



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
May 15, 2006**

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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 15, 2006, at 9:16 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 9:18 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, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:16 a.m.)

Chairman Connolly said that last week the County had one of the most difficult weeks in its history. The Police Department, in its 66 year history, lost its first police officer, Detective Vicky Armel, in a violent assault.

Supervisor Frey spoke about the tragic event at the Sully District Police Station and the outpouring of support and sympathy from everyone. He thanked the Police Department, whose members never lost sight of the fact that their responsibility is to protect the community. He said the officers were as concerned for the civilians as they were for their officers, ensuring that everyone in the building, such as his staff and the custodial crew, was in a secure location while the events unfolded outside.

Chairman Connolly announced that a trust fund has been set up for the Armel Family, in care of the Fairfax County Federal Credit Union, located at 4201 Members Way, Fairfax, Virginia, 22030.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Office of Public Affairs to frequently publicize this information on Channel 16. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Other Board Members also thanked the Police Department and expressed their concerns about the tragic event and the funeral procession for Detective Armel.

Supervisor Frey said that Officer Mike Garbarino, who was wounded in the assault, is still in the hospital in very serious condition. He asked everyone to keep Officer Garbarino and his family in thoughts and prayers.

Supervisor Hyland said that he was in California attending the National Association of Counties (NACo) Board meeting when he received information regarding the funeral services for Detective Armel. Several of the corporate members who are associate members of NACo learned of the tragedy and approached him and asked for information as to how they could contribute.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to prepare a letter to the corporate community of the County asking them to become involved in the fundraising efforts.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the request that the Board direct the County Executive and the Police

Chief to head this effort. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

(NOTE: Later in the meeting, the Board discussed this tragedy further. See Clerk's Summary Items #3 and #30.)

Supervisor Kauffman asked everyone to keep in thoughts the family of Jong Won Lee, a Metro employee who was struck and killed by a train at the Dupont Circle Metrorail Station as he performed routine maintenance work. Mr. Lee was a resident of Springfield who leaves behind three small children. Supervisor Kauffman asked unanimous consent that the Board direct staff to report with information regarding whether the County can provide any assistance. Without objection, it was so ordered.

AGENDA ITEMS

2. **PROCLAMATION DESIGNATING MAY 14–22, 2006, AS “POLICE WEEK” IN FAIRFAX COUNTY AND MAY 15 AS “PEACE OFFICERS MEMORIAL DAY” IN FAIRFAX COUNTY** (9:28 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 14–22, 2006, as “*Police Week*” in Fairfax County and May 15 as “*Peace Officers Memorial Day*” in Fairfax County. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

3. **PROCLAMATION DESIGNATING MAY 14–20, 2006, AS “EMERGENCY MEDICAL SERVICES WEEK” IN FAIRFAX COUNTY** (9:35 a.m.)

(NOTE: Earlier in the meeting, the Board discussed the tragedy at the Sully District Police Station. See Clerk's Summary Item #1.)

Supervisor Bulova moved approval of the Proclamation to designate May 14–20, 2006, as “*Emergency Medical Services Week*” in Fairfax County. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion.

Supervisor Hudgins announced that she serves on the State Emergency Medical Service Board. She expressed thanks to the Fire Department for its support last week in the police tragedy.

Other Board Members also expressed thanks to the Fire Department for its support on behalf of the injured officers.

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

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE GEORGE MASON UNIVERSITY (GMU) BASKETBALL TEAM** (9:45 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to the GMU Basketball Team's head coach Jim Larranaga for the team's advancement to the Final Four in the National Collegiate Athletic Association (NCAA) Tournament. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

Mr. Larranaga introduced GMU President Dr. Alan Merten and Assistant Basketball Coach Christian Caputo. He said that the team players were unable to attend because they were taking final exams.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE CHANTILLY AND HERNDON HIGH SCHOOLS' ROBOTICS TEAMS** (10 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to the Chantilly Academy Robotics Team 612 for its accomplishments in the 2006 robotics season organized by For Inspiration and Recognition of Science and Technology (FIRST). Supervisor McConnell seconded the motion.

Supervisor DuBois moved approval of the Certificates of Recognition presented to the Herndon High School Robotics 18 Team and the Herndon High School Robotics 116 Team for their accomplishments in the 2006 robotics season organized by FIRST. Supervisor Hudgins seconded the motion.

The question was called on the motions, which carried by unanimous vote.

6. **PROCLAMATION DESIGNATING MAY 2006 AS "EARLY INTERVENTION MONTH" IN FAIRFAX COUNTY** (10:18 a.m.)

