



CLERK'S BOARD SUMMARY  
REPORT OF ACTIONS OF THE  
FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY**  
**March 7, 2005**

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**DET:det**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, March 7, 2005, at 9:44 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Dana Kauffman, Lee District
- Supervisor Elaine McConnell, Springfield District

- Supervisor Linda Q. Smyth, Providence District

Supervisor Catherine Hudgins, Hunter Mill District, and Supervisor Gerald W. Hyland, Mount Vernon District, were absent from the entire meeting.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Karen Harwood, Deputy County Attorney; Catherine A. Chianese, Assistant to the County Executive; Regina Thorn Corbett, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

## **BOARD MATTER**

1. **MOMENT OF SILENCE** (9:44 a.m.)

Chairman Connolly asked everyone to keep in thoughts Supervisor Hyland who would not be here today. His mother died this weekend and he was in Massachusetts attending to the funeral arrangements.

(NOTE: Later in the meeting, arrangements were made to send flowers to Supervisor Hyland and his family, on behalf of the Board. See Clerk's Summary Item CL#40.)

## **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE NORTHERN VIRGINIA FIREFIGHTERS' EMERALD SOCIETY PIPE BAND** (9:45 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to the Northern Virginia Firefighters' Emerald Society Pipe Band for its years of service to the County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MERRIFIELD FIRE AND RESCUE STATION 30** (9:54 a.m.)

Supervisor Smyth moved approval of the Certificate of Recognition presented to the Merrifield Fire and Rescue Station 30 for 25 years of service to the County and the community. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. WALTER MESS** (9:59 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to Mr. Walter Mess for his decades of public service to the Northern Virginia Regional Park Authority and the residents of Northern Virginia. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

5. **PROCLAMATION TO DESIGNATE MARCH 2005 AS “INCLUDING PEOPLE WITH DEVELOPMENTAL DISABILITIES MONTH” IN FAIRFAX COUNTY** (10:05 a.m.)

Supervisor Bulova moved approval of the proclamation designating March 2005 as “*Including People with Developmental Disabilities Month*” in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LAND CONSERVATION AWARDEES** (10:13 a.m.)

Supervisor Bulova moved approval of the Certificate of Recognition presented to the Land Conservation awardees for their efforts. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor McConnell and Supervisor Smyth being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

7. **PROCLAMATION TO DESIGNATE MARCH 2005 AS “ALTERNATIVE RESOLUTION DISPUTE MONTH” IN FAIRFAX COUNTY** (10:20 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the proclamation designating March 2005 as “*Alternative Resolution Dispute Month*” in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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8. **10 A.M. – PRESENTATION OF THE VOLUNTEER FIRE COMMISSION’S ANNUAL REPORT** (10:28 a.m.)

Chief Tim Fleming, Chairman, Volunteer Fire Commission, presented its annual report.

Following the report, discussion ensued concerning the decline in the number volunteers, whether the Board needed to address this decline during budgetary considerations, the status of the volunteer assessment, facilities maintenance, and whether it was possible, through the development process, to obtain more proffers for volunteer stations.

9. **10:15 A.M. – PRESENTATION OF THE COUNCIL ON HOMELESSNESS ANNUAL REPORT** (10:43 a.m.)

Linda Wimpey, Chairperson of the Council on Homelessness, presented its annual report. The report recommended three top priorities and one challenge for the Board to consider:

- A dedicated revenue source for affordable housing.
- The needs of homeless, medically-frail adults and children.
- The need for single resident occupancy (SRO).
- A challenge for the Board to provide County land through surplus school property or any other unused land for the development of at least one SRO in Fiscal Year 2006.

Discussion ensued with input from William Macmillan, Service Integration Manager, Department of Systems Management for Human

Services, concerning percentages involved, and Anthony H. Griffin, County Executive, concerning efforts on the part of the Schools and the County in identifying appropriate property for use.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to include in the consideration list the cost of a van for use by the County's Hypothermia Task Force. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

**DS:ds**

10. **ADMINISTRATIVE ITEMS** (11:08 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Bulova seconded the motion.

Supervisor Bulova called the Board's attention to Admin 6 – Authorization to Advertise Publication of the Fiscal Year 2006 Budget and Required Tax Rates and asked to amend the motion to advertise a tax rate of \$1.03, and this was accepted.

Discussion ensued, with input from Susan W. Datta, Director, Department of Management and Budget, regarding the property tax rate. Chairman Connolly noted that the tax rate of \$1.03 (a reduction of \$0.10 per \$100 of assessed value) would bring the property tax rate to the lowest in County history.

Following further discussion, with input from Anthony H. Griffin, County Executive, regarding the property tax rate, Supervisor Frey asked unanimous consent that the Board direct staff to add the following as a budget question – How much additional revenue is being taken in by Fairfax County than in Prince William County? Without objection, it was so ordered.

