilot program to see you know how this would work who gets caught up what businesses are impacted is there any relief for residents the reason i suggest that it's because i i do think

[04:50:25] that this needs more time i think we need more testing and more data on this specific ordinance i don't want to get this wrong there's too much at stake um and quickly for me compromise you know ideally both sides come together or at least try to you know i have concerns from the resident side will this alleviate their concerns i also do have time from the business side will that give them enough time to comply and i'm also worried about a case-by-case basis you know is that going to invite confusion our business is going to be ready you know i know and again i appreciate all

[04:51:01] the work that you put into this supervisor bode for me i'm just i'm not i'm not there but you know whatever is the will of the board i personally would like to give this more time um so that we have additional data and that we can make sure that we have continued discussions and we see the impact of this so i don't know if there's anyone else i don't know if gordy if you want to go again Anyone else want to go again, jump in the queue.

[04:51:25] If not, I will go ahead and call, hold on, Supervisor Vega. These are kind of final. Then we're going to call for the motion. We can have additional discussion within the, you know. Okay. So I'll guess then, since no one else, we'll have additional discussion within the motion.

[04:51:46] Supervisor Bodie. Yeah. Madam Chair, I move 7J for approval. Second. It's been moved and seconded. So, Supervisor Bodie. Thank you, Madam Chair. So first, I wanted to really thank the citizens,

the consultants, the county staff, all the folks who have worked over the last several years on this.

[04:52:07] I know this has been a very long process, and you've put a lot of time, effort, energy into this, which is appreciated. When staff first presented this draft ordinance to us in a couple different iterations over the last few months, it was always meant to be a starting point, something that the board could review, refine, and revise as needed.

[04:52:24] So I wanted to commend Wade on his touch points with us, especially over the last six to eight months on those touch points on where we were, hearing the board's concerns and the concerns of different business owners as well as the residents as we can continue to move forward with this. The Day Center Ordinance Advisory Group was one important voice and one of the main important voices in this process, but I don't think it was ever meant to be the only voice.

[04:52:50] especially knowing that halfway or a little bit through the process, the DCOAG's composition changed. Not going to comment that good, bad, or ugly, but there was the original composition of the advisor group that changed. And once you change the composition of advisor group and you have it as one group, which then is the dominant voice, the outcome of that group is likely going to change, and the recommendations of that group will change will be likely different.

[04:53:15] So I did want to raise that as another part of this conversation. Other important voices like the Virginia Black Chamber of Commerce, NAOP Northern Virginia, Virginia American Water and Small Businesses, as well as industrial owners that were mentioned earlier, have chimed in and expressed serious concerns about what was proposed previously, especially going to a version of the ordinance that is prime under the octave band to be the main mechanism of measuring for enforcement.

[04:53:43] What I brought forward balances all those voices, in my opinion. addresses the very real concerns residents have raised about low frequency noise from data centers while also making sure that essential facilities, hospitals, schools, water utilities, and long-standing local businesses, as was said earlier, some of those businesses predate homes being built next to them or actually continue to be able to continue to operate without disruption.

[04:54:06] My new limits would use the C-weighted scale, which was originally recommended by JMT, as was said several times before, for its ability to capture the low frequency noise in a simpler and easy-to-understand way. Now, all this is still complex, but what we found is the C-weighting is a much easier way to talk to folks about it and to do that initial reading so they can understand, hey, are you in violation?

[04:54:28] Are you not in violation? I then looked at the DCOAG readings around the county and based our new limit on the maximum amount of sound that non-data center use businesses and data center businesses make to create a level of 73 decibels in the day and 67 dB at night.

[04:54:45] As Wade said earlier, once you accommodate that waiting, use that curb, this actually dips it below what the World Health Organization says is what they recommend for those nightly rates to make sure that people are able to sleep.

[04:54:58] I know the biggest concern in all this, as Supervisor Gordy said before, is, is this going to be effective in actually helping to protect and improve the health quality and quality of life of residents, especially as we continue to grapple with not only data centers, but these sort of mixed-use areas where we have residences near mixed-use centers, residents near industrial centers, residences next to areas like

innovation that have a lot of high-tech and other things going on that weren't really contemplated in the data.

[04:55:28] decades-old version of the ordinance that we have. The original proposal that came from the DCOAG, while I know a lot of work, thought, and expert advice went into it, and was well-intentioned, would have been nearly, in my opinion, very difficult and very challenging to enforce.

[04:55:46] Octave band testing, in many of the cases I found, while there are some examples of it working in other cases, as in Warrington and other localities, again, folks adopted the octave bands and then had to either remand them to be advisory or, frankly, stop enforcing them altogether, which, again, are we going to adopt an ordinance that's actually going to be effective that we can actually stand up and say we're able to use to help curb noise throughout the community?

[04:56:14] Out of that, the original proposal was the lowest levels in the country by almost all accounts, making it not only tougher to enforce but also seriously affecting small and local businesses. As was said before, if you have a mom-and-pop shop that does not have the sophistication in order to be able to not only measure but then remediate, we would not want to send the message that, on one hand, we want more diverse types of businesses to come to the county that aren't data centers, but then we're going to create an ordinance that really only data centers have the means and the money to hire the kind of acoustic experts to actually get at.

[04:56:46] To me, this was all about striking the right balance, listening to stakeholders, all stakeholders, creating our decision in science and practicality and delivering real relief to residents in a way that can actually be implemented. Thank you, Madam Chair. All right, do we have anyone else? Supervisor Vega, then Bailey.

[04:57:04] Thank you, Madam Chair. I want to start off by answering the question that you had in regards to the readings at Great Oak. Their last readings were 62.1 overnight and 57.9 during the day. I will personally say that I despise the way that we've arrived here today.

[04:57:23] When the general public comes before this governing body and talks about a lack of transparency, a broken process, and silencing the very people that are having to deal with the ramifications of a project that they never asked for, it's truly unacceptable for us to sit up here and ignore those concerns. Yes, we have to find that happy medium, and we have to find that middle ground. This proposal that we're being asked to vote here today does not get us there. It is evident, it is clear that it does not address the concerns that have been raised over the course of three years. There have been hundreds of hours invested by people in this community who have

[04:58:02] had to deal with this nightmare for such a long time. I understand that we have to be mindful of the business community, but ultimately the puck stops with us. We were elected to be the voice of our constituents. We were elected to bring forth good policy. It is irresponsible for this governing body to approve a half-baked ordinance. It's not ready for prime time. The fact that we, no, because I did not support that, but the fact that the majority on this board took it upon

[04:58:33] themselves to decide to disband the DCOAG is also unacceptable. We sit up here and talk so much about giving people a seat at the table, but what is that seat? Is it only going to be filled with people whose opinion we agree with and whose opinion we like? Or are we really interested in giving people a seat at the table. They're going to make us think twice. They're going to make us work hard to ensure that

we put forth good policy. To the folks that have invested so much time trying to get this ordinance right, and to those who have felt that their voices have been silenced

[04:59:11] throughout this entire process, I am sorry. I understand that we're going to disagree. I understand that we're not always going to make people happy, but I truly believe that we're missing an opportunity at going back to the drawing board and coming up with a better proposal.

[04:59:28] We're missing an opportunity. And I'm going to try again, Supervisor Bodie, because I've already asked you offline, but I'm going to do it again to be on the record. Madam Chair, given that the draft ordinance appears to go in a different direction from what the experts have recommended in regards to also the findings from the paid consultants, I don't believe that this ordinance as it's being proposed is appropriate and I would go ahead and like to offer a substitute motion my substitute motion would be for us to table this for us to come back either through a work session

[05:00:03] to discuss all of the findings that supervisor bode has put forward and have the experts come before this governing body and have an opportunity to answer to a lot of the questions that either went unanswered today or questions that many of us have I will second that motion so we have a a substitute motion to table this so we are going to go into discussion for that does anyone have any discussion around the substitute motion so seeing none I will say something I would have liked to have more time and I think that this is something the board should have had more opportunity

[05:00:43] to talk as we are doing now to tear it up to ask questions the community in Great Oak has been dealing with noise for too long you know I will say some improvements have been made but it doesn't sound like the community is satisfied. And yes, we are going to have problems across the county, but what's the rush? Why not take more time? Why not have additional discussions? Why not make sure that we are getting at all the things that we need to get at? I'm afraid of doing an ordinance

[05:01:19] and then having to come back and revise it so quickly, or maybe not at all. I don't know if this is really going to get at the problems. I really don't know that. I do have concerns for businesses um who may think you know quite frankly there's some misinformation out there and there's some businesses that may not be impacted by this I think there needs to be an educational component I think businesses are going to need time to come into compliance I do think the case-by-case approach invites confusion you know I really appreciate the work that you have put into this supervisor bode and I can tell that you've taken a lot of time you've had a lot of meetings

[05:01:58] I just don't feel as though we're there yet. I would have liked to take additional time. I would have liked to have additional meetings. I just don't see the hurry with this. I don't see why we have to do this now.

[05:02:14] And people have, you know, noted that we have an empty seat. But I just want to say that, you know, the board is obligated to still do the work that the board needs to do, even though we have an empty seat. It's just that because this is going to have such an impact on the Gainesville district, it would have been nice to have that additional voice.

[05:02:31] It would have been nice to have the additional discussion. As I've said, I believe in the public square. I believe in discussion. I believe in debate. This is a vote that we're either going to have to go up or down on. If we make changes, there's going to be another public hearing.

[05:02:50] I cannot in good conscience vote for what is presented to us, not for lack of effort, you know, from my colleague. I just have a lot of outstanding questions and things that I feel that need to be addressed based on what I've heard from people, based on the emails that we've gotten from residents and businesses alike.

[05:03:07] so i will um i would really like to table this i would really like the board to consider tabling this there is no rush there is no rush supervisor gordy just for clarity um or do we have a date certain of when this would come back up we do not have a date certain and what i can do is um quite honestly i can meet with the county executive and we can talk and perhaps we put this into a work session so that we can continue to have additional discussion around it um supervisor

[05:03:44] did you have something to say real quickly i would say supervisor gordy at the very least at least until the gainesville district has a representative so our next board means november 18th which that person would be present at that meeting honestly i would go a little further out because whomever wins that seat is going to need to get up to speed it's going to need to have their own conversations and i do think that this might be appropriate for a future work session so that we can dig into it a little deeper and have additional conversation so it would be for me personally if you're okay supervisor vega a date uncertain um and then we can come back you know

[05:04:18] again i will keep this moving i pledge to keep this moving um and and just so that i'm clear on what so you're saying you would try to come back for a work session not for a vote on the the language and if but if there is a vote on language what is the language we're voting on i mean if there's a vote on the language it would have to be you know what we have you know i would assume

[05:04:44] It was advertised, you know, because unless we make, you know, mark this up today and re-advertise it, I do want us to have a little bit more time, have more discussions, have the Gainesville seat filled, possibly us do a public work session so we can debate things and hash things out.

[05:05:04] I mean, I get that this has been a really long process. I understand for the business community, you guys have been on pins and needles. I understand for residents, you've also been on pins and needles. I want to get this right, or as close to right as I can.

[05:05:21] And I'm not confident. I don't feel we're there yet. Anyone else? Madam Chair, if you're going to vote to defer it, I would recommend it be a date certain. All right.

[05:05:44] Supervisor Vega? Madam Chair, if there is interest in deferring, I would be open to dates. If your preference is to do it November 18th, I'm agreeable to that, or we can do it our first meeting in January to consider the chair's position of allowing the next Gainesville supervisor to have some time to get caught up.

[05:06:13] I guess we can do a date certain to when, supervisor, early January? December 2nd and 16 are the two dates that we have for business. 9th is a work session I mean we can do the 9th we can do it to a date certain on the 9th so I guess we were amending the motion for date certain on December 9th is there any further conversation

[05:06:45] on the motion that's on the floor we can oh so you know what it's going to have to be no if we do a work session then we're not we don't normally take votes on work sessions so perhaps what about december december 2nd i can agree december 2nd i can i fully anticipate based on planning schedule that

december 16th is going to be a very long night it will be a long night yeah all right supervisor bode yeah thank you manager and i appreciate the conversation and i know why folks

[05:07:20] are still sort of concerned about this i was actually a lot more inclined to support what uh supervisor gordy was talking about earlier which is we adopt the ordinance give staff time to get trained get their sea legs um and have this revisited in in six to eight months so we can see the data can see if this has been effective what have you and frankly that's part of my my sense of urgency all this like this has been talked about for so long and we still if we still don't adopt something then we push it off for another month or two to either have a public hearing or have a work session that still doesn't get us at hey now we know what staff is going to be working

[05:07:58] on we know the rules of the road that they'll be following to talk to business to have that outreach we still won't have anything there with which we can go forth and start really trying to work with folks to actually remediate or get folks even prepared to start remediating anything that's frankly why i i don't like the op the the the uh idea of pushing this off anymore and again And I like the idea that Supervisor Gordy was talking about, which is we adopt it with the understanding that, yes, six to eight months from now, in the middle of the summer, a little later in the summer months, we come back.

[05:08:33] We have a conversation around the types of proactive readings we've gotten with that new staff that's been hired, trained up, ready to go. We see whether or not this has actually gotten at some of the concerns that people have and be able to revise and refine at that time. Then my question is, and I think what I proposed is a little similar to what Supervisor Gordy said, you know, why not do a pilot?

[05:08:56] Like, do we have to pass this ordinance? Can we do a pilot? Can we come back, or can we amend and do a pilot based on this ordinance? You know, give staff time to get trained up, no? Okay. Madam Chair, I'm not sure what you mean by a pilot.

[05:09:14] If you're thinking about maybe a sunset provision with regards to the whole ordinance, if that's what you're thinking about, I'd recommend that you have another public hearing because that would be a substantial change to the language. Now, what I meant is, you know, if we look at what is proposed, if we do not adopt this, if we look at what is proposed, and again, it would require another hearing, but, you know, we authorize giving, you know, Wade additional staff, getting people trained up, and let them go out, let them see, like, no violations, no violations.

[05:09:49] Let's just see what kind of data we can collect. We can see what we're hearing from the community, what we're hearing from the business community. Is anyone found in violation? And we can take that data and then, you know, perhaps tweak or amend what is before us. You know, it doesn't sound like that's a popular idea, but again, for me, getting it right is very critical.

[05:10:10] And so that's, I don't know how you received that, but that's what I was thinking. It's not passing this, but just go ahead and seeing if we implement it. What would the, you know, what data do we get? So, all right, Supervisor Gordy?

[05:10:27] Madam Chair, I think, Wade, if you'd correct me if I'm wrong, and I'm sorry, I know we're debating ourselves here, but I thought that was sort of the initial approach to this anyway, was for about the first six months, they would go out, speak with the community, see who's in violation, without really putting forward any real enforcement.

[05:10:47] Did I misunderstand that? I mean, you would tell them they would be out of compliance, but that was sort of the intent. Well, the first six months, so let's say day forward from today, if an ordinance is passed, I mean, we'll go ahead, we'll start advertising for the positions, get the vehicles ordered, assuming the board approves the funding.

[05:11:06] And again, we'll start really marketing this noise ordinance, again, through economic development, tourism, get the word out to the business community, so that while we're ramping up, getting staff, getting trained, so that when May 1 comes, we're ready to actually now start going out in the field. We're trained up.