Supervisor Gross moved approval of the Proclamation to designate May 2006 as "Early Intervention Month" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO THE SPONSORS AND THE PROGRAM COMMITTEE OF THE 2006 EARTH DAY/ARBOR DAY** (10:25 a.m.)

Supervisor Bulova moved approval of the Certificates of Recognition presented to the sponsors and the program committee of the 2006 Earth Day/Arbor Day

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

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8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE NORTHERN VIRGINIA TECHNOLOGY COUNCIL'S EQUAL FOOTING FOUNDATION** (10:32 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to the Northern Virginia Technology Council's Equal Footing Foundation for its Adopt a Clubhouse campaign. Supervisor Smyth seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

9. **PROCLAMATION DESIGNATING MAY 19, 2006, AS "BIKE TO WORK DAY" IN FAIRFAX COUNTY** (10:37 a.m.)

Supervisors Hudgins moved approval of the Proclamation to designate May 19, 2006, as "*Bike to Work Day*" in Fairfax County. Supervisor Bulova and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

10. **RESOLUTION TO CONGRATULATE OPPORTUNITIES, ALTERNATIVES AND RESOURCES (OAR)** (10:45 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Resolution congratulating OAR of its thirty-fifth anniversary of service to the community. Supervisor McConnell and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

11. **PROCLAMATION DESIGNATING JUNE 1-4, 2006, AS "SPRINGFIELD DAYS" IN FAIRFAX COUNTY** (10:50 a.m.)

Supervisor Kauffman moved approval of the Proclamation to designate June 1-4, 2006, as "*Springfield Days*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

12. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. DESIREE BALTIMORE AND MS. PAULA LOUERS** (10:56 a.m.)

Supervisor Smyth moved approval of the Certificate of Recognition presented to Ms. Desiree Baltimore and Ms. Paula Louers for their service in assisting and

educating seniors in matters of tax relief. Supervisor DuBois seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

13. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LONGFELLOW MIDDLE SCHOOL CHESS TEAM** (11:04 a.m.)

Supervisor DuBois moved approval of the Certificate of Recognition to be presented to the Longfellow Middle School Chess Team for placing first in the Virginia State Scholastic Chess Championship in March. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

14. **CERTIFICATES OF RECOGNITION PRESENTED TO JOHN NASH** (11:13 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to John Nash for his noteworthy and outstanding years of service as the Editor of *The Courier* and the Board's official photographer. Supervisor Bulova and Supervisor McConnell jointly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

15. **10 A.M. – PRESENTATION OF THE VOLUNTEER FIRE SERVICE AWARDS** (11:16 a.m.)

Timothy G. Fleming, Chair, Volunteer Fire Commission, presented the Volunteer Fire Service awards to the following individuals who have demonstrated extraordinary commitment to the Fire and Rescue Department through hundreds of hours of time spent providing Fire and Emergency Medical Service or in other roles to support the goals of the County combined career-volunteer system:

- Volunteer Firefighter – Shane Murphy, Fair Oaks Fire and Rescue
- Volunteer Operational Officer – Jack May, Fair Oaks Fire and Rescue
- EMS Service Provider – Tina N. Godfrey, Burke Fire and Rescue
- Volunteer Rookie – Keith Edgemon, Dunn Loring Fire and Rescue

- Administrative Officer – Howard Springsteen, Vienna Fire and Rescue
- Administrative Member – Camilla Hollenbeck, Fair Oaks Fire and Rescue

DET:det16. **ADMINISTRATIVE ITEMS** (11:24 a.m.)

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

Chairman Connolly called the Board's attention to Admin 16 – Authorization to Advertise a Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law and relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to correct a typographical error on handwritten page 9, Section 46.2-878.2 of the Board Agenda Item. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Kauffman asked to amend the motion to defer action on Admin 11 until after closed session, and this was accepted.

Supervisor Smyth called the Board's attention to Admin 4 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance), and the Public Facilities Manual (PFM) Regarding Reclassification of Perennial Streams. Discussion ensued with input from John A. Friedman, Code Analyst, Land Development Services, Department of Public Works and Environmental Services (DPWES), and Jimmie D. Jenkins, Director, DPWES, regarding notification.

Supervisor Smyth asked unanimous consent that the Board direct DPWES to:

- Modify the language in the proposed amendment to require that at the time a landowner or agent of the landowner submits the study that they also submit documentation that adjoining neighbors have been notified.
- Include that language in the advertisement.

Without objection, it was so ordered.

Supervisor Gross called the Board's attention to Admin 5 – Authorization for the Fire and Rescue Department to Apply for and Accept Funding from the United States Department of Homeland Security for the 2006 Assistance to Firefighters Grant, and discussion ensued with input from Mark S. Wheatley, Assistant Chief, Operations, Fire and Rescue Department, regarding the timeliness of the notification.

