

# Blue Ridge LEADER & LOUDOUN Today

JANUARY 2020

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What a way to start the New Year!



Photo: Stirling Rasmussen, Stirling Photoworks

Every year on the first Saturday of the New Year, Lincoln native Al Cochran (who is a master stone mason – CochransStoneMasonry.com) has his annual sheep drive. This year was no different. At 7:30 a.m. on Jan. 4, everyone met at the Goose Creek Meeting House in Lincoln to join Al. He moves his sheep from Creek Crossing Farm on Chapelle Hill Road in Lincoln to his farm on Sands Road. Needless to say, the sheep are excited to come home, and are preparing for lambing season which is in early spring.

## Phyllis Randall: ‘The thrill of this office never leaves me’

BY ANDREA GAINES

BOS Chair Phyllis Randall (D-At Large) has been installed as the head of the Loudoun County Board of Supervisors for another four-year term, along with her eight teammates – Caleb A. Kershner (R-Catoctin), Michael R. Turner (D-Ashburn), Tony R. Buffington (R-Blue Ridge), Matthew F. Letourneau (R-Dulles), Kristen C. Umstatt (D-Leesburg), Sylvia Russell Glass (D-Broad Run), Koran T. Saines (D-Sterling), and Juli E. Briskman (D-Algonkian).

In a brief interview with the Blue Ridge Leader, Randall outlined her priorities for her 2020-2023 term, as we asked her to test the landscape for what might lie ahead.

Randall first said that “It is very, very, very humbling,” to have secured re-election. “To me, a vote is a precious thing. For a local election, we expected something like a 30 percent voter turnout. But, we were close to 40 percent.” Randall herself received over 55 percent of the vote.

Randall also made the point that she was very in-

sistent that the incoming Board, in particular new members, were fully prepared for what they were about to undertake. “I wanted to make sure that the new Board members have all of the support they need. So, we had every department coming before them with briefings, and the Constitutional officers as well.” Randall has led, and intends to lead, a very prepared group of County legislators.

If you had to pick three legislative priorities for the coming year, we



Board of Supervisors Chair Phyllis Randall at the 2020 Loudoun County Board of Supervisors Installation Ceremony Saturday, Jan. 4. Randall is receiving her Loudoun County Board of Supervisors pin from her mother, Billie Jean Henderson.

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asked Randall, what would they be? On this point, Randall was very clear, identifying the development and passage of a Zoning Ordinance as a priority, a housing study, and preparing for the Silver Line Metro – an almost incalculable change to the landscape – as her top three.

“The biggest lift,” she said, “is the Zoning Ordinance, where we have to merge three separate zoning ordinances into one.” Randall was, presumably, talking about the specific zoning ordinances that will apply to the Suburban, Transition, and Rural Policy Areas.

Randall also wants a “full housing study.” On this point, she said that Loudoun County “needs more housing,” while at the same time saying, “We need the infrastructure in place before that housing is in place.”

CONTINUED ON PAGE 22»



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# New Year's resolutions from a horse

## Grin more, eat less mash

BY SEBASTIAN THE HORSE

Hi, folks. Sebastian the horse, here.

I'm nine years old – soon to be ten. They refer to me as an Andalusian/Arabian cross, and I live here in Loudoun County.

I'm shown here with a huge grin on my face. My owner is giving me a massage ... ahhhh.

But, enough about me ... do you have a minute?

The Blue Ridge Leader has asked me to share my New Year's resolutions with you.

As my research shows, horses are quite into the New Year's resolutions idea. We love to plan ahead and are heavy into self-improvement. And, we are wise.

My New Year's resolutions fall into two categories; getting more enjoyment out of life and focusing on a few "equine beautification" activities.

So, here they are; eight things I resolve to do in the New Year:

1. Grin more. It feels fantastic to pull my furry-soft lips back and flash my teeth. I get a real rush out of, well, smiling. So, why not do it more often? (Hopefully the grins will come with more massages!)
2. Spread the grin around with a flip of my tail. Every time I flex my lips, any human within sight pulls their own lips back into a big grin, too. So, now, I'm going to reinforce the grin with a quick flip of my tail. The more grins and flips, the better.
3. Dance more. You've experienced it, I know. You're driving down the road and in a far pasture there's some crazy horse dashing around like a nut case.



It's called "horse dancing," thank you. And, I hereby resolve to do it at least once a day.

4. Meditate for 30 minutes a day. When you see a horse standing there doing nothing – quiet, eyes closed, etc., etc., don't assume we are actually doing nothing. We are meditating. In 2020 I'm going to do the meditation thing for at least 30 minutes a day.

5. Do ten "downward dogs" every morning. The yoga pose called downward dog is a great morning stretch – with front legs all the way forward, chest to the ground and rear end pulled back and straight up in the air. I resolve to do ten a day, right after breakfast.

6. Eat less mash. Speaking of breakfast ... my owner spoils me by dumping a bucket of leftover mash from local whiskey making operation into my feed bin. Great stuff, and good for my gut. But, it can also be a little fattening. So, in 2020 I will be eating a little less mash.

7. Take better care of my hide. In recent months I've taken to brushing my hind quarters back and forth on an old fencepost, adding a little gloss to my hide. I'm going to work this brushing into my daily routine. Looks good on me.

8. Flirt more. There's a super cute filly in the pasture across the road. I've always been a little shy about trying to get another horse's attention. But, this year I resolve to throw caution to the wind. I'm going to flirt, show off my glossy hide, and flirt some more.

Whiskey mash and glossy hide aside, maybe some of my New Year's resolutions will be taken up by my human friends. Can't hurt to grin more, meditate, dance, strike a pose, slim down – and otherwise shake things up a bit. Happy New Year to all.

## A pigs and pumpkins tale

BY ANDREA GAINES

Jillian Putman – a longtime resident of western Loudoun – had an idea.

I have pigs, she thought. Pigs like pumpkins, she thought. And, everywhere I look there are pumpkins – yellow, orange, green, big, and small – rotting in fields, drooping on doorsteps, and otherwise headed to the landfill. Why not bring those pumpkins and my pigs ... together?

Motivated by that connection, she jumped on social media to, as she described, "Divert pumpkins from ending up in the landfill."

Putnam and her family own a little piece of western Loudoun heaven called Beagle Run Farm.

She was raising beagle puppies at the time the farm came about, hence the name.

"I've kept the name," said Putnam, "But, I expanded my work in agriculture. It's not my primary job, but it's definitely my passion. I fell in love with animals about the time I learned to walk. First horses, then cattle, and now a menagerie of cattle, sheep, goats, poultry, pigs and rabbits, along with four-year-old twin boys.

"I was gathering the pumpkins we had used to decorate for Halloween and heading to the pen where 'Peppa the Pig' was anxiously awaiting a treat, when the idea began to form of collecting pumpkins throughout

the community.

"After all," she said, "A decaying pumpkin isn't exactly something you want in your yard. So, why not divert these pumpkins from the landfill to use as a food source for farm animals?"

"Some research on my part," she continued, "Told me that pumpkins weren't just a treat, for they had significant nutritional value for pigs and chickens.

A study conducted by Washington State University showed that the fiber from pumpkins was a highly digestible food source for pigs. Through a pigs' internal 'fiber fermentation process' important carbohydrate energy is produced. Chickens, too, are delighted with a pumpkin. But, it is far more than a treat. Pumpkins contain vitamins and minerals as well as a compound that acts as a natural dewormer.



"So ... I started a series of posts on Facebook asking for unwanted pumpkins. With a drop off point in my driveway and an offer to pick up pumpkins locally, over 1,500 pumpkins were put to good use as a food source for pigs and chickens.

"I am excited about the possibilities for expanding this effort in the coming years. I harvested seeds from the more unusable varieties and will try growing pumpkins. We will be back and working to make a difference."

What a great pigs and pumpkins tale.

And, can we give a shout out to Putnam's trusted aunt, Lynn Divine Conger who alerted us to her beloved niece's devotion to sustainable agriculture?

Thank you Lynn, and we'll be looking for you, Ms. Putnam, as we round up our used pumpkins next year.

Putnam asked that we share her email with our readers: [brfarm2012@gmail.com](mailto:brfarm2012@gmail.com).

# Four ways to invest more confidently in a volatile market

When financial markets fluctuate, even the calmest investors can start to question their financial strategies. But volatile markets can present opportunities, says Tracie McMillion, head of global asset allocation strategy for Wells Fargo Investment Institute (WFII).



RICCI

“Financial markets are frequently volatile—that’s their nature,” she says. “Over longer periods of time, that volatility can add up to attractive portfolio growth.”

McMillion shares an analogy that compares this worry to seasickness: “If you stare at the waves directly ahead of you (the current financial market), the water may look bumpy and turbulent, and you might feel ill at ease. However, if you look outward at the horizon (your long-term investment goals), the ocean as a whole appears to be on a fairly even keel.”

In addition to focusing on your financial horizon, here are some strategies you can use to help weather economically turbulent times.

1. Match your investments to your time horizon. The simplest way to

feel more comfortable about your investments is to align them with your financial calendar, no matter what happens in the financial world this month or year. For example, do you need some of your money fairly soon, or want it close at hand in case of an emergency? If so, McMillion says you should consider investments such as cash holdings and short-term bonds that shouldn’t lose much, if any, value over the short term. On the other hand, if you won’t need some of your investment money until you retire multiple years in the future, equities or longer-term bonds are worth a closer look. Those investments carry more risks but also offer potentially better returns.

2. Know what to expect from your assets. Some investors lose confidence because they don’t fully understand how their investments work. In that case, McMillion says, some knowledge of typical asset behavior is a good thing. Consider

reading up on different types of investments and asking questions of your financial advisor. Once you know how your investments are more likely to perform in certain financial markets, you can help ensure that your investment strategy is in line with your tolerance for risk.

3. Tune out the noise. By “noise” McMillion means the constant barrage of financial reports from the 24/7 news media. “It’s common for the financial markets to temporarily get a little bit messy as they sort through the current news cycle,” she says. However, investors usually don’t need to react to the everyday financial news, no matter how topsy-turvy things may seem. “Remember: The U.S. news tends to report on a very small slice of available investments, particularly U.S. large company stocks,” she says. “Your portfolio, if it’s diversified as it should be, probably isn’t going up and down to the same degree as these stocks. Your portfolio changes

are probably much more moderate.”

