



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
April 25, 2005**

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11-05

DMB:dmb

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, April 25, 2005, at 9:18 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 Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Kauffman, Lee District, arrived at 9:35 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, 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.

AGENDA ITEMS

1. **PROCLAMATION DESIGNATING MAY 2005 AS “OLDER AMERICANS MONTH” IN FAIRFAX COUNTY** (9:20 a.m.)

Supervisor DuBois moved approval of the Proclamation to designate May as “*Older Americans Month*” in Fairfax County and urged all residents to acknowledge the many contributions made by the County’s senior population. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

2. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ANN ANDREWS AND THE ROUTE ONE TASK FORCE FOR HUMAN SERVICES** (9:27 a.m.)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Ann Andrews and the Route One Task Force for Human Services for 30 years of commitment and dedicated service to the Lee and Mount Vernon Districts through the Route One Task Force for Human Services. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

3. **RESOLUTION CONGRATULATING THE MCLEAN CITIZENS FOUNDATION** (9:34 a.m.)

Supervisor DuBois moved approval of the Resolution to commend and thank the McLean Citizens Foundation, its Trustees, and the McLean Citizens Association, for their loyal support of 25 years of service to the community. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

4. **PROCLAMATION DESIGNATING MAY 2005 AS “ASIAN/PACIFIC AMERICAN HERITAGE MONTH” IN FAIRFAX COUNTY** (9:39 a.m.)

Supervisor McConnell moved approval of the Proclamation to designate May as “*Asian/Pacific American Heritage Month*” in Fairfax County to provide an opportunity for residents to recognize the history, concerns, contributions, and achievements of Asian and Pacific Americans and to create a favorable climate for a harmonious and fully integrated community in the County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING APRIL 24–30, 2005, AS “NATIONAL INFANT IMMUNIZATION WEEK” IN FAIRFAX COUNTY** (9:50 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate April 24–30, 2005, as “*National Infant Immunization Week*” in Fairfax County and to encourage all residents to take advantage of this opportunity to increase

their knowledge of the importance of timely childhood immunizations. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

6. **PROCLAMATION DESIGNATING APRIL 2005 AS “DONATE LIFE MONTH” IN FAIRFAX COUNTY** (9:55 a.m.)

(BACs) Supervisor Gross moved:

- Approval of the Proclamation to designate April 2005 as “*Donate Life Month*” in Fairfax County and urged all residents to learn more about the critical need for individuals to become organ and tissue donors and to consider giving the gift of life by becoming an organ and tissue donor, either through save7lives.org or by participating in a living donor program.
- Approval of a Resolution, on behalf of the residents of Fairfax County, commending and thanking the Commission on Organ and Tissue Donation for its dedication and ten years of service to all those who live and work in Fairfax County.

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Discussion ensued regarding business and government leave policies for organ and tissue donors.

Following discussion, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Commission to report with business, government, and private sector recommendations for leave policies for organ and tissue donors that could be publicized for human resource policies. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

7. **PROCLAMATION DESIGNATING MAY 2005 AS “FOSTER CARE MONTH” IN FAIRFAX COUNTY** (10:11 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 2005 as “*Foster Care Month*” in Fairfax County and urging all residents, during this month and throughout the year, to volunteer their time and talents on behalf of children in foster care, and to support and recognize the commitment of foster families and professional staff who work with these children. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE RED HATTERS OF VIENNA** (10:20 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the Red Hatters of Vienna for their generous support for the homeless and the mental health programs of the Fairfax-Falls Church Community Services Board and the Northwest Center Advisory Board. Chairman Connolly seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING MAY 6-12, 2005, AS "NURSES WEEK" IN FAIRFAX COUNTY** (10:30 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 6-12, 2005, as "*Nurses Week*" in Fairfax County and urging all residents to celebrate nursing's accomplishments and efforts to improve our health care system. Supervisor McConnell and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO FOURTH GRADE STUDENTS AT FREEDOM HILL ELEMENTARY SCHOOL, AND THEIR TEACHER, MR. MILLER** (10:38 a.m.)

Supervisor Smyth moved approval of the Certificate of Recognition presented to the fourth grade students at Freedom Hill Elementary School and their teacher, Mr. Miller, for pursuit of analytical research and assembly of information; interest in pursuing the legislative process; and exemplifying outstanding achievement of students in the Fairfax County Public School System. Chairman Connolly seconded the motion and it carried by a vote of seven, Supervisor DuBois, Supervisor Gross, and Supervisor McConnell being out of the room.

11. **10 A.M. – PRESENTATION OF THE FAIRFAX COUNTY SMALL BUSINESS COMMISSION'S (SBC) 2004 ANNUAL REPORT** (10:47 a.m.)

(BACs) Sam Phipps, SBC, introduced Joyce Bissonette, former Chair of the SBC, who presented the 2004 annual report, and circulated around the dais a 2004 statistical report on the Community Business Partnership. Ms. Bissonette discussed some of the commission's upcoming networking events and initiatives.

Discussion ensued with input from Harold Pyon, SBC, and Ms. Bissonette, regarding small and minority businesses in Fairfax County, and the need for a disparity study by establishing a more thorough data base to determine if there are barriers to entry for small and minority owned businesses in the County.

BOARD MATTERS

12. **WELCOME TO ROSE LAMBERT, FORMER CHIEF AIDE, MOUNT VERNON DISTRICT** (11:05 a.m.)

Supervisor Hyland recognized the presence of Rose Lambert, his former Chief Aide, and warmly welcomed her to the Board Auditorium.

13. **WELCOME TO STUART MENDELSON, FORMER DRANESVILLE DISTRICT SUPERVISOR** (11:05 a.m.)

Supervisor Hyland recognized the presence of Stuart Mendelson, former Dranesville District Supervisor, and warmly welcomed him to the Board Auditorium.

14. **INTRODUCTION OF NEW INTERN IN THE HUNTER MILL DISTRICT OFFICE** (11:05 a.m.)

Supervisor Hudgins introduced Chirjeev Sawhney, a senior from South Lakes High School in Reston, who is a student intern helping in the Hunter Mill District office since February. In addition to interning, he plays soccer for the Suburban Friendship League, ran varsity indoor Track, and plays bass for the South Lakes Orchestra and Jazz Band. After Mr. Sawhney graduates in June, he will be attending Virginia Commonwealth University to study physical therapy.

NV:nv

15. **10:15 A.M. – BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES** (11:06 a.m.)

- (O) (NOTE: On April 4, 2005, the Board held a public hearing on this item and deferred action until April 25, 2005.)

Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10, Section 2, Subsection (d) Service Charges, to maintain the sewer service charges on a multi-year basis as included in the ordinance amendment. The effect of this approval for Fiscal Year (FY) 2006 is a sewer service charge rate of \$3.28 per 1,000 gallons. This is an increase from the FY 2005 service charge of \$3.20 per 1,000 gallons. Supervisor Gross seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10, Section 2, Subsection (a) Availability Charges, to maintain the availability charges on a multi-year basis as included in the ordinance amendment. As a result of this motion, the availability fee for a single family residence increases to \$5,874 from \$5,621 in FY 2005. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

16. **10:15 A.M. – BOARD ADOPTION OF THE FISCAL YEAR (FY) 2006 BUDGET PLAN** (11:08 a.m.)

(Rs) (Os) **Real Property Tax Rate**

Having provided public notice and a public hearing in accordance with Virginia Code Section 58.1-3321 (B), and because it is necessary to set the real property tax rate higher than the lowered tax rate specified in Virginia Code Section 58.1-3321, Supervisor Bulova moved that the Board set the real property tax rate at \$1.00 per \$100 of assessed value. As a result of this action, the real property tax rate for calendar year 2005 will be reduced by \$0.13 from the present rate of \$1.13 per \$100 of assessed value. Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey voting "NAY."

FY 2006 Tax Rate Resolution

Having established the real property tax rate at \$1.00 per \$100 of assessed value in accordance with Virginia Code Section 58.1-3321, Supervisor Bulova moved adoption of the FY 2006 Tax Rate Resolution Adopting Tax Rates for Fairfax County, as detailed in Attachment II of the Board Agenda Item dated April 25, 2005. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

E-911 Fee

Having conducted a public hearing as required by Virginia law, Supervisor Bulova moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6.2-5, to adjust the E-911 fee from \$2.50 per line per month to \$3.00 per line per month. The proposed fee increase will generate revenue to cover approximately 55 percent of expenditures,

however, even with the fee increase, a General Fund transfer of \$13.5 million will be required in FY 2006 to cover all expenditures associated with the PSCC. If adopted, the fee increase would become effective on and after September 1, 2005. The fiscal impact of this fee increase has been included in the FY 2006 Advertised Budget Plan. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

Zoning Fees Increases

Having conducted a public hearing as required by Virginia law, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to increase fees charged for all zoning applications, appeals and zoning compliance letters. The amendments increase fees by up to 55 percent, which would result in a 50 percent recovery of those costs incurred by staff of the Department of Planning and Zoning involved in the processing of these zoning applications, appeals and zoning compliance letters. The fee increase would become effective on and before (sic) July 1, 2005. The proposed fee increase will be generally comparable to the fees charged by similar local jurisdictions and will generate approximately \$652,976 in additional revenue each year. The fiscal impact of this fee increase has been included in the FY 2006 Advertised Budget Plan.

Supervisor Hyland seconded the motion with the correction to the effective date as "on and *after* July 1, 2005," and this was accepted.