[05:11:23] Businesses will have at least had a six-month notice that this is coming. Now, at that point, somebody calls on May 2nd and says, I've got a noise complaint. We go out and test, and they're in violation. Again, we would work to voluntary abatement, but we would actually be starting down that path of, okay, business owner, let's get a game plan.

[05:11:41] What's the timeline? And if they didn't follow that, then we would take them to court. But to be clear, Supervisor Gordy, what I also heard and Wade reflected this out as well is that after that six months, we would be coming back to the board with data, with clear information about where we see violations.

[05:12:01] And certainly in a year, we would be in a position to do something more aggregate in terms of a conversation around whether this ordinance is being successfully implemented or if we would recommend to staff some additional changes. If there's nothing else, we'll go ahead and vote on the current motion, which is her substitute motion to table this until a date certain of December 9th.

[05:12:36] December 2nd, yeah, sorry, December 2nd.

[05:12:57] All right, we're back to the original motion. Is there any further discussion? I see you in the queue, Tom. I don't know if you meant to be in the queue or if you're just, is there any further discussion?

[05:13:14] Supervisor Bailey. Thank you, Madam Chair. Madam Chair, I just want to thank Tom for your hard work in getting us to this place. And I also want to thank the DCOJ for your advisement, your hard work, putting aside your personal time.

[05:13:34] We had an advisory group for the Crisis Receiving Center, and they had to do the same thing. It was ten of them. And so once the work was substantiated, the data was there, and they were, for lack of a better word, disband, that's a hard thing because you've poured your heart into it.

[05:13:57] And so that's what community leaders do. And so I just wanted to offer my appreciation for all the work that you've done. I think that just for me, and I get in trouble every time I say just for me, But I know that this is not an easy decision.

[05:14:18] It's not. But I think that with the technical work that you've done with JMT, that's proof in the pudding as well. And so we appreciate that. And I want to thank my colleague for taking time from his family to do the same to educate us, because just looking at both documents was not being a subject matter expert.

[05:14:45] That's not what I got my degrees in, but comparing it to was an interesting read. So just thank you all for what you've done. I just wanted to say that. Thank you, Madam Chair. All right, Supervisor Gordy. Madam Chair, thank you.

[05:15:01] This is, I also want to thank the DCOAG and all those who've been involved in this from the beginning of May of 22 when this first became an issue for us. Incidentally, we saw this in other communities around the country.

[05:15:19] We saw it coming, and we saw that we as a county were going to have to do something about it. It's disappointing it's taken this long for us to get here. But nonetheless, we are here, and it's taken a lot of work on the part of Wade Hugh, his staff, the DCOAG, a lot of communications with business leaders.

[05:15:43] I've enjoyed every conversation that I've had. I've learned from each and every person through this process. This is a challenging issue to get after because our noise ordinances were not, they were meant to just stop people from being rude to one another.

[05:16:02] That's really what they were about. It was don't have loud cars, don't play loud music, don't, you know, nobody anticipated this level of a complicated issue. And again, even in our noise ordinance, HVAC systems were not, were excluded from the noise ordinance, which is what excluded data centers from complying because the noise was emanating from their HVAC systems. So in July 22, the first data center case, I put forward, I got them to proffer to the first adherence to the noise ordinance to include their HVAC systems.

[05:16:40] So we've been trying to piecemeal this thing together now for three years with each and every data center case. Even the one that we've coming up tonight, we've got a noise provision in there, a noise proffer to try to get after to hold them to that noise proffer to be in compliance.

[05:16:58] We can't keep doing that because we've got some at 50, we've got some at 55. Now it's a zoning ordinance issue. And so how is it, you know, each and every data center is going to have a different set of rules to follow until we get a noise ordinance in place that everyone must follow and it becomes consistent.

[05:17:17] The challenge that we have before us, I believe, will continue to be before us. New technologies are going to come online. I think data centers recognize their problem.

[05:17:35] That's why they're proffering to these lower standards, because they recognize it is a problem. Now, not all data centers have a problem, but clearly some do, and that's why we're here. I will be, this passes, I will be asking for a directive for a report in one year with that analysis, so that will be part of it, and then I will be coming back with another directive at our next meeting related to a reestablishment of an organization to continue to work on issues related

[05:18:10] to not just our noise, but the DCSM. And we have data centers that are currently revamping themselves. They are going through a second cycle of refreshing. And so the opportunity to work with these data centers to make them better as they start to look at their refresh, to make them better corporate citizens within our community. And I think that that type of organization would help us serve, um, us as a board to understand what's going on from an advisory capacity,

[05:18:44] uh, but also help our staff in terms of, um, accountability of what we're trying to accomplish as a, as a community. So, uh, with that, Madam chair, uh, that's all I have to say. Thank you. All right. Supervisor Bailey. Yeah. Wait, I know you are. I called you Tom. I'm sorry.

[05:19:04] I know you're, I just want to apologize for that. Thanks, Madam chair. I had to make a joke. I mean, And how alike the two of you guys look. All right. If there's no one else, let's go ahead and take the

vote. Motion passes 5 to 2.

[05:19:26] Supervisors Vega and Chair Jefferson voting A. Madam Chair. Supervisor Gordy. Madam Chair, I'd like to issue a directive to county staff that one year from now that the staff provide analysis and a report to include analysis on the effectiveness of this current noise ordinance, any violations that were found, and any potential revisions to the noise ordinance that needs to be made from their perspective.

[05:19:58] Thank you, Madam Chair. All right. Thank you. So now we're going to have to go on. As I explained earlier, we're going to actually pretend it's 7 o'clock. We're going to say that it's 7.02. We are going to move forward with the evening session of the board meeting. And then after that, we are going to come back, and we are going to take up agenda items 8, 10, and 11.

[05:20:23] And then we get to go home. So with that, I would like to call up the applicant for item number 13. And I also thank you so very much, Ms. Cameron, for giving us, you and the applicant, for giving us additional time to finish that discussion.

[05:21:00] Good evening, Chair Jefferson and members of the board.

[05:21:17] My name is Jonelle Cameron with Walsh, Colucci, Lubelai, and Walsh here tonight on behalf of the owner and the applicant of the property, University Boulevard, LLC. With me tonight are Chuck Kuhn, Steve Kuhn, John Cox, Charles Yudd with the applicant, Clayton Tock, the civil engineer with Urban, also Marion Harders with Walsh Colucci.

[05:21:37] We are seeking a proffer amendment to increase the FAR in height on the property in association with the data center development. As a roadmap, I'm going to review the property and proposal with you and then focus on some of the weaknesses in the staff report and how the applicant believes the application is compatible with and aligns with the comprehensive plan.

[05:21:58] The property is located at the intersection of Prince William Parkway here and University Boulevard here. It is about 17.68 acres in size and has an existing building. It was the old Comcast building that had a data center component inside of it.

[05:22:16] The property is currently zoned PBD plan business district, and it allows for a maximum height of 70 feet and a maximum square footage of 208,173 square feet, which is approximately a .27 FAR.

[05:22:31] The property is comprehensively planned OMU office mixed use, which recommends a maximum building height between four to eight stories and an FAR ranging from .58 to 1.38. The property is located within the data center overlay district, so it's this property here.

[05:22:51] As you're aware, data centers are permitted by right in the overlay district. In 2019, the Board of County Supervisors amended the overlay district and specifically removed properties from the overlay within Innovation. This property is one that they chose to remain in the overlay because it had a data center operating on it.

[05:23:11] The maximum FAR permitted in the overlay is 1.0. The property is also located within the Technology Overlay District and has a designation of EO, which is Employment Center Office Research and Development. In addition, the property is also located within the Innovation Small Area Plan in this area here.

[05:23:33] This corridor was specifically designated as OMU and was located in the Technology Center. The Technology Center includes data centers as principal suggested uses in that comprehensive plan. This

slide is the contextual exhibit of how the proposal fits in with the surrounding area.

[05:23:53] The aerials online are outdated, but here is George Mason University. This is Innovation Town Center here that is currently under construction. And then there are office flex warehouse buildings here. And at the end of Innovation Drive, here are Amazon data centers.

[05:24:12] This slide is the proposed layout. It is proffered specifically in our master development plan. The applicant, again, is seeking a height from 70 feet to 80 feet and has limited the rooftop mechanical equipment to 15 feet.

[05:24:30] Under the existing proffers, there is not a limitation on the height of the rooftop mechanical equipment. The applicant is seeking a maximum FAR of 0.75. The applicant has oriented the equipment yard, so it is to the rear of the site with the three principal facades being along Prince William Parkway, University Boulevard, and Innovation Drive. The applicant is retaining the 100-foot buffer along Prince William Parkway.

[05:24:58] There is a 50-foot buffer that exists today that has utility lines in it. That landscaping will remain. And then there's a 50-foot buffer along Innovation Drive that will remain as well. 30 percent of the site will be open space. The applicant has also agreed to plant evergreen trees to the rear of the site here and with permission of the adjoining property owner the applicant will plant additional trees off-site as well. When working with staff the initial submission did

[05:25:34] not include building elevations yet it proffered to the data center design standards as well as the Innovation Architectural Review Board standards. Because the property is located with innovation and is subject to the Innovation Architectural Review Board, the applicant didn't have an end user and specifically asked for and wanted optionality. The resubmission included three different types of data center buildings that could be there. Staff and Supervisor Gordy really pushed the applicant to commit to building design and to make sure that three sides of the building

[05:26:09] included fenestration and glazing to make it look more like an office building. This slide here is what the view would be from University Boulevard and Prince William Parkway. So if you're looking in this area here, this is looking straight on to the main access point from University Boulevard.

[05:26:33] And this is if you're at the corner of University and Innovation Drive. This is to the rear of the site which shows those additional evergreen trees and we were asked to show what it would look like at full planting in 10 years or full growth so this is what that view would be the applicant is providing the sound standards that you have seen before notwithstanding and in addition to the applicable applicable noise ordinance so the applicant would also be required to meet the noise

[05:27:06] ordinance standards that you all just passed the applicant has also proffered a list of eight of the sustainability measures. And in the next few slides, I will quickly go over the weaknesses that were outlined in the staff report and how the applicant has addressed those weaknesses. So the first pertained to the lack of MZP layout and illustrative details. The applicant specifically proffered that all future development of the property will be in substantial conformance with

[05:27:40] the master zoning plan, which also included the concept layout plan. The concept layout plan shows the building footprint the equipment yard the travel way as well as landscaping stormwater management and security fencing other sheets within our GDP show utilities as well as landscaping so we

proffer the GDP the utility plan the open space plan and the landscaping plan that all provide details and the applicant specifically proffered to develop in substantial conformance with those

[05:28:15] plans. This slide highlights staff's weakness as it relates to the site context. As noted in this staff weakness, data centers are permitted by right, and as I walked through this with you all earlier, the small area plan specifically designates this as the technology center, and data centers were outlined as primary uses in the technology center, and it is located within the data center overlay district and data centers are permitted by right. This slide shows language as it relates to the

[05:28:50] data center overlay district as well as the innovation small area plan which talks about technology as well as the data center overlay district and having data centers within that technology center in the small area plan. The next weakness pertains to massing and visual impacts of the site. The small area plan specifically outlines the recommended maximum height and floor area ratio. So any small area plan in this mixed use density, it has a maximum

[05:29:27] building height of eight stories and a maximum or a typical net floor area ratio between 0.57 and 1.38. If you take a standard office building, the maximum floors are about 12 to 15 feet. So at eight feet, which is called for in the comprehensive plan, you could have an office building about 96 feet, and the small area plan did not limit the rooftop mechanical equipment.

[05:29:55] For the floor area ratio, our proposal at 0.75 is less than the midpoint of that targeted range between 0.57 and 1.38. In addition, within this office mixed-use area, they actually decrease the building setback from the road. So it really is buildings should be set back 25 feet from the road, and they talk about having 50 percent of each building frontage to occupy the street and focus on redevelopment being closer to the road. Understanding the height and the floor

[05:30:33] area ratio of the site, the applicant actually kept the building further back from University Boulevard. And this slide shows the comprehensive plan as it is today. So the same targeted net FAR 0.57 to 1.38 is within the comprehensive plan, and the targeted building height is between four to eight stories. And this is a comparison chart. There are a lot of numbers on this chart, but really what it was designed to show is what the proposal is today, what the existing zoning allows

[05:31:10] for, what the TIAAD allows for, what the data center overlay district allows for, the innovation small area plan suggests, and the comprehensive plan. And really, we are in line with all of those documents with our proffer amendment to seek additional height for the TIAAD, the existing zoning, the small area plan, and the comprehensive plan, which are all one. They do not limit mechanical equipment height, and then the FAR is in line. Staff did, in the staff report,

[05:31:44] support the FAR modification. We do not need an FAR modification because it is within the data center overlay district, but staff did support the request for additional FAR for this site. When meeting with the planning commissioners, it became evident that they wanted to see, well, what will this building look like in comparison to George Mason University or the FBI building? So we did some 3D modeling. So what you see here is the George Mason building. And then what you see here is the proposed building. So this is if you're in the back of the George Mason

[05:32:22] building near Freedom Center. And then we also did this from University Boulevard as if you're going towards Prince William Parkway. And so this is the FBI building here. And then this would be the proposed data center building here and then you can see that George Mason building here and then this is

if you are at Prince William Parkway and University so this is the FBI building here and then this is the proposed data center building here. Staff also had a weakness for the preclusion of the elevator override as part of the height. We have had approved several data centers which

[05:33:02] have not included the elevator override within that maximum height. It is a very small portion of the building it's usually three to five feet higher than the mechanical equipment wall and the elevator override is how you would service the elevator or access it during a emergency and then this slide just breaks down what we're proposing for height and that we have limited that mechanical rooftop equipment the next weakness pertains to the loss of the intact trees on the site so the

[05:33:37] applicant as part of the proposal has provided within their landscape plan and proffer to the limits of development. So along Prince William Parkway, the 100-foot buffer will be retained as well as the 50-foot buffer along University, I'm sorry, along Innovation Drive. So the applicant has committed to retaining those as part of the proffers. It is not required today. Next, there is a comment regarding the sustainability and enforcement compliance issues I think this is

[05:34:14] a carryover from the planning commission public hearing so at the planning commission public hearing the applicant had a set of proffers that pertain to optimized strategies so commitments that they would be willing to do as it pertained to sustainability based on feedback from staff the applicant removed those optimized strategies and the applicant has proffered to the standard list that this board has seen several times now and just to summarize with this proffer amendment the applicant has provided additional proffers to mitigate their impacts that are not part of

[05:34:51] the proffers today which include architecture which is proffer five bicycle racks which are proffer eight generator locations which are proffer nine proffer to the noise standards which is proffer 10 proffer to do a sound study proffer 12 a construction management plan proffer 13 proffer to sustainability measures proffer 14 we are providing an environmental monetary contribution under proffer 15 providing the supplemental plantings which is proffer 17 native plant species for new plantings which is proffer 19 soil remediation proffer 20 and then

[05:35:29] a fire and rescue monetary contribution which is proffer 22 and that concludes my presentation with a positive recommendation from both Planning Commission as well as planning staff. We also would like the board to approve this application, and I can answer any questions when it's my time.

[05:35:48] Thank you. All right. I don't know if anyone has any burning questions for the applicant because we can have the county do and we can do questions at once. So does anyone have any burning questions? I don't see anyone. Good evening, Madam Chair.