Chairman Connolly noted that Prince William County receives twice as much money from the State as a percentage of its school budget than Fairfax County does. Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide data showing how much more property tax rate relief could be provided if Fairfax County received the same percentage of a school budget from the State as Prince William County. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion, as amended, to approve the administrative items and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hudgins and Supervisor Hyland being absent.

**ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR A 2232 PUBLIC FACILITY REVIEW APPLICATION (LEE DISTRICT)**

Approved an extension of review period for Public Facility (2322) Review Application FS-L04-72 to May 7, 2005.

**ADMIN 2 – INSTALLATION OF "\$200 ADDITIONAL FINE FOR SPEEDING" SIGNS ON COTTAGE STREET AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (PROVIDENCE DISTRICT)**

(R) Adopted the Resolution endorsing the installation of "\$200 Additional Fine for Speeding" signs at Cottage Street between Gallows Road and Cedar Lane (Providence District).

**ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 10, REVISING THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 4, 2005, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10, Revising the Sewer Service Charges and the Availability Fees.

**ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05077 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT AN ADDITIONAL GRANT AWARD FROM THE US AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID) TO PROVIDE SUPPORT FOR A PROGRAM IN INTERNATIONAL URBAN SEARCH AND RESCUE**

- (SAR) Approved SAR AS 05077 in the amount of \$795,924 for FRD to accept grant funds from USAID to be used to provide urban search and rescue services and technical assistance for USAID and to reimburse for costs incurred due to the 2004 Summer Olympics development. A local cash match of \$75,816 is required.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 21, 2005, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), to extend the temporary polling place relocation for Colvin precinct and establish the hours and dates of operation for the absentee voting satellites for the November 8, 2005, general election.

**ADMIN 6 – AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2006 BUDGET AND REQUIRED TAX RATES**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See pages 4–5.)

Authorized the advertisement of the following items, which are included in the proposed FY 2006 Budget:

- A brief synopsis of the FY 2006 Budget and a notice of proposed adoption of a Resolution appropriating funds for the FY 2006 Budget to be advertised during the week ending March 18, 2005.
- The notice required by *Virginia Code* Section 58.1-3321.
- Public hearings on the proposed Advertised Capital Improvement Program for FY 2006 – 2010 (with Future Fiscal Years to 2015).
- Public hearings on some of the proposed General and General Fund Supported Revenue Enhancements which require Code of the County of Fairfax changes to be included in the FY 2006 Advertised Budget Plan.
- Public hearing on the FY 2006 Effective Tax Rate of \$1.03 per \$100 of assessed value.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), TO ADJUST THE E-911 FEE**

- (A) Authorized the advertisement of a public hearing to be held before the Board on April 4, 2005, at 4 p.m. to consider proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6.2.5, Local Tax for Enhanced Emergency Telephone Service, to adjust the E-911 fee from \$2.50 to \$3.00 per line per month.

11. **A-1 – AMENDED PARKING REDUCTION FOR STRATFORD UNIVERSITY [FORMERLY AMERICAN TRANSPORTATION INSTITUTE, INCORPORATED (ATI)] (PROVIDENCE DISTRICT)** (11:12 a.m.)

Supervisor Smyth noted that a public hearing is scheduled for 3:30 p.m. regarding Special Exception Application SE 2004-PR-017 (Stratford University). Therefore, she asked unanimous consent that the Board defer action on this item until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#44.)

12. **A-2 – APPROVAL OF THE NUMBER OF TAXICAB CERTIFICATES TO BE AUTHORIZED IN 2005** (11:12 a.m.)

On motion of Supervisor Bulova, seconded by Supervisor McConnell, and carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and approved the awarding of 51 additional taxicab certificates in 2005.

13. **A-3 – ADOPTION OF A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH COMCAST OF VIRGINIA, INCORPORATED (“COMCAST”) TO EXTEND THE COUNTY’S TIME TO EVALUATE COMCAST’S FORMAL FRANCHISE RENEWAL PROPOSAL AND AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE TO EXTEND THE CABLE TELEVISION FRANCHISE HELD BY COMCAST UNTIL NO LATER THAN JUNE 30, 2005 (RESTON FRANCHISE AREA)** (11:13 a.m.)

- (R) (A) Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board concur in the recommendation of staff and:

- Adopt a Resolution authorizing the County Executive to enter into an agreement with Comcast extending the County's time to review Comcast's formal renewal proposal.
- Authorize advertisement of a public hearing to be held before the Board on April 25, 2005, at 4 p.m. to consider the adoption of an ordinance to extend the Comcast cable franchise agreement until no later than June 30, 2005.

Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, Vice-Chairman Bulova, and Chairman Connolly voting “AYE,” Supervisor Hudgins and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

14. **A-4 – APPROVAL OF A COMMENT LETTER SUPPORTING THE CONCEPT OF THE ESTABLISHMENT OF A REGIONAL CHESAPEAKE BAY FINANCE AUTHORITY** (11:13 a.m.)

Supervisor Gross moved approval of a draft letter, for the Chairman's signature, indicating the County's support of the concept of establishing a regional Chesapeake Bay Finance Authority. Supervisor DuBois seconded the motion.

Discussion ensued, with input from Kambiz Agazi, Environmental Coordinator, regarding why the Board received this item late.

Following additional discussion regarding the comment letter, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to include in the letter the concern the County has that in whatever decisions are made to identify funding sources, some cognizance be taken of the inequity of the existing situation.

Supervisor McConnell stated for the record that she would not support anything else on the Chesapeake Bay until she finds out that the State is doing something about the runoff from farms. She said she will never support a tax that would support this. She would rather give the tax money back to the people and let the rural counties support the rest of it.

Chairman Connolly called the Board's attention to an attachment to this item and noted that it should answer some of the concerns of Board Members. He encouraged his colleagues to read it during their lunch time.

Noting that there is a time issue on this item, Supervisor Gross withdrew her motion and asked unanimous consent that the Board defer action on this item until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#38.)

15. **I-1 – MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL RESOURCE CONSERVATION SERVICE, THE NORTHERN VIRGINIA SOIL AND WATER DISTRICT COMMISSION (NVSWDC), AND FAIRFAX COUNTY FOR THE REHABILITATION OF LAKE ROYAL, POHICK CREEK DAMSITE NUMBER 4 (BRADDOCK DISTRICT)** (11:24 a.m.)

The Board next considered an item contained in the Board Agenda dated March 7, 2005, requesting authorization for the County Executive, on behalf of the County, to sign an agreement with National Resource Conservation Service and the NVSWDC for the rehabilitation of Pohick Damsite Number 4.

The staff was directed administratively to proceed as proposed.

16. **I-2 – CONTRACT AWARD – FEASIBILITY STUDY AND DESIGN FOR REGIONAL POND SU0005 (S-5) (DRANESVILLE DISTRICT)** (11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated March 7, 2005, requesting authorization for staff to award a contract to GKY and Associates, Incorporated, in the amount of \$146,891.75 for a feasibility study and design for Regional Pond SU0005 (S-5) in the Sugarland Run Watershed of Dranesville District.

The staff was directed administratively to proceed as proposed.

17. **I-3 – CONTRACT AWARD – PHASE I IMPROVEMENTS TO THE CORE AREA AT LAKE FAIRFAX PARK (HUNTER MILL DISTRICT)** (11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated March 7, 2005, requesting authorization for staff to award a contract to Desbuild Incorporated in the amount of \$1,680,000 for the construction of an accessible lake front marina and related site work at Lake Fairfax Park, 1400 Lake Fairfax Drive, Reston, Virginia.

The staff was directed administratively to proceed as proposed.

18. **I-4 – CONTRACT AWARD – TECHNOLOGY ARCHITECTURE CONSULTING SERVICES** (11: 25 a.m.)

The Board next considered an item contained in the Board Agenda dated March 7, 2005, requesting authorization for staff to award a contract to Winbourne and Costas, Incorporated, in the amount of \$1,100,000 potentially for a five-year term for consulting services to the County in developing a public safety interoperability framework and technology architecture, defining requirements, and developing a strategy for integration and interoperability of public safety systems.

Discussion ensued, with input from Robert A. Stalzer, Deputy County Executive, regarding the current technology system and the proposed contract award for technology architecture consulting services.

Following further discussion, with input from David J. Molchany, Chief Information Officer, and Anthony H. Griffin, County Executive, the staff was directed administratively to proceed as proposed.

19. **I-5 – IMPLEMENTATION OF AFFORDABLE HOUSING PRESERVATION ACTION COMMITTEE RECOMMENDATIONS** (11:34 a.m.)

The Board next considered an item contained in the Board Agenda dated March 7, 2005, requesting authorization for the County Executive and the Department of Housing and Community Development to implement the strategies of the Affordable Housing Preservation Action Committee Recommendations.

Discussion ensued, with input from Paula Sampson, Director, Department of Housing and Community Development, regarding land use issues.

Supervisor Kauffman called the Board’s attention to Item Number Two of the Board Agenda Item and asked unanimous consent that the Board direct staff to add the following text:

“In addressing any flexibility in the comprehensive plan, County staff is to coordinate with local redevelopment groups to ensure preservation efforts are balanced with, and take into consideration, other revitalization initiatives for those properties falling within revitalization districts.”

