



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
May 23, 2005**

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13-05

DS:ds

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, May 23, 2005, at 9:22 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 Dana Kauffman, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Elaine McConnell, Springfield District, arrived at 10:53 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; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:23 a.m.)

Supervisor Frey asked everyone to keep in thoughts the family of Nicholas Cain Kirven, a US Marine, who died while serving in Afghanistan. His mother, Elizabeth Belle lives in the Fair Oaks area.

Supervisor Hyland asked everyone to keep in thoughts the family of Ruth Scott, wife of retired Lieutenant Frank Scott, and mother-in-law of Lieutenant Purvis Dawson, who died recently. She and her family had been very involved in the Mount Vernon community.

AGENDA ITEMS2. **CERTIFICATE OF RECOGNITION PRESENTED TO STUDENTS, TEACHERS, PARENTS, AND REPRESENTATIVES OF CHESTERBROOK ELEMENTARY SCHOOL** (9:25 a.m.)

Supervisor DuBois said that this certificate was supposed to be presented earlier this year but school was closed due to snow, and the students were unable to appear.

Supervisor DuBois moved approval of the Certificates of Recognition presented the following teachers of Chesterbrook Elementary School:

- Ms. Sheila Wynne-Houck
- Ms. Patricia Wilson
- Ms. Karen Hershey

and the students for their volunteer efforts to assist with the development of a project for the kindergarten class to provide homemade scarves which were distributed to homeless children during the holiday season, teaching the students that giving of themselves is always a good feeling. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO SOUTH LAKES HIGH SCHOOL GIRLS' SWIM AND DIVE TEAM** (9:36 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to South Lakes High School Girls' Swim and Dive Team for receiving its first Virginia AAA State Championship. Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO REPRESENTATIVES OF BUSH HILL ELEMENTARY SCHOOL** (9:39 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to representatives of Bush Hill Elementary School on the occasion of the school's fiftieth anniversary. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BLAINE LOTZ** (9:43 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Blaine Lotz for his service to the community. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. PATRICIA MALLY AND MR. JUSTIN MALLOY** (9:48 a.m.)

Supervisor DuBois moved approval of the Certificate of Recognition presented to Ms. Patricia Malloy and Mr. Justin Malloy for their service to the community. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins being out of the room, Supervisor McConnell not yet having arrived.

7. **PROCLAMATION DESIGNATING MAY 27, 2005, AS "RACHEL CARSON DAY" AND "PESTICIDE FREE DAY" IN FAIRFAX COUNTY** (9:52 a.m.)

Supervisor Hyland moved approval of the Proclamation to designate May 27, 2005, as "*Rachel Carson Day*" and "*Pesticide Free Day*" in Fairfax County. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Hudgins being out of the room, Supervisor McConnell not yet having arrived.

8. **PROCLAMATION DESIGNATING JUNE 3-5, 2005, AS "SPRINGFIELD DAYS" IN FAIRFAX COUNTY** (9:59 a.m.)

Chairman Connolly announced that Supervisor McConnell fell and broke her leg a few weeks ago, but she would be arriving later in the meeting.

Therefore, Supervisor Kauffman, on behalf of Supervisor McConnell, moved approval of the Proclamation to designate June 3-5, 2005, as "*Springfield Days*" in Fairfax County. Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO THE GREATER MERRIFIELD BUSINESS ASSOCIATION** (10:06 a.m.)

Supervisor Smyth moved approval of the Certificate of Recognition presented to the Greater Merrifield Business Association to commemorate its twentieth anniversary. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

10. **PROCLAMATION DESIGNATING MAY 2005 AS "COMMUNITY ACTION MONTH" IN FAIRFAX COUNTY** (10:10 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 2005 as "*Community Action Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO REPRESENTATIVES FROM THE DEPARTMENT OF VEHICLE SERVICES** (10:16 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to representatives from the Department of Vehicle Services for outstanding management and commendable work to complete the school bus retrofit, installing equipment to reduce diesel emissions 15 months ahead of schedule and 40 percent under the originally estimated cost. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

DET:det

12. **10 A.M. – PRESENTATION OF THE ANNUAL VOLUNTEER FIRE AND RESCUE SERVICES AWARDS** (10:24 a.m.)

Tim Fleming, Chairperson, Volunteer Fire and Rescue Services, presented its 2004 Volunteer Fire Service Awards to:

- Eugene Jacob, Vienna Volunteer Fire Department, Volunteer Firefighter
- Gary Gaal, Franconia Volunteer Fire Department, Volunteer Operational Officer

- Sue Orsini, Burke Volunteer Fire and Rescue Department, Volunteer Emergency Medical Service Provider
- Deborah Volker, Franconia Volunteer Fire Department, Volunteer Basic Life Support Provider
- Steve Jacobson, Dunn Loring Volunteer Fire and Rescue Department, Volunteer Basic Life Support Provider
- Joan Bliss, Great Falls Volunteer Fire Department, Volunteer Advanced Life Support Provider
- Carrie Simpson, Dunn Loring Volunteer Fire and Rescue Department, Rookie of the Year
- Brian Mayberry, Franconia Volunteer Fire Department, Administrative Officer
- Larry Reed, Franconia Volunteer Fire Department, Administrative Member

Joe Lawler, Regional Director, National Capital Region, National Park Service, US Department of the Interior, presented a special award to the Member Departments of the Fairfax County Volunteer Fire and Rescue Association for their volunteer support to Wolf Trap National Park for the Performing Arts.

13. **10:15 A.M. – PRESENTATION BY THE SOLID WASTE TASK FORCE**
(10:39 a.m.)

William Lecos, Chairman, Solid Waste Task Force, presented its report which focused on customer service, environmental, operations, and communications issues. Mr. Lycos also expressed the Task Force's appreciation to Linda Boone, Management Analyst III, Disposal and Resource Recovery, Management of Solid Waste, Department of Public Works and Environmental Services, for her efforts.

Following affirmation that the County was not proposing to terminate County pick-up and transfer services to the private sector, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to review the Task Force's recommendations and report with issues that require legislative action. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

In reference to customer service issues, Supervisor Bulova asked unanimous consent that the Board direct staff to disseminate the recommended standards to community associations and organizations throughout the County. Without objection, it was so ordered.

Following discussion of electronic waste issues, Supervisor Gross moved that the Board:

- Accept the report.
- Refer the report to the County Executive for review and action on the recommendations.

Supervisor Bulova seconded the motion.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to address unresolved issues such as the need to:

- Continue the dialogue with private haulers regarding retrofitting fleets to use ultra low sulfur diesel.
- Work toward coordinating pick-up efforts between County haulers and private haulers during emergencies.

This was accepted.

Chairman Connolly asked unanimous consent that the Board refer to the County Executive the issue of recycling computers and monitors rather than being picked up by trash haulers. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Kauffman called the Board's attention to page 18 of the report, Sections C-4, C-5, and C-6, regarding the issue of responding to emergencies and asked unanimous consent that the Board direct staff to review the possibility of having a stronger recommendation. Without objection, it was so ordered.

Supervisor Kauffman called the Board's attention to page 23 of the report, regarding separate collection of yard waste, and asked unanimous consent that the Board direct staff to review the issue of adding County oversight in addition to the private haulers. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to determine the feasibility of private haulers having access to the County supply of diesel fuel. Without objection, it was so ordered.

Supervisor Hyland referred to the issue of clean-up following emergencies and asked unanimous consent that the Board direct staff to review the report and respond to the recommendations. Without objection, it was so ordered.

The question was called on the motion, as amended, and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

(NOTE: Later in the meeting, action was taken relating to the report. See Clerk's Board Summary Item CL#15.)

PW:pw

14. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:20 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.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Supervisor DuBois moved the reappointment of Mr. Mark Ingrao as the Citizen Representative to the Affordable Dwelling Unit Advisory Board. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. James Scanlon as the Builder Representative to the Affordable Dwelling Unit Advisory Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Builder Representative to the Affordable Dwelling Unit Advisory 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

CONFIRMATION:

Supervisor McConnell moved the confirmation of the following appointment to the Alcohol Safety Action Program Local Policy Board:

- Mr. Mark Sullivan as the Commonwealth's Attorney Alternate Representative

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

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Hudgins moved the appointment of Ms. Pamela Ahart as the Hunter Mill District Representative to the Animal Services Advisory Commission. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

ATHLETIC COUNCIL

The Board deferred the appointment of the Dranesville District Alternate Representative to the Athletic Council.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

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.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Sully District Representative to the Child Care Advisory Council.