4. Regularly revisit your plan. There’s no such thing as a completely set-it-and-forget-it investment strategy, McMillion says. It’s always smart to check in regularly with your investment advisor. “Your life circumstances may change, or your financial goals could shift,” she says. “You’ll feel much more confident that your investments are doing their job if you review them regularly with your advisor.”

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*This article was written by Wells Fargo Advisors and provided courtesy of Richard Ricci in Washington, D.C. at (202) 364-1605.*

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## A new decade begins

BY SAMUEL MOORE-SOBEL

New Year’s Day is a wonderful time to reflect. All the more this year, considering that January 1, 2020 marked the beginning of a new decade. This time of year, at least to me, always evokes the feeling that a new beginning is in store.



MOORE-SOBEL

Ten years ago, I was lying on the couch, watching the ball drop on television with my family. Back then, it was only a few months after I had suffered chemical burns to my face and arms. Life seemed so topsy-turvy, as if everything had gone dark, in the early stages of my quest to find my way after a traumatic accident. I was unsure of my place in the world, and even more unsure of what the future would bring. Yet, even then, I had hope that the new year would fulfill the promise of a new

beginning.

I could have never anticipated what was on the horizon. Earning a college degree and building a career in the tech industry. Falling in love with a beautiful woman. Not to mention a book headed for publication. Instead of thinking about my recovery, as I did all those years ago, I now find myself pondering how to best live the life God has given me in the present.

I’ve been mulling over a line I read in the book, “Obama: The Call of History,” by Peter Baker, chief White House correspondent for The New York Times. The author includes a conversation President Obama had with David Remnick, editor of The New Yorker. Describing how he had come to see the role of a President, Obama said, “At the end of the day, we’re part of a long-running story. We just try to get our paragraph right.”

Perhaps this statement could apply to more than just Presidents. I wonder if we are all granted a paragraph, four to five sentences summarizing the life we lived. Perhaps it’s even shorter. In recounting this story to my girlfriend, she said, “I think we just get a sentence.” An assertion powerful enough to change one’s view of a life well lived.

If we only have one sentence, what then are we to do with our lives? Mortality is the great equalizer, ensuring that even the most powerful among us will not have legacies that last forever. Time marches on, forcing us to grapple with how to make an impact with our limited time.

Such a perspective seems to lessen the importance of achieving a successful career or amassing wealth. Not to say that these things cannot be used for good, or that one cannot use them to make an impact. Yet, I wonder if making an impact requires more from us than simply great achievements. It seems to me that such an endeavor re-

quires strength of character, including empathy. Along with an abiding love for others, regardless of whether or not such an attitude will yield any personal benefit.

Tom Hanks, in an NPR interview promoting the movie “A Beautiful Day in the Neighborhood,” talked about what it was like to play Mister Rogers. The interviewer, Scott Simon, asked if he could recount a personal story involving Fred Rogers. “I have heard eight million of them, and every one of them is unique,” Hanks responded. Simon went on to recount a heartwarming story. I have no doubt that the other stories Hanks heard also evoked a similar heartwarming sentiment. What a legacy – to leave behind eight million unique, meaningful interactions that are remembered long after they occurred.

As I reflect upon the coming year (and decade), I find myself longing to emulate this example. To use whatever resources and platform I have been given,

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# 2020 Board of Supervisors takes the reins, makes Planning Commissioner choices

BY ANDREA GAINES

The candidates who emerged successfully from last year's grueling races for the Loudoun County Board of Supervisors have assumed their offices, having been officially sworn in.

The formal Board of Supervisors Installation ceremony was held on Jan. 4.

Most of the nine have also made their choices for the all-important job of Planning Commissioner. It is anticipated that

**GOVERNMENT** Supervisors will make their formal PC Commissioner announcements at the BOS's first Business Meeting of the year, on Jan. 7.

## A new world

Only a handful of individuals serving on the PC are expected to return.

Also, the Loudoun County Board of Supervisors flipped from a Republican-controlled body to Democratic-controlled body during last fall's elections.

A big change is afoot. Or, is it?

Planning Commissioners serve four-year terms, right alongside the individual Supervisors who appointed them. The Chair for the PC group is selected by a vote of the nine-member body. The Planning Commissioners who have now been appointed to serve or are returning are about to face the fire as they work with their patron Supervisors to translate the new and quite controversial 2019 Comprehensive Plan into the nitty-gritty of local zoning politics known as the Zoning Ordinance.

Based on the experience of the Planning Commissioners appointed – many of whom have a distinctly business, real estate, and/or suburban/urban skill set, it is hard to say how that Zoning Ordinance will play out.

## BOS Chair appoints a Capital Hill veteran

County BOS Chair Phyllis Randall (D-At Large), fresh off her Nov. 2019 re-election has appointed Capitol Hill veteran and businessman Forest Hayes to be her Planning Commissioner.

Hayes comes to the Planning Commission with both Capitol Hill and private business experience. He has served on the United States House of Representatives Sub-committee on Agriculture & Rural Development Appropriations, and

on numerous other committee posts. As a candidate for Supervisor, he promoted his experience in "Every aspect of real estate development ... as well as "Historic preservation, Low-Income Tax Credits, New Market Tax Credits (public subsidies), Tax Increment Financing (TIF), and mixed-use development."

## New Supervisors appoint an interesting mix of PCs

Catoctin District Supervisor Caleb A. Kershner (R-Catoctin) – new to the BOS – has appointed Mark Miller as his Planning Commissioner.

Miller has served as a Loudoun County Public Library Trustee for eight years, with six years as its Chairman. He was recognized for his long history of service by the BOS in September, and is also well known in connection with the Smashing Walnuts Foundation, a non-profit he and his wife Ellyn founded in response to their daughter's death from brain cancer at the age of ten.

Miller's time with the library system has been hallmarked by many things, including innovative ways to reduce fines while prompting users to return overdue books.

Ashburn District Supervisor Michael R. Turner (D-Ashburn) – another newcomer to the BOS – has appointed Middleburg's Eric Combs to the Ashburn District PC post. Combs is a lawyer and principal at the law firm of Combs & Taylor who has also served as Chair of the Middleburg Planning Commission. It is interesting that a Supervisor from eastern Loudoun would appoint an individual with ties to one of the County's most western landscapes, and an area that includes one of the highest concentrations of conservation lands in Loudoun.

## Returning Supervisors make interesting PC choices

Returning Supervisor Tony R. Buffington (R-Blue Ridge) has made his choice, too. It was a long-awaited one since Buffington is a powerful force on the BOS. Buffington's choice is Hillsboro Mayor Roger Vance. Vance has been very active in COLT – the Coalition of Loudoun Towns. COLT has been very critical of the new Comprehensive Plan produced by the now eclipsed Board of

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# Pressed Rat and Warthog

BY CHARLES HOUSTON

*"Pressed Rat and Warthog closed down their shop.*

*They didn't want to, 'twas all they had got.*

*But citizens, irate, had told them to stop building houses, condos and what-not."*

Apologies to the 1960s band "Cream" for my plagiarizing and paraphrasing to begin this message to the new Board of Supervisors. Western Loudoun especially welcomes the four new members. There will be a lot for them to learn, from County management and operations to fiscal matters and to the topic that is most important to me: land use.

## OPINION

Conservationists could wax on about important items such as the size of cluster lots, AR-1 vs. AR-2 zoning, problems with vaguely stated permitted uses and so on. Fine and good, but first we hope that every Supervisor will share the fundamental philosophy and facts that undergird conservation efforts:

- Loudoun's signature asset is its rural west, with horse farms, vineyards and pastures and a backdrop of mountains. Its towns, villages, hamlets and settlements lend their own history, character and aesthetics.
- Part of western Loudoun's appeal derives from its miles of unpaved roads, a spiderweb that encourages walking and running (ahorse or afoot), "gravel grinder" biking, painting and photography, or simple contemplation. These roads are inherently traffic-calming, and their reduced speeds make them safer. Be prepared, though, for complaints of poor maintenance. Each Supervisor will need to have continuing and robust conversations with VDOT on that topic.
- History was made here, from

English troops marching up Old Waterford Road in the French and Indian War; to early settlements by Quakers, Scots-Irish and Germans; to Revolutionary and Civil War battles. Do not let new subdivisions erase this heritage.

- Loudoun County has distinct eastern and western parts. The east is full of expensive new houses befitting its status as Washington's most desired new suburb, and it will have its own issues. I won't pretend to know them, but Supervisors must.
- The developer crowd spins the yarn that the county needs both business and residential growth to prosper. Perhaps prosperity for them, but anathema to us. Loudoun is already the wealthiest county in the country, with the population and commerce already here, why the need for growth? It's a chimera.
- Loudoun County belongs to its citizens, not to builders, or businesses (the Chamber of Commerce is especially larcenous.) And, defi-

nately not to throngs of outsiders who want to move here.

- Listen to the citizenry, which in every County-sponsored poll since the mid-90s, have deemed congestion and growth as our two worst county-wide problems.
- Taxes count. Past Boards have resisted tax increases and revenues from data centers have allowed some reductions. Nevertheless, Loudoun's tax rate is still the third-highest in Virginia. That's too high.
- Taxes illuminate, especially the fact that subdivision sprawl is an economic cancer. Taxes here are 35 percent higher than in neighboring Clarke County, where residential growth is discouraged. Or compare Prince William County, where unchecked sprawl has produced very high taxes, to its more sparsely populated neighbor, Fauquier, which has much lower taxes. Ignore these facts, incoming Board of Supervisors, at your re-election peril.
- Roughly 49,000 new houses can be built by-right, which means no need for new governmental approval. This potential disaster must be eliminated. Use conservation

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## Science versus Surfing

BY TONY NOERPEL

In the December issue of the Blue Ridge Leader, Joe LaFiandra claims we need more atmospheric carbon dioxide citing two fossil fuel industry lobbyists: Pat Michaels and Patrick Moore, who he discovered by surfing the web.