Without objection, it was so ordered.

Supervisor Gross called the Board’s attention to Item Number 11 of the Board Agenda Item and asked unanimous consent that the Board direct staff to, at the beginning of the sentence, delete the word “Broaden” and replace with “**Further explore...**” Without objection, it was so ordered.

Following further discussion, the staff was directed administratively to proceed as proposed.

20. **I-6 – TRANSMITTAL OF COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR NEW RUNWAYS, TERMINAL FACILITIES AND RELATED FACILITIES AT WASHINGTON DULLES INTERNATIONAL AIRPORT** (11:41 p.m.)

The Board next considered an item contained in the Board Agenda dated March 7, 2005, requesting authorization for the County Executive to transmit a letter and comments to the Federal Aviation Administration regarding the draft environmental impact statement.



Following a brief discussion, the staff was directed administratively to proceed as proposed.

## **ADDITIONAL BOARD MATTERS**

NV:nv

### 21. **2005 VIRGINIA SCHOOL CENSUS** (11:43 a.m.)

Chairman Connolly announced that this month marks the beginning of the 2005 Virginia School Census throughout the Commonwealth. The results of the census are an important source of education funding. He said that it is vital that everyone participate in the census because funding dollars are at stake. These dollars could alleviate the tax burden on homeowners.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board, on behalf of all residents of the County, proclaim March 2005 as “*2005 Virginia School Census: Bring Your Tax Dollars Home This Month,*” and direct the staff of Channel 16 to help advertise the census as much as possible, given that taxpayer dollars are at stake. Vice-Chairman Bulova seconded the motion.

Chairman Connolly noted that the census form is available online and is easy to complete.

The question was called on the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

### 22. **EXERCISE AT FORT BELVOIR (LEE AND MOUNT VERNON DISTRICTS)** (11:44 a.m.)

Chairman Connolly said that he received a press release from Fort Belvoir notifying the County and its citizens of several exercises taking place on Thursday, March 10. A simulated evacuation exercise will take place at the McNamara Headquarters Complex on J.J. Kingman Road involving military police and firefighters. Additionally, Fort Belvoir’s twelfth Aviation Battalion will conduct an emergency response exercise during which several helicopters will land on P2 Parade Field adjacent to US Route One. DeWitt Army Community Hospital will conduct a mass casualty training exercise that day in response to simulated casualties from both of these exercises, and, as a result, the hospital is limiting appointments for that day to allow as many personnel as possible to participate in the response.

Chairman Connolly asked unanimous consent that the Board direct the Office of Public Affairs to bring some attention to that press release on Channel 16. Without objection, it was so ordered.

### 23. **CHILD ABUSE PREVENTION MONTH** (11:45 a.m.)

Chairman Connolly said that it is time for Child Abuse Prevention Month. Last year the County’s Child Protective Services’ round-the-clock hotline received over 35,000 calls from individuals seeking help, guidance, and referrals to parenting and support services programs.

Therefore, Chairman Connolly moved that the Board proclaim April 2005 as “*Child Abuse Prevention Month*” in Fairfax County and invite the appropriate representatives from the Advisory Social Services Board and others to receive the proclamation at the March 21 Board meeting. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

### 24. **COMMUNITY DEVELOPMENT WEEK** (11:46 a.m.)

Chairman Connolly moved that the Board proclaim March 28–April 3, 2005, as “*Community Development Week*” in Fairfax County and invite the appropriate representatives from the Department of Housing and Community Development to receive the proclamation at the March 21 Board meeting. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

There was a brief discussion regarding the schedule for the March 21 Board meeting, with input from Merni Fitzgerald, Director, Office of Public Affairs, and Catherine A. Chianese, Assistant to the County Executive.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

25. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR FREY** (11:46 a.m.)

Supervisor Frey announced that he had no Board Matters to present today.

26. **LAKE BRADDOCK SECONDARY SCHOOL GIRLS’ SWIM AND DIVE TEAM WINS NORTHERN REGION CHAMPIONSHIP (BRADDOCK DISTRICT)** (11:46 a.m.)

Supervisor Bulova announced that the Lake Braddock girls’ swim and dive team, under the coaching of Ms. Kathleen Youngren, won the AAA Northern Region Championship. The event was held at Oak Marr Recreation Center in Oakton on February 3.

Supervisor Bulova noted that the girls pulled off a thrilling victory over South Lakes High School in the swimming relay, then swept the top two places in the diving competition to take the title with a 263-236 victory over runner-up South Lakes. She said that this was the first time the Lake Braddock girls’ squad won such a major event, thanks to the leadership of Ms. Youngren.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to draft a letter, for the Chairman’s signature on behalf of the Board, congratulating Ms. Youngren and her team for their outstanding performance and achievement. Without objection, it was so ordered.