COMMISSION ON AGING

Chairman Connolly moved the reappointment of Ms. Mary McWhorter as the At-Large Chairman's Representative to the Commission on Aging. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Tena Bluhm as the Braddock District Representative to the Commission on Aging. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Ellamae Doyle as the Dranesville District Representative to the Commission on Aging. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Joseph Heastie as the Providence District Representative to the Commission on Aging. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Springfield District Representative to the Commission on Aging.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor DuBois moved the appointment of Ms. Lisa Kory as the Dranesville District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Gross seconded the motion, which carried by unanimous vote.

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

COMMUNITY ACTION ADVISORY BOARD

CONFIRMATION:

Supervisor McConnell moved the confirmation of the following appointment to the Community Action Advisory Board:

- Mr. Robert "Mike" Mohler as the Fairfax-Falls Church United Way Representative

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

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

CONSUMER PROTECTION COMMISSION

Chairman Connolly moved the appointment of Mr. Terry Adams to fill the unexpired term of Ms. Anhthu Lu as the Resident #7 Representative to the Consumer Protection Commission. Supervisor Gross seconded the motion, which carried by unanimous vote.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE**CONFIRMATION:**

Supervisor Hudgins moved the confirmation of the following appointment to the Countywide Non-Motorized Transportation (Trails) Committee:

- Mr. Dennis Frew as the Washington Area Bicyclist Association's Representative

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

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

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Hunter Mill District Representative to the Criminal Justice Advisory Board.

FAIRFAX AREA DISABILITY SERVICES BOARD

Chairman Connolly moved the appointment of Ms. Leslie Braunstein as the At-Large Business Community #1 Representative to the Fairfax Area Disability Services Board. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Hunter Mill, Providence, and Springfield District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Chairman Connolly provided notice of his intent to nominate Ms. Renee Alberts as the At-Large #3 Representative for appointment to the Fairfax-Falls Church Community Services Board at the Board meeting scheduled for June 6, 2005.

Supervisor DuBois provided notice of her intent to nominate Ms. Rosann Ridley as the Dranesville District Representative for appointment to the Fairfax-Falls Church Community Services Board at the Board meeting scheduled for June 6, 2005.

Supervisor Smyth provided notice of her intent to nominate Ms. Mary Ann Beall as the Providence District Representative for appointment to the Fairfax-Falls

Church Community Services Board at the Board meeting scheduled for June 6, 2005.

Chairman Connolly asked unanimous consent that the Board direct staff to bring these appointments before the Board at the meeting scheduled for June 6, 2005. Without objection, it was so ordered.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Bulova announced her intent to nominate Mr. Lee Draznin as the Provider #4 Representative to the Health Systems Agency Board.

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 Hudgins moved the appointment of Ms. Bettina Lawton as the Hunter Mill District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Supervisor Hyland 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

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

Supervisor Hyland moved the appointment of Mr. Brendan Harold as the Citizen At-Large #2 Representative to the Police Officers Retirement System Board. Supervisor McConnell 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.

SMALL BUSINESS COMMISSION

The Board deferred the appointments of the Hunter Mill and Mason District Representatives to the Small Business Commission.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Supervisor Hudgins moved the appointment of Mr. Jeffrey Watkins as the Fairfax County #8 Representative to the Southgate Community Center Advisory Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

TENANT LANDLORD COMMISSION

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

TRANSPORTATION ADVISORY COMMISSION

Supervisor DuBois moved the appointment of Mr. Brian Deery as the Dranesville District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by unanimous vote.

ADDITIONAL BOARD MATTER**15. SOLID WASTE MANAGEMENT PROGRAM TASK FORCE (11:30 a.m.)**

(NOTE: Earlier in the meeting the Solid Waste Management Task Force gave its presentation. See Clerk's Board Summary Item CL#13.)

Supervisor Gross noted that with its presentation today, the Solid Waste Management Program Task Force completed its mission and asked unanimous consent that the Board direct the Clerk to process the certificates for its members. Without objection, it was so ordered.

AGENDA ITEMS**16. ADMINISTRATIVE ITEMS (11:31 a.m.)**

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

Supervisor Kauffman called the Board's attention to Admin 6 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law, and discussion ensued with input from Robert Ross, Assistant County Attorney, regarding the process by which police officers are informed of yearly updates to the State law.

Supervisor Kauffman called the Board's attention to Admin 8 – Authorization to Advertise a Public Hearing on a Spot Blight Abatement Ordinance for 7159 Barry Road (Lee District), and discussion ensued with input from Paula Sampson, Director, Department of Housing and Community Development, regarding processing of the spot blight abatement ordinance.

Supervisor Bulova called the Board's attention to Admin 9 – Authorization to Advertise a Public Hearing to Consider a Repeal to the Code of The County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-2-7, Relating to "Photo-Red" Traffic Light Signal Monitoring Systems, and discussion ensued with input from Michael H. Long, Senior Assistant County Attorney, regarding the necessity of conducting a public hearing for a State repeal that is beyond the control of the Board.

Following additional discussion, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board **deny** authorization for staff to advertise a public hearing to consider a repeal to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-2-7, relating to the "Photo-Red" traffic light signal monitoring system. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion, with the exception of Admin 9 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.

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR EXPANSION OF ROBERTS PARKWAY (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 20, 2005, at 4 p.m.** regarding the conveyance of County-owned property to VDOT for expansion of Roberts Parkway.

ADMIN 2 – APPROVAL OF TRAFFIC-CALMING MEASURES FOR MERIWETHER LANE AS PART OF THE DEPARTMENT OF TRANSPORTATION'S RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (LEE DISTRICT)

- Endorsed the traffic-calming plan for Meriwether Lane as proposed by the Department of Transportation and the Virginia

Department of Transportation (VDOT) as part of R-TAP, consisting of the following measures:

- Raised crosswalk adjacent to 6339, 6341, and 6342 Meriwether Lane
- Raised crosswalk adjacent to 6201 and 6113 Cloud Drive
- Directed staff to request VDOT to install the approved measures as soon as possible.

ADMIN 3 – INSTALLATION OF MULTI-WAY STOPS AT NEW PARKLAND DRIVE AND NEW BANNER LANE (HUNTER MILL DISTRICT)

- Endorsed the installation of multi-way stops as part of the Department of Transportation's Residential Traffic Administration Program at New Parkland Drive and New Banner Lane (Hunter Mill District)
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 4 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (BRADDOCK, HUNTER MILL, LEE, MASON, AND MOUNT VERNON DISTRICTS)

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

- FS-L05-9 to July 22, 2005
- FS-V05-5 to July 23, 2005
- FSA-M00-106-1 to July 24, 2005
- FSA-H96-49-1 to July 30, 2005
- 2232-B05-6 to November 21, 2005

ADMIN 5 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 99-M-038, LEEWOOD INVESTMENTS AND ASSOCIATES, LLC (MASON DISTRICT)

- (AT) Approved 18 months of additional time to commence construction for Special Exception Application SE 99-M-038 to October 30, 2006, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW

- (A) (NOTE: Earlier in the meeting, there was discussion on this item. See page 12.)

Authorized the advertisement of a public hearing to be held before the Board on **June 20, 2005, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law.

ADMIN 7 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE AND SULLY DISTRICTS)

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Walker Glen	Dranesville	Walker Glen Court Walker Road Route 681 Additional ROW Only
Chantilly Bible Church	Sully	Pleasant Valley Road Route 609 Additional ROW Only

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A SPOT BLIGHT ABATEMENT ORDINANCE FOR 7159 BARRY ROAD (LEE DISTRICT)

- (A) (NOTE: Earlier in the meeting, there was discussion on this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Board on **June 20, 2005, at 4 p.m.** to consider adoption of a Spot Blight Abatement Ordinance for 7159 Barry Road, Alexandria [Tax Map Number 090-4-((08))-0023].

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER A REPEAL TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-2-7, RELATING TO “PHOTO-RED” TRAFFIC LIGHT SIGNAL MONITORING SYSTEMS

(NOTE: Earlier in the meeting, action was taken on this item. See page 13.)

ADMIN 10 – AUTHORIZATION OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR AND ACCEPT US DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES (SAMHSA) FUNDS FOR EXPANSION OF JAIL DIVERSION SERVICES

(BACs) Authorized CSB to submit a grant proposal and accept grant funding from SAMHSA to expand capacity to provide mental health and dual diagnosis treatment to consumers of the Jail Diversion program.