[05:36:12] Scott Meyer in the planning office. Nice to see everybody. I'm going to go through some things. maybe Janelle did not cover. I don't want to be repetitive, but you've already been oriented to where the site is. It's right here. It's unique in that it has three very defined frontages, Prince William Parkway, University Boulevard, and Innovation Drive. And again, this is a proffer amendment to amend the proffers from the 2000 rezoning to allow an increase in building height for up to 80 feet excluding rooftop mechanical equipment and screening walls that may be up to

[05:36:50] an additional 15 feet for a total cap on the height of 95 feet. So although we don't look at rooftop equipment to encompass a height increase we need to point out from a planning design perspective that

we are going to have an increased massing and visual effect of these of 15 feet additionally above the 80 feet. The site is located, again, you have the FBI complex, Northern Virginia Manassas Residency Office here. You have the new Innovation Town Center over here.

[05:37:28] Supervisor Gordy's office is right here, incidentally. So just to, excuse me, just to go back here. So the long-range plan is OMU-4. And one thing to point out is that this focuses on more office-oriented uses. Yes, this is within the data center overlay. That was made very clear.

[05:37:49] However, we have to look at context here. This is right across from a new town center being built. It's across from, this is in the Innovation Small Area Plan Technology Center. Data centers could be viable uses here, but we feel like it's more appropriately geared for an office-looking type of use. So that's why we pushed the applicant to make the building look like an office building as best to the extent practicable. It was an evolution. It took some time. This went to the planning commission originally back in June of 2024. It was deferred. There was a period of

[05:38:26] inactivity. And this went to the planning commission back on July, where I think we got in a more positive status of things. So just to give you a little bit of a background on um where we are excuse me and with the um so uh excuse me so this is a showing from the environmental constraints now since we have um the applicants doing what they can to preserve existing trees 100 foot buffer along the parkway 50 feet 50 feet and 50 feet there will be a um

[05:38:58] fence uh in conjunction with uh screening on the southern side um and this is showing the uh you know from the master zoning plan we have access points that are basically utilizing what is already there and we also have again this is a blow up from the southern boundary where applicants doing a fence detail in conjunction with you know evergreen trees so we feel like that is a good thing one of the things to point out is really the design though the design we still respectfully

[05:39:36] feel continues to be a concern there's very little way to hide this building we know the height can be here but is this best suited for a data center or is it best suited for a innovative slick looking office building so we had to balance that in our approach so what we've done is you know over a period of negotiation and discussions the applicant we are happy to say that we have the equipment yard in the rear. They're utilizing access. We've tried to maintain the Prince William

[05:40:11] Parkway buffer as best we can. This is an existing data center building. Of course, this will allow the height to go up from 70 feet to a finished height of 95 feet. Just one thing to point out. So this is looking at, excuse me, the elevations here. You'll see there's a fenestration. We've We've added finished sides, and Janelle already went through this.

[05:40:41] So with the staff analysis, data centers are not preferred envisioned uses in OMU4. This is within a data center overlay. So how do we balance that? We have to do our job in planning, tell all sides of things, and that's what I'm doing here.

[05:41:00] So we have the weakness of land use in that data centers are not ideally envisioned in what is to be more of an office technology area. With design, let me go through some of these. We have to look at the, you know, within the site context, massing visual impacts.

[05:41:20] We've done what we could by the applicant is, I'm happy to say, doing five of the design standards. but is this best suited for a data center years back because i've been with the county for a while this was initially to be outside of the data center overlay it was retained to now be in the data center

overlay so this was discussed before but we don't have a defined end user we looked at also initially there were sustainability measures we had the applicant it was suggested that they

[05:41:57] look at enhanced sustainability. We ran into enforcement and compliance issues, and in the latest version of the proffers that you have before you, we are reverting back to the standard eight measures. I've been told that the applicant is considering reintroducing these optimized measures, which I heard about 11 minutes ago, maybe 20 minutes ago at this point, so we can talk about that when we get to that point. But overall, Planning Commission and staff are recommending approval. Staff is recommending approval with the proffers that were published

[05:42:32] dated September 18th, because we feel like this is upgrading and enhancing a data center use, which again fulfills the overall vision of the Innovation Small Area Plan Technology Center District. The question is, is this site best suited for a data center, which will be highly visible. That needs to be looked at. We're still working through noise. We have the standard noise mitigation proffers that are being considered. We have enhanced measures that have

[05:43:06] been proffered. This also is a targeted industry. And with that, I'll be happy to do the best I can to answer questions. We have planning here. We have transportation here. And thank you for your time. All right. Thank you so very much. Does anyone have any questions? Supervisor Gordy?

[05:43:24] you're not yeah hit the wrong button there all right thank you um uh one of the things that uh you kind of came as as we were going between the planning commission and now to the board and there were issues related to some of the proffers uh that we were advised that you as staff uh you advised the applicant to remove um and they were related to uh like tier four generators and other type of sustainability measures. Um, the, and I only just want to highlight this as, as a challenge

[05:44:01] that we have right now. Um, you know, there was, there, there was some discussion and maybe some confusion. I'm not sure how to best describe it, but at the end of the day, it was understood that because we have not passed and updated, uh, the comp plan and other, uh, county documents related to sustainability measures that sustainability measures that are being proffered to are not enforceable. And so I just highlight this as a challenge, not just for this case, but any and other any and all other cases coming forward, that this really is a challenge for us to try to make

[05:44:40] these facilities as long as they can be built right by right, like in this situation, we still want to try to get these sustainability measures in place in order to protect our community and so um and was there something you wanted to were you trying to offer okay um you you made movement so so i just want to point that out that we really need to get that resolved um so that we can we can actually enforce these things and i will be making um some additional proffers uh that go back

[05:45:16] to what was included in earlier versions of the application in order to seek to get these sustainability measures that once we are in compliance, that we have the enforcement mechanisms in place, we can then enforce them.

[05:45:35] So, Madam Chair. Madam Chair, I will be inserting myself now. I think you meant to say that the applicant may be voluntarily proffering certain sets instead of you making that. Yeah, well, yeah, thanks for the clarification, but yes, the applicant provided this to me, so.

[05:45:51] They're voluntarily proffering, yes, thank you. Thank you, technical terms. But, so, at the end of the day, again, we're talking about, you know, Scott, you mentioned, you know, that a data center, this is

not, you know, in your professional view, we'd prefer to have something else, but even if this passes, doesn't pass, what do you get here?

[05:46:20] um if we if it's not possible we have the buy right we have the existing you know conditions so we end up with a data center it's just not one that we've gotten proffers to gotten fenestration for and so and that and that's the point when i met with the applicant um uh after being elected this application was already uh filed uh they weren't happy with me but i said this thing's got to look good on all four sides the gateway to innovation gateway to George Mason University and so we've worked with the applicant over the past year and a half to

[05:46:59] try to get to a design that does actually look like an office building rather than a data center to try to make this as attractive as we possibly can and so I appreciate the work that staff has done to help push that forward and help us get to a better product here that better fits within the area, even as a data center.

[05:47:23] And with that, I'll pass it back to you, Madam Chair. All right. I have a quick question. I think you might be the one, Survivor Gordy, who can talk about this, but Innovation Town Center developer. I believe you've spoken to them. Are they on board with moving their development back a little bit from the street?

[05:47:39] Do they have additional buffer? The Innovation Town Center? I'm sorry. The developer, I believe. Oh, my God. University Village. Sorry. University Village. Yes. I'm sorry. Yes. So the university village, uh, is a work in progress. I fully anticipate, um, in, in speaking with George Mason university and their needs. Um, we need to make some adjustments to their proper statement, um, in terms of, you know, trying to get to their house, student housing challenges. Um, we also need to look at, uh, a couple of other challenges, uh, from the original

[05:48:15] set of proffers that were passed back I believe in 2021. So working with economic development and Tom Flynn and Christina Wynn, George Mason University, the developer, those are going to be conversations that will be coming forward here shortly to help us address some of the challenges that they're facing with moving forward on student housing and open up that door for us to get that right all right thank you i'm supervisor bode thank you madam chair um this is probably more for miss cameron uh than mr meyer but uh we've talked about noise quite a bit today but i want

[05:48:55] to bring it back for just a second in terms of the testing and that you're proffering to what have you can you talk a little bit more about that again knowing that we're going to have a mixed use university village right across the street and all the other sort of people-centric uses that we're having in this area can you speak a little bit more about the sound your mic sorry absolutely So there is a noise proffer that requires us to meet the noise standards.

[05:49:20] There's also sound studies that will be done. So it requires us to do sound modeling pre-development to ensure that we can meet the sound standards. And what that helps do is it helps you look at the modeling to say, okay, well, maybe there's a slight tweak to the site plan we need to do.

[05:49:38] Or maybe there's additional building things that we need to add to the building in order to make sure that we can meet it. And then post-development, we do another sound study to ensure that what was constructed actually does meet the noise standard.

[05:49:53] So it's being pre- or proactive instead of post-active when it comes to noise, and that's part of that proffer. If I could, Madam Chair. Appreciate that, Ms. Cameron. And my second piece of that is I know that there's usually some conversation you mentioned yourself during your presentation about the height of the building and not knowing that we don't really have an end user necessarily identified, but knowing that different folks basically place their equipment on different parts of the building, does the noise testing and what have you as you move forward,

[05:50:27] will that also contemplate, hey, do we have to have equipment on top of it instead of to the side and making sure that if the equipment does go up there, it contemplates the height restrictions there. Yes, absolutely. And what that does with the sound modeling is at that point they're able to better understand what equipment they plan on using for the building as well.

[05:50:49] So you can also say, okay, we have this equipment. If it's on the roof, we may need to do additional sound walls on the roof to be able to help ensure that we meet those standards. So to answer your question, yes, it does help you look at that as well. Appreciate it. Thank you. I just have a quick question because I want to make sure that I'm understanding high constraints.

[05:51:09] So, if by right height constraints do not include rooftop equipment, but the staff report says that the existing proffers limit the building height to 70 feet, including mechanical equipment, which is it? It is not at 70 feet. At 70 feet.

[05:51:24] Correct. All right. Any other questions? All right. I don't have any additional questions. I'm a supervisor. I'm sorry. Oh, you're not in my queue. Okay. Sorry. Now you're there. Am I there now? Now you're there. Okay. Thank you. I just, you know, something that came to mind, being that the secret place across the street is the neighbor, the FBI building?

[05:51:46] Yes. Has there been any interaction there just to let them know that there's going to be a data center across? And, I mean, that may or may not be anything critical, but. They received notice. They're part of the notice list, but we did not meet with them separately. Okay. It will be another secure use, which tends to make them feel better as well.

[05:52:07] But, no, we did not meet them separately. Okay. thank you you're welcome all right i'm looking around i'm checking the queue checking it twice all right thank you so very much um i am now going to go ahead for item 13a i'm going to go ahead and open um the public hearing we're going to start with in person um for those of you who have not been here before i'm going to call folks up um and you will stay in the back you will speak at that microphone there please adjust it in case we cannot hear you i want to make sure that you can be heard from the back of the room on the screen there you're going to have time you're

[05:52:42] going to have three minutes unless you are an approved um organization then you get five minutes so with that and then after um we do in person we do remote we go back to the applicant staff if there are any other questions or clarification needed um and then that's when it goes back to the board for um further discussion and a vote so with that i'm going to start with um nathan Nathan Matier, Robert Massey, Laura Haltzleg, Jeff Terer, Tyler Cumberland.

[05:53:21] So we have a lot of new faces. So welcome. All right, sir. You may, and again, start by saying your name and where you reside. Good evening, Madam Chair and members of the Board of County Supervisors. My name is Nathan Matier.

[05:53:37] And adjust the mic so we can hear you. If you can't really hear yourself too much. How's this? All right. My name is Nathan Mateer and I live in the Potomac district. I'm here to speak in support for this proper amendment regarding innovation on the parkway. Because this amendment is to increase the building's density and the building height for existing use, which is a data center, I don't really see a problem with this being approved.

[05:54:09] So I also support the application based on the applicant's willingness to commit to higher quality building standards to keep in line with the Innovation Town Center and the surrounding area. So this area of the county is planned for uses that are consistent with the innovation and technology activities, and I believe this application fits with that intent.

[05:54:30] I also believe that this project will deliver significant economic benefits, which most importantly to me means strengthen tax base and continued investment in the local economy. And many of my neighbors work in this industry, not just engineers or contractors, but some of the trades involved with the day-to-day construction activities and moving dirt.

[05:54:58] And every day I pass by this site, and not this property, but, you know, everywhere else where there's an active construction job or a data center, I just, you know, as early as 5.30 or 6, you see lights, the sites lighting up with people going to work.

[05:55:16] And a lot of those folks, some of those folks live in my neighborhood. So the local economy will be strengthened by the approval of this application. And I also appreciate the preservation of trees and increased plantings along the perimeter of the site.

[05:55:32] So there's a bit of shielding there, too. It helps with noise. So because the Planning Commission and county staff have both recommended approval, I respectfully request or ask that the Board of Supervisors do the same and approve this application.

[05:55:49] Thank you. Next speaker, please, and make sure that you're speaking into the mic. Good evening, Chair Jefferson and the rest of the board. My name is Robert Massey, and I'm from the Brinsville District.

[05:56:07] This application for Innovation Parkway requests a necessary adjustment to the building height and density to accommodate a modern high-capacity data center. The site is already permitted for this use. The applicant has committed to architectural elements that ensure the facility were compatible and improved the existing building corridor.

[05:56:29] The amendment serves to update the site proffers that date back nearly a quarter century. It brings these designations into alignment with the current economic technological environment, and approval confirms the county's commitment to supporting innovative activities in the designated area and are consistent with the established planning uses.