The question was called on the motion, as corrected, which carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

FY 2006 Appropriation Resolution for County Agencies/Funds

Supervisor Bulova moved adoption of the FY 2006 Appropriation Resolution for County Agencies/Funds as set forth in Attachment III of the Board Agenda Item dated April 25, 2005. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

FY 2006 Appropriation Resolution for School Board Funds

Supervisor Bulova moved Board approval of the FY 2006 Appropriation Resolution for School Board Funds as set forth in Attachment IV of the Board

Agenda Item dated April 25, 2005. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

FY 2006 Fiscal Planning Resolution (FPR)

Supervisor Bulova moved Board approval of the FY 2006 FPR as set forth in Attachment V of the Board Agenda Item dated April 25, 2005. Following a brief discussion, with input from Susan W. Datta, Director, Department of Management and Budget, the question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

17. **10:15 A.M. – BOARD ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 2006–2010 (WITH FUTURE FISCAL YEARS TO 2015)** (11:14 a.m.)

(NOTE: On April 4–6 the Board held public hearings on this item and decision was deferred until April 25, 2005.)

Supervisor Bulova moved adoption of the FY 2005 – FY 2010 CIP (with future FYs to 2015) as amended on April 18, 2005. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

18. **ADDITIONAL BUDGET COMMENTS AND QUESTIONS** (11:15 a.m.)

(NOTE: Earlier in the meeting, the Board adopted the Fiscal Year 2006 Budget. See Clerk’s Summary Item CL#16.)

On behalf of the Board, Chairman Connolly expressed appreciation to Susan W. Datta, Director, Department of Management and Budget, and her staff including Joseph M. Mondoro, Assistant Director, for their efforts during the budget process.

Supervisor Smyth asked unanimous consent that the Board direct staff to provide a detailed listing of the County operating expenses to include:

- How they have increased.
- The effect of the school budget.

- How much is mandated but not funded.

Without objection, it was so ordered.

Discussion ensued with input from Patricia Franckewitz, Director, Department of Community and Recreation Services (DCRS), and Evan L. Braff, Staff, DCRS; regarding the Club 78 program expansion and its transfer from the School Age Child Care program to the DCRS.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information about the ability to successfully integrate services in school with the County, without children leaving the school and coming back into the neighborhood, and the timeframe for the Club 78 program expansion.

Following discussion, with input from Ms. Franckewitz, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the request to identify the schools for the program and provide a schedule of implementation for an evaluation of this enrichment program, and this was accepted.

Following further discussion, with input from Ms. Franckewitz, without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Anthony H. Griffin, County Executive, noted that after school programs at middle schools will be on the agenda for the next joint meeting of the Board of Supervisors and the School Board.

PW:pw

19.

10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (11:33 a.m.)

(APPTS)
(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Sully District Representative to the A. Heath Onthank Memorial Award Selection Committee.

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointments of the Hunter Mill, Lee, and Sully District Representatives to the Advisory Social Services Board.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointments of the Mason and Sully District Representatives to the Airports Advisory Committee.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Supervisor Hudgins moved the appointment of Ms. Linda Rubinstein to fill the unexpired term of Ms. Judith Ratliff as the At-Large #6 Representative to the Alcohol Safety Action Program Local Policy Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Hunter Mill District Representative to the Animal Services Advisory Commission.

ATHLETIC COUNCIL

Supervisor Hudgins moved the reappointment of Mr. Harold Leff as the Hunter Mill District Principal Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Ms. Lula Bauer as the Lee District Principal Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Michael Congleton as the Springfield District Alternate Representative to the Athletic Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Athletic Council:

- Mr. William Pruiett as the Girls' Fast Pitch Softball Alternate Representative

Supervisor Bulova seconded the motion, which carried by unanimous vote.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Chairman Connolly moved the reappointment of Mr. James Lafley as the Builder Representative to the Board of Equalization of Real Estate Assessments. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Appraiser #2 Representative to the Board of Equalization of Real Estate Assessments.

CIVIL SERVICE COMMISSION

The Board deferred the appointment of the At-Large #3 Representative to the Civil Service Commission.

COMMISSION FOR WOMEN

Supervisor DuBois moved the appointment of Ms. Diane Hoyer to fill the unexpired term of Ms. Joan Morton as the Dranesville District Representative to the Commission for Women. Supervisor Hyland seconded the motion, which carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the Dranesville and Sully District Representatives and the Religious Community Representative to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative to the Community Action Advisory Board.

COMMUNITY CRIMINAL JUSTICE BOARD

Chairman Connolly moved the appointment of Ms. Abigail Shannon as the Fairfax County At-Large #1 Representative to the Community Criminal Justice Board. Supervisor Gross seconded the motion, which carried by unanimous vote.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

The Board deferred the appointment of the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large Business Community #1, Hunter Mill, Providence, and Springfield District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment to the Fairfax Community Long Term Care Coordinating Council:

- Mr. Roberto Quinones as a Business/Corporation Representative

Supervisor McConnell seconded the motion, which carried by unanimous vote.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Smyth moved the appointment of Ms. Mary Ann Beall as the Providence District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Provider #4 Representative to the Health Systems Agency Board.

HUMAN SERVICES COUNCIL

Supervisor McConnell moved the appointment of Mr. William Kogler to fill the unexpired term of the late Mr. Gangadhar Kori as the Springfield District #1 Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

INDUSTRIAL DEVELOPMENT AUTHORITY

The Board deferred the appointment of the At-Large #3 Representative to the Industrial Development Authority.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Supervisor DuBois moved the appointment of Mr. Amir Oveissi to fill the unexpired term of Ms. Elizabeth Ramage as the Dranesville District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Lee, Providence, and Springfield District Representatives to the Juvenile and Domestic Relations Court Citizens Advisory Council.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Supervisor Kauffman moved the appointment of Mr. Eric Mazzacone as the Lee District Representative to the Oversight Committee on Drinking and Driving. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Braddock and Mason District Representatives to the Oversight Committee on Drinking and Driving.

POLICE OFFICERS RETIREMENT SYSTEM BOARD

The Board deferred the appointment of the Citizen At-Large #2 Representative to the Police Officers Retirement System Board.

REDEVELOPMENT AND HOUSING AUTHORITY

Chairman Connolly moved the reappointment of Ms. Helen Kyle as the At-Large #2 Representative to the Redevelopment and Housing Authority. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Lee Rau as the Hunter Mill District Representative to the Redevelopment and Housing Authority. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Elisabeth Lardner as the Mount Vernon District Representative to the Redevelopment and Housing Authority. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. John Kershenstein as the Springfield District Representative to the Redevelopment and Housing Authority. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ROAD VIEWERS BOARD

The Board deferred the appointments of the At-Large #1 and At-Large #4 Representatives to the Road Viewers Board.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #8 Representative to the Southgate Community Center Advisory Council.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Landlord Member #3 Representative to the Tenant Landlord Commission.

TRANSPORTATION ADVISORY COMMISSION

The Board deferred the appointment of the Dranesville District Representative to the Transportation Advisory Commission.

AD HOC COMMITTEES**VIRGINIA 2007 COMMUNITY CITIZEN PLANNING COMMITTEE****CONFIRMATIONS:**

Supervisor Hyland moved the confirmation of the following appointments to the Virginia 2007 Community Citizen Planning Committee:

- Mr. Chris Guerre as the Wolf Trap Representative

This motion, the second to which was indistinguishable, carried by unanimous vote.

DS:ds

20. **ADMINISTRATIVE ITEMS** (11:40 a.m.)

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

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to consider Admin 17 and Admin 18 separately, and this was accepted.

Supervisor Hudgins called the Board's attention to Admin 15 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Amending the Employees' Retirement System – Deferred Retirement Option Program, and discussion ensued with input from Anthony H. Griffin, County Executive, regarding the eligibility of State Health employees.

Chairman Connolly noted that, under the recommendation section of the Board Agenda Item, the date should be December 13, **2004**, not 2005.

The question was called on the motion, as amended, with the exception of Admin 17 and Admin 18, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (LEE, PROVIDENCE, AND SULLY DISTRICTS)

Approved an extension of review period for the following Public Facility (2322) Review Applications:

- 2232-L05-1 to June 25, 2005
- 2232-Y04-19 to July 4, 2005
- 2232-P05-3 to October 17, 2005

ADMIN 2 – APPROVAL OF THE 2005 SCHEDULE AND THE REVIEW COMMITTEE MEMBERS FOR THE EXCEPTIONAL DESIGN AWARDS PROGRAM

Approved the implementation schedule and the Review Committee members for the 2005 Exceptional Design Awards program.

ADMIN 3 – SUPPLEMENTAL APPROPRIATION RESOLUTION'S (SAR) AS 05085, AS 05086, AS 05087, AS 05088, AS 05089, AND AS 05090 FOR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) AND PATHWAY HOMES TO ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR SHELTER PLUS CARE GRANTS

(SARs) Approved the following to continue to provide funding of permanent supportive housing for adults with disabilities. No local cash match is required.

- SAR AS 05085 in the amount of \$698,220 for the 2004 grant award number ten
- SAR AS 05086 in the amount of \$127,104 for the 2004 grant award number one
- SAR AS 05087 in the amount of \$168,132 for the 2004 renewal grant award number two
- SAR AS 05088 in the amount of \$127,104 for the 2004 renewal grant award number three

- SAR AS 05089 in the amount of \$128,808 for the 2004 renewal grant award number four
- SARAS 05090 in the amount of \$75,240 for the 2004 renewal grant award number five

ADMIN 4 – AUTHORIZATION OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR AND ACCEPT VIRGINIA DOMESTIC VIOLENCE VICTIM FUNDS FOR EXPANSION OF VICTIM ASSISTANCE NETWORK SERVICES

Approved CSB's grant application to the Virginia Domestic Violence Victim Fund in the amount of \$70,982 to support programs that provide services to victims of and/or children affected by domestic violence, sexual abuse, stalking, and family abuse.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX H, TO GRANT A NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO COMCAST OF VIRGINIA, INCORPORATED (RESTON FRANCHISE AREA)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **Monday, May 23, 2005, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix H, to grant a non-exclusive cable television franchise to Comcast of Virginia, Incorporated.