17. **A-1 – APPROVAL OF METROBUS 12 LINE RESTRUCTURING (SULLY, SPRINGFIELD, AND PROVIDENCE DISTRICTS)** (11:42 a.m.)

On motion of Supervisor Frey, seconded by Chairman Connolly, and carried by a vote of nine, Supervisor Hudgins being out of the room, the Board concurred in the recommendation of staff and approved:

- The proposed Metrobus 12 line restructuring service plan.
- The use of Northern Virginia Transportation Commission funds for these service improvements.

18. **A-2 – APPROVAL OF ALLOCATION PROCESS AND ADVISORY COMMITTEE TO PRIORITIZE AND MONITOR AFFORDABLE HOUSING PRESERVATION INITIATIVES FUNDED THROUGH THE ANNUAL DESIGNATION OF THE VALUE OF ONE PENNY ON THE REAL ESTATE TAX RATE** (11:42 a.m.)

(BACs) On motion of Supervisor Bulova, seconded by Chairman Connolly, and carried by a vote of nine, Supervisor Hudgins being out of the room, the Board concurred in the recommendation of staff and approved the process for allocation, prioritization, and monitoring of the affordable housing preservation and production initiatives.

Non-profit and for-profit developers as well as the Fairfax County Redevelopment and Housing Authority (FCRHA) with a proven track record in affordable housing, will be eligible to apply for funding. All funding decisions will be made by the Board based upon recommendations made by the County Executive.

The role of the Advisory Committee will be to make recommendations to the County Executive and the Board regarding the following:

- Recommend goals and priorities for the use of the Fund.
- Assist in defining “affordability” as it relates to expenditure of the Fund.
- Review and provide guidance on the fund’s annual business plan and application procedures.
- Monitor effectiveness of the Fund on a quarterly basis and suggest course corrections.
- Enhance outreach to the community by communicating with and educating the public on the impact of the Plan.

Members who actively participated on the Affordable Housing Preservation Action Committee will be asked to serve as the Advisory Committee, with some additional representation from other organizations. The Committee has a diverse and highly qualified list of members.

In addition, representatives will be added to the Advisory Committee from the Fairfax-Falls Church Community Services Board (CSB); the Disability Services Board (DSB); the Alliance for Affordable Housing; the Alliance for Human Services; the Human Services Council (HSC); and the Social Services Advisory Committee; plus one additional member from the FCRHA to ensure full representation from a wide spectrum of affordable housing advocates and interests.

The following organizations will be authorized to name their own representative: CSB, DSB, FCRHA, Alliance for Housing, Alliance for Human Services, HSC, and the Social Services Advisory Committee.

19. **A-3 – FAIRFAX CITY REGIONAL LIBRARY FINAL AGREEMENT**
(11:42 a.m.)

Following discussion regarding last minute complications with the negotiations between the City of Fairfax and the County and the contractor, this item was withdrawn by staff.

20. **A-4 – APPROVAL OF APPLICATIONS FOR AND ACCEPTANCE OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) LOCAL PARTNERSHIP FUNDS** (11:43 a.m.)

(R) Supervisor Bulova moved that the Board concur in the recommendation of staff and adopt the Resolution endorsing the submission of applications to VDOT for Local Partnership Funds in an amount of up to \$25.332 million for the following transportation projects in the County:

- US Route 29 Pedestrian Underpass of Interstate 66
- Governor’s Congestion Relief Projects
- Burke Centre Virginia Railway Express Parking Expansion
- Richmond Highway Public Transportation Initiative

No local cash match is required.

This motion was multiply seconded.

Following discussion with input from Young Ho Chang, Director, Department of Transportation, regarding qualifying projects, the question was called on 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.

21. **C-1 – NATIONAL ASSOCIATION OF COUNTIES’ (NACo) ANNUAL CONFERENCE** (11:46 a.m.)

The Board next considered an item contained in the Board Agenda dated May 23, 2005, regarding designation of a voting and alternate delegate to represent the County at the NACo Annual Conference.

Supervisor Hyland moved that the Board designate the following delegates for the NACo Conference:

- Chairman Connolly as the voting delegate.
- Supervisor Hyland as the alternate voting delegate.

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

22. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-L04-17, FAIRFAX COUNTY PARK AUTHORITY (LEE DISTRICT)** (11:47 a.m.)

The Board next considered an item contained in the Board Agenda dated May 23, 2005, announcing the Planning Commission's approval of Public Facilities Review Application 2232-L04-17, Fairfax County Park Authority.

23. **I-2 – CONTRACT AWARD – FALLS HILL SUBDIVISION SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (PROVIDENCE DISTRICT)** (11:47 a.m.)

The Board next considered an item contained in the Board Agenda dated May 23, 2005, requesting authorization for staff to award a contract to Tessa Construction and Tech Company, LLC, in the amount of \$546,639 for the construction of Falls Hill Subdivision Sanitary Sewer Extension and Improvement, Project X00826, Extension Project Fiscal Year 1996, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

PMH:pmh

24. **DIRECT CARE WORKERS** (11:48 a.m.)

Chairman Connolly noted that direct care workers' collaborate closely with other health care providers to provide quality care to all citizens. The well-being and happiness of many patients depends greatly on direct care workers' such as nurse's aides, caregivers, personal care workers, and home care aides.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board proclaim June 9-16, 2005, as "*Direct Care Workers Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Long Term Coordinating Council to be recognized with the proclamation at the June 6, 2005, meeting. Without objection, it was so ordered.

25. **MOSQUITO AWARENESS WEEK** (11:48 a.m.)

Chairman Connolly said that the Health Department works diligently each year to inform citizens of methods to prevent mosquito bites. This campaign is recognized across the Commonwealth as a model preventative measure localities can take to help protect their citizens. This year the County was also asked by the Virginia Department of Health to pilot a tick prevention awareness campaign.

Therefore, Chairman Connolly asked unanimous consent that the Board proclaim June 19-25, 2005, as "*Mosquito Awareness Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Health Department to be recognized with the proclamation at the June 20, 2005, Board meeting. Without objection, it was so ordered.

26. **COUNTY GOVERNMENT TELEWORK PROGRAM INCREASES STEADILY; LEADERSHIP TEAM URGED TO ENCOURAGE PARTICIPATION** (11:49 a.m.)

Chairman Connolly said that in 2000, as Chairman of the Metropolitan Area Council of Governments, he initiated a regional goal, endorsed by the Board, to have 20 percent of the eligible workforce teleworking by 2005. With 825 County employees now actively participating in the telework program, the County leads the region in this effort to take cars off the road, fight gridlock, and improve air quality. That number represents over two thirds of the County's goal to have 20 percent of its eligible workforce teleworking by the end of 2005.

The County's telework program is growing steadily, with new teleworkers signing up all the time. The County Executive is to be commended for his continued commitment to keeping the County at the cutting edge of this regional effort. In his office's latest effort to boost the telework participation even further, earlier this month a program was started to encourage the County's top management to redouble their efforts toward the regional goal. The head of every department in the County attended the "No Place Like Home" event held in the Government Center. The importance of encouragement from managers was discussed if employees are going to learn to work differently, utilizing technology to stay in communication while working from home or from telework centers. Departments were honored with special awards in keeping with the theme: The Yellow Brick Road Award (for the teleworker with the longest commute); the Good Witch Award (for the Department that has promoted telework the longest); the Dorothy Award (for the newest teleworker); and the Ruby Slippers Award (for the department with the most teleworkers).

One-thousand County employees telecommuting one day a week will save 1.8 million commuting miles, preventing 720,000 pounds of pollutants from entering the air we breathe. Teleworking is not the only solution to the region's air quality and road congestion challenges, but along with mass transit and carpooling, it is a critical one. In addition, teleworking plays a necessary role during emergencies. It is an important part of any emergency preparedness effort.

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to prepare certificates of commendation for Catherine A. Chianese, Assistant to the County Executive, and all the members of the telework team for their enthusiasm, creativity, and resolve to assure that the County continues to lead the region in the effort to achieve the critical telework goal. Without objection, it was so ordered.

27. **FORT BELVOIR** (11:50 a.m.)

Jointly with Supervisor Kauffman, Supervisor Hyland, and Supervisor McConnell, Chairman Connolly said that on Friday, May 13, the Department of Defense issued its report on base closures and relocations. As a result, Northern Virginia is going to sustain both the largest single loss of jobs with over 23,000 jobs cut from Arlington and Alexandria, and the single largest addition of net new jobs with the addition of 18,000 jobs in Fort Belvoir and the Engineering Proving Grounds (EPG). This sudden infusion of new employees brings with it the challenge of how to incorporate these jobs and the people who fill them into an area where the major road network has, with the exception of paving and widening, remained largely unchanged since tobacco was rolled down what is today Richmond Highway.