Supervisor Bulova called the Board's attention to Admin 9 – Authorization to Advertise a Public Hearing on Proposed Amendments to Code of the County of Fairfax, Chapter 62 (Fire Protection), and discussion ensued with input from David M. McKernan, Deputy Chief, Fire Prevention Division, Fire and Rescue Department, regarding the proposed fee changes.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding inspection fees for commercial kitchen operations and open flame and candles.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to:

- Modify the language in the proposed amendment to change the fee for the Open Flame and Candles: Public Meeting/Gatherings from \$24 to \$50.
- Report its findings on the amended fee or other approaches.

This was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Further discussion ensued, with input from Pamela K. Pelto, Assistant County Attorney, regarding the ability of the County to ban indoor pyrotechnics.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the County Attorney to determine whether the County has the authority to ban indoor pyrotechnics. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth asked unanimous consent that the Board direct the County Attorney to provide a definition of what pyrotechnics includes. Without objection, it was so ordered.

Further discussion ensued regarding changes to provisions governing Christmas tree regulations.

Supervisor Kauffman asked unanimous consent that the Board direct staff to consider how the County might place a residential occupancy limit when reviewing residential expansions and modifications, and report its finding to the Board. Without objection, it was so ordered.

Supervisor Kauffman called the Board's attention to Admin 14 – Authorization to Advertise a Public Hearing on a Proposal to Abandon Segments of Lockheed Boulevard (Lee District) asked unanimous consent that the Board direct staff to review internally to determine why consideration of this item took so long while concurrently on Admin 21 – Authorization to Install Signs Designating a Portion of Roadway as the “Banks Family Road” (Lee District) the Board was able to consider it so quickly. Without objection, it was so ordered.

Supervisor Hudgins called the Board's attention to Admin 20 – Authorization for the Department of Housing and Community Development and the Fairfax-Falls Church Community Services Board to Apply for and Accept Funding from the US Department of Housing and Urban Development (HUD) through the Continuum of Care Homeless Assistance Program, and Authorization for Multiple Consolidated Plan Certifications. Discussion ensued with input from Kathy Froyd, Director, Children, Youth, and Families Division, Department of Family Services, concerning refocusing County resources in this grant into the new Homeless to Home Ownership Program to increase the County's capacity to serve families.

The question was called on the motion to approve the Administrative Items, as amended, with the exception of Admin 11, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITIES REVIEW APPLICATIONS (LEE, MASON, MOUNT VERNON, SPRINGFIELD, AND SULLY DISTRICTS)

Approved an extension of review period for the following 2232 Public Facilities Review Applications:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-V06-2	Omnipoint Communications CAP Operations LLC (T-Mobile) Antenna collocation atop existing 35-foot wood utility pole Near 1601 Paul Spring Road Mount Vernon District	July 17, 2006

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-S06-3	Omnipoint Communications CAP Operations LLC (T-Mobile) Replacement rooftop antennas 4050 Legato Road Springfield District	July 27, 2006
2232-Y06-4	Colonial Pipeline Company 2.34 miles of 20-inch diameter jet fuel pipeline (proposed route) From McLearen Road to Dulles Airport (via center of EDS site) Sully District	September 30, 2006
2232-Y06-5	Colonial Pipeline Company 2.26 miles of 20-inch diameter jet fuel pipeline (alternate route) From McLearen Road to Dulles Airport (via north part of EDS site) Sully District	September 30, 2006
2232-Y-06-6	Colonial Pipeline Company 3.0 miles of 20-inch diameter jet fuel pipeline (alternate route) From McLearen Road to Dulles Airport (via Wall Road) Sully District	September 30, 2006
2232-Y06-11	Fairfax County Redevelopment and Housing Authority 30 units of Magnet Housing and related Training Center 12114 Lee Jackson Memorial Highway Sully District	September 30, 2006
FS-L06-9	Omnipoint Communications CAP Operations LLC (T-Mobile) Rooftop antennas 5971 Kingstowne Village Parkway Lee District	July 15, 2006

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-Y06-11	Omnipoint Communications CAP Operations LLC (T-Mobile) Antenna collocation on existing electric transmission pole 3799 Lees Corner Road Sully District	July 23, 2006
FS-Y06-12	Omnipoint Communications CAP Operations LLC (T-Mobile) Rooftop antennas 14280 Park Meadow Drive Sully District	July 28, 2006
FS-M06-13	Omnipoint Communications CAP Operations LLC (T-Mobile) Antenna collocation on existing monopole (treepole) 3435 Sleepy Holly Road Mason District	July 29, 2006
FS-S06-18	Department of Public Works and Environmental Services Replacement of existing Girls' Probation House with new house 12720 Lee Highway Springfield District	September 30, 2006