[05:56:52] It should be highlighted that the proffers included with this application represent a substantial positive improvement over the existing by right zoning conditions and we are securing they're securing community benefits that would not be guaranteed without this amendment i have no issues with application application as it stands and appreciate the attention the developers offered to the architecture treatment landscaping and the performance strategies and respectively ask the board to approve this application thank you very much next speaker please um good evening my name is

[05:57:28] Leo Holtzlag, and I've been a resident of this county for 28 years, my entire life. Four years ago, I started a recycling business. Since then, we have experienced significant growth with the influx of the local data centers. We have grown from three to 55 employees. Many of them reside here in Prince William. Data centers seem to kind of optimize the land as far as tax revenue is concerned, and I think it's good for the county. Next speaker. Good evening, Chair Jefferson and

[05:58:07] members of the board. I reside in Fairfax County. My name is Tyler Cumberland, but I work here in Prince William County and plan to continue building my career here. I care about seeing the county grow in a way that stays true to its long-term vision. When the county commits to a plan, it's important that we stay consistent with it. I'm here to share my support for the proposed amendment of innovation on the parkway. This area and site has long been planned for uses that align technology and innovation, and this proposal demonstrates that vision in a practical, forward-thinking way. It updates a set of proffers that were originally put in place nearly 25 years ago, bringing them up to today's standards and expectations. The application also reflects the

[05:58:45] applicant's willingness to commit and invest in high-quality architecture standards, which I believe will blend in nicely to the surrounding area. Overall, this project supports continued economic growth in the county. It strengthens the local tax base, creates new opportunities for investment, and does so on a site that's already zoned and equipped for this type of use in conjunction with the proffers included in this application which provide a positive improvement over the current by right use standards offering more community benefit and higher quality development i believe the i believe this is the right project in the right location the proposal is thoughtful consistent with the county's vision and beneficial to the

[05:59:25] community as a whole i respectfully ask for the board to approve this application all right before i go to the next speaker i just want to call up my final group um i have let's see jeff hadlock keith mainland and joe chrisman all right sir you may go thank you good evening chair jefferson members of the board of supervisors my name is jeff tara and i'm a resident of loudon county i'm a commercial real estate consultant who advises tenant occupiers buyers and sellers here in the county i've done so for over 20 years now i'm here to support in support of the proposed

[06:00:04] proffer amendment at innovation on the parkway to increase the floor area ratio and building height for the planned data center. This site already allows data center use and the amendment aligns with the county's long-term vision for this corridor. It's important for property owners to update proffers when needed to support the county and for the county to recognize that property values and investment are strengthened by allowing density where it supports the broader vision that the county has. This application provides that balance and delivers on what the board intended for innovation. I encourage you to approve this amendment. It's the right use in the right place and promotes consistency, clarity, and confidence, values that commercial property

[06:00:43] owners rely on to guide future investment across this county. Thank you for your time and for your thoughtful consideration in the application. Thank you. Next speaker. Good evening, Chair Jefferson and members of the board. My name is Jeff Hadlock, and I'm a commercial realtor who has worked in Prince William County since the mid-80s. I'm sorry, would you please adjust the thank you I'm in support of this proper amendment for a number of different reasons I believe it's in the right place at the right time a great location

[06:01:20] which has already been approved for data it is probably the best-looking data design that I've seen to date of all the data centers that we've seen built of recent and I believe that the Planning Commission has been through this in detail and have recommended approval. I think it's good for the economy. It brings up a lot of tax base that we need, which is good for the county, good for the tax base, good overall. It's the right use at the right location, and I would appreciate it if y'all would vote for this

[06:01:58] proper amendment. Thank you. Next speaker, please. Good evening. My name is Keith Mainland, and I own and operate a 60-employee commercial landscaping company in Northern Virginia.

[06:02:14] With a lot of our work based in Prince William, I'm here to support the data center development and innovation on the parkway. Projects like this are critical to keeping small service-based businesses like mine alive and growing right here in the county. Data centers aren't just buildings. They're the backbone of how the world runs today.

[06:02:31] Every piece of AI data, every transaction, every cloud-based service depends on secure and reliable storage infrastructure. These facilities are what keep our economy and our daily lives moving forward. And for small businesses like mine, they also create steady, reoccurring work.

[06:02:47] My team maintains their landscapes, manages stormwater systems, provides snow removal services, and handles year-round site care. The consistent work allows us to offer stable, good-paying jobs to local residents, people who live right here in Prince William County. Without continued development like this, that reoccurring work disappears.

[06:03:07] When that happens, it's not just data centers that lose out. it's dozens of small businesses and hundreds of workers who depend on them thank you for your time and for considering how these projects support not just technology but the real people and small businesses that keep it all running all right next speaker good evening i don't think i need to uh speak too long on how this is a good for approval but um i'll tell you what it's done for my business i own a concrete construction company based in northern virginia and 98 percent of our business has been in prince william county over the last 10 years i think this building is very

[06:03:45] attractive i think that's been said i think the uh renderings look good and um i would hope that you guys could approve this and thank you for speaking to the mic good sir all right um i have called everyone who has signed up to speak in person i'm going to turn over to supervisor bailey for remote thank you madam chair uh and i do have uh six people on my sheet am i am i good Andrea? Okay. Shall we begin, please? Good evening. Our first speaker is Rachel Ellis. Thank you very

[06:04:24] much. Ms. Ellis, please begin. Hello, Rachel Ellis, Gainesville District. I'm asking you to vote no on this prop for a minute. First, Gainesville District does not have any representation on the board currently. Oh wait, that doesn't matter to five of you as we just heard. Second, if you the board want to get the data center overlay zone under control stop saying yes to more let the data centers build only what is allowable by right let's talk about what can be built right by right on this property currently allowed is 70 feet height inclusive of rooftop equipment

[06:05:03] the developer is asking for 80 feet plus 15 additional feet for rooftop equipment so a 95 foot data center will be directly across from this from a new residential community being built near the the georgia mason campus a campus that is meant to attract younger residents please say no currently

allowed is a maximum total of 208 000 square feet of data center on this site the developers asking for an increase in the far to 0.75 which would allow for well over 500 square

[06:05:36] 500 000 square feet of data center on this site more square footage means more power say no the The developers continue to threaten the less than data center if it's built by right. Not as pretty, not as sustainable, not all these proffer amendments.

[06:05:55] But you know what? Let them build by right anyways. Why? Because they won't. It's not profitable for them. Let them build it by right. Why? Because our power grid cannot sustain more. Our residents cannot absorb more transmission lines. Let them build it by right.

[06:06:11] Why? Because at some point, this county has to go in a different direction. More and more businesses are being gobbled up by the data center machine in the overlay, and this board has yet to say no to any proffer asking for more. Let them build it by right. Why? Because we still are supporting all those people that have just discussed the economic reasons for their businesses.

[06:06:32] They still have a job because they're still building a data center. And by the way, if they were good community partners, they would include sustainable measures. They would make it look attractive, even building by right. they would actually care about the impact of the community.

[06:06:47] They do not care about the community. They only care about more. I'm asking you to vote now. Thank you. - Thank you, Ms. Ellis. Next speaker, please. - Next speaker is Jessica Grove. - Please proceed, Ms. Grove.

[06:07:07] - Good evening, Chair Jefferson and Board of Supervisors minus a Gainesville district representative. I am thoroughly disgusted with this. Why do we have people driving from Loudoun and Fairfax to come and say that they want to put a data center or they want to allow extra proffers for something that is not in their backyard?

[06:07:36] This doesn't affect them. I just don't understand. I just don't understand why you guys keep on letting this happen. And from what your questions have already been, your vote has already been decided. This just explains all of the bar and the extra space.

[06:08:00] Let them build by right. That's what they get. That's what we have an ordinance for. Let them build by right. That's all they get. There's no reason to give them any more than what is currently allowed. We already have way too much.

[06:08:16] We're looking at multiple, multiple, multiple needs for transmission lines. It's going to take more water unless you're using a closed-loop system. That will take more power. You are county, aspect, quality of life, air pollution, water, power, transmission lines.

[06:08:46] And for what? For what? You have got to stop this. Say no. Let them build only what is by right. And that's it. I don't care if it looks like an office building or a concrete block. It's not trees. It's not wildflowers. It's not walkable land.

[06:09:04] By right. And that's it. Don't give them an extra inch. Thank you. Thank you, Ms. Grove. Next speaker, please. Yes, our next speaker is Vida Carroll. Please continue, Ms. Carroll.

[06:09:22] Hi, Vida Carroll Brentsville. I'm not a commercial real estate broker. I've never worked for Chuck Kuhn. I've never done Chuck Kuhn's landscaping. I've never worked for his airport. I've never worked for his moving company. I own property in Brentsville.

[06:09:39] I pay my utility bills in Brentsville. I have five school-aged children, well, younger than school-aged children, some of them in Brentsville. and I am very opposed to this project. A few weeks ago, I heard this board talk about how they wanted to do something different with innovation, how we needed to attract a diverse commercial base in innovation. We needed to look beyond data and innovation, consider all of the new residential, the young residents we want to attract to innovation. And now here I am later

[06:10:16] hearing, yeah, pretty much scripted questions to the applicant. I mean, I can see where this is heading. We can all see where this is heading. But as Mr. Meyer said, and I appreciate the county's presentation on this, which was well done, a data center is allowed by right.

[06:10:33] Let them build what's by right. Let them build what's by right. We're not saying no to data. we're saying yes to what is by right 200 000 square feet of data center is allowable by right let them build that let them build that there are two major dominion projects coming into the horn baker and innovation area um both that crossover residential areas in brinsville one coming down from devlin and one that's going to be coming up from nokeville and this surely is not going to

[06:11:03] help the problem um i'm just flummoxed that this board i i frankly i'm disgusted with five of you um absurd on its face that this isn't being considered um do better deny this and and to mr coon it don't insult the community by sending out some guys who used to work for you to speak for and commercial real estate brokers from out of county. It's insulting to the people

[06:11:42] who live here, who you are running an extension cord over our communities. So I hope that Brinsville listens to Brinsville residents and supports us in this and supports your campaign pledge of stopping industrial sprawl. The proffers are not worth what they're doing. If they are really good neighbors, they would be good neighbors with or without this proffer amendment. Do better.

[06:12:05] Thank you, Ms. Carroll. Next speaker, please. Yes, our next speaker is Chase Stewart. Mr. Stewart, please. Good evening, Chair Jefferson and members of the Board of Supervisors. My name is Chase Stewart, and I work closely with businesses and organizations throughout Prince William County.

[06:12:25] Through my work, I've had the opportunity to see firsthand how thoughtful development and responsible investment can strengthen the local economy and create lasting benefits for the community. I'm sorry I can't be there in person, but I appreciate the opportunity to speak with you this evening in support of the proposed proper amendment for the data center building at Innovation on the Parkway.

[06:12:44] As you know, this location is already by right for data center use, and I believe the applicant's request to increase the floor area ratio and building height is both appropriate and thoughtfully considered. I want to commend the applicant for their commitment to the high-quality architectural design and for ensuring that the building complements its surroundings.

[06:13:03] The Planning Commission and staff have both recommended approval, and I respectfully ask that the board consider moving this application forward as well. Beyond updating proffers, this project represents an opportunity to strengthen the county's economic foundation, enhancing the local tax base, supporting continued investment, and promoting innovation within the community.

[06:13:23] Importantly, this application offers meaningful improvements over what could be developed by right, thanks to additional commitments and proffers included. This area of the county has long been envisioned as a center for innovation, research, and technology-driven activity. The proposed data center

aligns with that vision by supporting the continued growth of the county's innovation and technology sector in a location that was specifically planned for these types of uses.

[06:13:49] By advancing development here, where infrastructure and land use planning are already in place, the applicant is contributing to responsible growth that strengthens the county's long-term economic vitality. This project represents the right use in the right place, aligning seamlessly with the county's goals for innovation and the broader community.

[06:14:08] For these reasons, I respectfully express my support for approval of this application. Thank you for your time and consideration. Thank you so much. Next speaker, please. Next speaker.

[06:14:26] I'm sorry. Madam Chair, we have no other speakers. Okay. Thank you so much. Madam Chair, back to you. All right. Thank you so very much. At this time, I would like to close a public hearing for item number 13A. And with that, I don't know if anyone had any additional questions they wanted to pose, or if you want to come up and clarify anything.

[06:14:46] I just wanted to fix the record. So we went back and looked at the approved proffers, and it specifically says 75, a maximum height of buildings, including mechanical equipment, shall not exceed 70 feet. So I wanted to make sure we did fix that record, going back and looking at the proffers.

[06:15:02] And then what we passed out to you all are the proffers that we agreed to add based on discussions with Supervisor Gordy, which includes proffering to tier four generators or the equivalent, and then including the optimized strategies that deal with sustainability.

[06:15:23] we were asked by planning staff to remove reference to providing information to the zoning administrator and only provide the information to the office of sustainability so supervisor gordy that is a change over what we discussed but that is shown in the red lines that we passed out to you all all thank you for the additional clarification does anyone have any additional questions for the applicant or staff going once going twice all right then so to we

[06:15:56] don't have any additional questions i would like to go ahead um i guess entertain a motion and that would be from assume supervisor gordy madam chair thank you very much um i appreciate everyone who came out to speak tonight those online and in person um yeah again if this were rezoning we'd be having a different conversation but the reality is um there's already a data center in uh uh in application with development services, but it's not one that we want here. What we're seeking is

[06:16:35] a data center that's going to be enhanced the gateway to innovation at George Mason University. I get the community does not want to see any more data centers approved by this board, but at the end of the day, there's going to be a data center here, and it's going to be the same amount of power regardless of whether it's the one that we're proffering or the one that can go by right.

[06:17:01] It's the same amount of power and it will come in as distribution underground. My job as the supervisor is to try to mitigate the impacts of these data centers as best as we possibly can within the community. A by right data center does not always come with the best options for us.

[06:17:23] I want to know what we're getting. And I believe that the things that we've negotiated here allow us to get a better product that's better for our community, that's safer for our community, that's quieter for our community, that's healthier for our community. And I don't want to take it for granted. I

want to know what we're getting. And the applicant has agreed to proffer to the things that we've requested in order to protect our community.

[06:17:53] And so this is about, again, it's a proffer amendment. And so, Madam Chair, I'm going to move to approve this item with REZ 2023 Tech-00001 with proffer statement dated October 28, 2025.

[06:18:17] Second. All right, it's moved and properly seconded. Supervisor voting. Thank you, Madam Chair. I want to ditto a lot of what Supervisor Gordy just said, but I will tweak a little bit, because I honestly believe that with some of the sustainability mechanisms and other things they proffered here, it actually will likely be less energy and more energy efficient than if we just went by right, frankly.

[06:18:39] We know that, yes, there is a vested interest, a bottom line interest in them doing things as energy efficiently as possible and what have you, But with some of these sustainability measures that they're agreeing to proffer to, it gives us the ability to monitor, frankly.

[06:18:56] That's one of the proffers here is proffer F that was added was allow there to be monitored energy draw from the electric grid. So we'll be able to have a better transparency into what's being drawn and the types of levels of energy that is feeding this development.

[06:19:12] And frankly, it's a redevelopment. That's an important point, too. So I'm going to ditto everything that was just said. I also just want to highlight that this is the very reason to what Sue Reza Gordy said on why quite a few of us have talked about, you know, us getting rid of the overlay so we're not in this situation of what type of data center it's, whether or not there's a data center there and what have you.

[06:19:33] But to the earliest point, until we're able to update some of our policies, and frankly, until we get some more authority from the General Assembly, which I hope is coming in January of next year, we can only do so much around power, water, some of these other issues.

[06:19:52] Until that time comes, we can only sort of navigate and wiggle within the confines of what we're allowed to do right now. And this is frankly the best we can do, given the circumstances. Again, as was said, understood that there's folks in this county that don't want to see a single more data center built or a single more square footage of data center racks expanded upon.

[06:20:13] But if we have some level of oversight and the ability to negotiate and get proffers voluntarily given that increase the performance standards, and frankly, in this situation, also increase the standards of the diesel generators that I know people are concerned about, we should be wanting to have that opportunity.

[06:20:32] Versus just letting it go by right and do whatever is currently in the DCSM or the DCOZOD. Thank you, Madam Chair. All right. Do we have anyone else? Any other discussion? I struggle with this one.

[06:20:47] I struggle because I would like to see other businesses. I would like to diversify our tax base. There are other uses of land, but at the same time, I also realize that there is a data center already there. Kind of hard to fight with that.

[06:21:07] You know, my biggest question, I guess, my concern, and, you know, Supervisor Gordy, you mentioned that you're still having discussions with the residential that's going to be coming close by. I'd

like to be a part of those discussions because I'm really nervous. I want to protect the housing that's going to be there.