Six years ago the Board requested a study of extending transit service from the Franconia-Springfield Metro Station to the EPG and southward to the Main Post of Fort Belvoir. Similarly, the County and the Virginia Department of Transportation recently finished an exhaustive review of the future roadway improvement needs of Richmond Highway and concluded that a transit link was needed tying Fort Belvoir to the Huntington Station. This influx of jobs will have a large and unanticipated impact not only on the transportation system, but across the infrastructure spectrum, affecting schools, air quality, and housing stock, to name but a few. County staff resources must be brought to bear and a single point of contact must be chosen, to ensure that information is shared quickly and seamlessly between Fairfax and the US Army. The "implementation plan" to be drafted by Fort Belvoir over the next 90 days must be a first cut, and community input and guidance must be sought, so that and long-term strategy can be crafted to ensure the lasting success for the Army, the current community, and the future of this area.

Therefore, Chairman Connolly moved that:

- A meeting of the Board's Fort Belvoir Committee be scheduled with dispatch to ensure that Board colleagues, staff, and the public have a chance to be fully briefed on the scope of the proposed changes.
- The Board declare its firm conviction that when the federal government makes a decision that adds 18,000 jobs to the County, it has a special obligation to help in a substantial and significant way to offset these impacts.
- The Board exhort its congressional delegation for assistance in the dedication of funds for transportation improvements in the Richmond Highway corridor and its environs, including but not limited to the extension of rail from Huntington to Fort Belvoir

itself, the extension of rail from Franconia-Springfield to the EPG and from there to Fort Belvoir, enhanced bus services, and other sundry road improvements.

Supervisor Hyland seconded the motion.

Following discussion of the motion, Supervisor McConnell asked unanimous consent that the Board direct staff to report with information regarding a commuter train to new facilities. Without objection, it was so ordered.

Supervisor Smyth asked unanimous consent that the Board direct staff to review the possibility of using a study similar to the license plate study regarding the Vienna Metro to determine where the 18,000 people are currently living and where they are coming from. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

28. **TYSONS COORDINATING COMMITTEE** (12:08 p.m.)

(BACs)

Jointly with Supervisor DuBois, Supervisor Hudgins, and Supervisor Smyth, Chairman Connolly said that Tysons Corner is the economic engine driving the County to and through the 21st Century, and the conditions established by this Comprehensive Plan update must continue to foster the economic vitality of the urban center. The continued commercial success of Tysons plays a major role in providing enough revenue to allow the Board to keep providing tax relief to homeowners. The residents of the County cannot afford an economic decline in Tysons Corner. In addition, Tysons needs a better mix of residential and commercial development to mitigate traffic congestion. Tysons must also remain a center for retail activity.

Mission: With this goal in mind, the mission of the Tysons Coordinating Committee is to update the 1994 Plan to:

- Promote more mixed use.
- Better facilitate transit-oriented development.
- Enhance pedestrian connections throughout Tysons.
- Increase the residential component of the density mix.
- Improve the functionality of Tysons.
- Provide for amenities and aesthetics in Tysons, such as public spaces, public art, parks, etcetera.

Scope: The scope of the Council's charge is to:

- Focus on transit nodes.
- Folding the APR nominations into this process.
- Ensure that transportation impacts are addressed.
- Help define the future of Tysons.

Composition: A diverse mix of stakeholders from the community, businesses, and major employers. The Committee shall build on its existing membership of 13 by:

- Adding one district representative from those not yet represented, if desired - Mason, Mount Vernon, Lee, Springfield, Braddock, and Sully. These representatives may be anyone living in each of those districts, and are to be appointed by the District Supervisors; (6). Inviting the Chamber of Commerce and TYTRAN each to nominate three representatives (employers, employees, small and minority business representatives, etcetera); (6).
- Adding the Tysons neighborhoods on both sides of Route 123, and Westwood at Ashgrove, to each nominate one representative; (3)
- Adding one representative each from Dranesville and Hunter Mill District neighborhoods or coalitions; (2).
- The appointing of a chair by the Chairman of the Board of Supervisors.

Process: The Tysons Coordinating Committee should employ informational and educational outreach methods such as:

- Community focus groups, using professionals to conduct/facilitate to:
 - Share visions and ideas.
 - Move to a shared vision of what Tysons can be.
 - Collect community ideas, concerns, and issues.
 - Specific working groups as deemed necessary and useful (these working groups can add others from the community who will not serve on the Council itself).

- Public outreach presentations to civic associations, community meetings, business and Chamber meetings, and those four meetings that may be authorized.
- Community meetings.

Timeline: The Committee should complete its work in the next 15 months. The Committee, with assistance from County staff and the facilitators, should review an appropriate report and plan amendment(s) as necessary for Planning Commission and Board consideration.

Supervisor Smyth seconded the motion.

Supervisor Smyth noted that the expansion was requested by the existing committee because of the challenges the committee faces in doing public outreach to everyone who is interested in the future of Tysons. The primary mission of the committee is still public outreach, gathering input from the public, and making the planning process as inclusive as possible. A community vision as the basis for the Tysons planning study is desired.

Following discussion of the Committee, Supervisor McConnell asked unanimous consent that the timeframe to complete the work be 12-15 months. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

29. **ABSENCE OF SUPERVISOR HUDGINS (HUNTER MILL DISTRICT)**
(12:16 p.m.)

Chairman Connolly announced that Supervisor Hudgins was representing the Board at the renaming of the Post Office in Reston. He added that it was being named in honor of former Board Member, Martha Pennino.

(NOTE: Later in the meeting this issue was discussed. See Clerk's Summary Item CL#56.)

30. **INTENT TO APPOINT THE CHAIRMAN OF THE TYSONS COORDINATING COMMITTEE** (12:16 p.m.)

(BACs) Chairman Connolly announced his intent to appoint Ms. Katherine K. Hanley as the Chairman to Tysons Coordinating Committee.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

31. **SPOTLIGHT BY STARLIGHT (MASON DISTRICT)** (12:17 p.m.)

Supervisor Gross announced that the Mason District Park Amphitheater, also known as the Newton W. Edwards Amphitheater, that burnt down late last year is being rebuilt on schedule and will be ready for the opening of the new season of Spotlight By Starlight on Sunday, June 5, 2005.

The Board and the Park Authority would like to invite all residents to the rededication ceremonies at 6 p.m. followed by a reception, and at 7:30 p.m., the first free concert of the season by the City of Fairfax Concert Band.

Mason District Park is located at 6621 Columbia Pike in Annandale. For more information contact the Mason District Supervisor's Office at 703-256-7717 or the Park Authority Public Information Office at 703-324-8662.

32. **LEE BOULEVARD HEIGHTS COMMUNITY (MASON DISTRICT)** (12:21 p.m.)

Supervisor Gross said that the Lee Boulevard Heights Community is celebrating its fiftieth anniversary of its annual Fourth of July Parade. In addition to the parade, festivities will include a water balloon toss competition between members of the police and fire departments, a block party, and a moon bounce for the children.

Therefore, Supervisor Gross asked unanimous consent that the Board issue a certificate commemorating this milestone to be signed by the Chairman of the Board and the Mason District Supervisor. Without objection, it was so ordered.

33. **ENVIRONMENT COMMITTEE MEETING** (12:21 p.m.)

Supervisor Gross announced that the next meeting of the Board's Environment Committee has been rescheduled until Monday, July 11, 2005, at 8 a.m.

34. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (12:22 p.m.)

Supervisor Smyth announced that she had no Board Matters to present today.

35. **RECOGNITION OF VAN METRE COMPANIES FIFTIETH ANNIVERSARY** (12:22 p.m.)

Supervisor Bulova said that in 1955, Albert G. Van Metre, Sr. started a small privately held building company in Northern Virginia. Now 50 years later, the Van Metre Companies have built, sold, and managed more than 15,000 single family homes, townhomes, condominiums, and apartment complexes in the Washington Metropolitan area and have served more than 50,000 homeowners and residents.

Van Metre Companies, headquartered in the Braddock District, have over 425 employees and had revenue of over \$335 million in 2004. It has been recognized over the years for many achievements including numerous Finest for Family Living Awards.

In June, a special fiftieth anniversary event is planned by Van Metre and Members of the Board will be invited to attend. Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to invite Mr. Van Metre, Sr. and other members of the family to appear before the Board on June 6, 2005, to be recognized for their contributions to the success of the County. Without objection, it was so ordered.