### OPINION

LaFiandra suggests "the future of Earth's climate can be more accurately predicted" from the paleoclimate record than from models which Joe claims don't work. A recent AGU paper [1] shows that in fact even the more primitive models from 30 years ago have proved accurate. But the paleoclimate record is no comfort for deniers. Paleoclimatology estimates higher climate sensitivity to carbon dioxide than climate models.

A recent paper examining the climate over the last 100 million years estimates the Earth surface will warm twice as fast (5.6C for a doubling of CO<sub>2</sub>) as the model forecasts published in IPCC AR5, 2013 [2] (2.85C for a doubling of CO<sub>2</sub>). Eight of 15 of the latest models which will be used for the next IPCC report are in agreement with this higher estimate [3]. Carbon dioxide is the source of car-

bon for all life on Earth and it is also the Earth's non-condensing greenhouse gas. Water vapor is Earth's condensing greenhouse gas. Carbon dioxide is long lasting, well-mixed and extends high up in the Earth atmosphere where infrared heat is radiated into space. Water vapor has an average residency of about 9 days and is therefor not well mixed and does not extend much beyond 4 km into the atmosphere. Atmospheric water vapor content depends on the warming due to carbon dioxide and other non-condensing greenhouse gases.

Solar physicists discovered the "faint young sun" phenomena in the 1960s [4]. Carl Sagan and George Mullen observed that the sun was only 75 percent as bright 3.8 billion years ago as today, when life first formed and when there was evidence in the rock record that Earth surface had liquid water [5]. The Earth should have been frozen over solid giving life no chance. Atmospheric carbon dioxide and methane kept the planet warm.

Ancestors to today's cyanobacteria discovered oxy-photosynthesis 2.5 billion years ago and loaded the atmosphere with oxygen. This burned off the

methane and the Earth suffered through three snowball Earth events, where the planet froze over to the equator [6]. This oxygen reacted with all the iron in the oceans and precipitated out as rust forming Banded Iron Formations. These formations are the source of all of the iron we use today. The Earth recovered because of the carbon dioxide released by volcanic activity. Because methane does not survive long in an oxygenated atmosphere the principle non-condensing greenhouse gas since then has been carbon dioxide [7].

Two hundred fifty-two million years ago, the sun was only 98 percent as bright as today [8]. This required more than twice the amount of atmospheric carbon dioxide for the same climate. A large volcanic eruption in what is now Siberia burned through a large Carboniferous coal deposit [9] releasing 1 billion tons of carbon as carbon dioxide into the atmosphere annually for several thousand years [10]. Ninety percent of all plant and animal species when extinct, the greatest extinction event in Earth history.

We are emitting 10 billion tons of carbon as carbon dioxide from the same source annually, or 10 times the rate but the Earth is twice as sensitive to atmospheric carbon

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— View From the Ridge —

## ‘No rhyme or reason’ to the Beverly MacDonald Chaisson candidacy

Beverly MacDonald Chaisson, a long-time Purcellville resident, and former member of the Purcellville Town Council has announced that she will run for the Mayor’s seat in the May 5, 2020 elections.

Current Mayor Kwasi Fraser has not yet announced whether he will seek another term. But, MacDonald Chaisson, a long-standing virulent critic of the Mayor is already running against him, calling Fraser out for all manner of Town actions.

Looking at the absolute sea-change Fraser has brought to Purcellville in his three terms as mayor – including the reductions in the Town’s debt – you really have to wonder where MacDonald Chaisson is coming from ... and what she would have us go back to.

MacDonald Chaisson served on the Purcellville Town Council from 1992 to 2004.

It was during her time on Council that the Town began its steady climb towards massive growth without any of the infrastructure needed to accommodate it – in opposition to what the citizens wanted – with the only answer being to grow more ... so we can have more water and sewer hook-up fees ... so we can pay for the \$40 plus million underused water treatment plant ... so we can keep up with it all.

Fraser has reduced the Town’s debt from over \$60 million to under \$54 million, with more cuts on the way.

*The idea that growing your way out of debt is a viable fiscal strategy seems, frankly, nuts.*

MacDonald Chaisson supported the Town’s lawsuit against the County concerning the site of the now well-established Woodgrove High School – a lawsuit that, while it did not nix the much-needed high school ... did cost the citizens of Purcellville and the County millions of dollars.

MacDonald Chaisson sided with developers over the proposed Vineyard Square project in historic downtown Purcellville, the scale and design of which had been soundly rejected by the Town’s Board of Architectural Review and the residents of Purcellville.

MacDonald Chaisson argued in favor of the 131-acre Warner Brook annexation – a mini-city development complete with 24 acres of industrial, a nine acre sport plex, 11 acres of commercial, up to 160 residential units, and the 1,250+ parking spaces needed to serve it all. “There’s no doubt that what they, [the developers] want is best for the Town,” she said. All this from an individual who, as a candidate for Town Council ran on a platform of slow growth.

MacDonald Chaisson has also been highly critical of Fraser’s efforts to rethink the way Purcellville looks at public assets such as Fireman’s Field and the Aberdeen Property – turning them into income producing assets as a way to protect them, and a way for the citizens to enjoy them. Really, criticize the possibility of bringing approximately \$1 million to Aberdeen – which has been sitting vacant for ten years?

Additionally, while MacDonald Chaisson has used the announcement of her candidacy to dredge up and politicize the investigation of Police Chief Cynthia McAlister – Purcellville and its citizens have moved on. It is a fairy tale to suggest, as MacDonald Chaisson has in her announcement, that as Mayor, she will “resolve” the now seven-month-old, \$16 million dollar lawsuit McAlister has filed against the Town, her own police officers, and other individuals. The lawsuit can be settled at any time by the parties involved. MacDonald is not a party to the lawsuit; she is a political candidate.

It is telling that MacDonald Chaisson made her campaign announcement on the Purcellville Matters Uncensored website.

The website was started by developer Sam Chapman – the same Chapman who is behind Vineyard Square. This website is essentially a political operation. Frustrated developers are incensed by Fraser’s lead in not having annexed

any land for development for years, neither residential nor commercial. And they are going after him with everything they have.

In reference to so many Purcellville issues, MacDonald Chaisson has said that there is “no rhyme or reason,” to happenings in Purcellville.

We would say that there is “no rhyme or reason” to going back to a time when a Mayor and Town Council would agree to something like Vineyard Square – a development that, by the way, although not yet built still threatens historic downtown Purcellville.

We’d also say that there is “no rhyme or reason” to approving a mini-city development/annexation such as Warner Brook, all-the-while arguing that what the developers want is “best for the Town.”

And, the idea of going back to the days when a town’s over \$40 million water and sewer treatment plant expansion could be justified based on the idea that growing your way out of debt is a viable fiscal strategy seems, frankly, nuts.

In the last three election cycles the voters of Purcellville have spoken loudly and clearly in favor of a new way of doing things; a new way of looking at debt, a new way of looking at development, and a new way of putting citizens in charge.

You really have to wonder where MacDonald Chaisson is coming from, and what she would have us go back to.

## Carbon and nutrient credit cash – big opportunities for Purcellville

BY ANDREA GAINES

As the Purcellville Town Council closed out its 2019 legislative session, it received a very forward-thinking presentation from Robert L. Banner, Jr. of ACRE Investment Management LLC.

ACRE, a world leader in what is known as the carbon and nutrient “credits market,” is coincidentally, located in The Plains, a country mile from Purcellville.

While Mayor Kwasi Fraser has popular support for the idea within the policy and legislatively focused Town Council and the Parks & Recreation Depart-

ment; the issue is now with the Town manager and staff.

### Maintaining Purcellville’s green infrastructure

Mayor Fraser has pushed, repeatedly, for Purcellville to look at its many Town-owned assets – including the historic 193-acre Aberdeen property – in a new way, preserving them, while making them more available to the public, drawing cash out of them, and using that cash to continue to pay down the Town’s debt.

As a businessman, he said he has studied the credit market for many years. Said Fraser, “Based on the will

of the citizens, our desire is not to get overwhelmed with high-density residential development. We have 1,400 acres of greenspace. We want to maintain that greenspace rather than turn it over to housing, which puts an immediate and unmanageable burden on Purcellville’s transportation system and other infrastructure requirements.”

He sees carbon/nutrient credits as 21st Century environmental and land-preservation tools that can achieve those goals, while producing income for the Town.

CONTINUED ON PAGE 23 »

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# Fill this beautiful new home with your beautiful new life



BY ANDREA GAINES

The new home at 41876 Jacobs Hill Court in Leesburg was recently built – meticulously built – by one of the most respected individuals and companies in the local construction community: Dennis Powers of Powers Homes.

The 5-bedroom home is located in Loy Estates II, on a street named after Powers’ younger son, Jacob. His older son, Randall, has served as Field Operations Manager for over twenty years. On any given day at the job site, you are likely to run into not one, not two, but three members of the Powers family doing what they do best: satisfying their customers.

**REAL ESTATE**

Their most recent project, Loy Estates II, has just 6 homes in the community’s HOA. With stunning views and this kind of privacy and exclusivity, the property is the stuff of a family’s dream.

The name Loy came from the family that Dennis Powers originally purchased the farm from. He kept the name to honor their time there. Preserving the rural character of the land has been paramount in decisions as to where to place the homes, maintaining the vistas and country feel.



**SALES UPDATE!** As of press time, a contract had just been ratified on this house at 41876 Jacobs Hill Court. But ... the builder has 2 other lots, just under two acres each. Homes on these lots will be in the \$650, 000 to \$750,000 range. And, there is a 22-acre parcel that will sell from \$850,000. Move in date for the 2-acre lots ... as early as June 2020.

*“We recently had a home built by Power Builders ... The quality, attention to detail as well as customizable parts of the process were second to none! Randall took the time to talk to us and address our questions in a patient and efficient manner. He made himself available to us from the beginning ... until we finally closed. His knowledge and genuine focus on our construction surpassed our expectations. We absolutely loved working with Randall Powers!”*



Randall Powers, Power Builders Field Operations Manager, at homesite.

The countryside is all around you, and stone, reminiscent of Loudoun’s old stone walls accent the large and dramatic front porch.

Inside, the same fieldstone is featured on the floor-to-ceiling to fireplace, one of the most beautiful features on the first level.