PW:pw

27. **RECOGNITION OF JUSTIN AND PATRICIA MALLOY (DRANESVILLE DISTRICT)** (11:47 a.m.)

Supervisor DuBois said that for the past 22 years, Justin and Patricia Malloy have invested their volunteer time serving as the Neighborhood Watch Coordinators for the Hansborough Community in McLean. They will be stepping down as coordinators in April. Additionally, the Malloys worked on the Earnestine Street Traffic Calming Plan.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to invite the Malloys to appear before the Board to be recognized for their service to the community. Without objection, it was so ordered.

28. **JOINT AREA PLAN REVIEW TASK FORCE FOR NORTH COUNTY AREA PLAN REVIEW NOMINATIONS (DRANESVILLE AND HUNTER MILL DISTRICTS)** (11:49 a.m.)

Jointly with Supervisor Hudgins, Supervisor DuBois said that on January 26, 2005 the Planning Commission deferred several North County Area Plan Review (APR) nominations, covering over 200 acres along Hunter Mill Road north of the Toll Road in the Hunter Mill

and Dranesville Districts. Since then, they have been working together to form a joint APR task force to review nominations and looking at the feasibility of conducting a community planning Charrette to assist in the process. They anticipate having additional information regarding the process and schedule by the next Board meeting.

29. **VIRGINIA'S TORNADO PREPAREDNESS DAY IS MARCH 15, 2005** (11:49 a.m.)

Supervisor Smyth noted that Virginia's Tornado Preparedness Day is March 15, 2005, with a Statewide tornado drill at 9:45 a.m. The test alert will be broadcast over NOAA Weather Radio and the Emergency Alert System.

30. **PARK AUTHORITY COMMUNITY CONNECTIONS INITIATIVE** (11:50 a.m.)

Supervisor Gross asked unanimous consent that the Board direct staff to prepare a Consideration Item in the amount of \$181,455 for the first phase of the Community Connections Initiative. The proposed Fiscal Year 2006 Community Connections Initiative will provide staffing to assist and support community programs occurring in the parks and to increase the presence of park staff in parks at times of high use and during community events and large gatherings. Without objection, it was so ordered.

31. **PROGRAMS CUT BY FEDERAL BUDGET THAT IMPACT FAIRFAX COUNTY** (11:51 a.m.)

Chairman Connolly referenced a memorandum he had received from Hal Strickland, Chairman of the Park Authority, alerting him to the proposed termination of the Land and Water Conservation Fund State Assistance Program in the Fiscal Year (FY) 2006 Federal Budget.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to take a comprehensive look at the FY 2006 Federal Budget and provide the Board with the programs slated to be cut so that the Board can take appropriate action with the General Assembly. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

**PMH:pmh**

32. **BLIGHT ABATEMENT PROGRAM** (11:52 a.m.)

Jointly with Supervisor Gross, Supervisor Kauffman said that the Blight Abatement Program is important to the quality of the community because it addresses citizen concerns about abandoned, dilapidated, and unsafe properties that dramatically impact neighborhoods. The last formal review of the Blight Abatement Program took place in 1998 when the Board approved changes to the program that streamlined the time it takes to process a case and provided for blight abatement cost reimbursement through tax provisions. Since 1998, the Board has requested from staff further recommendations for program improvements that have yet to be implemented.

All of the program improvements previously recommended by staff will require Board action and were contained in a memorandum to the Board dated December 2, 2003. Recommendations from staff in 2003 included:

- Development of a repair policy within the program.
- Clarification of the vacancy criterion to address structures that have been damaged by fire or condemned.
- Reduction in the number of plans a property owner may submit for blight abatement.

Some of the current Lee District and Mason District blight cases are examples of the new wave of blight throughout the County that could

benefit from a repair policy. When the program began in 1996, many of the structures were clearly uninhabitable and prime for demolition.

Supervisor Kauffman referred to his written Board Matter and moved that the Board direct staff to address the issues contained in it and report their findings as soon as possible. Supervisor Gross seconded the motion.

Following discussion regarding the vacancy criterion, the question was called on the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

Supervisor Gross asked unanimous consent that the Board direct staff to respond no later than June 2005. Without objection, it was so ordered.

33. **TRANSPORTATION SUMMIT** (11:58 a.m.)

Supervisor McConnell reminded the Board that the Transportation Summit will be held on Monday, March 14.

34. **NATIONAL COUNCIL OF NEGRO WOMEN** (11:58 a.m.)

On behalf of Supervisor Hudgins, Chairman Connolly announced that on April 17 the Dulles Section of the National Council of Negro Women will celebrate its thirty-second anniversary.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to prepare a certificate of commendation for the Dulles Section of National Council of Negro Women to be presented April 17, 2005, at its Spring Tea to commemorate its community contributions. Without objection, it was so ordered.