36. **NURSE OF THE YEAR** (12:24 p.m.)

Supervisor Bulova announced that Robin Smith, who is a nurse at the County Adult Detention Center, has been named "Nurse of the Year" by the *Washington Post*.

In an article in the Sunday, May 8, 2005, section of Healthcare Jobs in the *Post*, Nurse Smith is described as ". . .hardworking, very knowledgeable, and dedicated to her work" in the very high-risk population of 1,500 inmates. According to medical technician Munir Ahmad "It's not uncommon to find Robin meeting with . . . inmates several times a week to help them become compliant with their prescribed treatment plan." Her boss Donna Mayne says she has witnessed the difference Nurse Smith has made in the lives of the individuals she serves with her "kind, assertive, and positive attitude."

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to invite Nurse Robin Smith to appear before the Board to be thanked and recognized for her work and the honor she has received. Without objection, it was so ordered.

37. **BRADDOCK NIGHTS CONCERTS (BRADDOCK DISTRICT)**
(12:25 p.m.)

Supervisor Bulova announced that the first Braddock Nights concert is scheduled for Friday, June 3, 2005. Concerts are held at Lake Accotink and Lake Royal.

38. **BRADDOCK BYLINE (BRADDOCK DISTRICT)** (12:26 p.m.)

Supervisor Bulova announced that a Braddock District Town meeting would be held on Wednesday, May 25, 2005, at 7:30 p.m. at the Kings Park Library Community Room.

39. **CONCERT SERIES** (12:26 p.m.)

Supervisor Kauffman asked unanimous consent that the Board direct staff to publicize a complete list of all of the concerts scheduled from the start of the summer to the end. Without objection, it was so ordered.

40. **McLEAN DAY (DRANESVILLE DISTRICT)** (12:27 p.m.)

Supervisor DuBois announced that McLean Day was very successful.

41. **McLEAN COMMUNITY CENTER (DRANESVILLE DISTRICT)**
(12:28 p.m.)

(BACs) Supervisor DuBois moved that the Board confirm the following appointments to the McLean Community Center:

Adult Candidates (3 Year Term):

- Sean A. Dunn
- Nyka Jasper Feldman
- Charisse McElroy

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

Supervisor DuBois moved that the Board confirm the following appointments to the McLean Community Center:

Youth Candidates (1 Year Term):

- Hilary Sanders, Langley High School
- Jessica Richardson, McLean High School

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

42. **ODYESSY OF THE MIND (DRANESVILLE DISTRICT)** (12:29 p.m.)

Supervisor DuBois said that a team from Forestville Elementary School will travel to Boulder, Colorado to participate in the Odyessy of the Mind 2005. The team placed first for the State.

Supervisor DuBois asked unanimous consent that the Board direct staff to invite the team, their coaches, and principals to appear before the Board on June 20, 2005, to be recognized for this accomplishment. Without objection, it was so ordered.

43. **DRANESVILLE DISTRICT ATHLETIC FIELDS TASK FORCE REPORT**
(12:31 p.m.)

Supervisor DuBois distributed to Board Members the Dranesville District Athletic Fields Task Force Report. She encouraged Board Members to review the report.

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

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board refer this report to the Department of Community Services for review and to determine if this report can be used as a model. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

DET:det

44. **DEFERRAL OF THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2005-LE-001 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-L-001 (SAUL HOLDINGS LIMITED PARTNERSHIP BY: PAUL CENTERS, INCORPORATED, GENERAL PARTNER (LEE DISTRICT))** (12:34 p.m.)

Supervisor Kauffman announced his intent, later in the meeting at the appropriate time, to defer the following public hearings until a day and time to be determined:

- Special Exception Application SE 2005-LE-001
- Special Exception Amendment Application SEA 94-L-001

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Items CL#63 and CL#64.)

45. **REZONING ON BLAND STREET (ROUTE 1155), EAST OF BRANDON AVENUE (ROUTE 371) (LEE DISTRICT)** (12:34 p.m.)

Supervisor Kauffman said that KSI Services, Incorporated, wanted to file a rezoning application in the Springfield Central Business District that required the Board's authorization because there was a small piece of property that was a right-of-way owned by the Board. The right-of-way in question was the "stub"

portion of Bland Street (Route 1155), east of Brandon Avenue (Route 371) just before Bland Street becomes a private right-of-way, as part of a potential rezoning application which included the aforementioned portion of Bland Street and Tax Map Numbers 80-4-((1))-6F, 4A and 4. The potential rezoning proposed to vacate the right-of-way “stub” to allow the applicant to slightly realign Bland Street as part of the rezoning. The rezoning is located directly west of I-95, south of Commerce Street, east of Brandon Avenue, and north of Old Keene Mill Road. The rezoning in question would be filed by Midtown Springfield, LLC, and developed by KSI Services, Incorporated. The rezoning application sought to change the zoning district from the existing C-4, C-6, and C-8 Zoning Districts to a density not to exceed that allowed under the PRM Zoning District.

Supervisor Kauffman moved that the Board authorize the filing of a rezoning application on Bland Street (Route 1155), east of Brandon Avenue (Route 371), as generally identified in the pending rezoning application filed in the name of Midtown Springfield, LLC. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Supervisor Kauffman noted that approval of the motion would in no way prejudice the substantive review of the pending rezoning in any way.

46. **PUBLIC HEARING DATE FOR A REZONING CASE IN THE RICHMOND HIGHWAY COMMERCIAL REVITALIZATION DISTRICT (CRD) (LEE DISTRICT)** (12:36 p.m.)

Supervisor Kauffman said that Landmark Property Development had a rezoning case pending before the Planning Commission and Board located along Buckman Road and Richmond Highway in the Lee District. The application was in the Richmond Highway CRD and had been embraced by local citizens and the Southeast Fairfax Development Corporation, the local revitalization agency.

The applicant currently has a Planning Commission public hearing date of June 16, 2005. Consistent with CRD guidelines, Supervisor Kauffman moved that the Board direct staff to schedule a public hearing to be held before the Board on August 1, 2005. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Supervisor Kauffman noted that the motion would in no way prejudice the review of the rezoning application by the Board and would not relieve the applicant from any ordinance requirements or adopted standards in any way.

47. **HISTORIC DISTRICT SHUTTLE (MOUNT VERNON DISTRICT)** (12:37 p.m.)

Supervisor Hyland announced that when the Department of Defense (DoD) released the Base Realignment and Closure (BRAC) List, it announced the migration of 18,000 people to the southeastern corner of the County which would

undoubtedly have a significant impact on the infrastructure and services the Board has committed to provide its citizens. As the Board works with its State and congressional delegations to mitigate the impact of DoD's announcement, Supervisor Hyland reminded the Board that the growth of Fort Belvoir would not be constrained to the BRAC's recommendations. He added that while the arrival of 18,000 people to the Mount Vernon District was substantial, the completion of the Army Museum at Fort Belvoir would bring more than five times that amount annually and that it would be wise to use the hotel occupancy tax, which the County receives partly from tourism, to provide a service that helped manage traffic congestion and afford tourists the opportunity to see some of the other historic sites the County has to offer.

Supervisor Hyland moved that the Board direct staff to review the feasibility and cost of using the Hotel Occupancy Tax to operate a shuttle from Mount Vernon Estate to Gunston Hall with stops at the Grist Mill, Woodlawn Plantation, the Army Museum, Pohick Church, the Lorton Arts Foundation, and the Cold War Museum. Supervisor McConnell seconded the motion. After discussion, with input from Anthony H. Griffin, County Executive, Supervisor Hyland asked to amend the motion to direct staff to:

- Evaluate the cost of a shuttle.
- Review, for next year, financing options.

This was accepted.

Further discussion ensued concerning the County's hosting of the Spring Board meeting of the Virginia Association of Counties this past weekend. Chairman Connolly thanked Supervisor Hyland for the work he did to enable their colleagues from around the State to see Mount Vernon, which provided an excellent opportunity to enjoy a sense of the history in the County. Chairman Connolly also thanked County staff for their efforts.

Supervisor Gross asked unanimous consent that the Board direct staff to commend Angela Carson, a contract bus driver who participated in Saturday's activities, for her driving skills and for being such a good sport in taking care of the participants.

The question was then called on the motion, as amended, and it carried by a vote of nine, Supervisor Hudgins being out of the room.