[06:21:29] I really want to protect that area. I want to make sure that young professionals, students, and others, you know, want to come to the area and make that area their home. So that's my big overriding concern with this project. Again, I'd like to see other industries, you know, but I also know that I can't force it.

[06:21:50] This isn't the overlay. There is a data center already there. You know, I know that the applicant has worked with county staff to make this a more viable project. Mr. Kuhn, we've talked.

[06:22:07] You know what kind of businesses I love. I can't sweet talk you, can I? All right, I have Yazzie over here getting on me about decorum. I'm just saying, I'm just saying, there's other stuff I want.

[06:22:24] You can make it happen. We'll talk. I don't know if there's anyone else, but, yeah, I have so many, I have lots of ideas. There are other things I'd like to see, but I also realize to a certain extent, you know, it's in the overlay. It's already a data center. You know, the question is, are we getting a better project or not?

[06:22:43] So, does anyone have anything else? I see Bailey and Angry. Thank you so much, Madam Chair. To the client, thank you for working with our colleague, and that's Tom.

[06:22:58] That's not Wade. I know who that is. Thank you for working with our colleagues. This isn't easy. It's not easy when we make these kinds of decisions, particularly with buy-right. Buy-right is sort of like pickleball.

[06:23:14] You think you're playing racquetball, but you're really playing pickleball. And so when we have buy-right opportunities, it's very tricky. And so I just say that to say thank you for working with Tom. And Tom, thank you for doing the best that you could in a tough situation.

[06:23:33] And because it's not a good, it's not, I should say it's not a good decision, but it's not an easy decision when it comes to data centers, and you all know that. But we appreciate when you do work with us. Our job is to make sure that we educate the community when things like this happen.

[06:23:53] It's good that you are in the overlay. That's a good thing. and you know that but it is um it is tough when you have to make these decisions so we appreciate long run we appreciate the discussions the in-depth discussions the negotiations because those are the type of things that should have been happening back in 1999 and was not happening so now they're happening and so for the people that are at the table looking out for the community looking out for things that need to be done it needs to be recognize as we do educate the community.

[06:24:31] So thank you, Madam Chair. Supervisor Angry, then Bodie. Thank you, Madam Chair. Supervisor Gordie, I want to thank you personally and the applicant and Jonelle Walsh-Galusha because what you've put together here is amazing. If you know this corridor and you know George Mason University and you know what's coming with the town center, what you're doing with this building, and from the images we've seen, clearly you won't know that that is a data center.

[06:24:56] Not that I don't believe that's a bad word anyway, But I do love what you've done with the aesthetics of it and really modernizing that area because it really is a revitalization project is what you've

done. And it's going to show as you look at that road, which is a very confusing road, mind you, when you're coming up the park and going to Quasco, they turn all these lanes and it's very confusing now.

[06:25:18] But I can see the vision of where we're going. And that corridor is going to be the future of what Prince William County looks like when we talk multimodal and really just innovation. thus the name Innovation Park. So I'm very proud of what you've rolled up your sleeves and put together with what we've just approved here tonight.

[06:25:39] I think that that is, again, another model that you continue to kind of push up how we're going to develop things, similar to what Supervisor Vega did with Herzog off the 234 corridor, always innovation and looking at new ways to raise the bar on how we're going to improve.

[06:25:57] So I think this whole exercise of getting to this point has been brilliantly done. I'm very, very satisfied and happy with what you've all done here today. So you've got my support on it, and I hope we can keep these moving forward the way we've discussed this today.

[06:26:13] So thanks, Madam Chair. Supervisor Brody. Just very quickly, I forgot to thank Scott and the team at Planning and all the other agencies that really dug into this and worked on this. I know this was a tricky case considering where it sits and all the other planning objectives that we adopted with the small area plan there.

[06:26:32] So I didn't want that to go by since I was so enthusiastic about agreeing with Professor Gordy about some of his other points. So, again, thank you to the staff. Thank you to the applicant. Thank you for all the folks that made this possible. Supervisor Bailey, did you have something else? I'll have one more thing.

[06:26:48] Okay, go on. Ditto. Thank you, Scott, Tanya, Alex, and Mr. McGettigan. Thank you so much. And to Walsh-Kilucci as well. It takes a team to get stuff done, and so we recognize that, and so we appreciate y'all.

[06:27:05] All right, I don't see anyone else, so we can go ahead and take our vote. All right, just thinking.

[06:27:28] Motion passes 5 to 2. Supervisors Vega and Chair Jefferson voting nay. All right, thank you so very much. We are now going to go back to item number, where are we?

[06:27:47] We're going back in time to item number 8, and that is county executive time. Mr. Shorter, the floor is now yours. Well, actually, I'll let people clear out. Great job, Wade.

[06:28:11] All right. Thank you very much, Madam Chair, members of the board, as Nikki and Glenn make their way down for item 8A. I want to just go over quick updates from our last time together.

[06:28:30] So there were no directives issued the last meeting, no directives closed since our last meeting, and... A resolution to schedule a public hearing on the noise ordinance was closed today, given our agenda. I've sent several updates to the board via memo.

[06:28:49] One, the launch of the county's new digital towing management system. Also sent information to the board on the county's efforts to develop a county-wide brand, including the county-wide brand project history and extensive work that went into developing the brand.

[06:29:10] I'll certainly work with the chair to schedule a work session in early 2026 to review materials and discuss a path forward. I sent real estate assessment divisions. This is the finance department's

recently completed annual report for 2025 to the board.

[06:29:32] It is on the website as well. And last but certainly not least, just want to remind that I sent information today regarding the county's litter collection program. and as a follow-up request from the October 7th board meeting. And I will certainly work with the chair to schedule a presentation on that topic in an upcoming board meeting.

[06:29:54] With that, Madam Chair, for item. Sorry, if I could. Supervisor Bode. Yeah, thank you. Sorry, I didn't mean to mess up your jive there and your flow there, Mr. Accounting Executive, but I have a request that isn't directives because of the nature of it, but I figured that since it was in response to a memo you sent the board a couple weeks back, I wanted to make their request now.

[06:30:18] No, we are in an uncertain time right now with the federal government shutdown. This may lead to financial issues for residents and taxpayers, which may include the personal property taxes, which were due back on October 6th, 2025. We appreciate all those who have paid their taxes already to support the important community services provided by the county.

[06:30:37] we understand there are some who may not yet have paid their taxes for a variety of reasons. I briefly asked for possible alternatives for late payments. I appreciate the information that the county executive provided to us. I recognize and respect the fact that under the county executive form of government and other applicable law, the director of finance, congratulations to our new director of finance, serves the role of treasurer and commissioner of the revenue.

[06:31:01] As independence from the board regarding tax assessments, enforcement, collection matters, and retains complete discretion in the day-to-day operations of the finance department. Given this economic uncertainty and significant financial challenges that many residents are currently facing, I would ask that the director of finance consider and explore alternatives such as flexible payment arrangements, installment plans, and other options if recommended by the director of finance, such as a temporary suspension of enforcement actions. If the county executive determines additional funds are necessary to accomplish this, to let the board know. I will also ask the county attorney to provide any legal assistance in this matter so i'm sorry i just have

[06:31:39] a question why now why not during supervisor's time because it isn't a directive so what is it that sounds like a directive it's not it's a request it is i would appreciate you know and i we have had people i know supervisor franklin supervisor gordy have done it because what they've had was immediately following i think this is an example of something that we could have done during supervisor's time um so i will just go ahead i don't know what you have during i know you have some other directives let's try to keep this sounds very much like a directive let's try to keep this in supervisor's time you know i know that we're constrained by our five minute little

[06:32:17] time but um i really want us to again unless it's something really immediate that we've got to tack on we've really got to respect supervisor's time so franklin and vega yeah just just point of clarification that it's not a directive. Supervisor Vega. Thank you, Madam Chair.

[06:32:37] It's very lengthy. Did you send it to Mr. Schroeder ahead of time? So you know exactly. I do. Okay. Did you send it, I'm sorry, around to the rest of us? Okay. Okay. All right. Wanted to verify. All right. All right, Madam Chair. I want to turn it over to Nikki, but before I do, I also sent a note to the board earlier this, earlier today, this morning, that the CRC opened today at 1 p.m.

[06:33:04] And just wanted to acknowledge all the great work. We were notified by Connections that the CRC opened for adults. This is going to be a phased approach, but we are very proud of the fact that we are here today and that the CRC is now open and will be accepting referrals.

[06:33:24] With that, Nikki, I will turn it over to you. Madam Chair, members of the board, Nikki Brown, Director of Communications and Engagement. We are here to talk about the adoption of the board's legislative agenda for 2026.

[06:33:39] We do not have a formal presentation. The document is on the dais. It's the same document we have been discussing in the legislative committee with the changes that the committee requested. So we are here, and we have other staff in the room that are here, and we're happy to answer any questions that you may have.

[06:34:00] Supervisor Franklin? Yeah, just a couple of things, nothing to add, but just so that we're kind of just monitoring a few things. I'm not sure if we talked about the emergency committee that the General Assembly set up.

[06:34:18] And so just wanted, I don't know if they're going to disband that once things kind of play out a little bit more with regards to what's going on in the federal level. But if we can just continue to monitor kind of the work that they're doing. And then, obviously, SNAP and Medicaid, just making sure that on the federal piece, and I guess on the General Assembly piece, too, whatever the state side needs to happen, that we're continuing to monitor that.

[06:34:41] And then we can kind of save this until after others have spoken, but I just want to kind of have a small, like, two-minute discussion about VACO and what type of preparedness we're launching the next couple of weeks for that. All right. Anyone else? All right. I don't have anyone else. I'm sorry. Did you have?

[06:35:05] So with that being said, if you can talk a little bit about VACO, that would be helpful. Absolutely. Thank you. So on the dais, you should have a binder about the VACO conference. And there you'll see several material, one being some hotel info, the conference agenda, the preliminary legislative program from VACO, our draft legislative agenda, which we'll send to you the final version after this evening.

[06:35:37] And then Glenn went through each of the committee reports and pulled out the positions that correlate to our legislative agenda, so the BACO positions that correlate to our agenda. So that's a starting point. That's for you all and for us to start. We will talk with each of you when we do our one-on-ones to see if there are other items that you would like support on or further information on.

[06:36:02] And for those that are on specific committees, In particular, if there are certain items that you would like to discuss, we're happy to do that when we do the one-on-ones. Yeah, thank you for that. And just also want to thank the committee for the work on this. I feel like we did it in a very short amount of time, but pretty efficient.

[06:36:19] So thank you to the committee. All right. Anyone else? Going once, going twice. All right. Let's go ahead. I'm sorry. Did you have something? Thanks for the book.

[06:36:35] Impressive and needed. That's all. All right. I'm going to go ahead and ask for that next. The motion. So move. Second. All right, it's been moved and properly seconded. Any further discussion? All right, Supervisor Bode.

[06:36:51] Just very quickly. Wait, hold on. I didn't call for the vote. We have other people who want to speak, so Supervisor Bode. Oh, no, I just was going to say thank the committee, as Supervisor Franklin just did, and wanted to thank Glenn and Nikki, as always, for their efforts. Looking forward to the next General Assembly session. All right, is there anyone else? Because I can't access my screen.

[06:37:07] All right, we can go ahead and take our vote. Vote unanimous. All right, thank you very much. Mr. Shorter. Thank you very much, Madam Chair. Nikki, Glenn, thank you for all the work.

[06:37:25] And Supervisor Franklin, thank you for your support through this process as well. For item 8B, Madam Chair, we're asking for the board's consideration for what we all have come to know as the county's need to provide emergency support and assistance regarding SNAP program recipients.

[06:37:50] A lot of change today, given what the governor has done. And so we are asking for the board support for a county donation related to support for SNAP recipients. Now, we are asking for the board to make, when we did this resolution, the governor had not announced his initiative.

[06:38:13] And so the resolution, as it is worded now, is effective for November 1st. We would like for the board's consideration to change that date to November 4th, given that the governor will begin his that program on the 3rd of November.

[06:38:32] So just to be as I don't know what the term is, as careful as possible. We want to make sure that our wording aligns with the with the state's wording. and we don't want to start our program on the 1st based on this resolution, and the governor doesn't start until the 3rd.

[06:38:54] So as it currently stands, what we are looking to do with this initiative is to provide a donation if the state had not stepped up for November. Because the governor has done what he is doing, what is also included in this initiative is the board is giving us the authority, giving me the authority to provide the support in December if we are still in a situation of federal shutdown. I'm also asking for the board's consideration in this to change the or to add the

[06:39:28] language that the governor has added today. Instead of SNAP, he is calling his effort Virginia Emergency Nutrition Assistance Program. We want to include that wording not to replace the wording of SNAP, but to be added in addition to SNAP.

[06:39:48] Again, to make sure that there are no questions about the item as you all consider it today. So those are just two changes to the resolution as it was put in the agenda that I would want to make sure the board approved or considered.

[06:40:09] Madam Chair, I'd like to move item 8B for approval. Second. the effective date of 4 November and the changes as discussed by Mr. Shorten. All right. Any discussion on this? I'm looking, anyone discussion? Is that a yes, Supervisor Vega, the nail tapping, or is that? So just to be clear, this is just in case it's needed.

[06:40:36] This is in case it is needed. My hope is that, so given what the governor announced today, The state will be providing week-by-week support for SNAP recipients commonwealth-wide.

[06:40:52] If we get to the end of November and we are still in a federal shutdown, what you are authorizing today, if approved, is that we will use that funding on December 1st to support SNAP recipients if the state decides not to support SNAP recipients in December.

[06:41:13] Madam Chair, members of the board, I believe it's to provide a donation to the nonprofits who can then provide it to the community, not directly to the SNAP recipients. Oh, yes, that is absolutely, if I said that, yeah. We cannot locally supplant the SNAP program.

[06:41:32] So we will not be providing any, we will not be able to put funding on EBT cards, and we will not be able to provide direct support to SNAP recipients. So thank you for adding that, Michelle. This is a donation as articulated in the resolution directly to nonprofit organizations.

[06:41:52] Those three organizations identified will provide food support. And I'll say operationally, what we would be doing is reaching out to SNAP recipients to make sure that they know where their closest food bank is, where we provide the support, and give them the information to get there.

[06:42:12] But that is the best that we can do in terms of direct support. Supervisor Bailey? Thank you, Madam Chair. County Executive, really appreciate you bringing this forward. For us, this is somewhat of a best practice that we transitioned from the COVID era.

[06:42:35] We were not prepared for that. And so I think this is a great move to have us to be prepared just in case, just in case, because Prince William County has been given much and much is required for our citizens.

[06:42:51] So I just appreciate you bringing it forward. It's important. All right. We don't have anything else. So let's go ahead and take the vote. All righty.

[06:43:12] Mr. Shorter, you can cue us up for number 10. Number 10. All right. Very good. So, with item number 10A, Madam Chair, members of the board, we are asking, as discussed in Wade's previous presentation, we are asking for the board's consideration for a transfer from Contingency Fund to support the noise ordinance enforcement and are happy to answer any questions that the board might have.

[06:43:40] All right. If anyone has questions, I don't see anything, so let's go ahead and take our vote. I'm sorry, motion. Move for approval, Madam Chair. All right. Second. All right, discussion. You know, I obviously didn't vote in favor of the noise ordinance, but I'm not going to be a poor sport.