ADMIN 6 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT JUSTICE ASSISTANCE PROGRAM GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE

Authorized the FCPD to apply for a US Department of Justice, Justice Assistance Program grant in the amount of \$55,126 to purchase needed equipment, and the provision of training and continuing education directly related to the goals and functions of the Domestic Violence Unit. No local cash match is required.

ADMIN 7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-A-017, FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (BRADDOCK DISTRICT)

- (AT) Approved six months of additional time to commence construction for Special Exception Amendment Application SEA 87-A-017 to September 9, 2005, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 01-D-022, NOVA ENTERPRISES LLP (DRANESVILLE DISTRICT)

- (AT) Approved six months of additional time to commence construction for Special Exception Application SE 01-D-022, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A SEGMENT OF WORTHINGTON WOODS WAY (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **Monday, May 23, 2005, at 4 p.m.** to consider a proposal to vacate a segment of Worthington Woods Way.

ADMIN 10 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (BRADDOCK, LEE, MASON, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

- Endorsed the following streets to be considered for traffic-calming measures as part of R-TAP:
 - Baccarat Drive (Braddock District)
 - Nutwood Way (Braddock District)
 - Beverly Manor Drive (Mason District)
 - Broadmoor Street (Lee District)
 - Hayfield Road (Lee District)
 - Helmsdale Lane (Lee District)
 - Field Master Drive (Springfield District)
 - Miller Heights Road (Providence District)
 - Tuckaway Drive (Sully District)
- Directed staff to work with the Virginia Department of Transportation to develop traffic-calming plans in conjunction with each community, as soon as possible.

ADMIN 11 – RESOLUTION TO INSTALL A “WATCH FOR CHILDREN” SIGN ON BENNINGTON WOODS ROAD (HUNTER MILL DISTRICT)

- (R) Adopted the Resolution endorsing the installation of a “Watch for Children” sign on Bennington Woods Road as part of the Department of Transportation’s Residential Traffic Administration Program.

ADMIN 12 – INSTALLATION OF MULTI-WAY STOPS AT WHITE STREET AND CHERYL DRIVE (MASON DISTRICT) AND AT OLD CHESTERBROOK ROAD AND SIXTH PLACE (DRANESVILLE DISTRICT)

- Endorsed the installation of multi-way stops as part of the Department of Transportation’s Residential Traffic Administration Program at the following locations:
 - White Street and Cheryl Drive (north intersection)
(Mason District)
 - Old Chesterbrook Road and Sixth Place
(Dranesville District)
- Directed staff to request the Virginia Department of Transportation to install the necessary signs at the earliest possible date.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A REQUEST TO STUDY THE FEASIBILITY OF PROHIBITING HAZARDOUS MATERIAL (HAZMAT) THROUGH TRUCK TRAFFIC ON HUNTER MILL ROAD (HUNTER MILL, PROVIDENCE, DRANESVILLE, AND SULLY DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **Monday, May 23, 2005, at 4 p.m.** for the purpose of requesting the Virginia Department of Transportation to study the feasibility of including Hunter Mill Road in the Residential Traffic Administration Program for a HAZMAT through truck traffic restriction.

ADMIN 14 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 97-L-041, SHURGARD STORAGE CENTERS, INCORPORATED (LEE DISTRICT)

- (AT) Approved three months of additional time to commence construction for Special Exception Application SE 97-L-041 to May 5, 2005, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), AMENDING THE EMPLOYEES’ RETIREMENT SYSTEM – DEFERRED RETIREMENT OPTION PROGRAM (DROP)

- (A) (NOTE: Earlier in the meeting, there was discussion regarding this item. See page 14.)

Authorized the advertisement of a public hearing to be held before the Board on **Monday, May 9, 2005, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), regarding amendments to the Employees’ Retirement Systems for the purpose of including provisions for a DROP.

ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PUBLIC STREET FRONTAGE WAIVERS 4711-WPSF-001-1 AND 4711-WPSF-002-1: EAST BOULEVARD PROPERTY: VAN METRE DEVELOPMENT, INCORPORATED; TAX MAP 102-2-001 PARCELS 22C1 AND 22D (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **Monday, May 9, 2005, at 4 p.m.** to consider public street frontage waivers 4711-WPSF-001-1 and 4711-WPSF-002-1.

ADMIN 17 – AUTHORIZATION TO SUBMIT COMMENTS ON PROPOSED REGULATIONS REGARDING POINT SOURCE NUTRIENT DISCHARGE LIMITATIONS IN THE CHESAPEAKE BAY WATERSHED

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk’s Summary Items CL#21 and CL#44.)

ADMIN 18 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05096 FOR THE FAIRFAX COUNTY DEPARTMENT OF PURCHASING AND SUPPLY MANAGEMENT (DPSM) TO ACCEPT A DEPARTMENT OF HOMELAND SECURITY URBAN AREAS SECURITY INITIATIVE (UASI) SUB-GRANT AWARD FROM THE DISTRICT OF COLUMBIA (DC) OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk’s Summary Item CL#31.)

21. **ADMIN 17 – AUTHORIZATION TO SUBMIT COMMENTS ON PROPOSED REGULATIONS REGARDING POINT SOURCE NUTRIENT DISCHARGE LIMITATIONS IN THE CHESAPEAKE BAY WATERSHED** (11:42 a.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 14.)

Discussion ensued, with input from Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services (DPWES), and Jimmie D. Jenkins, Director, DPWES, regarding:

- The effective date of the regulations.
- How the County proposes to finance 70 percent of the \$165 million cost.
- Why the item was received late.

Supervisor Gross moved that the Board authorize the County Executive to submit a comment letter to the Virginia Department of Environmental Quality on proposed regulations regarding point source nutrient discharge limitations in the Chesapeake Bay Watershed. The second to this motion was inaudible.

Supervisor Bulova asked to amend the motion to:

- Include the following sentence in the letter: “The fiscal impact of the proposed regulations is in the range of \$165 to \$180 million, 30 percent of which is to be supported by State grants.”
- Forward a copy to Members of the Fairfax Delegation to the General Assembly, so that they are aware of what is going on.

This was accepted.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to include the words “unfunded mandate” in the sentence, and this was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following discussion, regarding dissolved organic nitrogen, Supervisor Gross asked unanimous consent that the Board defer decision on this item until later in the meeting, to allow staff to include the issues raised by the Board in the letter. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information regarding the cost to other jurisdictions. Without objection, it was so ordered.

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

22. **ADMIN 18 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05096 FOR THE FAIRFAX COUNTY DEPARTMENT OF PURCHASING AND SUPPLY MANAGEMENT (DPSM) TO ACCEPT A DEPARTMENT OF HOMELAND SECURITY URBAN AREAS SECURITY INITIATIVE (UASI) SUB-GRANT AWARD FROM THE DISTRICT OF COLUMBIA (DC) OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE** (11:51 a.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#20.)

Chairman Connolly announced that this item would be considered later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#31.)

23. **A-1 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM** (11:52 a.m.)

Supervisor Bulova moved that the Board concur in the recommendation of staff and direct staff to take the actions outlined in the Board Agenda Item dated April 25, 2005. Supervisor DuBois seconded the motion.

Discussion ensued, with input from Dr. Jorge Arias, Health Department, regarding the West Nile virus.

Following additional discussion, with input from Dr. Arias, regarding tick borne disease, the question was called on the motion and it carried by unanimous vote.

24. **A-2 – APPROVAL OF OPERATIONAL SUBSIDIES FOR CUE BUS SERVICE IN FAIRFAX COUNTY BETWEEN FAIRFAX CIRCLE AND VIENNA/FAIRFAX-GMU METRORAIL STATION** (11:55 a.m.)

Supervisor Bulova moved that the Board concur in the recommendation of staff and authorized the following:

- Payment not to exceed \$100,000 to the City of Fairfax for CUE bus service within Fairfax County from January 1, 2004, through June 30, 2005.

- Payment not to exceed \$78,000 for CUE bus service in Fiscal Year 2006 using Northern Virginia Transportation Commission funds.

Supervisor Smyth seconded the motion.

Discussion ensued, with input from Tom Biesiadny, Chief, Coordination and Funding Section, Department of Transportation, regarding the cost.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide information regarding the County's percentage of the operating cost for Routes Green One and Green Two. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion and it carried by unanimous vote.

25. **A-3 – AUTHORIZATION OF DULLES STATION AT DULLES CORNER REGIONAL POND H-9 PRO RATA SHARE REIMBURSEMENT AGREEMENT (HUNTER MILL DISTRICT)** (11:58 a.m.)

On motion of Supervisor Hudgins, seconded by Chairman Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the execution of an agreement to reimburse Merrybrook Run Limited Partnership, from pro rata share collections (Fund 316), for the engineering, design, and construction of the Dulles Station at Dulles Corner Regional Stormwater Management Pond within the Dulles Station at Dulles Corner development.

26. **A-4 – APPROVAL OF TESTIMONY IN APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR APPROVAL OF AN EXPERIMENTAL WEATHER NORMALIZATION ADJUSTMENT** (11:59 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve testimony concerning the application of Washington Gas Light Company for an Experimental Weather Normalization Adjustment, SCC Case Number PUE-2005-00010. Supervisor Bulova seconded the motion.

Discussion ensued, with input from Gail Eskew, Director, Department of Cable Communications and Consumer Protection (DCCCP), and Stephen D. Sinclair, Utility Analyst, DCCCP, regarding the testimony.

The question was called on the motion and it carried by unanimous vote.