DS:ds

48. **REQUEST FOR RECOGNITION OF CHANTILLY HIGH SCHOOL'S CHARGER YEARBOOK STAFF AND RETIRING PRINCIPAL, TAMMY TURNER (SULLY DISTRICT)** (12:42 p.m.)

Supervisor Frey said the Chantilly Charger Yearbook was awarded the best in the country this year. It is a five time champion of the Wachovia Cup for being the best all around school in Virginia.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite the Yearbook Staff and principal Tammy Turner, who will be retiring, to appear before the Board to be recognized for their accomplishments at the June 6, 2005, meeting.

Discussion ensued regarding the date for the recognitions. Following a query, to Catherine A. Chianese, Assistant to the County Executive, regarding the schedule Chairman Connolly announced that the Board meeting for June 6, 2005, would begin at 8:30 a.m.

Following a brief discussion, without objection, the request was so ordered.

49. **ADDITION OF PROPERTIES TO BE STUDIED FOR INCLUSION IN THE CENTREVILLE HISTORIC OVERLAY DISTRICT (SULLY DISTRICT)** (12:44 p.m.)

Supervisor Frey said that on August 2, 2004, the Board supported his motion to examine expansion of the Centerville Historic District which included researching properties proposed for inclusion in the Centerville Historic Overlay District. On February 7, 2005, the Board supported his motion to include additional properties in the study. The work group has had a considerable number of discussions regarding the boundaries and they have requested that remains of the forts be included in the study.

Therefore, Supervisor Frey moved that the Board direct staff to:

- Include the following properties in the research of the proposed boundaries: 54-4 ((10)) A, 54-4 ((14)) B, 54-4 ((2)) 2, 54-4 ((4)) 4, and 54-4 ((2)) 11
- Add the following roads that connect to the forts, making it contiguous with the proposed expansion area:
 - Wharton Lane – beginning before the intersection with Pickwick Road and continuing up to parcel 54-4 ((10)) A

- Pickwick Road – beginning at the intersection with Leland Road and continuing up to 54-4 ((14)) B.

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

50. **OPENING OF CUB RUN RECenter (SULLY DISTRICT)** (12:49 p.m.)

Supervisor Frey thanked Chairman Connolly for coming helping to dedicate the newest of the Fairfax County Park Authority RECenters. He said that this center has a significantly larger fitness area with state-of-the-art equipment.

51. **HEALTH INSURANCE BENEFITS FOR COUNTY RETIREES** (12:52 p.m.)

Supervisor McConnell said that during the budget hearings staff was directed to report on insurance benefits for County retirees. She asked for a status report and if it will be coming back to the Board soon, and what opportunity the Board will have to possibly remedy it.

Discussion ensued with input from Anthony H. Griffin, County Executive, regarding the report, which he said should be coming to the Board in September.

52. **FAIRFAX COUNTY PARKWAY DELAYS** (12:54 p.m.)

Supervisor McConnell said that recently she had a visit from Colonel Williams and members of his staff at her home, for a briefing on the Base Realignment and Closure Commission. One of things discussed was the delay in the Fairfax County Parkway for possibly a year by the Virginia Department of Transportation (VDOT) because of two sections of land – one has contamination and one has possible unexposed ordinances.

Supervisor McConnell said that she spoke with Secretary of Transportation, Pierce Homer, and expressed her concern regarding the delays and said that Mr. Homer asked her to put her concerns in writing. She said that she will be sending a letter today, with copies also being sent to Senator Warner and Governor Warner. She encouraged her colleagues to do the same.

Supervisor McConnell said that she doesn't understand why two small pieces in the road can not be written out in some legal document to say that these will be done later, and let VDOT start at both ends and meet there. She said that it is her understanding that there is a policy or law that states that the Federal government cannot turn over contaminated land. Supervisor McConnell said that the County should move on this issue to ensure that the Parkway is completed in an expeditious manner.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the County Attorney to research this matter. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Discussion ensued with input from Anthony H. Griffin, County Executive, regarding the time constraints.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to also report with a solution for getting to completion by 2007. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Additional discussion ensued regarding the delays.

53. **CONGRATULATIONS TO CHAIRMAN CONNOLLY** (1:06 p.m.)

Supervisor Gross, on behalf of the Board, congratulated Chairman Connolly for receiving the Virginia Transit Association Award as the Outstanding Contribution by a Public Official.

54. **RECESS/CLOSED SESSION** (1:07 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. *Richard C. Weidman v. Fairfax County Water Authority, Fairfax County Board of Supervisors, and Casper Cosolino and Sons,*

- Inc.*, In Chancery No. CH-2005-0001388 (Fx. Co. Cir. Ct.), Record No. (Sup. Ct. Va.) (Dranesville District)
2. *The Ira and Virginia Cox Limited Partnership, LLP, et al. v. Board of Zoning Appeals, et al.*, At Law No. CL-2002-0210690 (Fx. Co. Cir. Ct.); *William E. Shoup, Fairfax County Zoning Administrator v. The Ira and Virginia Cox Limited Partnership, LLP*, In Chancery No. CH-2003-0183107 (Fx. Co. Cir. Ct.); Record No. 042782 (Sup. Ct. Va.) (Sully District)
 3. *West Lewinsville Heights Citizens Association, Stephen L. Sulzer, Leonard N. Berman, Daniel J. Wolkenstorfer, Donald N. Huff, and Robert F. Rosenbaum v. Board of Supervisors of Fairfax County, Virginia, Fairfax County Park Authority, and William E. Shoup, Fairfax County Zoning Administrator*, Record No. 042274; *Board of Zoning Appeals of Fairfax County v. Board of Supervisors of Fairfax County, Virginia, Fairfax County Park Authority, and William E. Shoup, Fairfax County Zoning Administrator*, Record No. 042326 (Sup. Ct. Va.) (Dranesville District)
 4. *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)
 5. *Washington Mutual Bank, FA, Stephen B. Wood, Trustee, and F & M Services, LC v. Costello P. Wilson, III, William Shoup, Zoning Administrator, Fairfax County, Fairfax County Redevelopment and Housing Authority, Board of Supervisors, Fairfax County, Small Business Administration, Specialized Inc. of Virginia, and Autumn Chase Hunt Home Owners Association*, In Chancery No. CH-2005-0001858 (Fx. Co. Cir. Ct.) (Lee District)
 6. *William E. Shoup, Fairfax County Zoning Administrator v. Peter Komtzamanys*, In

Chancery No. CH-2004-0190140 (Fx. Co. Cir. Ct.) (Hunter Mill District)

7. *William E. Shoup, Fairfax County Zoning Administrator v. Duong Mui Hoang and Lan Mai Dong*, In Chancery No. CH-2005-0001149 (Fx. Co. Cir. Ct.) (Lee District)
8. *Lancaster Landscapes, Inc. v. Board of Zoning Appeals of Fairfax County, Virginia*, At Law No. CL-2005-0002054 (Fx. Co. Cir. Ct.) (Providence District)
9. *William E. Shoup, Fairfax County Zoning Administrator v. Hunter Jenkins*, In Chancery No. CH-2005-0001149 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. *William E. Shoup, Fairfax County Zoning Administrator v. Richard H. Pleasants, IV*, In Chancery No. CH-2005-0002219 (Fx. Co. Cir. Ct.) (Mason District)
11. *Board of Supervisors v. Jacobsen Builders, Inc., et al.*, At Law No. CL-2005-0002874 (Fx. Co. Cir. Ct.) (Braddock District)
12. *Board of Supervisors v. Fairfax Golf Club, LLC*, At Law No. CL-2005-0002677 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- Virginia Code Section 15.2-852.

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

DET:det

At 3:20 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor McConnell, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION55. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:20 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 a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room.

DET:det/PMH:pmh

ADDITIONAL BOARD MATTERS56. **MARTHA V. PENNINO POST OFFICE (HUNTER MILL DISTRICT)** (3:21 p.m.)

(NOTE: Earlier in the meeting this issue was mentioned. See Clerk's Summary Item CL#29.)

Supervisor Hudgins announced that she attended the renaming ceremony of the Reston Post Office to the Martha V. Pennino Post Office.

57. **HBL, INCORPORATED (HUNTER MILL DISTRICT)** (3:21 p.m.)

Supervisor Hudgins said that HBL, Incorporated is processing a special exception amendment application to permit construction of an automatic drive-through on an existing dealership site in Tysons Corner. This car wash will permit much improved recycling of water and will allow for less water usage than hand washing.