Clean, bright lines and crown moldings frame the huge Morning Room and Family Room off the gourmet, eat-in kitchen. This is a really comfortable and open floor plan, with a dramatic and functional kitchen island, and upgraded countertops and cabinets. The 9+-foot ceilings on all three levels of the home add to the light-filled feel. There is also a formal and separate dining rooms and a main floor library.

The kitchen features stainless steel – with a built-in microwave, a gas cooktop, dishwasher, double oven, high end refrigerator and an enormous walk-in pantry. The Mud Room with custom “cubbies” is just off the kitchen.

Hickory scraped floors shine across the entire main level, the baths enjoy 12x12 tile and the carpet in the bedrooms is plush. There are lots of walk-in closets, too. The finished lower level enjoys a walkout level, and still leaves a significant unfinished area for future dens,

**41876 Jacobs Hill Court, Leesburg, VA**

MLS#: 1002077810  
 Year Built: 2020  
 Beds/Baths: 5 bedrooms, 5 full baths  
 Total Acreage: 1.56 acres  
 List Price: \$679,900

Agent: Sam Rees, Associate Broker, Keller Williams, [onthemarketwithsamrees@gmail.com](mailto:onthemarketwithsamrees@gmail.com)  
 Ray Rees, Associate Broker, Keller Williams, [onthemarketwithrayrees@gmail.com](mailto:onthemarketwithrayrees@gmail.com)  
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 Phone: (703) 408-4261

media rooms, etc. The five bedrooms give everyone – including guests – both privacy and comfort. Bathrooms – full bathrooms – 5 in fact – are everywhere ... on each finished level. Just wonderful. Windows are highly insulated and energy efficient.

The yard has a gentle slope and backs up to trees on a quiet cul-de-sac. The view from inside this home sees clear to Maryland.

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# Zoning Administrator paves way for second drive-through restaurant at Catoctin Corner

BY VALERIE CURY

Patrick Sullivan, Purcellville's Zoning Administrator and Director of Planning, has made an informal zoning determination to allow the Catoctin Corner development to put yet another drive-through restaurant in one of the two commercial pads left in the nearly completed shopping center.

At the Dec.10 Purcellville Town Council Meeting, it was decided that Holtzman representative Dexter Mumau can resubmit a formal request for a determination on the issue to the Zoning Administrator. That way, any aggrieved citizen or Town Council Member could appeal his decision.

Catoctin Corner is located near the traffic circle at the eastern entrance to Town, at the corner of Rt. 287 and West Colonial Highway.

In 2010, the Town Council approved six special use permits (SUPs) for the property, with three of the SUPs approved for drive-throughs.

At the time, the three SUPs with drive-throughs were approved for one restaurant in the front of the development facing West Colonial Highway (now the Dunkin' Donuts restaurant), as well as one bank, and one pharmacy – whose drive-throughs would be located on the side (Rt. 287) and back of the shopping center according to the original Catoctin Corner special use permit plat.

The current vacant pad (facing the front of the shopping center and West Colonial Highway is next to a 7-Eleven and gas station) was approved for retail or restaurant without a drive-through. The representative for Holtzman said that a Panera Bread wants to go into that location, but only with a drive-through.

Originally, the gas station in Catoctin Corner with the 7-Eleven was supposed to be a Circle K Convenience Store. However, that didn't happen, so now the Town has a third 7-Eleven in close proximity to each other.

Restaurants with drive-throughs have considerably more intensive stacking – or traffic line-ups – than, for example, a pharmacy or a bank. Now the Zoning Administrator's determination would put another restaurant with a drive-through right next to an existing restaurant with drive-through (Dunkin' Donuts) facing busy West Co-

lonial Highway in the shopping center.

At the Dec. 10 Town Council Meeting, Sullivan said, "When I reviewed the project, it was my decision [on Oct. 24] after reviewing them that this type of drive-through has already been granted to them [Catoctin Corner] through a resolution ... in 2010. The resolution talked about special use permit areas; it never went into individual uses. When you look at the area map, it shows the area on the western side having two areas with drive-throughs.

"One is already in place [Dunkin' Donuts]," continued Sullivan, "The drug-store and bank that were approved for special use permits for drive-throughs did not materialize. But there were other areas that had approved SUPs for drive-throughs. It was, again, my opinion that they had already received approval for those particular drive-throughs."

Purcellville Town Council Member Nedim Ogelman asked if there was a current traffic study for Catoctin Corner. Town Manager David Mekarski pointed out that the traffic study was done in 2009 for the development.

Ogelman said, "Special Use Permits were for special uses, one restaurant, one bank, and one pharmacy." Sullivan responded, "They were for special areas, and they were never tied to a use."

Town Attorney Sally Hankins explained that "SUPs did include a restaurant with a drive-through in the northwestern part of the property. So, now the restaurant would be in front on Colonial Highway in the center of the site – between the gas station and Dunkin' Donuts – in the middle."

Hankins continued, "The question is a fairly narrow question to my mind, and the question is – is the SUP that was approved in 2010 still valid. Answer is yes. Second question is, can it be applied from the location it was anticipated in to the different location ... proposed today. That is the question the Zoning Administrator was asked to render an opinion on – and approval by him will become part of the ordinance." She said that the traffic study from 2009 begs the question "Is it valid for this location ... when a lot has changed in ten years?"

Vice Mayor Tip Stinnette said he did not want to disagree with staff. That was seconded by Council Members Ted Greenly, Joel Grewe, and Chris Bledsoe.

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# Utility rate increases recommended for Purcellville – or is there a better way?

BY VALERIE CURY

Officials charged with setting the water and sewer rates for the Town of Purcellville have suggested that residential customers accept a big water/sewer rate increase either immediately, in the coming years, or both.

The increases – “big bite” 27/32 percent jumps in one year, or, smaller, still painful jumps each year over the course of years – are contained in a proposal recently sent to the Town Council.

Purcellville has just over 2,775 water users, with the Town setting rates based on size of meter, residential/multi-family/commercial/industrial use, etc., volume brackets, and more. It's complicated.

It is residential users who are being targeted here.

And, Mayor Kwasi Fraser, Council Members Nedim Ogelman, and Ryan Cool are urging Town management to take a step back, look at what other local governments – including Hamilton and Middleburg – do, and also consider the option of sending out Requests For Proposals (RFPs) to companies in the business of helping municipalities squeeze the lowest rates and best performance out of their water and sewer facilities.

## Purcellville study

Stantec is the Town's utility rate consultant, advising Purcellville on how best to manage its Water and Sewer Funds.

For example, with residential customers, the numbers are 73 percent (cost) vs. 57 percent (revenue). For commercial, the numbers are 17 percent (cost) vs. 24 percent (revenue), for multi-family, 5 percent (cost) vs. 10 percent (revenue), and institutional, 4 percent (cost) vs. 8 percent (revenue). In all but residential, the cost to the Town to provide the service is less than the revenue the service brings into the Town.

Stantec has recommended to create a system that is fair, to create a system that is simple and stable, and to create a system that promotes conservation.

Stantec and Town management are, however, recommending that Purcellville look for “rate equity,” hence the move to charge residential customers more.

But, say many, that rate equity is just another way of saying, “We need to charge residential customers more.”

## Contract nuts and bolts

Contracts with companies in the busi-

ness of helping municipalities keep rates low and get the best performance out of their water and sewer facilities are usually long-term, since this poses less risk. A typical company's contract is 16 to 20 years, reviewable every four years with the option to renew.

The incoming company oversees the utilities management, while the Town facility stays 100 percent owned by the Town.

The Town of Middleburg has contracted similar services to an outside company, and has formed an active utility committee that meets monthly to oversee the process. The company has been with Middleburg for five years, managing its plant.

The companies doing this kind of work have ongoing relationships with federal and state governmental organizations, with financial support mechanisms to fund capital improvements. They manage all aspects of the utility, including water and wastewater treatment, collection, and distribution.

## Is this the better way

Companies in the business of helping municipalities like Purcellville sort out how to

manage their water and sewer enterprises bring a combination of legal, regulatory, fiscal, and mechanical expertise to the process.

Last fall, Council Member Ryan Cool asked the Purcellville Town Manager to send out a Request For Proposal. Cool asked for an RFP to be sent out so companies could show how they would manage the Town's facility by increasing quality, “not rates.”

Companies of this kind know that regulatory authorities require facilities to maintain records and performance schedules in accordance with the State Operations and Performance Manual. The O&P Manual is an enforceable part of the municipality's facilities permit.

The Virginia Department of Environmental Quality is allowed to visit a facility at any time, and perform compliance and technical inspections at any time as well. A company comes in with the realization that Town staff has historical knowledge of the facility – something that is of extreme value.

## Next Steps

Town management has yet to put out an RFP to utility management companies. The Town has met with Middleburg and Hamilton, both of which have the same private company working on their behalf, and are very pleased with the results.

Town Council will be taking up the subject of utility rates and management again this month.

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# Purcellville Town Council to hold 7 Comp Plan work sessions

The Purcellville Town Council will hold seven work sessions to go over Version 6.0 of the Plan Purcellville Comprehensive Plan. The dates are as follows:

- Thursday, Jan. 9
- Wednesday, Jan. 15
- Thursday, Jan. 16
- Wednesday, Jan. 22
- Thursday, Jan. 23
- Monday, Jan. 27
- Thursday, Jan. 30

Members of the Town Council will be looking over the draft plan and making their suggested changes. A few features include the designations of Multi-Family Use which in the draft plan would go on “typically” wide streets and would be, “Small-scale two- or three-story buildings with three to eight units ... especially as infill in areas adjacent to existing neighborhoods. Larger format buildings may be appropriate as part of planned developments nearer to the highway.”

Page 78 of the draft plan designates Hirst East, West End Downtown South, and East Main Street “as focus areas and all have room to accommodate affordable housing in the form of single family residential, multi-family residential, mixed-use buildings, or senior living.”

The category of Mixed-Use Neighborhood Scale is complete with uses to include: commercial, retail, of-

fice, institutional/civic, services, and multi-family residential – up to two stories.

Mixed-Use Medium Scale in the plan has commercial, retail, office, services, multi-family (including senior living), residential in stand-alone buildings or upper stories, and townhouses – “two to three story buildings being common” in this area. “Townhomes, duplexes, small single-family homes, or small freestanding commercial can be used as transition into existing residential.”