[06:44:02] I will go ahead and vote for this to give us the money. So now we can call for it. Now we can vote. Unanimous, Supervisor Vega abstaining from vote. All right.

[06:44:19] Thank you very much. We are moving right along. It's almost 930, and we might actually get out of here soon. so we are moving to agenda item number 11 that supervisor's time before we all do our individual updates i would like to get a motion to move 11a through 11c forward so moved madam chair second all right it's been moved and seconded um any discussion seeing none let's go ahead and take

[06:44:46] our vote all right thank you very much take one down pass it around um i am passing out something regarding the directive i gave i had already sent this to everyone email including the attachment i'm just going to go ahead and start this one first um actually no first let me do my notices of attend i would like to give my notice of attend to appoint james keller as the manassas park representative to the community services board casey stevens the prince william county

[06:45:24] representative to um the bull run asap and jacob mosher social services advisory board representative to the housing board laurie wilson our current representative will be resigning as of november 1st so all right now it's directive time without objection i would like to direct the county executive to work with staff to prepare a resolution for the board's consideration

[06:45:49] to amend the procurement regulations to include criteria for determining a responsible bidder pursuant to Code of Virginia, Section 2.2-4301, and consistent with Section 2.2-4302-1.

[06:46:09] Criteria may include completion by the bidder and any potential subcontractors of specified safety training programs established by the U.S. Department of Labor, Occupational Safety and Health Administration.

[06:46:26] Two, participation by the bidder and any potential subcontractors in registered apprenticeship training programs approved by state agency or the U.S. Department of Labor. or three maintenance by the bidder and any potential subcontractor of records of compliance with applicable local state and federal laws the county attorney's office is directed to review the information and recommendations for any legal issues the county attorney's office is also directed to review the draft resolution and proposed amendments for amendments for any legal

[06:47:01] issues the resolution with the proposed amendments shall be included for consideration by the board during the annual procurement regulations amendment at a July 2026 board meeting or as soon as feasibly possible thereafter. I'm ready. Come at me. Let's see who's up first. And Supervisor Franklin. Yeah, just a couple of questions. I'm not, I actually support this, but I do have a few questions with regards to how it will work. Number one, I'm assuming we don't already do this, which is why the directive is necessary. I don't know who I'm talking to, but.

[06:47:38] Good evening, Madam Chair. Supervisor Franklin, happy to take your question. Yep, I'm assuming we don't already do this, which is why the directive is necessary. So the Code of Virginia does allow us to include these requirements in our solicitations.

[06:47:55] It's already covered by the Code of Virginia, but including these in our procurement regulations would allow for additional transparency. Okay, and then with regards to cost to contractors or potential costs, I'm assuming you'll kind of bring that back with regards to the response to the directive as well?

[06:48:14] More time would be needed to research and find out what the actual impacts or costs would be. Historically, we have not included apprenticeship requirements in our construction projects. We did, however, include it in one project, which was those requirements were set by the Virginia Department of Transportation.

[06:48:34] and that was on our Neabsco commuter parking garage where there was a goal set of four apprentices for that project. Okay, and the reason why I ask is because I'm just wondering if contractors don't participate in this program, does that preclude them from being able to get some of these contracts?

[06:48:52] But I'm assuming all of that will be included in whatever you bring back. Yeah, it's said that the way that the directive is written in that language, even in the code is written, It says that we may consider it. It's not a requirement that we include those apprenticeship requirements in our projects.

[06:49:09] And then particularly the impact on minority contractors or smaller enterprises. I'm just curious as to if that information will be included in what you bring back with regards to the directive as well. At a future date, I do plan to bring back information to the board on the results of our disparity study, where you may have additional information on impacts or disparities that exist for those type of businesses, but not directly related to this particular initiative.

[06:49:44] Madam Chair, it may be something worth just including language to bring back, because I want to make sure that while we are promoting responsible practices, which I support and want to see this push through, I want to make sure that we understand the full impact to minority contractors um as well as smaller enterprises as an example like if if we are pushing them to take some type of training course um you know again if they don't if they don't have the resources to do that they don't have the amount of employees to do so without um impacting their day-to-day business does that mean that they don't get to qualify for some of these contracts

[06:50:23] those are some of the things that i'm interested in okay i accept that i mean i guess that's just easier to say yes that we can include that in there i don't know do i need to say anything do anything wave a magic wand you're right oh i'm that's i'm just i don't know if i completely understand so this is a directive that is uh essentially so the next time we'll hear about this is when we come back with regulation changes in july so so yeah i mean i would i would like some information before then with regards to my questions because if we're gonna vote on this in

[06:51:01] july um i want to know what the impacts are first well i i um i think it's great for us to know if there are any impacts and if so what that would be but um this is going to be you know for consideration our annual procurement regulations amendments at a july 2026 board or as soon as or feasibly or as soon as feasibly um possible thereafter i um hopefully at that time when we have this you know we will have that data i don't know if we necessarily need it beforehand or if

[06:51:36] there will be any impact but i'm sure that will be included when you look at this correct so i will say if we are expected to include data on the impacts of businesses related to including apprenticeship requirements we can do it would require some type of engagement or surveys from those businesses to determine what those impacts would be but if that is the request we can gather that information yeah and madam chair there it could just be a how some of the directives come to us one-on-one and have those meetings maybe that's more efficient um than coming back to the

[06:52:12] board collectively during a meeting i'm not sure but i'm willing to do that but i do think the information is important if we're going to include this did you have anything mr shorter no if the if our procurement officer is uh you know sort of um able to do a survey i'm gonna assume that we can do this in the next three to four months that we can certainly go around to board members to provide information out on what this results of the survey is supervisor vega your questions well i'm going to object i'm not going to drag this out because i know that we're going to have

[06:52:50] ample time to have a very spirited debate on this but i am obviously objecting on the grounds of several things i already mentioned during our pla discussion but with that being said why are we waiting until after the adoption of the budget. You said July. I think that it would be very important to have access to this information, to this data, along with any fiscal impacts before the adoption of the budget. If I may answer that, we typically amend our procurement regulations in July after all of the legislation has passed. So that's our annual cycle when we amend our procurement regulations, when we bring those proposed changes to the board. But there's

[06:53:29] There's nothing legally binding that says we have to wait until July. No, there isn't. It's just a preference. And it would take time to conduct those surveys, as I mentioned, to gather that data that is requested. Thank you, Madam Chair.

[06:53:45] Well, since I have an objection, let's go ahead. And I don't know if there's anyone else who wants to speak, because we can just do a motion and have discussion within the motion. Did you have anything? No, I'll second your motion. All right, so I move. Supervisor Bodie has seconded it.

[06:54:03] And so, any further discussion? All right, let's go ahead and take a vote.

[06:54:23] All right, we are going to, I always like to jazz this up, and I'm going to go with Supervisor Vega, and then I'm going to go over to Supervisor Angry. Thank you, Madam Chair.

[06:54:39] I'm going to go ahead and start off by talking about the meeting that I attended. It's my monthly meeting with the Community Criminal Justice Board that took place on 10-16, and we talked a little bit about the specialty dockets, and there was a great presentation by our community service representatives in regards to Domestic Violence Awareness Month.

[06:55:02] So for those that don't know, that took place, and there was a lot of good information that was provided to the board members, committee members, in regards to different workshops that they've put together to bring attention and resources to this issue. On 10-23, I joined Supervisor Angry at the adult recovery graduation.

[06:55:22] I want to take a bit of time to talk about the incredible work that these folks do. I know that I am tough sometimes in my criticism, but I am also somebody that gives credit when credit is due. And I want to commend the Commonwealth Attorney's Office for the tremendous work that they do in giving folks a second chance.

[06:55:43] addiction is real. More people than we know struggle with addiction. And oftentimes, because of that addiction, they get caught up in the system and they face criminal charges. And it is great to see and to hear the success stories from these individuals who have been able to complete a very strict process, but that have made it to the other side. I was informed, well, you were there too, Victor, when they told us that every individual that has graduated from the program

[06:56:18] hasn't re-offended. And that is amazing because it just shows the level of commitment, not just from the individual who is taking advantage of the opportunities being offered, but also shows the tremendous work that the CA's office, along with probation, along with other community partners do in ensuring that we help folks not just overcome addiction, but to ensure that they become productive members of society and that they have all the tools that they need.

[06:56:47] So a special shout out to all of the graduates. We had five who graduated and the biggest class, yes. And so if my colleagues haven't attended one of those graduations, I highly encourage you to go because it is truly remarkable, the work that they're doing.

[06:57:04] On 11-1, November 1st, which is actually this coming Saturday, crazy to think that we're already in November, Thanksgiving is right around the corner. We are going to be hosting our annual Coles District coat drive, so thank you so much to everybody that has donated a jacket to ensure that children this winter stay warm.

[06:57:21] If you want to donate, you can still come by the office. We will be taking them all the way up until Friday. And lastly, Madam Chair, I am going to issue a directive, but before I do so, I do think that it's important to talk about the agreement that we had entered in regards to directives.

[06:57:39] are a lot of directives that are being sent out right before meetings begin. It does not give us the necessary time to properly read and vet and collaborate and try to flush any issues that we have before the meeting. And so I'll just remind my colleagues that we entered into a gentleman agreement, if you will, where we said that we were going to at least give each other a one-week heads up in regards to directives. We would send it to the county executive, to the county attorney so they can properly vet it that is not being respected and so if we're going to say that we're going to do something let's stick by it so that we can avoid delaying meetings arguing going

[06:58:18] back and forth on issues that we can flush out one-on-one so madam chair without objection i would like to direct the county executive to work with staff to develop an inventory of all boards committees commissions advisory bodies and or working groups established and applied by the board via resolution ordinance created and selected by the county executive pursuant to board to a board directive the inventory should include a minimum the gen at a minimum the general purpose of the body's existence the last three meeting dates the membership list to include vacancies the method in which its members were appointed or selected and whether they are a public body as defined by the freedom of information act the county attorney's office

[06:58:57] is directed to review the information and recommendations for any legal issues when the work is completed the county executive should report back to the board with their recommendations during a board meeting or by memorandum as the determined as a as yes i gave proper notice to all of you yeah i think it was longer than a week but it doesn't matter the point is that i followed what we all agreed on and so um the county attorney has that my directive and so has a county executive i just have one quick question because supervisor gordy did you give

[06:59:33] something similar about boards committees and commissions i did earlier this year to try to understand more in terms of their performance where you know how many trying to get after were they actively meeting were they meeting quorum that was really the focus to see because there was a lot of frustration on quite a few folks that they were showing up to meetings and meetings weren't being held because they couldn't achieve quorum so it was just getting after are they effectively meeting and doing their work so gotcha all right just want the clarification Thank you.

[07:00:08] If there is nothing else, I will go on to Supervisor Ingrid. Thank you, Madam Chair. Just to that, I'll comment, because if I don't say this, one of my appointees would be frustrated with me, because, and I don't want to call out what commission, but, you know, we do have some commissions that apparently aren't meeting, and so I think we do need to take a peek at that, because if they're not really relevant, then I don't want to send people into these so-called meetings that they're not having.

[07:00:34] So I just think it's worth, and I'll get with you. I just wanted to bring that up because we've been talking about it. I'm pretty sure they're going to listen to this and say, hey, I told you. So I'll get with you on that, and we can take a look at that particular one and maybe even do a deep dive into all. I want to just ride with what Supervisor Vega said about that adult docket graduation.

[07:00:55] That is the most impressive and humbling experience to go there and witness it. So if you haven't, you must go. And I will tell you, as I told Judge Irving, they can always count on my support for funding for those docket programs because they are very effective.

[07:01:13] So I'll say that. I'll just, yes, and the veterans docket, which that's the saying. They haven't had any return offenders in that. So they really are working. And when you hear these folks speak about before

they were there, when they got there, and the process, and how they are at the graduation, man, it is something just to hear.

[07:01:39] But that's just, I want to leave that there for you all to go. I'll be real brief. I just want to thank everybody that came out to the community there at Cloverdale Park. I'm going to be putting together certificates for all involved. I'm going to miss a name, so I don't want to go through the agencies that helped and the businesses that came out and participated.

[07:01:57] There were many citizens that had a great time, and so I just want to thank everybody that came out. We will be doing this again every year, God willing, and so I look forward to next year's event. I did not make a Dell City Volunteer Fire Department spooktacular fall festival, but I heard that went very well, so I just want to put that out there that they do that every year as well, and I hope to see folks out there next year, and I will make next year.

[07:02:21] I just want to quickly talk about VACO's 91st annual conference coming up here November 8th until November 11th, where I will be sworn in as the next president of VACO. For me, I want to make that kind of announcement here because there's a great man who I have the honor of filling in after him, and that's John Jenkins.

[07:02:41] And so he was the president of ACO coming out of Prince William County, and he has done so much. So for me, it's an honor to come into that role behind him as I did in this role behind him. And so you can count on me to do the right things and represent well and just put my best foot forward.

[07:03:00] So I just want to put that out there. Also, that November 11th is also Veterans Day, so we'll be down in Baco. So I just want to wish all veterans a happy Veterans Day. And I know the state of the country right now is a little bit uncertain, and I just want to kind of lift them all up for the service that we do because what we do is protect and defend the Constitution against all enemies, both foreign and domestic.

[07:03:23] So I know that is a note that we take, and that's what we must strive by. So I just want to lift them all up on this upcoming Veterans Day. Thank you, Madam Chair. All right. I am going to go over to Franklin and then Bodie.

[07:03:48] On October 14th, I attended a community open house in River Oaks on a proposal for a new residential development. So I just want to thank Bonaventure for hosting that and for all the residents that were able to come out and look at some of the sketchings and register their thoughts.

[07:04:07] We will be doing more kind of public hearings or community engagements on that proposal. So please feel free to reach out to our office if you have any questions. On the 15th, my staff attended the Newport Estates HOA annual meeting.

[07:04:23] We provided a community update as well as questions with regards to the Soil Management Foundation Fund and just help to answer questions that they may have about the potential for that. On the 16th, I attended the John Jenkins, or had staff attend the John Jenkins Good Scout Awards at Old Hickory.

[07:04:44] And on the 10th, I attended the Mount Olive Baptist Church 110th anniversary. So congratulations to them. Had an excellent, excellent time there. And also, just want to give a shout out to the Bill Mayer Banquet.

[07:05:00] I was not able to make it to that because of the commitment for the church anniversary, but was happy to help support that effort. I just want to thank them for the work they do within our homeless

community. On the 19th, we had representatives at the Voice Action Event talk about the importance of a lot of their legislative initiatives, including mental health and affordable housing.

[07:05:24] Also attended the NVBA legislative briefing, as well as the NVTa, State of the Region's Transportation Event. Also, we participated in the Road to Victory at Rippon Lodge alongside Prince William County Schools.

[07:05:42] And let's see here. On the 25th, my staff participated in a trick-or-treatment community event at the H.L. Mooney Water Reclamation Facility. Get it? Trick-or-treatment? Okay. And so a few upcoming events.

[07:06:01] A few upcoming events. I'll be co-hosting a Route 1 cleanup event with Keep Prince William Beautiful on Saturday, November 15th from 9 a.m. until 12. I want to invite everyone interested to come out to participate. We have information on our website as well as our newsletter.