27. **A-5 – APPROVAL OF PROPOSED FIVE YEAR CONSOLIDATED PLAN FOR FISCAL YEARS (FY) 2006–2010 AND PROPOSED ONE YEAR ACTION PLAN FOR FY 2006** (Noon)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and adopt the Proposed Consolidated Plan for FY 2006–2010 and the Proposed One-Year Action Plan for FY 2006, and to ensure timely submission of the Plan to the Department of Housing and Urban Development. Supervisor Bulova and Supervisor Hyland jointly seconded the motion.

Following a brief discussion regarding the item, the question was called on the motion and it carried by unanimous vote.

28. **A-6 – AWARD OF FUNDING AND APPROVAL OF REALLOCATIONS WITHIN THE HOUSING TRUST FUND, WITHIN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), WITHIN HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) TO SUPPORT AFFORDABLE HOUSING INITIATIVES** (12:02 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and:

- Authorize and direct the County Executive or his designee to facilitate the reallocation of CDBG and HOME funds as outlined in the Board Agenda Item dated April 25, 2005.
- Approve the reallocations and awards of funding from the Housing Trust Fund as outlined in the Board Agenda Item dated April 25, 2005.

Chairman Connolly seconded the motion.

Discussion ensued, with input from Paula C. Sampson, Director, Department of Housing and Community Development, regarding the preservation of affordable housing.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide a chart showing the progress of the affordable housing initiatives. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

29. **C-1 – APPEAL BY BATAL CORBIN, LLC OF A PROFFER INTERPRETATION FOR REZONING APPLICATION RZ 1999-PR-035 (PROVIDENCE DISTRICT)** (12:06 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, regarding an appeal by Batal Corbin, LLC of a proffer interpretation that development activities that have occurred on the Appellant's property are not in substantial conformance with the proffers accepted pursuant to Rezoning Application RZ 1999-PR-035.

Supervisor Smyth moved that Mr. Francis A. McDermott, on behalf of Batal Corbin, LLC, be permitted to make a five minute presentation to the Board followed by a five minute response by Barbara Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor DuBois, Supervisor Frey, and Supervisor Gross being out of the room.

Chairman Connolly entered into the record correspondence and an affidavit submitted by Mr. McDermott, on behalf of the applicant/appellant, Batal Corbin, LLC.

Mr. McDermott submitted the subdivision plan for the record, and gave a presentation, on behalf of Batal Corbin, LLC.

Ms. Byron presented the staff response.

Following discussion, regarding the removal of a white oak tree, Chairman Connolly entered into the record correspondence from the Dunn Loring Garden Civic Association dated March 31, 2005.

Following additional discussion, Supervisor Smyth moved to defer decision on this item until the next meeting, scheduled for May 9, 2005, to allow more time for her, as well as the appellant, to talk to the neighborhood to develop steps for remediation. Supervisor Bulova seconded the motion.

Discussion ensued, with input from Ms. Byron; Mr. McDermott; and Michael P. Knapp, Director, Urban Forest Management, Department of Public Works and Environmental Services, regarding the appeal.

The question was called on the motion and it carried by unanimous vote.

30. **ORDERS OF THE DAY** (1:05 p.m.)

Following a query to David P. Bobzien, County Attorney, regarding the amount of time needed for closed session, Chairman Connolly announced that Board Matters would be deferred until later in the meeting.

31. **ADMIN 18 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05096 FOR THE FAIRFAX COUNTY DEPARTMENT OF PURCHASING AND SUPPLY MANAGEMENT (DPSM) TO ACCEPT A DEPARTMENT OF HOMELAND SECURITY URBAN AREAS SECURITY INITIATIVE (UASI) SUB-GRANT AWARD FROM THE DISTRICT OF COLUMBIA (DC) OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE** (1:05 p.m.)

(SAR) (NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#20.)

Chairman Connolly reiterated the Board's requirement that Agency Heads be available in the Board Auditorium when they have an item on the agenda.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the use of the funds.

Supervisor Gross moved approval of SAR AS 05096 in the amount of \$70,000 for DPSM to accept a Department of Homeland Security UASI Sub-Grant Award from the DC Office of the Deputy Mayor for Public Safety and Justice. These funds will be used to enhance resource and logistics training and support. No local cash match is required. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

32. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITY REVIEW APPLICATION 2232-D04-13, SCHOOL BOARD OF THE CITY OF FALLS CHURCH, VIRGINIA/CITY OF FALLS CHURCH, VIRGINIA (DRANESVILLE DISTRICT)** (1:09 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, announcing the Planning Commission's approval of Public Facility Review Application 2232-D04-13, School Board of the City of Falls Church, Virginia/City of Falls Church, Virginia.

33. **I-2 – CONTRACT AWARD – OPEN END CONTRACTS FOR ARCHITECTURAL AND ENGINEERING SERVICES** (1:09 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, requesting authorization for staff to award open end contracts for architectural and engineering services, in the not to exceed amount of \$400,000 per firm, to the following:

- Bowie Gridley Architects, PLLC

- Gauthier Alvarado and Associates
- Samaha Associates, PC
- Studio 3 Architects, PC

The staff was directed administratively to proceed as proposed.

34. **I-3 – CONTRACT AWARD – RECenter IMPROVEMENTS AT GEORGE WASHINGTON PARK (MOUNT VERNON DISTRICT)** (1:09 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, requesting authorization for staff to award a contract to Harry Braswell, Incorporated, in the amount of \$1,136,343 for the construction of maintenance improvements to the heating, ventilating, and air conditioning system and roof structure at George Washington RECenter located at 8426 Old Mount Vernon Road, Alexandria.

The staff was directed administratively to proceed as proposed.

35. **I-4 – CONTRACT AWARD – ENGINEERING DESIGN SERVICES FOR THE SOUTH VAN DORN STREET/FRANCONIA ROAD INTERCHANGE (LEE DISTRICT)** (1:09 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, requesting authorization for staff to award a contract to Jacobs Civil, Incorporated, in the amount of \$2,580,067 for the design of Project 064246, South Van Dorn Street/Franconia Road Interchange, in Fund 304, Primary and Secondary Road Bond Construction.

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

36. **I-5 – CONTRACT AWARD – PUMPING STATION REHABILITATION (SIX PUMP STATIONS) (MOUNT VERNON, BRADDOCK, DRANESVILLE, AND PROVIDENCE DISTRICTS)** (1:10 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, requesting authorization for staff to award a contract to Norair Engineering Corporation, in the amount of \$3,164,200 for the construction of Project 100351, Pump Station Renovations, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

37. **I-6 – CONTRACT AWARD – TRAIL AND STREAM CROSSINGS AT ACCOTINK STREAM VALLEY PARK – KING ARTHUR ROAD TO WAKEFIELD PARK (BRADDOCK AND MASON DISTRICTS)**
(1:10 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, requesting authorization for staff to award a contract to Tessa Construction and Technical Company in the amount of \$2,630,000 for the construction of trail and stream crossings at Accotink Stream Valley Park between King Arthur Road and Wakefield Park.

Chairman Connolly noted that although Providence District isn't technically part of this item, it connects to the Accotink Stream in the Providence District.

The staff was directed administratively to proceed as proposed.

38. **I-7 – THE PLANNING COMMISSION'S APPROVAL OF THE CITIZEN'S GUIDE TO THE 2005-2006 SOUTH COUNTY CYCLE AREA PLANS REVIEW (APR)** (1:11 p.m.)

The Board next considered an item contained in the Board Agenda dated April 25, 2005, announcing the Planning Commission's approval of the *Citizen's Guide to the 2005-2006 South County Cycle APR*.

39. **ORDERS OF THE DAY** (1:11 p.m.)

Chairman Connolly announced that Board Matters would be deferred until later in the meeting.

40. **RECESS/CLOSED SESSION** (1:11 p.m.)

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. Claim of Peerless Insurance Company and Excelsior Insurance Company, on Behalf of Burke Centre Conservancy (Springfield District)
2. *Woodlawn Heights Real Estate Investments, LLC v. The Board of Supervisors of Fairfax County, County of Fairfax, Virginia, and James Turner, Trustee*, In Chancery No. CH-2005-0001295 (Fx. Co. Cir. Ct.) (Mount Vernon District)
3. *William E. Shoup, Fairfax County Zoning Administrator v. Delvin M. Ruffner, Ruth Addie Ruffner, and Maggie Ruffner*, In Chancery No. CH-2005-0001442 (Fx. Co. Cir. Ct.) (Providence District)
4. *William E. Shoup, Fairfax County Zoning Administrator v. Sun S. Go*, In Chancery No. CH-2005-0001386 (Fx. Co. Cir. Ct.) (Sully District)
5. *William E. Shoup, Fairfax County Zoning Administrator v. Raleigh W. Knight and Joyce M. Knight*, In Chancery No. CH-2005-0001471 (Fx. Co. Cir. Ct.) (Providence District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. Scott P. Shaul and Kimberly M. Putens*, In Chancery No. CH-2005-0001474 (Fx. Co. Cir. Ct.) (Mount Vernon District)
7. *Board of Supervisors v. Roundtree, L.L.C., et al.*, At Law No. CL-2005-0001970 (Fx. Co. Cir. Ct.) (Mason District)
8. *Board of Supervisors v. Country Developers, Inc.*, At Law No. CL-2005-0001945 (Fx. Co. Cir. Ct.) (Dranesville District)

9. *Board of Supervisors v. Ford Leasing Development Company, et al.*, At Law No. CL-2005-0002133 (Fx. Co. Cir. Ct.) (Mount Vernon District)

And in addition:

- *Board of Supervisors v. Barrett Company Number 21, LC*, At Law No. CL-2004-0219493
- *Richard C. Weidman v. Fairfax County Water Authority, et al.*; In Chancery No. CH-2005-0001388
- Adult-Oriented Businesses
- Health Department Employees Who Are Grandfathered Members of the Virginia Retirement System
- Virginia Dominion Power's Vegetation Removal on the W&OD Trail
- Revised Plan for McNair Farms Stormwater Management Ponds B and C
- *Virginia Code Section 15.2-1506*
- Memorandum of Understanding Between the Fairfax County Board of Supervisors and Celebrate Fairfax, Incorporated

Supervisor Bulova seconded the motion and it carried by unanimous vote.