Commercial Neighborhood Scale includes retail, office, services, lodging, and restaurants. “Buildings are typically one to two-stories having residential character ...but may have larger footprints and story heights ...” But, “Concentrations of uses may be more intense in these areas with higher lot coverage and buildings set closer together than in the neighborhood scale areas.”

Hirst East is located along Hirst Road and extends from Hatcher to Maple Avenue, and offers, according to the draft plan, “prime opportunities,” since it is currently mostly undeveloped. The draft allows for designations of up to three-story buildings, senior housing, assisted living and residential units on some of the parcels. The draft introduced mixed-use buildings, adding commercial in this area as a possibility. This area was previously zoned C1-Office Commercial and CM-1 Local Service Industrial.

## Loudoun County offers community water and wastewater project assistance

The Loudoun County Water and Wastewater Program will begin accepting applications for county assistance with community water and wastewater projects starting Jan. 1.

The Water and Wastewater Program is designed to support Loudoun County communities experiencing issues with deficient or non-existent water and/or wastewater systems with funding and other resources. Properly functioning water and wastewater systems

help to assure a cleaner and healthier community.

Communities that need assistance are encouraged to learn more about the program at [loudoun.gov/water-projects](http://loudoun.gov/water-projects). Applications will be accepted from Jan. 1 through March 31.

Additional information can be found at [loudoun.gov/waterprojects](http://loudoun.gov/waterprojects) or by contacting Loudoun County Environmental Program Specialist Scott Fincham, at 703-771-5520 or [Scott.Fincham@loudoun.gov](mailto:Scott.Fincham@loudoun.gov).

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# Oops ... how to recycle ... responsibly

All Loudoun County locations accept recyclables ... mixed together. Cardboard boxes, paper, plastic containers, metal cans and glass containers are collected within in the same recycling container. It's easy.

Bottles, cans, jugs and jars should be empty and lightly rinsed out. Cardboard boxes should be completely empty and flattened.

### GOVERNMENT

Deposit recyclables loosely into the recycling collection container. If you transport your recyclables in a plastic or paper bag, dump the recyclables into the collection container and take your plastic bag with you, the paper bag can go in the recycling container.

No plastic bags, period. Absolutely no Styrofoam packaging or Styrofoam peanuts. Remove all Styrofoam, plastic wrap, bubble wrap, plastic strapping and any other plastic packaging from cardboard boxes prior to recycling, and discard with your regular household garbage.

Items left on site or "donated for reuse" such as furniture, exercise equipment, toys, or anything not included in the above "Materials Accepted" list are



Pictured here is the Central Western Loudoun recycling center in Hamilton, on Colonial Highway.

considered illegal dumping.

### Some tips ...

**At Home:** Pour out any remaining liquids or foods from bottles, cans, jugs, and jars. Food and beverage residue should be rinsed out. Try adding a small amount of water to the container, put on the lid and shake to help with rinsing and to conserve water, or use leftover dishwasher.

**Plastic Bags:** If your recyclables are in plastic bags, empty them into the designated recycling bin, and take your bag with you to reuse or dispose of with your household garbage. Do not attach plastic bags to the recycling bins, and do not deposit plastic bags within the recycling bins. Bags left at the recycling centers become litter or are mixed in with the recyclables and cause mechanical problems at sorting facilities. Plastic grocery bags should be returned to grocery stores for recycling.

**Service Schedule:** Recycling dumpsters are emptied every Monday, Thursday, and Saturday at all locations except Park View Recycling Center which is emptied on Monday, Wednesday, and Friday.

For more information go to [www.loudoun.gov/398/Recycling](http://www.loudoun.gov/398/Recycling).



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## Attention Lovers of Chocolate



The Chocolate Palette is on Main Street at its seasonal location – 141 W. Main Street in Purcellville and is a delicious treat. They serve various gourmet sipping chocolate choices with fresh whipped cream. Treat yourself to one of their desserts like

tiramisu, chocolate mousse, chocolate truffles and more. They also serve gourmet coffee. The Chocolate Palette is a gem and is open Tuesdays through Saturday from 10 a.m. to 8 p.m. and Sundays from 1 to 7 p.m.

## LVHS is a Virginia finalist

Loudoun Valley High School is a Virginia State Finalist in the tenth annual Samsung Solve for Tomorrow Contest, a \$3 million national competition that encourages sixth through twelfth grade students to creatively use STEM (science, technology, engineering, and math) skills to solve a community challenge.

The project, iStop, is a system that will convert any Stop sign into a smart Stop sign. The system is a rectangular unit that mounts just below Stop signs, and gives drivers visual feedback on their speed via a set of LEDs in the shape of an inverted cone. As the drivers slow, the height of the LEDs lessens. Once drivers come to a complete stop behind the Stop sign, they are shown a reward icon.

The system will also log good and bad

stops providing actual data of how often that Stop signs are ignored. The goal of the system is education. One of the participants said, “We want to educate drivers about what a complete stop means and to raise awareness of the stops. We also want to raise awareness to law enforcement and the community at large at how pervasive this has become.”

As state winners, LVHS receives a tablet. For the next stage, a detailed activity plan that students will use to move forward in developing the idea will be submitted. If selected as one of two state finalists, LVHS will win \$15,000 in Samsung technology and enter the national level of the competition, where they will have to fully realize their idea and create a video documenting the product and the journey of developing it.

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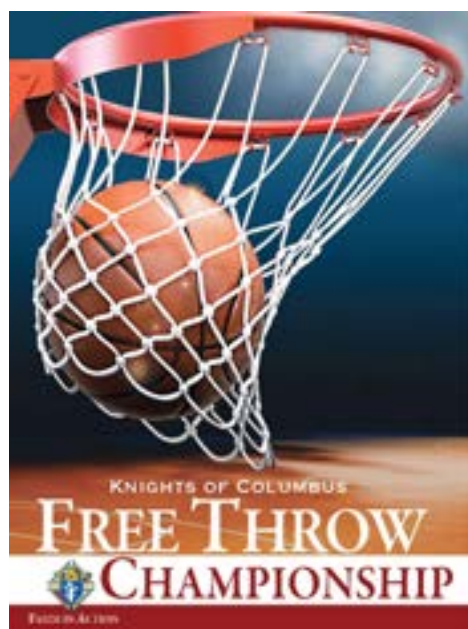


# Knights of Columbus free throw contest – and results of coat drive

The 2020 Knights of Columbus Free Throw Championship will be held at St Francis de Sales Catholic Church on Monday, Jan. 20 at 9 a.m. in Our Lady of Victory Hall Gym and is open to all boys and girls, ages 9-14. All in the Leesburg area community and west are invited to participate.

Check with your local Catholic Parish, Knights of Columbus to see if they are having this event, if not you are welcome to join us. Eligibility is determined by the age of the contestant as of Jan. 1, 2020.

Entry forms can be obtained by emailing [gkscottgrim86@gmail.com](mailto:gkscottgrim86@gmail.com). A copy of your child's birth certificate must be submitted with the completed entry form to [gkscottgrim86@gmail.com](mailto:gkscottgrim86@gmail.com) no later than Wednesday, Jan. 15, 2020, at 5:00 p.m. No walk-ins will be accepted



the day of the event. Winners will advance to the District level competition on Presidents Day Holiday in February anticipated to be at St. Theresa Parish, Ashburn. Those winners will advance to Richmond for the State Championship.

Also, The Knight of Columbus Council 11136 at St Francis de Sales Catholic Church in Purcellville has just concluded their Coats for Kids Program for the year. Each year the Knights look forward to assisting the children of Loudoun County who need coats for the winter and this year was the best ever. They were able to donate approximately 400 coats to Catholic Charities, Mobil Hope Loudoun and many Loudoun County Public Schools. Their goal is to provide even more coats next year.



## Willowcroft World Language Scholarship awarded to Donmoyer and Boldin

The second winner of the Willowcroft World Language Teacher Grant was Erin Boldin, a Spanish teacher at Loudoun Valley High School.

**COMMUNITY**

A delegation of dignitaries led by one of her students, Avery Donmoyer, who won the Wil-

lowcroft World Language Fluency Scholarship, honored Boldin Nov. 18, at LVHS.

The scholarship winner undergoes testing before and after the immersion program to assess their progress in becoming fluent in a second language. Funding this scholarship and grant are Lew and Sharon Parker, owners of Willowcroft Farm Vineyards. Lew Parker is passionate about language

fluency and feels immersive learning is one of the best ways to become fluent in a second language. "Being fluent in a second language is a doorway to success. It opens career and social pathways that are life-enhancing," he told Boldin's students after presenting a check to Boldin.



Spanish Teacher Erin Boldin, Student Honoree Avery Donmoyer, LEF Associate Director Linda Russ, LVHS Principal Sue Ross, and Scholarship Sponsors Sharon and Lew Parker.

lowcroft World Language Fluency Scholarship, honored Boldin Nov. 18, at LVHS.

The \$2,000 Willowcroft World Language Teacher Grant is awarded to the scholarship winner's world language instructor for teaching and mentoring the student.

Loudoun Education Foundation, administers Donmoyer's \$8,000 scholarship. It will assist with costs associated with Donmoyer's application, registration and participation in the CIEE Spanish Language Intensive in Alicante, Spain, during the summer of 2020.

## Local kids went all out for Chestnut and Zip

In December we asked local kids to help Chestnut Flutterley and Zip Winter-ton – two white tail deer from Loudoun County – get Santa's attention. Chestnut and Zip wanted to be a part of the reindeer crew pulling Santa's sleigh.

We are happy to report that Loudoun's kids came out in force to help, sending us dozens of letters of support for the two whitetails ... which we dutifully delivered to Santa.

We consider every child who submitted a letter to be a winner. But, our official First Place letter-writer was a sweetie named Parker R. Second Place letter-writers were Kellan T., Ryan L., Olivia P., Georgie H., and Ava T., and our Third Place tie winners were Caty J. and Clare C.

We thank, also, our distinguished judges: Laura Ogelman, Sue McCollum and Liz Jarvis.

## Seeking applicants for Loudoun Board of Zoning Appeals

Loudoun County is seeking applicants to serve on the Board of Zoning Appeals (BZA). There is one opening for an alternate member whose term would begin in February 2020.