ADMIN 2 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with their registration numbers, as Plans Examiners:

- Martin O'Brien Johnson (265)
- William Marion Armour (266)
- Ipek Aktuglu (267)
- John P. Gaston, P.E. (268)
- Marius G. Burdubus (269)

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE ALPS DRIVE SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 5, 2006, at 4 p.m.** to consider the acquisition of certain land rights necessary for the construction of Project X00826 (D017), Extension Project Fiscal Year 1996 – Alps Drive Sanitary Sewer Extension and Improvement.

ADMIN 4 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), AND THE PUBLIC FACILITIES MANUAL (PFM) REGARDING RECLASSIFICATION OF PERENNIAL STREAMS

- (As) (NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 7.)

Authorized the advertisement of a public hearing to be held before the Planning Commission on June 15, 2006, and before the Board on **July 31, 2006, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance) and the PFM to revise the requirements for reclassification of streams from perennial to intermittent and incorporate notice requirements for reclassification studies.

ADMIN 5 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT TO APPLY FOR AND ACCEPT FUNDING FROM THE UNITED STATES (US) DEPARTMENT OF HOMELAND SECURITY FOR THE 2006 ASSISTANCE TO FIREFIGHTERS GRANT (AFG)

(NOTE: Earlier in the meeting, the Board discussed this item. See page 8.)

Authorized the Fire and Rescue Department to apply for and accept funding, if received, from the US Department of Homeland Security for the AFG in the amount of \$2,750,000 which includes a local cash match of \$550,000 for the purchase of equipment necessary to implement a standardized system for providing critical facility and emergency response preplan data.

ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 06080 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT AN AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR GRANT FUNDS TO CONTINUE PARTICIPATION IN THE NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM (NUSRRS)

- (SAR) Approved SAR AS 06080 for the Fire and Rescue Department to accept an assistance agreement and grant funds in the amount of \$610,915 from FEMA for the development, administration, and maintenance of an approved NUSRRS. No local cash match is required.

ADMIN 7 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 06081 FOR THE HEALTH DEPARTMENT TO ACCEPT A GRANT AWARD FROM THE VIRGINIA DEPARTMENT OF HEALTH (VDH) FOR PANDEMIC FLU PLANNING

- (SAR) Approved SAR AS 06081 in the amount of \$125,000 for the Health Department to accept a grant from VDH that will enhance the Health Department's pandemic flu planning capability. No local cash match is required.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), TO AMEND POLICE OFFICERS, EMPLOYEES' AND UNIFORMED RETIREMENT SYSTEMS – BENEFIT RESTORATION PLANS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 5, 2006, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to amend Articles 2, 3, and 4. These changes to the Police Officers, Employees', and Uniformed Retirement Systems would create Benefit Restoration Plans to pay all retirees the full benefits according to the benefit formulas of each of the respective retirement plans.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION)

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 8.)

Authorized the advertisement of a public hearing to be held before the Board on **June 26, 2006, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection).

ADMIN 10 – INSTALLATION OF A MULTI-WAY STOP AT CAVALIER DRIVE AND YALE DRIVE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (MOUNT VERNON DISTRICT)

- Endorsed the installation of a multi-way stop at Cavalier Drive and Yale Drive (Mount Vernon District) as part of the R-TAP.
- Directed staff to request the Virginia Department of Transportation to install the necessary signs at the earliest possible date.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, EXPANDING THE KINGSTOWNE COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)

(NOTE: Earlier in the meeting, the Board deferred consideration of this item until after closed session. See page 7.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item #48.)

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE SECOND LONDON TOWNE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 26, 2006, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Second London Towne CPD in accordance with current CPD restrictions.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE WOODGATE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 26, 2006, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Woodgate CPD in accordance with current CPD restrictions.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON SEGMENTS OF LOCKHEED BOULEVARD (LEE DISTRICT)

- (A) (NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 9.)

Authorized the advertisement of a public hearing to be held before the Board on **June 26, 2006** to consider the abandonment of segments of Lockheed Boulevard.

ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 26, 2006, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Robinson RPPD. The proposed district expansion includes Commonwealth Court (Route 5438) from Commonwealth Boulevard (Route 4801).

ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW

- (A) (NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 7.)

Authorized the advertisement of a public hearing to be held before the Board on **June 26, 2006, at 4:30 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. These amendments adopt actions of the 2006 General Assembly into Chapter 82.