PW:pw

At 3:45 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

41. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:45 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 Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey,

Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

42. **DENIAL OF CLAIM OF PEERLESS INSURANCE COMPANY AND EXCELSIOR INSURANCE COMPANY** (3:46 p.m.)

Supervisor McConnell moved that the Board deny the claim of Peerless Insurance Company and Excelsior Insurance Company, as outlined by the County Attorney in closed session. Supervisor Frey seconded the motion and it carried by unanimous vote.

43. **REJECTION OF THE SETTLEMENT OFFER IN BOARD OF SUPERVISORS VERSUS BARRETT COMPANY NUMBER 21, L.C., ET AL., AT LAW NUMBER CL-2004-0219493** (3:46 p.m.)

Supervisor DuBois moved that the Board reject the settlement offer in *Board of Supervisors versus Barrett Company Number 21, L.C., et al.*, At Law Number CL-2004-0219493, but authorize the County to make a counteroffer according to the terms and conditions as outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

44. **ADMIN 17 – AUTHORIZATION TO SUBMIT COMMENTS ON PROPOSED REGULATIONS REGARDING POINT SOURCE NUTRIENT DISCHARGE LIMITATIONS IN THE CHESAPEAKE BAY WATERSHED** (3:47 p.m.)

(NOTE: Earlier in the meeting, action was deferred regarding this item. See Clerk's Summary Item CL#21.)

Supervisor Gross moved approval of the revised letter distributed around the dais regarding comments on the Proposed Regulations Regarding Point Source Nutrient Discharge Limitations in the Chesapeake Bay Watershed dated April 25, 2005. Supervisor Bulova seconded the motion and it carried by unanimous vote.

DET:det

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-M-067 (AMERICAN LEGION POST 1976) (MASON DISTRICT)** (3:48 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Amendment Application SEA 94-M-067 until **May 9, 2005, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by unanimous vote.

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 96-Y-011-2 (OGELTHORPE LIMITED PARTNERSHIP) (SULLY DISTRICT)** (3:49 p.m.)

Supervisor Frey moved to defer the public hearing on Special Exception Amendment Application SEA 96-Y-011-2 until **May 9, 2005, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

47. **ORDERS OF THE DAY** (3:49 p.m.)

Chairman Connolly announced that there would be a change in the Orders of the Day and that the Board would next consider the 3:30 p.m. public hearing on Rezoning Application RZ 2004-PR-033 and Proffered Condition Amendment Application PCA 93-P-016.

48. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-DR-031 (RIVER BEND GOLF AND COUNTRY CLUB INCORPORATED) (DRANESVILLE DISTRICT)** (3:49 p.m.)

(Note: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#50.)

49. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-PR-033 (VINTAGE CREST LC)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-P-016 (VINTAGE CREST LC) (PROVIDENCE DISTRICT)
(3:49 p.m.)

- (O) The application property is located at located in the northeast quadrant of the intersection of Cedar Lane and Hill Top Road. Tax Map 49-1 ((24)) A pt; 49 1 ((1)) 21 and 22 and Tax Map 49-1 ((24)) A, and 1-9.

Mr. John Sekas reaffirmed the validity of the affidavit for the record.

Mr. Sekas 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.

Supervisor McConnell disclosed that she had a business relationship with Land Design Consultants, Incorporated, but the relationship was not related in any way to this application.

Following the public hearing, which included testimony by one speaker, Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Approval of Proffered Condition Amendment Application *PCA 93-P-015 [sic] subject to the proffers consistent with those contained in the staff report.
- Waiver of the minimum district size for Proffered Condition Amendment Application PCA 93-P-016.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-PR-033, from the R-1 and R-5 District to the R-5 District, subject to the proffers dated April 22, 2005.
- Waiver of the minimum district size for Rezoning Application RZ 2004-PR-033.
- Modification of the transitional screening requirements along the eastern and southern property lines for Rezoning Application RZ 2004-PR-033 to that shown on the Generalized Development Plan (GDP).
- Waiver of the barrier requirement along the southern property line.
- Waiver of the Comprehensive Plan requirement for dedication of 56 feet of right-of-way along Hilltop Road in lieu of dedication of 45 feet of right-of-way along Hilltop Road as shown in the GDP.

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

(*Note: Later in the meeting, a numerical correction to Proffered Condition Amendment Application PCA 93-P-015 was made. See Clerk's Summary Item CL#54.)

50. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-DR-031 (RIVER BEND GOLF AND COUNTRY CLUB INCORPORATED) (DRANESVILLE DISTRICT)** (4:02 p.m.)

The application property is located at 9901 Beach Mill Road, Tax Map 7-2 ((1)) 21a; 801 ((1)) 22, 23, 41 and 8-3 ((1)) 4.

Ms. Lynne Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel 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 William H. Gordon of William H. Gordon Associates, Incorporated on behalf of 4501 Daly LP

Chairman Connolly reminded applicants that there were new rules about disclosures, and that the new threshold for disclosure was \$100, rather than \$200.

Following the public hearing, which included testimony by one speaker, Aaron Shriber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor DuBois moved:

- Approval of Special Exception Application SE 2004-DR-031, subject to the development conditions dated April 1, 2005.
- Modification of the transitional screening requirements and waiver of the barrier requirements along all property boundaries.
- Modification of Section 9-528 of the Zoning Ordinance to permit an existing maintenance building to remain within 50 feet of the property boundary.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Supervisor DuBois submitted items for the record.

51. **4 P.M. – PH ON REZONING APPLICATION RZ 2004-SP-036 (SEWAN ENTERPRISES, LLC) (SPRINGFIELD DISTRICT)** (4:13 p.m.)

- (O) The application property is located on the east side of Lee Chapel Road, directly opposite of Ironmaster Drive approximately 1,600 feet south of Old Keene Mill Road, Tax Map 88-1 ((1)) 28.

Mr. Peter Rinek reaffirmed the validity of the affidavit for the record.

Mr. Rinek 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, Aaron Shriber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-SP-036, from the R-1 District to the R-2 District, subject to the proffers dated April 1, 2005. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hudgins being out of the room.

52. **4 P.M. – PH ON REZONING APPLICATION RZ 2004-PR-008 (EDGEMOORE LAND, LLC) (PROVIDENCE DISTRICT)** (4:17 p.m.)

- (O) The application property is located on the west side of Hunter Road, north of the intersection with Stolen Moments Terrace, Tax Map 48-2 ((1)) 3.

Ms. Lynne Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel 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.

Chairman Connolly disclosed the following campaign contribution which he had received:

- In excess of \$100 from Edgemoore Land, LLC

Following the public hearing, Regina Murray, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-PR-008, from the R-1 District to the PDH-2 District, and approval of the Conceptual Development Plan, subject to the proffers dated April 25, 2005.
- To direct the Director of the Department of Public Works and Environmental Services to waive the frontage improvements along the Hunter Road frontage of the site in favor of that shown on the Conceptual Development Plan/Final Development Plan.

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

On March 23, 2005, the Planning Commission approved Final Development Plan Application FDP 2004-PR-008, subject to the proposed development conditions dated March 23, 2005.

53. **4 P.M. – PH ON REZONING APPLICATION RZ 2004-LE-026 (JCE, INCORPORATED) (LEE DISTRICT)** (4:23 p.m.)

- (O) The application property is located on the south side of Burgundy Road, opposite Quaker Lane between the west Terminus of Hatcher Street and the east Terminus of Tennessee Drive, Tax Map 82-2 ((1)) 37.

Ms. Lynn Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel 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 McConnell disclosed:

- A campaign contribution in excess of \$200 from Dwight C. Schar, which occurred outside of the 12-month required reporting period.
- A business relationship with M.J. Wells and Associates, LLC, that is not related to this application.

Chairman Connolly disclosed the following campaign contribution which he had received:

- In excess of \$100 from John E. Cowles of JCE, Incorporated

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

Supervisor Kauffman moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-LE-026, from the R-3 District to the PDH-3 District, and the Conceptual Development Plan subject to the proffers dated April 22, 2005. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hudgins being out of the room.

On March 23, 2005, the Planning Commission approved Final Development Plan Application FDP 2004-LE-026, subject to the development conditions dated March 3, 2005, and contained in Appendix 2 of the staff report.

54. **ADDITIONAL ACTION ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-P-016 (VINTAGE CREST, LC) (PROVIDENCE DISTRICT)** (4:29 p.m.)

(Note: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#49.)

Supervisor Smyth asked unanimous consent that the Board direct the Clerk to correct the motion to Proffered Condition Amendment Application PCA 93-P-016 which she had inadvertently identified as Proffered Condition Amendment Application PCA 93-P-015. Without objection, it was so ordered.

55. **4 P.M. – PH FOR THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING, AND/OR LEAF COLLECTION SERVICE (DRANESVILLE, LEE, MASON, AND MOUNT VERNON DISTRICTS)** (4:29 p.m.)

(Rs) 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 April 7 and April 14, 2005.