[07:06:18] On November 12th, I will be holding a community meeting on the Soil and Foundation Management Fund ordinance at 7 p.m. at the Ferlazzo building, open to the public for those who may be interested. And also during the month of November, we'll be at a number of community events.

[07:06:34] So please check our website and social media for updates. Madam Chair, I would like to give two directives without objection. The first being with regards to the Woodbridge Recreation Center. the board has recognized the need for a new community recreation center in eastern Prince William County, as evidenced by the 2020 Parks Recreation Open Space Master Plan.

[07:06:58] Furthermore, the board approved planning funds for the CIP via Resolution 23-658 on FY23. With that in mind and without objection, I would like to direct the county executive to work with staff to identify land to purchase in the Woodbridge Magisterial District suitable for the development of a county-operated recreation center and to bring back appropriate recommendations for the board's consideration.

[07:07:24] Such recommendations should, where applicable, include timelines, fiscal impacts, and other pertinent impacts. The county attorney's office is directed to review the information and recommendations for any legal issues. When the research and work is complete, the county exec should report back to the board with its analysis and recommendations during a board meeting or by memorandum as determined appropriate.

[07:07:55] I feel like we've already been down this road in regards to a rec center in the Woodbridge District, and I just want to be clear.

[07:08:17] Can I see your paper? Because we just got these today. You said the board has recognized the need for a new community recreation center in eastern Prince William County. I just want to make sure that that's not, I don't think that that's an accurate statement. We've been talking about a Woodbridge Recreation Center for the past three years, so from my standpoint i don't i don't want to go back and forth i know it's a priority for you but again i'm always going to come from a fiscal point of view and i would be actually more interested and i don't know if you're interested in maybe adding that language to identify the need for a rec center

[07:08:53] in general in the county we always talk about the lack of amenities on the west end of the county and again i know that we've had this conversation and so i don't want to object to it because i know that it's important to you but i also don't want to agree to something and i don't want to mislead the public

thinking that the board of supervisors is in agreement with there being a need for another rec center in the woodbridge district we don't have one rec center in the woodbridge district and if i may just say um i've said this before publicly um i support a rec center also in

[07:09:29] the western end of the county if you will if someone brings me a proposal and i had this conversation with supervisor weir if someone brings a proposal for a rec center in the western end of the county i will support it i think that we can debate whether the distance of rec centers in the wordbridge district i won't i won't object but i just want to be clear that once staff comes back um with their information it's going to include a fiscal analysis that's correct so i do want to go on a record say i did a directive to look at recreation centers county-wide with

[07:10:04] particularly um entrance in interest in the brinsville district we didn't have the money it was cut from the budget i even suggested that we cut it from the budget because we were really trying to figure out how do we cut spending so that we can provide residents with tax relief so i mean certainly we yeah we can put it in the budget i'm just saying we can put it back in the budget because i do see a need for rec centers on the western end of the county i think it is critically important um that we have we offer this to our residents on the western end of the county

[07:10:42] as well you know candidly speaking i've heard from a number of people in the western end who would like that kind of amenity out there and we've said you know the freedom center the freedom center the freedom center is not the same it is more expensive it is a tripartite agreement um and still it's a great distance for people to have to drive if you're in Gainesville so I just had to put that down I see supervisor Gordy and then angry um correct me if I'm wrong but don't we have we we have a new study that that parks is doing to take a look at rec centers community

[07:11:19] centers basically county-wide is that that is correct so and that's just getting underway correct? That is correct. So would this their evaluation help support what you're I mean they're already at work at looking at those things and maybe that's something that you work with Parks and Rec to help work with them to identify and let them know of your priority in your district as they are going through their current study. Yeah no I appreciate that and they are aware because this has been ongoing since even before that particular study but I do want to say with

[07:11:55] regards to the comments that Madam Chair made, agree 1,000%. We need a rec center in the western end of the county. We need one, we need another in the eastern end of the county. What's interesting is we only have two rec centers in the entire county. So I'm pushing for my district, obviously, but if there is a proposal for one in the western end of the county, as I told Supervisor Weir, i will absolutely support it bring me a proposal all right supervisor angry thanks man i'm listen

[07:12:30] the quest we're asking the wrong questions it really are because both of those rec centers are at capacity chan and uh dell city sharon bockham now let's just talk about what that means both of those rec centers are operating and they're not making any money they're in the black because it's really for the citizens and a lot of our senior citizens use these facilities but More importantly, back to great John Jenkins, when they built out Dale City, Sharon Bauckham, they did a local taxing authority.

[07:13:03] So he wanted it that bad and the community wanted it that bad that they did a local taxing authority to pay for that. So you can be creative as you want if this is serious for what you're trying to do. But I will definitely say with seven districts, you probably should put a rec center in each district because I can tell you this.

[07:13:19] They're all going to reach capacity real quick unless you're building a mega rec center. But the issue becomes that it is something that we should be discussing because those things are very popular. Like people use the rec centers, and, you know, it's a good thing. So I think it's a conversation we need to have, but maybe we're asking the wrong questions or everybody's kind of getting into the way of the fact that, you know, Super Brother Franklin has been asking about a rec center, and we keep saying we want one on the west.

[07:13:46] But I think, honestly, we should be looking at each district. Now, if you guys get the citizens on board with this, There's many ways to do this, but we should probably have that discussion and see what people really want to push that agenda. Thanks. No, I agree. That's why I did a directive. We have a study.

[07:14:02] We have lots of things going on. So does anyone object? Are we going to turn to a motion? Are we going to let this slide? What are we going to do? I mean, come on, Vega. What do you want to do? What do I want to do? I mean, just like, welcome back. So I guess we're just going to let it's a directive. We're good.

[07:14:19] I just want to avoid the redundancy. If we already have something in the works like Supervisor Gore already stated, is there even a need for Supervisor Franklin's directive if we're still going to get there with what is already in progress? So a few things.

[07:14:34] There is a directive related to a bond referendum, right, that the chair moved a few weeks ago. In that, we will be coming back to the board with some discussion around not just recreation centers but a number of other amenities for the quality of life amenities for the county the the directive that the chair just mentioned related to recreation centers county-wide with a specific interest in Brentsville is underway and just now getting started but is underway this is not a directive to do a feasibility this is not a a directive to do a feasibility of whether

[07:15:13] recreation center is needed. This is a directive about a land purchase. And so we will be looking to identify property parcels and coming back to the board with where those parcels might be and how much those may cost. So I want to make sure I clarify that this is slightly different than the directives we've been talking about because this is for specific property that we're going to be coming back to the board and asking for your thoughts and consideration. But what about what Supervisor Gordy mentioned.

[07:15:44] That's different than what the chair has put forth. Remind me, what? I guess you talked about the overarching study of... Correct. But it's just, yeah. So that directive, while there is an emphasis on Brentsville, what Parks and Recreation will be looking at is recreation centers countywide where they're needed.

[07:16:09] And so we'll be coming back to the board with really a county-wide approach to recreation centers and where they are. It may not result in a recommendation for a recreation center in every magisterial district, but it certainly will make a recommendation around where we believe we will be best positioned. Okay, but my question is, does Supervisor Franklin's request get satisfied with that initiative that's already underway?

[07:16:38] Supervisor Franklin is not asking. Based on the language in this directive, to be clear, She's not asking if a recreation center is warranted in Woodbridge. What we will be exploring is where, meaning what property we would identify for a recreation center.

[07:16:57] So it's a slightly different directive. But I still think we get there. I won't object. All right. So we've gone in circles, but that's okay. I do know you have another directive. However, even before we start our discussion, you did run out of time.

[07:17:16] So I don't know, man. And I just seen it today, and I want to object. I don't know. So today, but okay. I want you to go like auctioneer fast, but I don't think you can.

[07:17:34] Okay. I'll do it very quickly. Madam Chair, without objection, I would like to direct the county executive to work with staff to develop recommendations for the establishment of a county-owned and maintained history museum. These recommendations should be limited to existing county-owned facilities that could serve as the official museum for the county, accessible to residents during regular public service hours, as well as on weekends, Saturday, and Sunday.

[07:17:56] These recommendations should specifically include consideration of the McCourt and DSB buildings, which are centrally located and provide convenient access for residents in the eastern, central, and western portions of the county. The county executive is directed to bring back any appropriate recommendations for the board's consideration. Such recommendations should, where applicable, include timelines, fiscal impacts, and other pertinent impacts for board consideration.

[07:18:18] The county attorney's office is directed to review the information and recommendations for any legal issues. When the research and work is complete, the county executive should report back to the board with his analysis and recommendations during a board meeting and by memorandum as determined appropriate. So I see Supervisor Bodie, then I'll go.

[07:18:35] Sure, and I don't object, just want to open with that. I appreciate it. I guess, considering we have the county-wide space master planning process going on here, I know that's nowhere near being ready for us to adopt, but does Supervisor Franklin's directive here then be able to feed into that work as a possible consideration in that?

[07:19:03] As Supervisor Franklin was describing what she was interested in in preparation for this directive, that is the first thing that came to my mind. If we want to, if in this directive she's asking for us to do something Center County, we absolutely are envisioning right now, or I should say visioning, what this campus will be.

[07:19:24] And certainly incorporating a museum program would be something that we could bring to the board. It's not too late for that, for sure. Makes sense. Thank you for that. All right. I just have a quick question. So what are you envisioning?

[07:19:40] Because it's going to be something, it sounds like it's going to be open on weekends as well. Yeah, and I don't, I mean, that's for the county staff to provide recommendations on. I don't think it needs to be like open all day. But I'll just say very briefly, just going to these various events across the county, obviously we have a very rich history.

[07:19:58] And we have things like the Brentsville Courthouse and things of that nature, spot that are in different parts of the county and while those exactly while those are great I think it'll be also great to have one centrally located exhibition where residents can come and learn about the county and if they want to do additional research we can almost use that to promote these other sites and get them to go to Rippon Lodge and some of these other places to see for themselves hands-on and um kind of what the history was of this county

[07:20:34] and now lastly i'll just say we just have an incredible county and i and i came up with this idea after going to the the 110th anniversary and them telling the story and their story was not just church history it was history of the county and i'm like we got to tell these stories some kind of way um but it has to be centrally located where everyone can access it all right i don't have objections you know because i want to see what this looks like and we can have further discussion i mean i think it can be integrated into you know the new complex i just you know i

[07:21:08] don't know um i think that that's probably the best way to do it you know and not i don't know if museum is the right word the way i envision it but i mean it would be great to have something that tells our history but you know we'll see what options they bring all right so then let's go on to supervisor bodie thank you madam chair i have two directives but i would before i get to those i'm gonna be very fast with other things that have happened um bless you by the way um back on the 18th we had barktoberfest wanted to uh really appreciate and uplift uh county staff

[07:21:44] especially the parks department who came out to do a ribbon cutting on the ada improvements at canine gunner dog park really great time we had a lot of great vendors um we'll probably have to rethink the parking situation and the shuttle situation because we actually had a lot more interest in participation than we anticipated but wanted to thank folks for that um went to the voice assembly homes for all on the 19th as was mentioned by supervisor franklin was joined by my seat mates supervisor bailey was a great experience and we were inducted into the pro housing caucus i think it was um so really great to talk to them and consider continue the momentum

[07:22:21] around our housing needs and challenges in the region. With that, I will then go to my directives. I will try to go almost auctioneer speed, Madam Chair, but I cannot promise that I will go full speed the entire time.

[07:22:37] Let me go back to it. So, number one, data center modernization and redevelopment. Madam Chair, without objection, I would like to direct the county executive to work with the staff to review, analyze, and make recommendations regarding the modernization and redevelopment of existing data centers. As part of this review, staff should evaluate strategies to encourage reinvestment in and modernization in existing older data centers.

[07:22:59] These should include opportunities to optimize the use of existing data center sites and bring these facilities up to current standards for efficiency and sustainability. Staff should also explore strategies to support redevelopment of older data centers into non-data center uses, including any recommended amendments to the comprehensive plan, including existing or potential small area plans, zoning ordinance, and or DCSM.

[07:23:22] The county attorney's office is directed to review the information and recommendations for any legal issues. The county executive should report back to the board recommendations during a board meeting or by memorandum as he deems appropriate. Well, Madam Chair, I do have a question.

[07:23:38] All right. I'm sorry. I know we want to go home, but this is what happens when we have 25 directives. And can people please put it in the – just thank you. There you go. I'm in the queue. All right. So I'm just trying to understand why we're seeking to use county resources to find solution for private businesses. And hear me out. Yeah.

[07:23:53] Just, you know, approve that noise ordinance where you were in agreement to allow folks to have the time to see if they are in violation. And if they are, you know, you're giving an extensive period for them to make things right. I don't see the benefit in using county resources and going out of our way and doing that when they still got to find out if they even are right in violation, if there are any modifications that need to be made.

[07:24:20] So I feel like this is premature considering what happened tonight. Sure. So this is less in regards to noise. I hear what you're saying. This is less in regards to noise. This is more in regards to we have some data centers in the county that were built 10, 15 years ago, and they don't have the same performance standards as it pertains to energy, water, other things.

[07:24:40] And, frankly, there are some of the older data centers where they may decide at some points they are so old they're not worth the cost it takes to refab them. So they may want a mechanism to redevelop into a non-data center, some type of warehouse, some type of other business.

[07:24:58] And to me, this helps create the policy framework for us to help through that process. Right, but we haven't seen the need for that. And my thing is, they went through a process to get their current operating business approved, and they were in compliance. Now, all of a sudden, we're requesting changes.

[07:25:19] We're asking them to modernize? No. I don't think that that's prudent. And I don't know how the business community would feel about that. About providing more of a mechanism for them to modernize?

[07:25:35] Should they want to upgrade the building to be more energy efficient? Well, are you asking or are you telling them to? No, we're not telling them. What if they refuse? No, this is an opportunity. This isn't dictation. This is just creating a framework. So if they want to, we have a process to allow them to do that.

[07:25:51] I just don't think there's a need for it, and I don't think we should allocate resources or funding into finding solutions for private businesses. So I do object. All right, so now it's going to be a motion. So moved. All right.

[07:26:07] Any discussion? If not, let's take a vote. The motion passes six to one.

[07:26:24] Supervisor Vega voting nay. All right, you go again. And I'm going to give you, you have a faster pace than others. I can speak really fast. No, we don't need to go there, though, really. but just keep the pace sure madam chair without objection i would like to issue a follow-up directive to my directive issued on october 7th 2025 in regards to the data center opportunity zone overlay district when prioritizing their work in accordance with the various laws and policies in accordance with past board resolutions i'd like to direct the county executive to work with staff to expedite the exploration bless you of the elimination of the data center overlay

[07:27:01] opportunity zone overlay district this prioritization review should include all the topics and follow-up steps identified in October 7, 2025 directive on this matter. So basically, this is not part of the directive. I just want staff to expedite that process of eliminating the overlay. Gotcha. I'm just going to say this one thing because I just want to be on the record saying this. You know, I think that, you know, other counties have gotten rid of by-right development. I don't think we have a lot left in the overlay. I'm just

nervous about this opening up data center development in places where it's simply incompatible so I have to say this I'm not

[07:27:40] objecting I just had to say it all right and looks like that is it I'm going to go to Gordy and then Bailey all right and we'll try to make this quick just a couple of meetings I want to highlight one as I met with Alan Rosam from the Northern Virginia Conservation Trust to learn more about their programs and how they might play in preservation in Prince William County really appreciate the time with them. And then yesterday, I had the opportunity to meet with a company called Pronto, which will be moving from Manassas to University Boulevard in the Innovation District

[07:28:18] into a new 80,000-foot facility. And they will be bringing their businesses nutritional supplements, manufacturing and fulfillment and their plan is to expand to a thousand jobs so we are so to the comments that were made earlier we are looking to put we are working to bring other businesses here and incidentally they were displaced in Manassas by a data center we're going to take them the I just want a couple of announcements about future things first of all want to remind

[07:28:56] the Brentsville community and the Oaksville community about the Dominion community meeting regarding the Nokesville to Hornbaker routes. There will be a virtual meeting on November 3rd, and then there will be an in-person meeting at Beacon Hall at George Mason University on November the 5th. We'll be continuing to push the information out on that so the community can come and participate and learn more about that. Also, just again, we will not be back until the 18th, so I want to wish all of our veterans, there's over 40,000 of them in the county, a happy Veterans Day. Thank you for your service and the sacrifice for you and your families.