35. **TRANSPORT OF HAZARDOUS MATERIALS ON HUNTER MILL ROAD (HUNTER MILL DISTRICT)** (11:59 a.m.)

On behalf of Supervisor Hudgins, Chairman Connolly said that numerous constituents have contacted her with their concerns regarding the transport of hazardous materials on Hunter Mill Road. This issue dates back to 2001, when the Board requested staff to determine the feasibility of a total ban on the use of Hunter Mill Road by heavy trucks, or trucks carrying hazardous materials cargo. However, the Virginia Department of Transportation (VDOT) would not conduct an official study of Hunter Mill Road for a through truck traffic restriction, citing that Hunter Mill Road does not meet the basic criteria for such a restriction.

There were two bills in the Virginia General Assembly that would have banned hazardous material from being transported on Hunter Mill Road -- SB 997 (Devolites-Davis) and HB 1861 (Shannon).

The reason why these bills either died or were allowed to languish is because VDOT told the patrons that legislation was not necessary to accomplish the intended result, as a process exists already that could address this matter. The process would begin with the Board taking a formal action to ask VDOT to ban hazardous materials from being transported on Hunter Mill Road. VDOT would then have to undertake a study and an analysis regarding what alternate routes such vehicles would take if they could not use Hunter Mill Road.

On behalf of Supervisor Hudgins, Chairman Connolly moved that the Board again request VDOT to determine whether it is feasible to ban trucks carrying hazardous materials cargo from Hunter Mill Road. Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).

1. *Forest J. Hatcher, Sr. (a/k/a Forrest Jeffries Hatcher) and Marva K. Hatcher v. The Fairfax County Park Authority, et al.*, In Chancery No. CH-2004-0192838 (Fx. Co. Cir. Ct.) (Providence District)
2. *William E. Shoup, Fairfax County Zoning Administrator v. Teresa Harris*, In Chancery No. CH-2004-0192810 (Fx. Co. Cir. Ct.) (Hunter Mill District)
3. *William E. Shoup, Fairfax County Zoning Administrator v. Chai Liang Hsu, et al.*, In Chancery No. CH-2004-0191142 (Fx. Co. Cir. Ct.) (Mason District)
4. *Daniel E. Carpenter and Phyllis A. Carpenter v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, In Chancery No. CH-1984-0089823 (Fx. Co. Cir. Ct.) (Mount Vernon District)
5. *William E. Shoup, Fairfax County Zoning Administrator v. Robert Purdy, Jr.*, In Chancery No. CH-2003-0187208 (Fx. Co. Cir. Ct.) (Mount Vernon District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. C. J. Hall*, In Chancery No. CH-2002-0178757 (Fx. Co. Cir. Ct.) (Lee District)
7. *William E. Shoup, Fairfax County Zoning Administrator v. The Tavares Family Limited Partnership*, In Chancery No. CH-2002-0178758 (Fx. Co. Cir. Ct.) (Lee District)
8. *William E. Shoup, Fairfax County Zoning Administrator v. Tavares Concrete Co., Inc.*, In Chancery No. CH-2004-0193172 (Fx. Co. Cir. Ct.) (Lee District)
9. *William E. Shoup, Fairfax County Zoning Administrator v. Patricia Delisio and John Aidonis*, In Chancery No. CH-2004-0199371 (Fx. Co. Cir. Ct.) (Hunter Mill District)
10. *William E. Shoup, Fairfax County Zoning Administrator v. Mohammed J. Abdlazez*, In Chancery No. CH-2005-0000793 (Fx. Co. Cir. Ct.) (Mason District)
11. *Board of Supervisors v. Erick R. Erickson, President of the Annandale Virginia Stake of the Church of Jesus Christ of Latter-Day Saints, et al.*, No. 05-4970 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
12. *Jean Gilbert v. Anthony H. Griffin, County Executive*; At Law No. CL-2005-0000626 (Fx. Co. Cir. Ct.)

And in addition:

- Memorandum of Understanding between the Fairfax County Board of Supervisors and Celebrate Fairfax, Incorporated

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being absent.

At 3:18 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hudgins, Supervisor Hyland and Supervisor McConnell, and with Chairman Connolly presiding.

### ACTION FROM CLOSED SESSION

37. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:18 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

Supervisor Gross announced that she would have an additional motion from closed session later in the meeting.

(NOTE: Later in the meeting, additional action was taken from closed session. See Clerk's Summary Item CL#45.)