Terry Czarny, Petition Coordinator, Division of Solid Waste Collection and Recycling, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor DuBois moved adoption of the Resolutions for the Dranesville, Lee, Mason, and Mount Vernon Districts in accordance with the Board's adopted

criteria for the Creation/Enlargement/ Withdrawal of Small or Local Sanitary Districts as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District A6 Within Small District 1 Within Dranesville District (Kirby Road Area)	Enlarge 13 Units	Refuse and Recycling	Approve
Local District B Within Small District 1 Within Dranesville District (Marbo Court)	Enlarge 8 Units	Refuse and Recycling	Approve
Local District B Within Small District 1 within Lee District (5925 Shadow Walk)	Enlarge 1 Unit	Leaf	Approve
Small District 2 within Mason District (Galanis Drive)	Enlarge 2 Units	Refuse, Recycling, And Leaf	Approve
Local District E Within Small District 1 within Mount Vernon District (River Bend Est.)	Create 56 Units	Leaf	Approve

Supervisor Smyth seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

Chairman Connolly and Supervisor DuBois submitted items for the record.

56. **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)** (4:32 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 April 7 and April 14, 2005.

Marianne Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, introduced Meghan Van Dam, Planner I, who presented the staff and Planning Commission recommendations.

Following the public hearing, Supervisor Hyland moved approval of Out-of-Turn Plan Amendment S04-IV-MV3, as recommended by the Planning Commission as shown in Attachment B of the Board Agenda item. The new language does not preclude the property owners from filing a special exception or special permit for alternative reuse, and at the time of the filing, the impacts of the new land uses on the community would be evaluated.

Following discussion regarding alternative site uses, with input from Ms. Gardner, Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

57. **4 P.M. – PH REGARDING TWO LONG-TERM LEASES WITH BIRMINGHAM GREEN ADULT CARE RESIDENCE, INCORPORATED, IN CONNECTION WITH A GRANT APPLICATION HOUSING AND URBAN DEVELOPMENT (HUD) FUNDING TO REPLACE THE EXISTING ADULT CARE RESIDENCE AT MANASSAS, VIRGINIA**
(4:41 p.m.)

- (R) 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 April 7 and April 14, 2005.

Grace Paris Starbird, Director, Fairfax Area Agency on Aging, presented the staff report.

Following the public hearing, Supervisor Hudgins moved adoption of the Resolution authorizing the County Executive to enter into two long-term leases with Birmingham Green Adult Care Residence in connection with a grant application for HUD funding to replace the existing adult care facility at Manassas, Virginia.

Following discussion, with input from Dennis Bates, Senior Assistant County Attorney, Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor DuBois, Supervisor Frey, and Supervisor Hyland being out of the room.

58. **4:30 P.M. – PH TO CONSIDER THE ADOPTION OF AN ORDINANCE TO EXTEND THE CABLE TELEVISION FRANCHISE HELD BY COMCAST OF VIRGINIA, INCORPORATED UNTIL NO LATER THAN JUNE 30, 2005 (RESTON FRANCHISE AREA)** (4:48 p.m.)

- (O) (NOTE: Earlier in the meeting, the Board took additional action regarding cable television for the Reston area. See page 16, Admin 5.)

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 March 31 and April 7, 2005.

Gail Eskew, Director, Department of Cable Communications and Consumer Protection, presented the staff report.

Following the public hearing, Supervisor Hudgins moved adoption of the Ordinance to extend the Comcast cable franchise agreement until no later than June 30, 2005. Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth and Chairman Connolly voting “AYE,” Supervisor DuBois and Supervisor Hyland being out of the room.

59. **ORDERS OF THE DAY** (4:50 p.m.)

Chairman Connolly announced that there would be a change in the Orders of the Day and that the Board would proceed with Board Matters.

60. **PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (No Time)

(Note: Later in the meeting, public comment was heard. See Clerk’s Summary Item CL#76.)

ADDITIONAL BOARD MATTERS

NV:nv

61. **LETTER ON POTENTIAL IMPACTS OF PROPOSED FEDERAL BUDGET CUTS ON FAIRFAX COUNTY PROGRAMS** (4:51 p.m.)

Chairman Connolly circulated a revised letter regarding potential impacts on the County as a result of the proposed federal budget. On April 7 the Board received a staff memorandum that detailed potentially harmful effects to County programs, in particular the Community Development Block Grant (\$7 million at risk), the Small Watershed Program (\$6.4 million at risk over the next four years), the Community Services Block Grant (\$0.5 million at risk), High Intensity Drug

Trafficking Area programs (\$0.3 million at risk), the Intensive Supervision Program and the Treatment of Juvenile Sex Offenders Grant (\$0.3 million at risk), the Victims Assistant Network in the Fairfax-Falls Church Community Services Board (\$167,000 at risk), and the Victim/Witness Assistance Program in the Police Department (\$197,000 at risk). In addition, there are a number of other programs where the total loss of funding has not yet been fully determined. These include the Safe and Drug-Free Schools and Communities State Grants in the public school system. Staff prepared a letter to the County's Congressional delegation expressing concern about the potential ill effects of these budget cuts, and an enclosure providing detailed information to the delegation on these threatened programs.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board endorse the letters and enclosures for his signature, which request that the County's delegation consider the potential negative consequences for the County when participating in budget deliberations. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being out of the room.

Chairman Connolly added that annually he visits with the five members of the Congressional Delegation. He has met with four of the five this year and is trying to reschedule a meeting with Senator George Allen, Jr.

62. **“ALTARIS” COMPUTER AIDED DISPATCH (CAD) SYSTEM** (4:52 p.m.)

Chairman Connolly said that the Public Safety Communications Center (PSCC) has been working to stabilize the Altaris CAD system. He said that the CAD system was first purchased from a corporation called PRC in 1984 following a contract bid process. He said that problems have accrued over time, and he referenced a recent article in *The Washington Post* detailing recent decisions about the system. He said that as a result of this flawed process, the County is working with Northrop Grumman, now the owner of PRC, to improve the performance of the system and to reduce the cost to the taxpayers.

Therefore, Chairman Connolly moved that the Board direct the Auditor to the Board to review and report on the entire CAD acquisition and contract history from 1984 to the present, including the decision making process and factors which may have influenced the process. The Auditor should include in the report recommendations for policy or procedure that will prevent a repetition or recurrence of such a problem. Supervisor McConnell seconded the motion.

Following a brief discussion regarding the new communications center, the question was called on the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

63. **LORDS AND LADIES OF FAIRFAX** (4:54 p.m.)

Chairman Connolly said that each year the Board selects outstanding members of the community to be recognized as the Lords and Ladies of Fairfax. To acknowledge the individual Lords and Ladies of Fairfax, he moved that the Board direct staff to invite the appropriate individuals to appear before the Board on June 6 to receive certificates of recognition for their outstanding achievements. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

64. **HEPATITIS AWARENESS DAY** (4:54 p.m.)

Chairman Connolly said that on June 18, 2005, citizens throughout the region will participate in the annual Tim Harmon Run-Walk in memorial of Tim Harmon, the past Director of Residential Services for Alcohol and Drug Services, in an effort to educate and raise the awareness of citizens of the impact that Hepatitis C has on both individuals and their families while keeping in memory a dedicated public official.

Therefore, Chairman Connolly asked unanimous consent that the Board proclaim June 18, 2005, as "*Hepatitis Awareness Day*" in Fairfax County and direct staff to invite appropriate representatives from the applicable agencies (the Fairfax-Falls Church Community Services Board Alcohol and Drug Services Division, the Fairfax County Health Department, the Fairfax County Fire and Rescue Department and the Robinson Secondary School DECA Chapter) to be presented with the proclamation at the June 6, 2005, Board meeting. Without objection, it was so ordered.

65. **COMMUNITY ACTION MONTH** (4:55 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim May 2005 as "*Community Action Month*" in Fairfax County and direct staff to invite appropriate representatives from the Community Action Advisory Board and others to be recognized with the proclamation at the May 23, 2005, Board meeting. Without objection, it was so ordered.

66. **PESTICIDE FREE DAY** (4:55 p.m.)

Chairman Connolly announced that May 27 is "Pesticide Free Day." He said that more than three billion kilograms of pesticides are spread on the earth annually, exposing both human and wildlife populations to chemicals with potentially serious repercussions for life everywhere, including children. He noted that this day was set aside to coincide with the birthday of Rachel Carson, the well-known writer, scientist, and ecologist who worked tirelessly to alert America and the world to the potential hazards of pesticides.

Therefore, Chairman Connolly moved that the Board:

- Proclaim May 27, 2005, “Pesticide Free Day” in Fairfax County.
- Direct staff to invite appropriate representatives from the Rachel Carson Council to receive the proclamation at the May 23, 2005, Board meeting.

Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

67. **EMERGENCY MEDICAL SERVICES WEEK** (4:57 p.m.)

Chairman Connolly noted that “Emergency Medical Services Week” is May 16-22. Therefore, he asked unanimous consent that the Board:

- Direct staff to invite appropriate representatives from the Fairfax County Fire and Rescue Department to receive the proclamation at the May 9, 2005, Board meeting declaring “*Emergency Medical Services Week*” in Fairfax County.
- Direct the Office of Public Affairs to help promote the events scheduled to celebrate “Emergency Medical Services Week” on Saturday, May 21 from 10 a.m. – 4 p.m. by issuing a media release, including it on the County website, Channel 16, and all other appropriate media outlets.

Without objection, it was so ordered.

68. **OPENING OF CUB RUN RECREATION CENTER (SULLY DISTRICT)**
(4:57 p.m.)

Supervisor Frey announced the opening of Cub Run Recreation Center on Sunday, May 22. He noted that all Board Members will receive an invitation, and the official ribbon-cutting is scheduled for 11 a.m.

69. **AMERICAN WETLANDS MONTH AND ANNOUNCEMENT OF EARLY START FOR THE MAY 9 BOARD MEETING** (4:58 p.m.)