[07:29:37] And in closing, I would like to also make a directive. Prince William County's rural areas are vital to the county's economy, environment, and heritage. These lands sustain farming, protect water resources, and preserve the open spaces that define the county's rural character while also serving to protect Marine Corps-based Quantico from developmental encroachment.

[07:29:59] Establishing an agricultural and forestal reserve will strengthen these goals by promoting coordinated voluntary land preservation and guiding compatible development to the county's agricultural and forested areas. Therefore, Madam Chair, without objection, I would like to direct the county executive to develop and present to the board a framework for the establishment of an agricultural and forestal reserve.

[07:30:23] The framework should incorporate recommendations of the Rural Preservation Study, particularly the Purchase of Development Rights Program and the Transfer of Development Rights Program, along with partnerships with Conservation Trust and Marine Corps-based Quantico. Two, one, prevent developmental encroachment upon Marine Corps-based Quantico.

[07:30:41] Two, protect critical waterways, particularly those that feed into the Occoquan Reservoir. Three, protect ecological, historical, and cultural areas. And lastly, preserve farms and agricultural activities. Staff is further directed to present to the board recommendations for funding sources for the PDR program as well as provide recommendations for the establishment of a TDR program based upon the 2040 Comprehensive Plans recommendations related to activity centers and redevelopment areas.

[07:31:08] The area of the AFR shall align with the Agritourism and Arts Overlay, the Occoquan River Protection Area, and the Marine Corps-based Quantico Special Planning Area. Costs of five acres and

larger should be considered as eligible for participation in the AFR. The county executive shall coordinate with relevant departments and agencies to prepare this framework and return to the board by end of March 2026 with recommendations and an implementation timeline.

[07:31:35] The intention is that already completed studies and recommendations be used in the formation of this framework rather than new studies being ordered or conducted. The county attorney's office is directed to review the information and recommendations for any legal issues. When the staff work is complete, the county executive should report back to the board with their recommendations during a board meeting or by memorandum as they determine appropriate.

[07:31:57] Thank you, Madam Chair. Supervisor Franklin. Yeah, thank you. So I support the PDR program. I still have a lot of questions and some concerns around the TDR program. And I don't really want to object to this.

[07:32:14] But I do I'm wondering if before moving forward with them bringing back this information, if if you'd be willing to agree to like a work session on PDR, TDR program, including what parts of the county would be most impacted in terms of who can benefit or which parcels could benefit from those programs, particularly for for me, the TDR program.

[07:32:41] And here's why. I just want to make sure that, you know, when we talked about the Rural Crescent in the past, the challenges that some people had is that the impacts of the Rural Crescent pushed development to, quite frankly, the eastern end of the county and to overdevelop in some activity areas, even like, you know, Brentsville and maybe, you know, some other areas.

[07:33:05] And I just want to make sure that any program similar to a TDR or any recommendation coming from the rural preservation study does not push us back into where we are over-developing certain areas. I believe in cluster development.

[07:33:21] I believe in conservation easements where appropriate. But I think I just, I need more information on kind of what this would look like, particularly on the TDR front. And so I'm wondering if you would be open to at least a work session on this particular issue.

[07:33:43] Yeah, so the request is for them to provide us a framework to come back and provide us options as it relates to that TDR program because there's the place that we're trying to transfer the development rights from and there's got to be the receiving locations, right?

[07:34:00] And this is where I believe we as board members can look into our own district and say, hey, where are we comfortable with and focusing on as everything that we've been doing in the comprehensive plan going back four years ago when we were talking about it is looking at those activity centers.

[07:34:17] And I know for me personally in my district, I've got some areas where we recognize we need to go denser than what's in the comprehensive plan, particularly because we've got an age cohort that we're losing and that we have got to create better housing and more affordable housing for that 22- to 45-year-old cohort.

[07:34:37] But right now, even within our own comprehensive plan, there's not enough density within that to support it in the right areas, particularly in areas that we're trying to redevelop and create new energy and revitalize dying communities, basically dying retail areas that are on the verge of becoming blighted.

[07:34:57] So we have opportunities to take a look at those areas and say, hey, what works? And that's why we're asking Plan to come back with those recommendations based upon 2040 comp plan. And I think when the TDR program came up before, the comp plan was not done. So there was nothing really to target during that time.

[07:35:14] In fact, if you look, there was like only two places that were considered as even a receiving area. And so the TDR program really was not effective because, again, we didn't have a comp plan that sort of helped us figure out what the next 20 years was supposed to look like.

[07:35:30] So now that we have that, I think we can massage that and use that as, and again, this is a voluntary program on the part of the landowner. And so, and then that also has to be that TDR has to be a voluntary program on the part of the developer.

[07:35:46] But I will tell you, even like within areas of my district right now, particularly in the Sudley Corridor, we're getting more of the same. We're not getting the transformative type of things that are going to take us and transform the kind of area like what we need in that Sudley Corridor to really create that real boon and economic benefit because we just keep getting more of the same.

[07:36:11] Right. And if I can just say very quickly, just because I don't want to run out of time, but I'm glad you mentioned about density because that's actually a top concern with regards to the TDR program, because we know that we have a housing shortage in the northern Virginia region. We know that Prince William has to do its share. We know that we have a bunch of projects with regards to some housing consideration.

[07:36:32] And I just want to make sure that if we move forward with implementing this program, everyone's not going to sell their land for preservation, and then we have nowhere to effectively do density. And so I guess what I'm essentially asking is, I guess what I'm asking is, is if you can, if we can do a work session, and if you can hold off until at least the work session for this directive, and it doesn't have to be a long time from now.

[07:37:00] I mean, if we can do it at, you know, I'm not a proponent of adding a meeting, but, you know, if we can have maybe half of another meeting or maybe not even a work session, a presentation of some sorts, maybe on the 18th or in December, I just feel that I don't want to object to it, but I feel like I need a lot more information on how this will impact certain parcels in the county with regards to housing development.

[07:37:26] Right. And again, what we're asking for is them to come back with a framework and so that we can then discuss that and talk about and then push that forward as part of a resolution. And notice I haven't asked for an ordinance to be developed. I've asked for a framework that we can talk about.

[07:37:42] Once let them do that work, bring it back to us, let us work on it, make it whatever modifications that we want, send it back as a resolution and then come back and vote on it or change the ordinance. Right, and I understand that, but I know you have some specifics in here, and I think we just need a general overview with regards to how those programs will look and work in the county.

[07:38:03] So I'll leave it at that, but I'm curious to what others think. We have Vega and then Bailey. Thank you, Supervisor Gordy. I obviously support this. I think it's long overdue, and I think that we can accomplish both. I think we can support your directive today, and if we want a refresher on the TDR, PDR program, have staff set that up, but I am going to be supporting this.

[07:38:27] Bailey, then Bodie. Thank you very much, Madam Chair. Tom, we did talk about this briefly and very briefly, and I think that you're on to something. But what I would like to do, because one of the specific things that you have in this is the Marine Corps.

[07:38:42] And so what I would like to do is to digest it better, a lot more, so you and I can collaborate, because we do share that little portion of land on the back end together. And I think it's an opportunity for us to really collaborate. And so for what you know 100%, I will know 100% as we are collaborating with our board members to make sure that this is a solid directive and we can get the support that we need to go forward.

[07:39:10] So I would like that opportunity because there are some parts of it that I think I need to digest a lot more. Absolutely. I look forward to the conversations. And clearly in my conversations with the leadership at Quantico, they are very concerned about the backside of Quantico.

[07:39:29] And so we certainly want to. And, again, the REPPI grants are there to help us protect that. And so I look forward to having those conversations with you. If I may, Madam Chair. I think those conversations should be joint, just two of us with them.

[07:39:45] I think that's an opportunity because it shows partnership in the community and not separate. Yeah, the rule of three keeps getting us in trouble because when they have community meetings, I can't go. And so I'm always that odd guy out because the chair and you go.

[07:40:00] And so they keep coming to me and say, hey, we've got to get together and talk, but you and I can go. And we need to coordinate with the chair. i i am gonna stay out of this relationship this budding partnership and i'm just gonna go to supervisor wait was there an objection there was not an objection right margaret okay but i do have a strong request for we could take that up we could talk i know someone who can make things happen all right supervisor bo did you have anything else just very quickly i just wanted to chime in a little bit um appreciate uh supervisor gordy you bring this and then

[07:40:38] I appreciate your sort of concerns around how the previous iteration of TDRs was done. I agree that it wasn't fully formed, and it was, frankly, based on the rural preservations, which goes back now longer than a decade. So, right. So I appreciate that. I think that if we retool it the right way and, frankly, to the point, have the right areas in mind that we'll be able to absorb that development, areas where, again, we want to see those especially urban-style densities that are called for in the comp plan, we can achieve allowing folks, because it is voluntary, to sever their development rights in certain parts

[07:41:16] and they'll be able to absorb those areas that should have that density without it being a broad brush, which I think is what your concern was. I also appreciate, Suraz Agorda, you mentioning both the PDR program and the ORPA. I know that Supervisor Vega and I share the ORPA area, and there are some, I've said it before, I'll say it again, some very environmentally sensitive areas that exist there like they do in the rural area, that we should want to avail ourselves of the program for that.

[07:41:42] So I wanted to say thank you to that. All right. Supervisor Bailey, do you have anything else? Thank you. I just wanted to say, so are we tabling it for now and coming back, or what are we doing? We're moving forward. I'm going to talk to Chris about having something on the agenda to discuss this.

[07:42:00] Just wanted to clarify. All right. And Madam Chair, to also clarify, and I think Supervisor Gordy kind of made this point, but, you know, when this framework comes back in this presentation, hopefully

the presentation before the framework, you know, it's still not us committing to supporting a TDR program.

[07:42:22] I just want to be clear on that. Right. So I'm just being clear that it's a long process. Yeah. Anything else before I go? Anyone else? All right.

[07:42:37] Advisor Bailey, close us out. Thank you very much, Madam Chair. On October 16th, my staff attended the John Jenkins Scout Award Dinner, and it was really a lot of fun to watch who received the award.

[07:42:54] Sharon Glarenhill received one, and Terry Quinn, and the Honorable Kathleen Seafeld, who we all love. But I want to give special condolences to the Cheryl Macias family. We lost Cheryl on October the 6th, and there was a dedication at that ceremony for Cheryl.

[07:43:10] We will miss her. And then again, on the 18th, I attended the Mount Olive Baptist Church 110th anniversary to Pastor Clyde Ellis and his congregation. Congratulations, and I agree with you, Supervisor Franklin. There's a lot of history across this county that needs to be brought out.

[07:43:26] On the 19th, I attended with my colleague, Mr. Bodie, a voice rally, and it was focused on housing, and we did get a wonderful award that was bestowed upon us for the great work that we're doing with housing here in the county.

[07:43:43] On the 20th of October, we had the Ashland Annual Community Meeting, where we were talking to the Saul Center and the Ashland community who has been waiting for growth in that community for 27 years, and we will have the first Publix grocery store in northern Virginia.

[07:44:02] And so I'm really happy for that community and the growth and the bonding that we've done with the HOA. On the 21st, I attended as a keynote speaker to the MVBIA breakfast where we talked again about housing and how the industry members and elected officials and both state and local could come together and talk about the housing issues that we have here, not just in our county but in our state.

[07:44:28] On Potomac District Development Luncheon, I had with Christina Wynn, again, to show off our new pavilion that Supervisor Franklin and I have at the Potomac Shores community. And we're looking for great restaurateurs to come there, But it was just a great time to just show off the new pavilion where the VRE station is going to be.

[07:44:53] Then on the 22nd, the Dumfries community had their Dumfries community versus the police department basketball game. It happens every year for the community and for the children in the community. And everybody has a good time just coming together celebrating Dumfries.

[07:45:10] On the 23rd of October, I was with my mayor, Mayor Derek Wood, and the town council when we was honored to participate in the town of Dumfries Waterfront Key Ceremony, where the key to a parcel of land was given to Dumfries to open up the Quantico Creek and make sure that there is a waterfront destination place there in Dumfries.

[07:45:41] So much to come for Dumfries. And then on the 25th, this past Saturday, I was honored to participate with the state president of the NAACP for the 90th anniversary for the NAACP for the state, and it was wonderful.

[07:45:59] So thank you to our federal delegation, Congressman McClellan and Vindman, our Congressman Vindman, and Congressman Bobby Scott, Senator King, who came along with the national

president for the NAACP. It was a wonderful time.

[07:46:15] On the 26th, I attended the Dumfries Pink and Purple annual event that they honor those survivors of breast cancer awareness as well as domestic violence awareness. So it was a great time with Dumfries and just hearing the testimonies just strengthen those in the audience.

[07:46:35] Yesterday we had the great big kid event for the Boys and Girls Club where we honored our youth and the teams, just lifting up the youth at the Boys and Girls Club. We had a lot of fun. We had a lot of food, but we had a lot of fun with the kids. They're funny. Anyway, I would like to have notice to reappoint Eric Fagerholm to the Animal Advisory Board.

[07:47:01] His resume is on file. And then on the 29th, we'll be participating in the 2025th Salute to the Armed Forces. And then lastly, I would like to extend my heartfelt gratitude to Dr. Vanessa Gaddis, my constituent, on exceptional achievements.

[07:47:16] She's written the book, Unexpected Guests, and on Sunday, the 26th, she will be having a celebration to present her book, and she is a great leader in our community. Thank you, Madam Chair. All right, thank you, everyone, and with that, I'd like to entertain a motion to adjourn.

[07:47:36] So moved. Second. All right, it's been properly moved. I know this is a little move. We do have public conference. Oh, we did. Oh, I'm sorry. Oh, oops. Retraction. Retraction. I apologize. I didn't. Do you have the sheets for me? Okay. So I will say we have public comment time.

[07:47:59] Thank you. We do not have anyone signed up in person or remote, but if anyone has anything what they would like to say, I'm not even going to, I'm just looking around. It's all staff. I mean, like seriously. All right. You know, I don't know. Wait, Dave Sinclair, you're looking kind of serious. You got something for us? You want to go up? All right. All right. Just wanted to check because you look so serious all right so number um 15 adjourn can i have a motion i have a

[07:48:33] second let's go ahead german yep second moved second it twice thank you is that a fan



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