### AGENDA ITEMS

38. **A-4 – APPROVAL OF A COMMENT LETTER SUPPORTING THE CONCEPT OF THE ESTABLISHMENT OF A REGIONAL CHESAPEAKE BAY FINANCE AUTHORITY** (3:19 p.m.)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#14.)

Supervisor Gross distributed around the dais a revised letter addressed to the Chair of the Metropolitan Washington Council of Governments Board of Directors, regarding recommendations of the Blue Ribbon Finance Panel for clean-up of the Chesapeake Bay Watershed dated March 7, 2005, revised as follows:

- Second paragraph – Revise the last two lines of the sentence to read “...to include a **credit program for local governments that have already committed significant time and financial resources toward water quality efforts and programs that include, but are not limited to, watershed management planning, wastewater treatment facility upgrades, and education and outreach. Additional issues that must be considered include operating details of membership, cost implications, legal issues, taxing authority, distribution formulas, and other mechanics of implementation and structure.**”
- Second paragraph, line three – Remove the word “Finance.”

Therefore, Supervisor Gross moved approval of the revised draft letter. Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

### ADDITIONAL BOARD MATTERS

39. **INTENT TO DEFER PUBLIC HEARING** (3:22 p.m.)

On behalf of Supervisor Hyland, Supervisor Kauffman announced his intent, at the appropriate time later in the meeting, to defer the 4 p.m. public hearing on proposed Out-of-Turn Plan Amendment S04-IV-MV3.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#50.)

40. **ARRANGEMENTS FOR FLOWERS TO BE SENT TO SUPERVISOR HYLAND AND HIS FAMILY FOR HIS MOTHER'S FUNERAL** (3:23 p.m.)

(NOTE: Earlier in the meeting, Chairman Connolly announced the death of Supervisor Hyland's mother. See Clerk's Summary Item CL#1.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Clerk's Office to make arrangements for an appropriate floral arrangement to be sent to Supervisor Hyland and his family with the sympathy and condolences on behalf of the Board on the death of his mother. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

41. **COMMENTS FROM SUPERVISOR SMYTH REGARDING PARKING REDUCTION FOR STRATFORD UNIVERSITY (PROVIDENCE DISTRICT)** (3:23 p.m.)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#11.)

Supervisor Smyth made comments regarding parking reduction for Stratford University that addressed daytime and evening uses and said that the university has implemented forms of carpooling, bus riding, and transit that reduce automobile trips to the site.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#43.)

42. **COMMENTS FROM SUPERVISOR BULOVA REGARDING MEETING ON FIRE PREVENTION** (3:26 p.m.)

Supervisor Bulova reported on a meeting that she held last week on the subject of Fire Prevention with Michael Neuhard, Chief, Fire and Rescue Department, as the speaker.

Supervisor Gross commented that fire incident notifications within the County now include information regarding the loss and tax assessment of the structure.

Supervisor Kauffman cited the Manchester Lakes fire and some other tragedies in the Lee District and commented that there are issues before the General Assembly regarding Code provisions.

**AGENDA ITEMS**

43. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-PR-017 (ATI CAREER INSTITUTE INCORPORATED D/B/A STRATFORD UNIVERSITY) (PROVIDENCE DISTRICT)** (3:30 p.m.)

The application property is located at 7777 Leesburg Pike, Tax Map 39-2 ((1)) 47.

Ms. Kara M. Whisler reaffirmed the validity of the affidavit for the record.

Ms. Whisler had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Approval of Special Exception Application SE 2004-PR-017, subject to the development conditions dated March 4, 2005, and subject also to approval of the parking reduction request.
- Modification of the transitional screening yard requirement along the northern and eastern boundaries and waiver of the barrier requirement along the northern boundary.
- Modification of the loading space requirement from four to two spaces.

Supervisor DuBois seconded the motion and it carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

(NOTE: Later in the meeting, the Board approved the parking reduction request. See Clerk's Summary Item CL#44.)

44. **A-1 – AMENDED PARKING REDUCTION FOR STRATFORD UNIVERSITY [FORMERLY AMERICAN TRANSPORTATION INSTITUTE, INCORPORATED (ATI)] (PROVIDENCE DISTRICT)** (3:37 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item and made additional comments. See Clerk's Summary Item CL#11 and CL#41.)

Supervisor Smyth moved approval that the Board concur in the recommendation of staff and approve an amended parking reduction of 21.5 percent for Stratford University at 7777 Leesburg Pike (Stratford), pursuant to Paragraph 4(B), Section 11-102 of the Fairfax County Zoning Ordinance, and based on an analysis of the parking requirements for each use on the site and a parking reduction study, on conditions as outlined in the Board Agenda Item dated March 7, 2005. Supervisor DuBois seconded the motion and it carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

**ACTION FROM CLOSED SESSION**

45. **SETTING OF SALARIES OF THE POSITIONS OF SHERIFF, COMMONWEALTH ATTORNEY, CLERK TO THE CIRCUIT COURT, AND AUDITOR TO THE BOARD OF SUPERVISORS** (3:38 p.m.)