Supervisor Gross, Chair, Board’s Environmental Committee, announced that Glenda Booth, Chair, Wetlands Board, asked the Board of Supervisors to recognize May 2005 as “*American Wetlands Month*” in Fairfax County. Accordingly, Supervisor Gross moved that the Board present the proclamation, copies of which she distributed to the Board, at the May 9 meeting. This is part of a nationwide effort to recognize the importance of wetlands in everyone’s life and environment. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

Following discussion regarding the number of presentations scheduled for the May meetings, with input from Merni Fitzgerald, Director, Office of Public Affairs, Chairman Connolly announced that the May 9 meeting will begin at 9 a.m.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

70. **STORMWATER ADVISORY COMMITTEE** (4:59 p.m.)

(BACs) Supervisor Gross noted that the Stormwater Advisory Committee completed its mission, and she asked unanimous consent that the Board direct the Clerk to process the certificates for its members. Without objection, it was so ordered.

71. **OUTSTANDING COMPREHENSIVE PLAN AWARD** (4:59 p.m.)

Supervisor Gross announced that the Virginia Chapter of the American Planning Association named the Fairfax County Park and Recreation Needs Assessment Report as a recipient of the Outstanding Comprehensive Plan Award. The award will be presented this month. She commended Park Authority staff for this achievement.

DMB:dmb

72. **ANNOUNCEMENT OF PROVIDENCE DISTRICT LAND USE SEMINARS (PROVIDENCE DISTRICT)** (5 p.m.)

Supervisor Smyth announced that this spring her office, in conjunction with a variety of citizen groups, will sponsor a series of meetings to give Providence residents the opportunity to learn more about land use issues. County staff will facilitate the meetings and cover a wide range of the topics that are integral parts of the planning and zoning process. These topics include legal and state requirements, the County Zoning Ordinance, by right development, the Comprehensive Plan, rezonings, proffers, transportation and transit planning, traffic demand management, public facility and environmental planning, storm water management, and tree preservation, among others. As soon as the schedule is set, a complete listing of dates, time, and location will be posted on her web site.

Land Use Seminar #1

May 2, 2005 from 7:30 p.m. to 9 p.m. at
Fairhill Elementary School Cafeteria: 3001 Chichester Lane

- Introduction to State of Virginia Legal and Legislative relationships to land use including discussion of the separation of powers and the Dillon rule. Karen Harwood, Deputy County Attorney.

- By-Right Development. What is it, who's right is it, and who says it is right? Bruce Nassimbeni, Director, Site Review East, Environmental and Site Review Division, Department of Public Works and Environmental Services.
- Overview of the Zoning Administration Division including Zoning Enforcement. William Shoup, Division Director, Zoning Administration. Department of Planning and Zoning.

The format of the sessions described above will be part informational and part discussion, with time available for questions on each of the evening's subjects. Agendas and other background materials will also be provided at the meeting and on the Providence District web site.

In addition to the three educational/discussion sessions described above, *Urban Trans Consultants*, the transportation demand management consultant for the Vienna Metro Station Area, will present an overview of the project process and gather community feedback/suggestions for the project.

Supervisor Smyth said that persons with questions or those who would like to participate should contact her office at 703-560-6946.

73. **TIMBER LANE ELEMENTARY SCHOOL'S FIFTIETH ANNIVERSARY (PROVIDENCE DISTRICT)** (5 p.m.)

Supervisor Smyth said that Timber Lane Elementary School first opened its doors to the community in 1955 and will be celebrating its fiftieth anniversary on May 7, 2005. In those 50 years, the school has grown into a richly diverse community where the student body represents a population from over 60 countries. Timber Lane is the County's first school with a modified school calendar which allows students the option of attending up to 30 more days of school per school year. The school year begins in early August so that less academic regression occurs and more retention of information is experienced. Timber Lane students enjoy the benefits of a newly renovated building, and these benefits have afforded them the opportunity to learn through cutting-edge technology practices. The faculty, parents, and community of Timber Lane are committed to increasing the emotional well-being and academic achievement of all students, while viewing its diversity as a unique opportunity and strength that enriches and broadens the educational experiences of all students.

Celebration plans have been scheduled for May 7, 2005, and former alumni have been requested to furnish their memories of the school. Members of the community have also been invited to attend this event. More information may be obtained by contacting the school. Therefore, Supervisor Smyth moved that the Board proclaim Saturday, May 7, 2005, as "*Timber Lane Elementary School Day*" in Fairfax County.

The motion, the second to which was inaudible, carried by a vote of nine, Supervisor Hyland being out of the room.

74. **POTOMAC RIVER RUN MARATHON AND HALF-MARATHON DAY (MOUNT VERNON AND PROVIDENCE DISTRICTS)** (5:03 p.m.)

Supervisor Smyth said that runners from at least four countries and twenty two states as well as Fairfax County residents, will participate in the second annual Potomac River Marathon, which is 26.2 miles, and Half-Marathon, which is 13.1 miles, on May 1, 2005. This marathon will start at sunrise at Belle Haven Park and head down and back on the Mount Vernon Trail along the Potomac River and through the woods of George Washington Memorial Parkway. Other natural and historical points visible from the course include Dyke Marsh, Riverside Park and Fort Hunt Park.

Supervisor Smyth said that the Greater Washington Sports Alliance notes in reference to the visionaries of this event that, "This event shows why the Washington DC region is so great for sports." Last year's event received a perfect five-star rating for the course and organization from participants who shared their opinions with www.MarathonGuide.com. Furthermore, the marathon benefits Special Olympics, the Cystic Fibrosis Foundation, and other members of the Metro DC-area Marathon Charity Partners.

Therefore, Supervisor Hyland, jointly with Supervisor Smyth, moved that the Board show unanimous support for this event by proclaiming May 1, 2005, "Potomac River Run Marathon and Half-Marathon Day in Fairfax County." Supervisor McConnell seconded the motion and it carried by unanimous vote.

75. **STEPS FOR GOOD HEALTH** (5:05 p.m.)

Supervisor Smyth said that the Surgeon General of the United States prescribes a minimum of 10,000 steps a day for good health.

AGENDA ITEMS

DET:det

76. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:05 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 April 7 and April 14, 2005.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing

before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by Mr. Paul Goze regarding clubs for school-aged children.

ADDITIONAL BOARD MATTERS

DMB:dmb

77. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 2005-MV-005, TRUSTEES OF EPIPHANY LUTHERAN CHURCH (MOUNT VERNON DISTRICT)** (5:08 p.m.)

Supervisor Hyland said that the Trustees of Epiphany Lutheran Church of Mount Vernon submitted Special Exception Application SE 2005-MV-005. The applicant proposes to improve its existing facilities, comprised of a place of worship and a nursery school that have been in this location since the 1960s. The applicant proposes improvements to its fellowship hall, an increase in the enrollment of the nursery school, and the eventual addition of 90 seats to its sanctuary. The applicant will work closely with the community and address its concerns. The church's design process and fund raising for this project have taken longer than anticipated, and the Trustees are anxious to proceed with a site plan for its first phase of planned improvements.

Therefore, Supervisor Hyland moved that the Board direct the Director of the Department of Public Works and Environmental Services to process the site plan and other associated plans concurrently with Special Exception Application SE 2005-MV-005. Approval of this motion shall not prejudice the review of this application. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

78. **CONCURRENT PROCESSING FOR REZONING APPLICATION RZ 2004-MV-020, GUNSTON CENTER, LLC (MOUNT VERNON DISTRICT)** (5:09 p.m.)

Supervisor Hyland said that the Gunston Center, LLC filed a rezoning application for development of land on the east side of Richmond Highway, both north and south of Furnace Road, located at Tax Map 113-3 ((1)) 40 and 41. Generally, the rezoning application is to provide proffers limiting the use of an industrial building on Parcel 41, and to dedicate Parcel 40 to the Fairfax County Park Authority. The applicant has requested concurrent processing of the site plan modifications, building permits, and other documents associated with development.

Therefore, Supervisor Hyland moved that the Board direct staff to allow concurrent processing of all plans and permits associated with Gunston Center, LLC's rezoning application for the property. This motion should not be construed as a favorable recommendation by the Board on the proposed application, and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

79. **KSI AFFORDABLE DWELLING UNITS (ADUs) (MOUNT VERNON DISTRICT)** (5:10 p.m.)

Supervisor Hyland said that an engineering error on the Village at Lorton Valley, Section 3, located along Middle Ruddings Drive has resulted in ADU lots that do not meet the required minimum size for the ADU dwellings. A resubdivision of Lots 204-209 (ADU units) will correct this error by conveying additional square footage to these lots from the common area (Parcel B), but will result in a 1,647 square foot reduction in open space.

Supervisor Hyland said that staff has reviewed the subdivision plat and development plan and has determined that, with the reduction in open space, the project will continue to be in compliance with open space requirements. To allow the approval and recordation of the revised plat for the Village at Lorton Valley, Section 3, an offer of the open space being configured back into the lots must first be made, and has been made by the developer.

Accordingly, Supervisor Hyland moved that the Board refuse the offer of 1,647 square feet of the open space for the Village at Lorton Valley, Section 3, as provided for in Paragraph 4, of Section 2-702(4), of the Zoning Ordinance. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

80. **REQUEST FOR RECOGNITION OF MR. BOB CRISWELL'S RETIREMENT (MOUNT VERNON DISTRICT)** (5:12 p.m.)

Supervisor Hyland said that Mr. Bob Criswell is a visionary leader whose outreach to the community has improved the lives of many Fairfax County residents. Fifteen years ago, Mr. Criswell started his ministry with the Mount Vernon Presbyterian Church and soon after became active in Ventures in Community. His devotion to build an open and caring community led him to begin what has become an annual Mount Vernon tradition, the Martin Luther King, Jr. Choir Festival, which has packed sanctuaries for over a decade. This event pulls together a diverse crowd to promote interfaith dialogue and worship. Mr. Criswell also encourages interfaith dialogue among churches in the Route One corridor. Every week he can be found at a local restaurant meeting with other religious leaders over breakfast.