The duties of the BZA include hearing and deciding:

- Appeals of administrative decisions and notices of violations made in

accordance with the zoning ordinance;

- Applications for variances as authorized by the zoning ordinance;
- Appeals from the decisions of the Loudoun County Zoning Administrator regarding interpretation of the zoning map where there is

uncertainty as to the location of a zoning district boundary; and

- Applications for special exceptions when buildings or structures have inadvertently encroached into a setback.

The BZA has five members and two alternates who are appointed by the chief

judge of the Loudoun County Circuit Court for staggered terms of five years. BZA members must be residents of Loudoun County. The BZA meets approximately once a month for a public hearing.

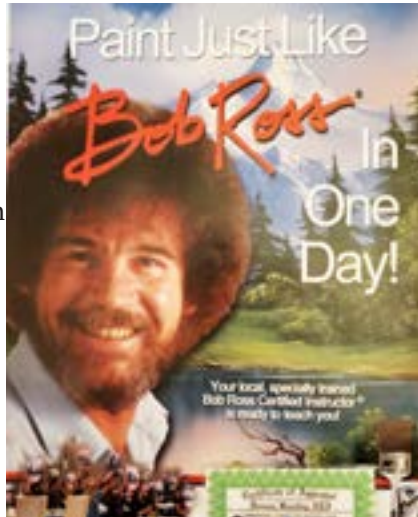
The deadline to apply for a seat on the BZA is Jan. 31. More information, including a link to the online application form, is available at [loudoun.gov/bza](http://loudoun.gov/bza).

## Purcellville Art Gallery reception

Paint like Bob Ross  
classes offered Jan 11

Purcellville Art Gallery invites you to their latest art show and reception Jan. 11 from 6 to 8 p.m. Come meet & talk with the artists featured in their winter show which will run through early March.

Purcellville Art Gallery sells fine art, sculpture, jewelry, art prints, pottery and much more – all created by local Loudoun county artist. New and exciting this month – the gallery will be offering paint like Bob Ross classes taught by a Bob Ross certified instructor. Class fee is only \$85.00 and includes all materials. For more info and to sign up call the gallery at 540-338-0800.



### ZONING, CONTINUED FROM PAGE 11

Mayor Kwasi Fraser pointed out that the SUPs that were approved in 2010 were for one restaurant, one pharmacy, and one bank. Hankins said that the Zoning Administrator was looking at it differently: three drive-throughs were approved, and one is in. She also noted that Sullivan can make minor changes after things have been approved.

In other words, he can move the drive-through locations, even if it puts two of them right next to each other on busy West Colonial Highway. He can also add a drive-through to an additional restaurant, even when the original drive-throughs were only approved for one restaurant.

Fraser said, “Just for the record, my concern here is one of time and space. Two thousand ten is a long time ago – this Town has grown; traffic has increased, and we keep on talking about environmental sustainability; and here we are talking about adding a drive-through. So, my concern is the time that the traffic study was done to now. It is a long lapse. I believe that a new traffic study is needed for me to make a decision.”

Fraser pointed out that the SUP for where a restaurant was intended is where the Dunkin’ Donuts is, and not the additional proposed site right next to it. “If we grant this SUP, is it guaranteed that Panera Bread would come in?”

Mumau said that no one else has of yet shown interest.

Ogelman said that he would “need input from citizens who can tell us what they want.”

### MOORE-SOBEL, CONTINUED FROM PAGE 4

no matter how small, to be a positive force in the world. To choose forgiveness instead of bitterness, and empathy rather than judgment. To choose love over hate, and hope over fear.

I hope you all, my fellow readers, will join me in this effort. We will likely fail more often than we succeed. We may even be tempted to give up along the way. Yet, the choices we make now will help shape the future. Together, we can make a difference. And, despite the tumultuous times in which we live, I find myself just as hopeful as I was ten years ago. A sense of hope rooted in the promise of a fresh start as a new decade begins.

*Samuel Moore-Sobel is excited for all that is to come, both anticipated and unforeseen, in the year 2020 and beyond.*

### BOARD, CONTINUED FROM PAGE 5

Supervisors.

Returning Supervisor Matthew F. Letourneau (R-Dulles) won his re-election bid in 2019, and he has decided to keep in place former PC Chair Jeffery F. Salmon.

Letourneau has resisted what he sees as efforts to use the County’s upcoming adoption of a new Zoning Ordinance as a way to re-hash the newly adopted Comprehensive Plan.

Returning Supervisor Kristen C. Umstatt (D-Leesburg) has reappointed Ad Barnes to the Leesburg District PC post. Said Umstatt, “He combines a strong commitment to small business with a genuine affection for our

towns and rural Loudoun.” Barnes was the sole Planning Commissioner to oppose formally certifying the draft Loudoun 2040 Comprehensive Plan, which went on to be adopted by the Board of Supervisors.

### Glass a Democratic wildcard?

Newly elected BOS member Sylvia Russell Glass (D-Broad Run) has selected Michelle L. Frank as her Planning Commissioner.

Frank has described herself as “A small business owner and top producing real estate agent,” and is a recipient of the Dulles Association of Realtors Top Producer and Washingtonian Top Agent awards. Prior to her real estate

career, Frank worked for various private companies offering management and professional services to federal government agencies, and in several governmental affairs positions.

### Other PC Choices not yet confirmed

As of press time, the Blue Ridge Leader was unable to reach returning Supervisor Koran T. Saines (D-Sterling), to confirm his selection for Planning Commissioner. Saines is expected to be elected Vice Chairman of the BOS in 2020. It has been reported that newly-elected Algonkian Supervisor Juli E. Briskman (D) has made her choice for PC, but has not confirmed, who that is.

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# Jury finds for family in shooting death by police officer of 17-year old Christian Sierra

BY VALERIE CURY

“Bang, bang, bang, bang.” May 24, 2014.

These four words – spoken in rapid succession by Thomas K. Plofchan, Jr. one of the lawyers for the family of 17-year old Christian Alberto Sierra – obviously made a big impression on the jury in the recent trial of former Purcellville Police Officer Timothy Hood.

The Sierra family was represented by Plofchan and Jacqueline A. Kramer of the Westlake Legal Group in Potomac Falls. Julia Judkins of Bancroft, McGavin, Horvath and Judkins P.C. in Fairfax represented Hood.

The trial brought back horrible memories of the 2014 police shooting death of Sierra.

Hood claimed that the suicidal Sierra should be held accountable for “contributory negligence, willful and wanton contributory negligence,” and that he [Hood] acted in “self defense and good faith.”

The complaint against Hood put forth charges of “gross negligence, willful and

wanton negligence, and battery” in the death of the teen.

In the dramatic and emotional six-day trial presided over by Judge J. Howe Brown, Jr. (Ret.), the seven-person jury was clearly persuaded that Hood not only shot Sierra without justification, but also moved his police vehicle afterwards to make the scene look more dangerous to himself.

According to the Sierras’ attorneys, “The case included evidence of the officer moving his cruiser to appear in danger from the suicidal Christian Sierra, the officer changing his account of the shooting more than four times, and abandoning his training on how to deal with a suicidal subject, opening fire on Sierra immediately after exiting his vehicle.”

Jurors were also likely persuaded, as claimed by the family’s attorneys, that Hood provided false/contradictory information about the sequence of events that took place in the mere seconds between when the officer made eye contact with Sierra, and when Sierra lay mortally

wounded on the pavement.

In the minutes before the police shooting took place, Jared Mingo and other friends of Sierra had been in a nearby home trying to talk him down from his attempts to kill himself. Sierra had a “small kitchen paring knife” (2 ½ inches) which he had been using to cut his neck and arms. One of the friends had called 911, and Sierra had exited the house – followed by his friend Mingo, who was trying to prevent him from further harming himself.

Hood, responding to the 911 call of a suicide attempt in progress, arrived at the scene to find Sierra and Mingo sitting on the corner of Fraser Drive and Heaton Court – struggling for the knife.

This, according to the Sierra family’s attorneys, is when the fateful situation began to unravel.

According to a press release from the family’s attorneys, the exact sequence of events, including Hood’s attempts to alter the scene afterwards, is as follows: “The two appeared sitting on the corner of Fraser Drive and Heaton Court when

#### EDITOR’S UPDATE

Purcellville Police Officer Timothy Hood has filed a motion to set aside the November 2019 verdict in which the jury found in favor of the Sierra family. The judge denied that motion, and Officer Hood has appealed that ruling.

Officer Timothy Hood encountered the teens.”

Sierra got up in an effort to distance himself from Mingo and was walking “briskly” away.

“Within 4.7 seconds of spotting Sierra and Mingo, Hood radioed to dispatch that he had located the individuals, parked and exited the vehicle, moved to the left of his door, shot Sierra [three times in the chest and once in the shoulder] ... and radioed back to dispatch ...” Hood’s message: “Shots fired, put several rounds into him, got the knife,” continued the press release.

“Evidence revealed,” said the Sierras’ attorneys, “that Hood communicated his location at 1:31 on the dispatch record and finished that call at 1:32 on the record. [But] Evidence from Hood’s own expert established that it would take Hood approximately one second to exit the vehicle, and two seconds to shoot the four shots, and radio back to dispatch announcing the shots at 1:35 into the dispatch record ...”

CONTINUED ON PAGE 24 »

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# Williams selected to be a Virginia Law Fellow

Barbara S. Williams has been selected by the Virginia Law Foundation to be a Virginia Law Fellow. Williams will be inducted into the Class of 2020 Law Fellows on January 23, 2020, at a dinner during the annual meeting of the Virginia Bar Association in Williamsburg, VA. The Virginia Law Foundation is a philanthropic organization formed to promote the rule of law, access to

justice and law-related education.

The Fellows of the Virginia Law Foundation are recognized as leaders in the profession, not just in their practices but in their communities. Williams is a past President of the Virginia Trial Lawyers Association as well as the Virginia Women Attorneys Association. She is an honorary member of the Board of Trustees of Brain

Injury Services and has also served on the Loudoun School Business Partnership Council in the past. She is currently on the Board of Directors for the Virginia Judges and Lawyers Assistance Program.