Supervisor Gross moved that the Board approve the salaries of the following positions to be set effective for the next pay period:

- Sheriff \$134,650



- Commonwealth Attorney \$137,315
- Clerk to the Circuit Court \$134,650
- Auditor to the Board of Supervisors \$107,613

Supervisor Bulova seconded the motion and said that this is in compliance with the State Code that requires some of this action to be taken.

The question was called on the motion and it **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Kauffman voting "NAY," Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

### AGENDA ITEMS

46. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-MA-025 (HECHINGER ENTERPRISES) (MASON DISTRICT)**  
(3:39 p.m.)

(O) The application property is located north of I-495 on the east side of Backlick Road and south of Hechinger Drive, Tax Map 80-2 ((1)) 23.

Ms. Catharine Puskar reaffirmed the validity of the affidavit for the record.

Ms. Puskar had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from New World Plaza Centreville, LLC, of which Min S. Kang and Charles C. Kim are members. They are also members of this partnership; however, New World Plaza Centreville is not a party to this application.

Following the public hearing, Aaron Shriber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-MA-025, from the C-6 and I-5 District to the C-6 District, subject to the proffers dated February 10, 2005.
- Modification of the transitional screening and barrier requirements along the western property boundary.
- Waiver of the transitional screening and barrier requirements along the southern property boundary.
- Modification of Section 2-414 of the Zoning Ordinance to allow a commercial building within 75 feet of an interstate

highway.

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-SP-001 (GHOLAMREZA KHAMESI) (SPRINGFIELD DISTRICT)**  
(3:47 p.m.)

(O) The application property is located on the east side of Center Road, approximately 250 feet north of its intersection with Cardinal Brook Court, Tax Map 79-3 ((6)) 41.

Mr. Robert Williams reaffirmed the validity of the affidavit for the record.

Mr. Williams had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Kristen Crookshanks, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

On behalf of Supervisor McConnell, Supervisor Frey moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-SP-001, from the R-1 District to the R-3 District, subject to the proffers dated February 3, 2005. Supervisor DuBois seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

#### **ADDITIONAL BOARD MATTER**

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48. **DEFERRAL OF OUT-OF-TURN-PLAN AMENDMENT S01-CW-15CP PARKS POLICY PLAN** (3:54 p.m.)

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Supervisor DuBois moved to defer the public hearing scheduled for March 21, 2004 at 4 p.m. on Out-of-Turn-Plan Amendment S01-CW-15CP Parks Policy Plan to **May 9, 2005, at 3:30 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova and Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

#### **AGENDA ITEMS**

49. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING REMOVAL OF NONCONFORMING ABANDONED SIGNS** (4 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 17 and February 24, 2005.

Cynthia E. Chambers, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax,

Chapter 112 (Zoning Ordinance), regarding the removal of nonconforming abandoned signs as recommended by the Planning Commission with an effective date of 12:01 a.m., March 8, 2005. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

50. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-MV3, FOR PROPERTY [TAX MAP PARCEL 102-4((1)) 72] LOCATED ALONG THE POTOMAC RIVER AND NORTH OF THE COLLINGWOOD MUSEUM AND LIBRARY ON AMERICANISM (MOUNT VERNON DISTRICT)** (4:02 p.m.)

On behalf of Supervisor Hyland, Supervisor Kauffman moved to defer the public hearing on Out-of-Turn Plan Amendment S04-IV-MV3 until **April 25, 2005, at 4 p.m.** Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

51. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-CW-T1 FOR THE INTERSECTION OF NORTH AND SOUTH KINGS HIGHWAY AND RICHMOND HIGHWAY, IN THE KINGS CROSSING AREA, RICHMOND HIGHWAY CORRIDOR (LEE AND MOUNT VERNON DISTRICTS)** (4:03 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 17 and February 24, 2005.

Jaak Pedak, Senior Transportation Planner, Transportation Planning and Operations Division, Department of Transportation, presented the staff and Planning Commission recommendations.

Following the public hearing, which included testimony by one speaker, discussion ensued with input from Mr. Pedak regarding the fact that this Plan Amendment would have no impact on the land use of Penn Daw Mobile Home Park and the question of the availability of State monies to build the roadway.

Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S04-CW-T1, as shown in the staff report dated October 21, 2004, and as further amended by the Planning Commission on January 26, 2005. Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hudgins and Supervisor Hyland being absent.

Supervisor Kauffman submitted an item for the record.

52. **BOARD ADJOURNMENT** (4:12 p.m.)

At 4:12 p.m., the Board adjourned.