Supervisor Hyland said that in addition to all this, Mr. Criswell served as a mentor for families transitioning into affordable housing, which would provide not only spiritual, but also financial counseling to those who needed it most. His work with Good Shepherd Housing helped transform the organization to be more responsive to families in need through the establishment of an endowment fund, which now provides nearly \$100,000 for Good Shepherd Housing. Mr. Criswell was one of the first advocates to Good Shepherd Housing to change its program, advising it to purchase homes for families, rather than rent or sublet units, thereby avoiding some of the impact of the housing/rental market. In what spare time he had left, he volunteered as a chaplain at Mount Vernon Hospital, led trips to the Holy Land, and mentored families in his church. Supervisor Hyland said that the loss of him as a resident is a loss to everyone whose hearts he comforted and lives he touched.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Criswell to appear before the Board on June 20, 2005, to be recognized for his incredible accomplishments and community service. Without objection, it was so ordered.

PMH:pmh

81. **RECOGNITION OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR ACHIEVING HIGH PERFORMER STATUS FOR ITS PUBLIC HOUSING AND SECTION 8 PROGRAMS** (5:14 p.m.)

Supervisor Hudgins informed the Board that each year, the US Department of Housing and Urban Development (HUD) rated public housing authorities (PHAs) on their performance in operating the Public Housing and Section 8 (Housing Choice Voucher) programs using a wide variety of criteria and measurements. She stated that there were three possible ratings: High Performer; Standard; or Troubled; and that the majority of PHAs were rated Standard.

Supervisor Hudgins announced that, once again, the FCRHA achieved High Performer status for both its Public Housing and Section 8 programs. She noted that to be a High Performer, an agency must have scored 90 out of 100 points and the County's scores were as follows:

- The Public Housing Assessment System score for Federal Fiscal Year 2004 was 97 out of 100 points, which included perfect scores of 30 points in two indicators: Financial and Management.
- The Section Eight Management Assessment Program earned a score of 93 out of 100 points, and earned maximum points for lease-up units, accurate determination of adjusted income, and accurate tenant rent calculations.

Supervisor Hudgins added that during a time of cuts and/or increased restrictions in federal funding, the High Performer rating was a tribute to the dedication exhibited and hard work performed by the FCRHA, the Department of Housing and Community Development (HCD), and the additional County agencies who worked together to fulfill necessary housing needs where they may not otherwise have been met.

Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Conrad Egan, Chairman of the FCRHA, and Paula Sampson, Director of HCD, to appear before the Board to be recognized for this accomplishment. Without objection, it was so ordered.

82. **SKATE PARKS ON WHEELS (HUNTER MILL DISTRICT)** (5:14 p.m.)

Supervisor Hudgins noted that the Board often spoke about providing constructive alternatives for youth, and that many youth have an interest in skate boards and skating as an activity. She pointed out that the Park Authority's 2004 Needs Assessment clearly demonstrated support for building additional skate parks around the County to provide safe, high-quality, local, public-skating venues.

Supervisor Hudgins announced that on Saturday, May 14, 2005, from 1 p.m. until 7:30 p.m., she would be sponsoring a special event, the "Skate Parks on Wheels," in partnership with the County Park Authority, the County Park Foundation, the Reston Community Center, the Reston Association, Wakefield Skate Park, America-in-line Skating, and EnviroSolutions, Incorporated. This event would be the beginning of the commitment to construct an engaging and challenging recreational facility: a skate park in Hunter Mill District, and she invited Board Members to attend.

83. **RECOGNITION OF BLAINE LOTZ, CHAIRMAN OF THE COMMITTEE FOR HELPING OTHERS (HUNTER MILL DISTRICT)** (5:15 p.m.)

Supervisor Hudgins stated that the Vienna community would be losing a long-time volunteer who had given years of selfless service. Mr. Blaine Lotz, who is pending retirement from the federal government, has resigned as the Chairman of the Committee for Helping Others.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite Mr. Lotz to appear before the Board to receive a certificate of recognition for his 13 years of service with the Committee for Helping Others. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

84. **RECOGNITION OF FRANCIS “GARY” POWERS, PRESIDENT, VIENNA TYSONS REGIONAL CHAMBER OF COMMERCE (HUNTER MILL DISTRICT)** (5:16 p.m.)

Supervisor Hudgins announced that, as of May 31, 2005, Francis “Gary” Powers would be relocating outside the metropolitan area to central Virginia, and his service as president to the Vienna Tysons Regional Chamber of Commerce would be missed.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare and send a certificate of recognition to Mr. Powers for his service to the community for presentation at the May 19, 2005, Vienna Tysons Regional Chamber of Commerce function in his honor. Without objection, it was so ordered.

85. **STRATTON WOODS PARK (DRANESVILLE DISTRICT)** (5:16 p.m.)

Supervisor Hudgins expressed appreciation to Chairman Connolly and the Park Authority for the opening of Stratton Woods Park.

86. **REQUEST FOR RECOGNITION OF VIVIAN WATKINS, CHAIRPERSON OF THE THERAPEUTIC RECREATION ADVISORY COUNCIL** (5:17 p.m.)

Supervisor McConnell acknowledged Vivian Watkins, current Chairperson of the Therapeutic Recreation Advisory Council of the Therapeutic Recreation Services and Teen Services Division in the Department of Community and Recreation Services, for her contributions in advancing and advocating recreation programs for individuals with disabilities.

Supervisor McConnell referred to her written Board Matter and outlined Ms. Watkins’ accomplishments. She moved that the Board direct staff to invite Ms. Watkins to appear before the Board to be recognized for her dedication and commitment to ensuring that individuals with disabilities can access and participate in recreation programs in their community. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

87. **REQUEST FOR RECOGNITION OF CAPITAL ONE (DRANESVILLE AND PROVIDENCE DISTRICTS)** (5:18 p.m.)

Jointly with Supervisor Smyth, Supervisor DuBois reported that the Capital One Park, located on its Tysons Corner headquarters’ corporate campus, was officially opened for play on Saturday, April 16, 2005. She said that the community will benefit from the addition of one regulation-sized soccer field, two smaller fields, and a regulation-sized 90-foot baseball diamond, where the mound is adjustable to

accommodate both Little League and softball play. There is also a pavilion area for snacks and restroom facilities.

Supervisor DuBois referred to her written Board Matter and outlined Capital One's efforts to provide the sports complex.

Therefore, jointly with Supervisor Smyth, Supervisor DuBois moved that the Board direct staff to invite the following groups to appear before the Board to acknowledge and thank Capital One for this generous gift and to recognize it as an outstanding corporate citizen:

- Richard Fairbank, President and CEO of Capital One
- Appropriate staff
- Members of the McLean Youth Soccer
- Members of the Vienna Youth Soccer
- Members of the Northern Virginia Travel Baseball

Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

88. **VOLUNTEERS FOR THE MEDICAL RESERVE CORPS (MRC)**
(5:21 p.m.)

Supervisor DuBois said that in recent weeks much attention has been given to the need for trained volunteers in the event of a bioterrorism attack or major health epidemic. She noted that there could be a possibility that it might be necessary to mass inoculate the County's 1.2 million residents in a 3-5 day period of time. To do so, a MRC of 54 teams, comprising 232 trained volunteers on each team, would be needed. To date the Fairfax MRC has only 3,167 volunteers. She said that Chairman Connolly, the Board's representative on the County Citizen Corps Council, announced the kickoff of the "3,000 New Medical Reserve Corps Volunteers by June 30" campaign at the Board meeting held on March 21.

Supervisor DuBois said that she is pledging to sign up 100 or more Dranesville District MRC volunteers by June 30. She moved to challenge Board Members to do the same. She suggested that Board Members take the information provided in their red folders to their civic association meetings, post on bulletin boards in their districts, put information in their email newsletters, and share the information with everyone who comes into their offices. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

89. **DEATH OF DICK PETERS, GREAT FALLS COMMUNITY ADVOCATE (DRANESVILLE DISTRICT)** (5:23 p.m.)

Supervisor DuBois announced that the Great Falls community lost an admired community advocate and friend in Dick Peters who died on April 13 from a heart infection. She referred to her written Board Matter and outlined Mr. Peters' contributions to the community.

90. **OLD GROVETON SCHOOL SITE (LEE DISTRICT)** (5:24 p.m.)

(A) Supervisor Kauffman said that on July 11, 2005, the Board is scheduled to hold a public hearing on Rezoning Application RZ 2004-LE-012 on the Old Groveton School site on Richmond Highway. This property was sold by the County to MDP Groveton, LLC, as part of the public-private partnership that built the South County Center. As part of the original proposal, MDP Groveton, LLC, was to build an office on the Old Groveton School site and there was a covenant put on the deed by the County to enforce this provision.

Supervisor Kauffman said that after trying to attract an office tenant for five years, MDP Groveton, LLC, has proposed a mixed use development with office retail and residential and this proposal is presently being taken through the zoning approval process. For MDP Groveton, LLC, to be able to build its proposed development, it also needs to have the covenant restricting development of office only removed, and this requires a public hearing.

Therefore, Supervisor Kauffman moved that the Board direct staff to schedule a public hearing to be held before the Board on **July 11, 2005, at 3:30 p.m.** to consider the removal of the covenant should the rezoning on the Old Groveton School site be changed. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

91. **BIKE TO WORK DAY** (5:26 p.m.)

Jointly with Supervisor Smyth, Supervisor Hudgins announced that Bike to Work Day is planned for Friday, May 20, 2005, and includes ceremonies in Reston, Vienna, and the Government Center.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the sponsors to appear before the Board on May 9, 2005.

Following discussion, regarding the scheduling of the presentations, without objection, it was so ordered.

92. **BOARD ADJOURNMENT** (5:27 p.m.)

The Board adjourned.

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