"To be named as a Fellow of the Virginia Law Foundation is a tremendous honor. The Foundation provides grants that have real impact on all kinds of people in Virginia. I

am proud to be a member of the Class of 2020 Virginia Law Foundation Fellows," said Williams.

Williams practices personal injury law at WilliamsFord in the historic district of downtown Leesburg, Virginia with Cory R Ford and Peter A. Pentony. WilliamsFord is located at 101 Loudoun Street, SW, Leesburg; and the telephone number is 703-777-6535.



## Personal property filing requirements due by Feb. 3

Loudoun Commissioner of the Revenue Robert S. Wertz Jr. recently mailed notification of 2020 personal property filing requirements to all vehicle owners currently on the County's tax rolls. Personal property includes automobiles, trucks, motorcycles, campers, trailers, boats, motorhomes, aircraft, and mobile homes.

Residents will begin receiving notices in the mail with an account number and instructions that they will use to review and update their personal property tax records for the 2020 tax year. The online process allows citizens to review and update information on the more than 369,000 vehicles now located in the County.

Beginning January 1, 2020, citizens can access their personal property information online at [loudoun.gov/efile](http://loudoun.gov/efile), utilizing their tax identification number, mailing address ZIP code and unique account number which is displayed on the notice.

Residents should report corrections, an address change, the sale or disposal of a vehicle, or unusually high mileage as well as unrepaired body damage or serious mechanical defect since these factors may affect the property's valuation or the number of months a vehicle is taxed in the county. Residents are asked to submit all

changes by Feb. 3, to assist in establishing accurate assessments for the 2020 tax year.

To avoid late filing penalties, newly acquired vehicles or those recently entering Loudoun County must be reported to the Commissioner of the Revenue within 60 days of purchase or move to Loudoun County or one of Loudoun County's incorporated towns.

Under a new Loudoun County ordinance, as of Jan. 1, owners of vehicles displaying out-of-state license plates who are not otherwise exempt from obtaining Virginia license plates will be charged an additional annual license fee of \$100. A \$250 penalty may also be imposed on owners of vehicles that are not registered with the Department of Motor Vehicles within 60 days of the owner's having established residency in Virginia.

For more information or filing assistance, visit [loudoun.gov/cor](http://loudoun.gov/cor) or contact the Office of the Commissioner of the Revenue at [ppdcor@loudoun.gov](mailto:ppdcor@loudoun.gov), or 703-777-0260. Residents may also stop by the Leesburg office in the Loudoun County Government Center at 1 Harrison Street SE, or the Sterling office at 21641 Ridgeway Circle. Regular office hours are weekdays from 8:30 a.m. to 5 p.m.

## Friends of the Thomas Balch Library Annual Meeting

The Friends of the Thomas Balch Library will hold their 25th annual meeting on Sunday, Jan. 12, in the downstairs meeting room of the library from 2 to 4 p.m.

The meeting program will be "Oral History Series: Loudoun's First Vineyard-An Interview with Lew Parker."

Parker, owner and winemaker, has been making award-winning wines for over 25 years. He planted his first grapes in 1981 and founded Willowcroft Farm Vineyards, in 1983, which became the first winery in Loudoun County.

Today, Willowcroft farms about 14 acres of 9,000 vines. The winery has won over 300 medals and awards including the Jefferson Cup, the double gold medal of the Eastern International, and gold medals from many California competitions.

Following the program, members of the Friends of the Thomas Balch Library will elect the 2020 board of directors. The Thomas Balch Library is located at 208 West Market Street, Leesburg. For questions, call 703-737-7195.

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Angie's list

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**Registration Deadline: January 10, 2020**—Guests and/or volunteers may register online at <https://www.locolove.church/night2shine/>. For more info, please visit our website or contact us at 703-777-6850 or [office@leesburgnazarene.com](mailto:office@leesburgnazarene.com).

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RANDALL, CONTINUED FROM PAGE 1

Randall did not specifically address the housing study that Loudoun County produced in 2017 (in contract with the George Mason University Center for Regional Analysis and Lisa Sturtevant & Associates LLC (GMU consulting team) to assess the County's current and future housing needs. That study was the primary driver of the additional housing units worked into the recently-adopted Comprehensive Plan.

With housing densities already approaching critical limits, straining the Suburban Policy Area, transforming the Transition Policy Area, and threatening the Rural Policy Area, Randall did speak, however, repeatedly, to "the need to protect the nature of western Loudoun County."

Randall spoke, also to the "need to prepare for Metro."

The Silver Line Metro has led the creation of an entirely new policy area in Loudoun County – the Urban Policy Area. With complex, transit-oriented development patterns, including mixed-use commercial/residential town-center communities, the Urban Policy Area will bring an entirely new landscape to Loudoun County.

Randall added a fourth priority to her legislative must-dos to the BOS agenda for the term. "If I had to add a fourth priority to the BOS agenda," she said, "It would be to build up the County's behavioral health services."

Randall is a mental health professional by trade. We asked Randall if there is an increased need for mental health services based on the County's increasing population, and, perhaps, a wider variety of incomes. On this point, Randall emphasized that people of all incomes need and will avail themselves of mental health services if they are available.

We also asked Randall if she believed there was a growing divide between eastern and western Loudoun County.

Randall told us that she believed that this issue is obviously on people's minds. "I think that is a fair question," she said.

"I hope to do better in my second term to address it.

"I think we need to talk about and understand how we benefit one another.

"I think there may be a lack of appreciation," she continued, "about how the east benefits from the west and visa-versa. I will focus on that in my second term," she said.

How do you see the makeup of the new Board influencing County policy, we then asked Randall.

"The Board did flip politically," she said. "But, when I look back to the previous Board, I remember that 80 percent of our votes on the Board were unanimous votes."

Then, referring to the new Board, she said, "We have put in office community servants. These people just want to serve. The public, sometimes, sees just politics. But, we deal with land use and local issues every day, and come to good decisions. I will also say that when we sit in traffic, we don't sit in that traffic as Republicans or Democrats. We sit there as problem solvers."

We also asked Randall about the selection of Forest Hayes as her Planning Commissioner.

"I put him in based on his resume," she said. "I considered six candidates for the post. My votes are the one that will carry the day. But, he is what I would call 'sturdy.' As members of the Board, we get yelled at, and he will get yelled at. I think he has a good sense of what areas to preserve, and what areas to develop."

Randall, in conclusion, made the point that with the campaigns and installation ceremonies behind the incoming Board, it was time to get to work.

A public Ceremonial Installation Ceremony for the new Board was held on Saturday, Jan 4. To meet legal requirements, the 2020 – 2023 Loudoun County Board of Supervisors was sworn in prior to that. The Jan. 4 ceremony was followed by a wonderful gala benefiting four organizations – the Loudoun YMCA, Loudoun Commission on Women and Girls, Loudoun Hunger Relief, and The Dulles Area Food Pantry.

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**CARBON, CONTINUED FROM PAGE 8**

**What are carbon/nutrient credits?**

Carbon credits are derived from a regular measurement of a tree's trunk girth as it grows. Through photosynthesis, the trees hold the carbon and release oxygen as they grow, effectively cleaning the air of the carbon emissions we generate from our cars, our lawnmowers, our coal-burning power plants, even our farm vehicles. Recent articles from major news outlets point to growing trees at scale as the best way to face our carbon emissions dilemma.

Nutrient credits are available to Virginians who grow trees near sensitive river systems to clean the water running off of fields where fertilizer was once used. Here, it's the roots of the trees that are doing the work, not the leaves." This is a program designed to help clean the Chesapeake Bay of sediment, and nitrogen and phosphorous pollution. According to the Virginia Department of Environmental Quality (DEQ) these elements account for a significant part of the pollution feeding into the Bay.

The models for receiving benefit are very different. Nutrient credits are awarded once the DEQ verifies a successful planting. Carbon credits are awarded throughout the life of the trees. Both, however, can substantially reward a landowner with long-term vision for doing the right thing.

Why should Purcellville use the natural assets on Aberdeen? According to the proposal, three reasons: One, to do the right thing for the ecology, two, to make substantial revenue from the Aberdeen property, and three, to create a greenspace recreational park to host equestrians, cyclists, pedestrians, and public events for more operational profit.

**How the process works**

Banking marketable carbon and nutrient credits for this

lucrative market is doable, but a fairly technical process, which is why the great majority of property owners and localities work with carbon/nutrient credits developers to meet governmental requirements that ensure their ongoing cash value.

Planting trees (600/acre) and maintaining them with a significant success rate is a process that is not always easy. As well, selling the credits means maintaining close relationships with those corporate entities looking to offset their carbon footprint. This is what ACRE does, and today has planted more than 42 million trees on more than 120,000 acres. ACRE has become the largest reforestation company in the world, as measured by credit issuance. It has been involved with both the carbon and nutrient markets from their inception. To maximize their benefit, the Town needs both carbon and nutrient markets.

**The importance of acting now**

The presentation made at the Town Council Meeting notes that the market for the environmental credits under consideration is strong. Said Town Council Member Nedim Ogelman: "The [Aberdeen] property is already in conservation easement. I am excited about looking at this ... trying to monetize our assets in some harmonious way ... this is what the Mayor talks about."

Mayor Kwasi Fraser echoed Ogelman's point: "Historically, we bought this property in 2009 for \$2.17 million. We have not gotten any revenue from it. So right now, we are getting zero. What we have is 193 acres sitting there, that we paid \$2.17 million of taxpayers' dollars for, and making nothing."

Town Manager David Mekarski said, "The opportunity for selling environmental credits which are nutrient cred-

its, carbon credits, stream credits, and wetland credits are bountiful. This represents one of the greatest opportunities to not only place our lands in permanent conservation, but opens the door to an array of public lands that the Town owns – to receive significant dollars to supplement the Town's traditional taxes and user fees."

**Carbon credits are cleaning the air and generating cash in Virginia**

According to The Virginia Mercury news organization, while the carbon credits market has faced hurdles in Virginia, the Commonwealth is now among the top ten states in the nation, along with Alaska, California, Washington State, Arizona, West Virginia, Maine, New Mexico, Tennessee, and New York, to participate in California's carbon credits market. Virginia sold over 4.5 metric tons of the credits to California from 2013 to 2018; carbon credits sold for cash.