The County recently deferred the Planning Commission public hearing due to an error on the tax map. This error has since been corrected, and the applicant is eager to move forward with the public hearings. The applicant has worked closely with staff and the Hunter Mill Land Use Committee to respond to questions and issues raised throughout the review process.

Therefore, Supervisor Hudgins moved that the Board direct the Office of the County Executive to schedule a public hearing to be held before the Board regarding Special Exception Amendment Application SEA 82-C-063-4 on July 11, 2005. This motion does not relieve the applicant from complying with all regulations, ordinances or adopted standards and does not prejudice the

consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

58. **GIRLS FINANCIAL LITERACY WEEK** (3:22 p.m.)

Supervisor Hudgins said that in a 2000 Gallup poll, women ranked financial issues as the most pressing personal concern in their lives ahead of family, health, time, stress, and equal rights. The Foundation for Financial Literacy found that 84 percent of girls are concerned about staying out of debt. Women on average still earn less than men (about 75 cents to every dollar a man makes). Women are three times more likely than men to work in part-time jobs where pay is lower and pension benefits are less available.

In response to these concerns, the Girls' Advisory Board of Capital Financial Partners and the Department of Community and Recreation Services are co-hosting a Financial Literacy Event for Teenaged Girls on Wednesday, June 29, 2005.

During a special half-day event, teenaged girls will experience the financial realities of adulthood by assuming the role of a 25 year-old woman. Each participant will randomly receive an occupation and the associated monthly income and a family situation such as living alone, being a single parent, or married with three children. She will then have several hours to make financial decisions about how to live her life.

Therefore, Supervisor Hudgins asked unanimous consent that the Board:

- Proclaim June 27 - July 1, 2005, as "*Girls Financial Literacy Week*" in Fairfax County, and urges all residents to join in educating their children on financial management and fiscal responsibility.
- Direct staff to invite them to appear before the Board on June 6, 2005.

Without objection, it was so ordered.

59. **DISABILITY SERVICES BOARD (DSB) – YEAR OF TRANSPORTATION** (3:25 p.m.)

Supervisor Hudgins said that she has received complaints and became concerned about the limited options and reliability of the transportation modes available to the disability community. She has also been contacted by DSB, to determine how DSB and the Board of Supervisors can work together to address these concerns.

As a first step, Supervisor Hudgins suggested that public meetings be held to determine specific areas in need of improvement and current barriers to service. She added that a team with representation from any or all of the following departments could be established, and tasked to hold public hearings in at least three areas of the County:

- The DSB
- FASTRAN
- Area Agency on Aging
- Department of Systems Management
- Department of Family Services
- Community Services Board

The meetings would be chaired by Department of Transportation. With the information provided through these public hearings by members of the disabled community, the Board would begin to identify and address the specific problems and necessary improvements required to resolve the growing trend of underserving the disabled community in their transportation needs.

Therefore, Supervisor Hudgins moved that the Board direct staff to develop an initial work plan by the July 2005 timeframe for conducting outreach to people with disabilities, including advertising and holding public forums, to address the limited options and reliability of the transportation modes available to the disability community; and produce a final report to the Board by October 1, 2005. Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

60. **GREATER RESTON ARTS CENTER, INCORPORATED (GRACE)**
(HUNTER MILL DISTRICT) (3:28 p.m.)

Supervisor Hudgins said that the Fiscal Year 2006 Adopted Budget included the approval of contribution to GRACE for the exhibition of Fairfax County art and artifacts in lieu of leasing space in the GRACE Arts and Cultural Center.

Therefore, Supervisor Hudgins moved that the Board direct the County Attorney to review a proposed Memorandum of Understanding concerning the arrangements with GRACE as to the exhibition of Fairfax County art and artifacts in the Reston Town Center Art and Cultural Center with recommendations for approval at the next meeting. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

61. **RECOGNITION FOR MS. CLARA JOHNSON (HUNTER MILL DISTRICT)** (3:29 p.m.)

Supervisor Hudgins said that Clara Johnson is the building supervisor at Hunters Woods Elementary School for the Arts and Sciences and has been named Fairfax County Public Schools (FCPS) 2005 Support Employee of the Year. She is a 29-year veteran of FCPS, and has been the building supervisor at Hunters Woods since 1979. This recognition continues her career of successes because in 1982, Ms. Johnson was also recognized by FCPS as the Building Supervisor of the Year.

Her leadership is evident. She is widely praised for her dedication to the school and students and for her positive, can-do attitude from handling facility needs to keeping the building secure - to making certain that things functioned seamlessly during the school's recent renovation - to her ability to keep a calm atmosphere in the cafeteria during lunchtime and for serving as a positive role model for students.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Ms. Clara Johnson to appear before the Board, on Monday, June 20, to be congratulated for being named Fairfax County Public School 2005 Support Employee of the Year. Without objection, it was so ordered.

62. **THE COALITION FOR HOUSING OPPORTUNITIES IN THE COMMUNITY FOR EVERYONE, INCORPORATED (CHOICE)** (3:30 p.m.)

Jointly with Chairman Connolly, Supervisor Hudgins announced that on Friday, May 20, CHOICE presented the Board with a CHOICE award for its commitment to affordable and accessible housing and publicly premiered Rolling production's "CHOICE Home Modification Program Video."

Therefore, Supervisor Hudgins asked unanimous consent that the Board:

- Extend its appreciation to CHOICE for its outstanding work in assisting persons with disabilities with home modifications.
- Direct the Office of Public Affairs to broadcast the Rolling Production's "CHOICE Home Modification Program Video" so that all in the County can see the wonderful work of CHOICE.

Without objection, it was so ordered.

AGENDA ITEMS

DMB:dmb

63. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2005-LE-001 (SAUL HOLDINGS LIMITED PARTNERSHIP BY: PAUL CENTERS, INCORPORATED, GENERAL PARTNER) (LEE DISTRICT)** (3:32 p.m.)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SE 2005-LE-001 until **June 20, 2005, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

64. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-L-001 (SAUL HOLDINGS LIMITED PARTNERSHIP BY: SAUL CENTERS, INCORPORATED, GENERAL PARTNER) (LEE DISTRICT)** (3:34 p.m.)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SEA 94-L-001 until **June 6, 2005, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

65. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2005-SU-008 (MINNIELAND PRIVATE DAY CARE SCHOOL, INCORPORATED – CENTREVILLE SQUARE PROJECT, LP) (SULLY DISTRICT)** (3:34 p.m.)

The application property is located at 6001 Centreville Crest Lane, Tax Map 54-4 ((1)) 117 pt.

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

Mr. McBride 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 Frey moved approval of Special Exception Application SE 2005-SU-008, subject to the development conditions dated April 27, 2005. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER66. **CHAIRMAN'S RED FOLDER** (3:38 p.m.)

Chairman Connolly requested the Clerk's Office to place the Speaker's list in the Chairman's red folder at the beginning of Board meetings.

AGENDA ITEMS67. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-HM-036 (WALKER MANAGEMENT, INCORPORATED) (HUNTER MILL DISTRICT)** (3:39 p.m.)

The application property is located at 12001 Sunrise Valley Drive, Tax Map 17-3 ((8)) (4) 1.

Ms. Inda E. Stagg reaffirmed the validity of the affidavit for the record.

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

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

Discussion ensued with input from Ms. Stagg and Ms. Swagler regarding signage on the property.

Supervisor Hudgins stated for the record, that there were approvals by the Reston Planning and Zoning Committee, the Architectural Review Board, and the Planning Commission. However, Supervisor Hudgins noted that the decision was a difficult one since approval by Reston Planning and Zoning was actually a vote of seven for approval, four in opposition, and six abstaining.

Supervisor Hudgins moved to defer decision on Special Exception Application SE 2004-HM-036, until **June 6, 2005, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

68. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-052 (RAILROAD TREE CORPORATION) (PROVIDENCE DISTRICT)** (3:50 p.m.)

Supervisor Smyth moved to defer the public hearing on Proffered Condition Amendment Application PCA 88-P-052 to **June 6, 2005, at 3 p.m.** Chairman

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

69. **BOARD RECESS** (3:50 p.m.)

At 3:50 p.m., the Board recessed briefly, and, at 4:03 p.m., reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Hyland and Supervisor McConnell, and with Chairman Connolly presiding.

70. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-S1, FOR PROPERTY LOCATED NORTH OF OLD KEENE MILL ROAD, WEST OF BACKLICK ROAD (LEE DISTRICT)** (4:03 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 5 and May 12, 2005.

Lindsey Mason, Planner II, Planning Department, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S04-IV-S1 as recommended by the Planning Commission dated May 18, 2005, which allows freestanding hotel use on the property. Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

71. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE SIGNAL HILL COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)** (4:07 p.m.)

(O) (NOTE: On February 28, 2005, the Board deferred the public hearing on this item until May 23, 2005, to allow staff time to amend the advertisement.)

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 May 5 and May 12, 2005.

Paul Mounier, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by eight speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Signal Hill CPD in accordance with the existing CPD Code, and reflecting adjustments that were

made to the block along Lake Braddock Drive, Mount Burnside Way, and Parliament Drive, following the Boards deferral of the original public hearing date of February 28, 2005. The proposed CPD includes the following streets:

- Bald Hill Place (Route 5821)
- Blake House Court (Route 5822)
- Blue Jug Landing (Route 7602)
- Flint Tavern Place (Route 6450)
- Fort Corloran Drive (Route 5817)
- Fort Craig Drive (Route 5912)
- Fort Fisher Court (Route 6499)
- General Banks Court (Route 5820)
- Grovers Theater Court (Route 5818)
- Herberts Crossing Drive (Route 5824)
- Home Guard Drive (Route 5911)
- Lake Braddock Drive (Route 3647): From De Soto Street to Fort Corloran Drive and from Marshall House Court to Signal Point Court
- Light Infantry Drive (Route 6701)
- Lyon Park Court (Route 5913)

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

Supervisor Bulova and Chairman Connolly submitted items for the record.

72. **4 P.M. – PH 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)** (4:35 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 May 5 and May 12, 2005.

Michael E. Jollon, Planner, Department of Transportation (DOT), presented the staff report.

Discussion ensued with input from Ellen Gallagher, Chief, Traffic Operations Section, DOT, regarding whether the study involved only hazardous material trucks or all trucks, and if the County has other roads with this restriction.

Supervisor DuBois, Supervisor Hudgins, Supervisor Smyth, and Chairman Connolly submitted items for the record.

Following the public hearing, which included testimony by ten speakers, discussion ensued with extensive input from Ms. Gallagher regarding the speed limit on Hunter Mill Road, clarification of the term HazMat, whether the study conducted by the Virginia Department of Transportation (VDOT) will come back to the Board for recommendations, whether there are alternative routes, the effect on them, and if there is enforcement authority.

Chairman submitted for the record, a petition in support of the VDOT study.

Discussion ensued with input from Ms. Gallagher regarding whether the County has a process in place to consider a request for a restriction study and the road classification of Hunter Mill Road.

Supervisor Hudgins moved adoption of the Resolution requesting VDOT to study the feasibility of including Hunter Mill Road in the Residential Traffic Administration Program for a HAZMAT through truck traffic restriction. Supervisor Smyth seconded the motion.

Supervisor Smyth asked to amend the motion to include a study of the speed limits on Hunter Mill Road, and this was accepted.

Supervisor Kauffman asked to amend the motion to direct staff to review the administrative process that brings the recommendation to the Board, the follow-through procedures, and whether there will be Board input, and this was accepted.

The question was called on the motion, as amended, and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Chairman

Connolly voting "AYE," Supervisor Hyland and Supervisor McConnell being out of the room.

Further discussion ensued with input from Ms. Gallagher regarding conducting a separate study regarding the speed limits.

73. **4 P.M. – PH ON A PROPOSAL TO VACATE A SEGMENT OF WORTHINGTON WOODS WAY (SULLY DISTRICT)** (5:17 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 5 and May 12, 2005.

Donald Stephens, staff, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the Ordinance as contained in the staff report as Attachment III, vacating a segment of Worthington Woods Way. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland and Supervisor McConnell being out of the room.

74. **ORDERS OF THE DAY** (5:19 p.m.)

Chairman Connolly announced that there would be a change in the Orders of the Day and that the Board would proceed with the 4:30 p.m. public hearings.

75. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2003-LE-028, SPECIAL EXCEPTION APPLICATION SE 2003-LE-029, AND SPECIAL EXCEPTION APPLICATION SE 2003-LE-031 (SILVIO DIANA (LEE DISTRICT))** (No Time)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#78.)

76. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2004-BR-040 (MELVIN E. EDELIN AND HAZEL F. EDELIN) (BRADDOCK DISTRICT)** (5:20 p.m.)

- (O) The application property is located on the east side of Clara Barton Drive, north of the intersection with Little Ox Road and north of Fairfax County Parkway, Tax Map 77-3 ((1)) 6.

Mr. Kenton S. Edelin reaffirmed the validity of the affidavit for the record.

Mr. Edelin 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, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-BR-040, from the R-1 District to the R-3 District, subject to the proffers dated April 19, 2005.
- Approval of a waiver of the Comprehensive Plan trail requirement.

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

Supervisor Bulova submitted an item for the record.

77. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-PR-037 (ANTHONY Q. TEDDER) (PROVIDENCE DISTRICT)**
(5:26 p.m.)

The application property is located at 2862 Hunter Road, Tax Map 48-2 ((7)) (44) D.

Mr. Gregory J. Budnik reaffirmed the validity of the affidavit for the record.

Mr. Budnik 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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Jerry Stonefield, Engineer II, Site Development Services, Department of Public Works and Environmental Services, regarding the qualification of this request for an administrative waiver of the Chesapeake Bay Regulation.

Additional discussion ensued with input from Mr. Braham regarding clarification of the development conditions and the granting of waivers.

Supervisor Smyth moved approval of Special Exception Application SE 2004-PR-037, subject to the development conditions dated May 4, 2005, with the following modification to proposed development condition, Number 22, which shall now read:

- “Right-of-way to 26 feet from centerline of Hunter Road shall be reserved for a project to widen Hunter Road across the frontage of the application property. This land shall be dedicated in fee-simple to the Board upon demand with an approved project to improve Hunter Road. Such reservation shall be recorded prior to the issuance of the Residential Use Permit and in a form approved by the County Attorney.”

Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth voting “**AYE**,” Supervisor Gross voting “**NAY**,” Chairman Connolly abstaining, Supervisor McConnell being out of the room.

78. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2003-LE-028, SPECIAL EXCEPTION APPLICATION SE 2003-LE-029, AND SPECIAL EXCEPTION APPLICATION SE 2003-LE-031 (SILVIO DIANA (LEE DISTRICT)) (5:45 p.m.)**

Supervisor Kauffman moved to defer the public hearing on Special Exception Application 2003-LE-028, Special Exception Application 2003-LE-029, and Special Exception Application 2003-LE-031, until **June 6, 2005, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

79. **WELCOME TO STUART MENDELSON, FORMER DRANESVILLE DISTRICT SUPERVISOR (5:46 p.m.)**

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

AGENDA ITEMS

80. **4:30 P.M. – PH 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)** (5:46 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 29 and May 6, 2005.

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

Following the public hearing, which included testimony by six speakers, Supervisor Hudgins moved that the Board:

- Adopt the Ordinance prepared by staff dated April 11, 2005, that grants a non-exclusive cable television franchise to Comcast of Virginia, Incorporated, to construct, operate and maintain a cable system within the Reston franchise area of Fairfax County, Virginia.
- Authorize the Chairman and the County Executive to sign, on behalf of the County, the Cable Franchise Agreement that is attached to, and incorporated into, the ordinance once Comcast has satisfied the conditions established in Paragraph 2 of the granting ordinance.
- Direct staff to prepare a budget amendment for consideration at the next quarterly budget review that will allocate the franchise fees received as a result of the new Reston Cable Television Franchise in the same manner the franchise fees received from the Cox Cable Television Franchise are allocated.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor McConnell being out of the room.

Supervisor Hudgins announced that to further the on-going success of the community input at Channel 28, she will create a study group representing a wide variety of community organizations to establish a format for creating an operating structure for the governance of community cable broadcasting on Channel 28. The group will be tasked with creating a mission statement, organizational by-laws and a memorandum of understanding to operate community cable within

Reston. She said that the group will include community group representatives, student representation, local show producers and professional County staff. She said that it is her hope that a first draft of the work product will be available in January 2006, a final draft available in March 2006, and that the completed documents will come before the Board in June 2006.

Supervisor Hudgins asked unanimous consent that the Board direct staff from the Office of the County Attorney and the Department of Cable Communications and Consumer Protection to assist and participate with the study group. Without objection, it was so ordered.

Chairman Connolly submitted items for the record.

81. **BOARD ADJOURNMENT** (6:11 p.m.)

At 6:11 p.m., the Board adjourned.

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