Per the Virginia Department of Environmental Quality website, Executive Order 57 directed DEQ "To develop a regulation to control CO2 from electric power facilities that allows for the use of market-based mechanisms and the trading of CO2 allowances through a multi-state trading program."

As the introduction to EO 57 states: "Virginia has already made meaningful strides – between 2005 and 2014, Virginia reduced its carbon emissions from power plants by 21 percent."

Carbon credits are using nature to help capture those emissions.

See [www.virginiamercury.com/2019/08/07/despite-legislative-blocks-one-form-of-carbon-cap-and-trade-is-alive-and-well-in-virginia/](http://www.virginiamercury.com/2019/08/07/despite-legislative-blocks-one-form-of-carbon-cap-and-trade-is-alive-and-well-in-virginia/) for details.

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- Judith Regan



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**HOUSTON**, CONTINUED FROM PAGE 6

easements, purchase of development rights, and transfer of development rights to save the west. The Board can actually downzone the county as it did in 2003, while still protecting property rights.

- The new Board will implement the recently-adopted Comprehensive Plan by adopting a new zoning ordinance. Do not rubber-stamp this tome the planning department will produce, but improve upon it as specific zoning provisions are written. Be aware of unintended consequences of vague language. One example was contorting an allowed use (a “personal recreational field”) into an illegal landfill near Hamilton. Another example – cluster subdivisions. They were intended to look like rural hamlets but builders have warped the rules and built only simulacra of generic subdivisions.
- Revise other controlling documents to halt residential growth, such as the Facilities Standards Manual (FSM) and the Land Subdivision and Development Ordinance (LSDO). There is an advisory committee for the FSM, which mostly deals

with technical civil engineering, but there is no equivalent citizen oversight of the LSDO, which focuses on actual site plans and development. The Board should correct that omission, perhaps bringing the LSDO under the purview of ZOAG, another acronym the Supervisors will come to know.

- Past planning has been based on the demand for houses. That’s backwards, Instead, decide the maximum population and let zoning derive from that.

I assume that none of the Board members wanted the job for money and fame, and had sincere desires to govern Loudoun wisely. The precepts above may help define what “wisely” means.

*“Pressed Rat and Warthog demanded I cease,*

*claiming slander and libel and such.*

*But I will still write truth as I please.*

*Developers, methinks, doth protest too much.”*

*Charles Houston developed office buildings in Atlanta, and has lived in Paeonian Springs for 20 years. His songwriting is especially appreciated in Estonia, Uruguay and Azerbaijan.*

**NOERPEL**, CONTINUED FROM PAGE 6

because of the faint young sun phenomena [11]. Thus, we are effectively warming the planet more than 20 times faster than the greatest extinction event of all time and we are also emitting nitrous oxide, methane and many man-made greenhouse gases which never before existed. And Conodonts were not polluting, overfishing or destroying habitat 252 million years ago as we are doing today.

An increase in atmospheric CO2 concentrations should improve the yields of C3 plants including wheat, rice and soy but will have little effect on C4 plants such as maize, sorghum and sugar cane which have a high CO2 efficiency [12]. On a global scale, production of wheat and soy is forecast to increase with a 1.5 C temperature rise. But at 2 C, that advantage plummets by 70 percent for soy and disappears entirely for wheat [13].

Studies which show a pronounced improvement in yield due to CO2 fertilization have been conducted in greenhouses where all other variables are controlled. Unfortunately, CO2 increases temperature which largely overwhelms the fertilization effect even at 2 degrees warming. Beyond two degrees the higher temperatures dominate and production falls. While carbon dioxide fertilization may increase yields of at least C3 plants, up to 1.5 degrees, it reduces their nutritional value [14] [15]. Increased extreme weather including storms, flooding

and drought which are correlated to higher temperatures [16] also reduce yields. For the top four maize-exporting countries, accounting for 87 percent of global maize exports, the probability that they have simultaneous production failure in any one year in any given 20-year period is 80 percent under 2 °C warming and under 4 °C warming in any three-year period the probability is nearly certain [17]. Such a crop failure will collapse the global economy if not civilization.

As much as LaFiandra does not like models, the values for atmospheric CO2 he cites during the last 545 million years were derived from models [7]. In any event, CO2 had to be higher to counter the faint young sun effect.

American Nobel-prize-winning physicist Richard Feynman taught us “Science is what we do to keep from lying to ourselves.” It does not make sense to throw all of science under a bus because of spurious blogs written by industry lobbyists Patrick Moore and Pat Michaels, who do not do science. LaFiandra should read some actual science like the IPCC reports or the National Climate Assessments to learn about climate physics. He might also reflect that his smart phone was not created by lobbyists but by engineers and scientists.

*Tony Noerpel is a retired research engineer and inventor and writes a regular column for the Blue Ridge Leader.*

\*Footnotes can be found at [www.blueridgeleader.com](http://www.blueridgeleader.com)

**JURY FINDS FOR FAMILY**, CONTINUED FROM PAGE 20

In other words, evidence showed, Hood pulled up to the scene, got out of his vehicle, and started shooting. Something about Hood’s account of the timing was terribly off.

The attorney for Hood, Julia Judkins, painted a different picture – saying that Hood had no time to react – as Sierra was running toward her client with a knife.

Former Purcellville Lieutenant Joe Schoreck arrived from around the corner approximately nine seconds after the shooting.

“It was a good shoot,” Hood told Sergeant Guy Dinkins, who arrived from around the corner approximately 11 seconds later. His claim was that Sierra was only nine feet from his vehicle and was coming at him with the knife when he discharged his firearm.

It was this claim that the Sierra family and its attorneys said was both contrary to the evidence and Hood’s inconsistent testimony. Hood had extensive training in how to not to act in haste in potential suicide situations, and trained in the importance of waiting for back up. He was also trained in how to interact with someone who is mentally ill, how to disarm someone, and how to not use lethal force. Hood also had baton training, and carried a baton and pepper spray that day.

Hood’s training included, specifically, how to disarm someone who had a knife; get backup in place, assess a situation, and approach the scene safely and maintain

cover. The basic steps include: Stop, look and assess, use communication, maintain a safe position, calm the person down, use voice and tone as your non-lethal weapons. He was aware that suicides are a growing problem in the country, and that deadly force should only be used as a last resort.

Hood said he had told Sierra to “drop the knife, drop the knife.” But, no evidence or court testimony supported that contention, nor did the split-second bang, bang, bang timing, nor did the dispatch record.

Court testimony indicated that when Hood arrived, and Sierra broke away from Mingo, Sierra had his knife in his right hand at his side – with the sharp part of the blade facing backwards. And, he was not wielding the knife in a threatening manner, and did not bring it up higher than his waist.

After Hood shot Sierra, Mingo ran away, testifying in court “I was terrified,” afraid that he would be shot as well. Mingo, by all accounts, was just eight feet from Sierra when Sierra was shot. Plofchan said that this was more evidence of Hood’s poor response to the situation, because discharging his weapon when someone else is in close proximity threatened that person’s life as well.

Mingo then testified that when he came back to the scene, the officer’s car had been moved. Before, testimony had showed Hood’s car was some 20 feet from Sierra. Now, it was closer, perhaps as a way to indicate Hood was in more danger than he actually was.

Gary A. Rini, a forensic science consultant, testified

that Sierra’s body fell on the north side of Fraser Drive. Hood showed his parked position when he shot Sierra to be on the north side. However, one of the bullets that passed through Sierra’s body and landed in a flower pot on the south side of the road – rather than the north side – proving to Rini that it would have been impossible for the bullet to have ended up where it did if Hood had shot from the north side of the street.

Hood did not pick up the radio before he got out of the car to alert police dispatchers or other officers about what he saw at the potentially dangerous scene, or find out where nearby officers might be. When asked why, he simply said, “I felt that I had to react instantly.”

But, said Plofchan, “There is no training that if someone has a knife, you have to shoot.”

Sandra Sierra spoke through tears how she was not allowed to see her son at the hospital, hold her son, touch her son, kiss her son goodbye – until four days later at the funeral home. Neither Sandra nor Eduardo were even allowed to identify his body.

Christian Sierra is survived by his mother, Sandra Sierra, his father, Eduardo Sierra, and his sister.

On Nov. 5, after the six-day trial, the jury found in favor of the Sierras in the shooting death of Christian Sierra. The case formally represented the Estate of Christian Alberto Sierra. Compensatory damages of \$1.1 million were awarded to each surviving family member. The jury also awarded some \$510,000 in punitive damages.



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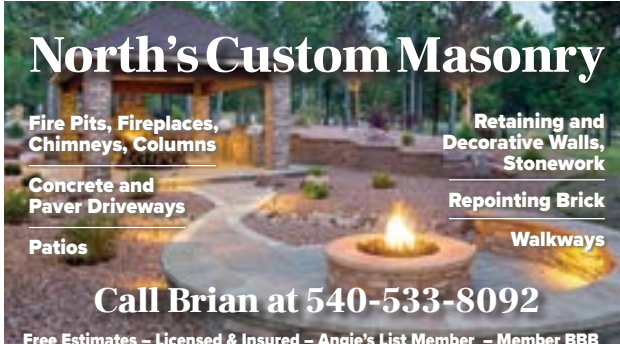
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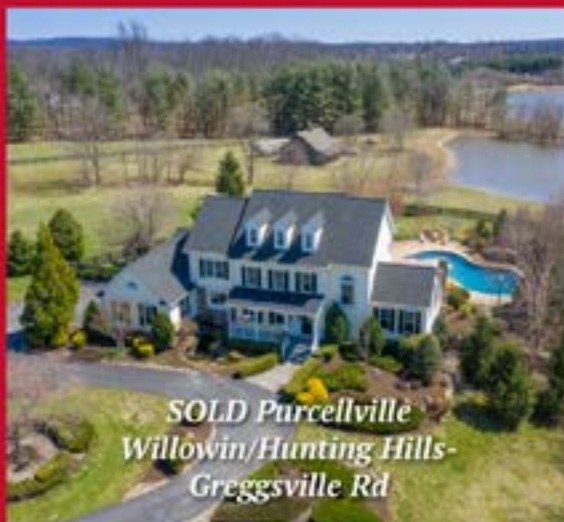
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