ADMIN 17 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING AFFIDAVIT SUBMISSION REQUIREMENTS FOR BOARD'S OWN MOTION REZONING APPLICATIONS

- (R) (As) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 19, 2006, at 8:15 p.m. and before the Board on **September 11, 2006, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding affidavit submission requirements for Board's own motion rezoning applications.

ADMIN 18 – AUTHORIZATION TO SUBMIT FIVE GRANT APPLICATIONS IN RESPONSE TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT’S (HUD) SUPER NOTICE OF FUNDING AVAILABILITY

Authorized the Fairfax County Redevelopment and Housing Authority (FCRHA) to apply for grants from HUD for the Housing Choice Voucher Family Self-Sufficiency Coordinator, the Public Housing Neighborhood Networks, the Resident Opportunities Self-Sufficiency (ROSS) – Elderly/Persons with Disabilities, the Public Housing Family Self-Sufficiency Coordinator, and ROSS Family and Homeownership Programs. There is a 25 percent or more cash or in-kind match requirement for the Public Housing Neighborhood Networks, Resident Opportunity and Self-Sufficiency – Elderly/Persons with Disability and Resident Opportunity and Self-Sufficiency Family and Homeownership programs. This match requirement will be met through in-kind contributions, Housing and Community Development staff support, and facility usage, as well as non-profit staff and volunteer hours. No local cash match is required.

ADMIN 19 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY LOCATED AT LAUREL HILL TO THE LORTON ARTS FOUNDATION, INCORPORATED (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 5, 2006, at 3:30 p.m.** to consider the leasing of a portion of County-owned property located at Laurel Hill [Tax Map Number 1064-((1)) – 0058] to the Lorton Arts Foundation, Incorporated.

ADMIN 20 – AUTHORIZATION FOR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) AND THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR AND ACCEPT FUNDING FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) THROUGH THE CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAM, AND AUTHORIZATION FOR MULTIPLE CONSOLIDATED PLAN CERTIFICATIONS

(NOTE: Earlier in the meeting, the Board discussed this item. See page 9.)

- Authorized HCD, in partnership with Pathway Homes, to apply and accept funding, if awarded, for three renewal Shelter Plus Care grants totaling \$813,180. No local cash match is required.
- Authorized the CSB to apply and accept renewal funding, if awarded, for \$305,670, including match, for an existing transitional housing and treatment program for homeless single

individuals. Of the total, \$253,332 is HUD funding and \$52,338 is the required local cash match.

- Endorsed the submission of one new project application by New Hope Housing to acquire a large single-family unit to establish a home with service supports for six to eight chronically homeless single men with disabling conditions. The project, if awarded, will utilize \$306,940 for acquisition costs from HUD bonus funds through the approximately \$507,676 in part from the applicant and in part applied for as a grant or deferred loan through the Affordable Housing Partnership Program (AHPP), subject to all the terms and conditions of AHPP. An initial two-year operating period for the program will be funded through reallocation by HUD of \$243,702 of existing funds in the Continuum of Care grants to the County, with \$63,384 in private funds provided as required match from New Hope Housing. Total funding for acquisition and two years of program operation is \$1,121,702.
- Endorsed 16 renewal grant applications totaling \$3,424,850, including all matching funds, by nonprofit organizations through the Continuum of Care Homeless Assistance Program, and authorized by the McKinney-Vento Act. Of the total, \$2,345,268 is HUD funding, \$445,136 is State pass-through funds, and \$634,446 is private match. A local cash match is not required; however, three applications by Christian Relief Services for a total of \$644,245 in HUD funds; one application by Pathway Homes, Incorporated, for a total of \$157,788 in HUD funds; and one application by PRS, Incorporated, for a total of \$168,450 in HUD funds require a combined cash match of \$445,136 for a one-year period. This match will be supported with State pass-through funds to the CSF. The remaining 11 nonprofit renewal applications totaling \$1,374,785 in HUD funds require no local cash match; however, a private match of \$634,446 is included and committed by the applicants to support these applications.

ADMIN 21 – AUTHORIZATION TO INSTALL SIGNS DESIGNATING A PORTION OF ROADWAY AS THE “BANKS FAMILY ROAD” (LEE DISTRICT)

(R) (NOTE: Earlier in the meeting, the Board discussed this item. See page 9.)

Adopted the Resolution endorsing the installation of signs designating Old Telegraph Road between Telegraph Road and Hayfield Road as the “Banks Family Road.”

17. **A-1 – AUTHORIZATION TO EXECUTE A CONTRACT AMENDMENT WITH FALLS CHURCH CONSTRUCTION CORPORATION (FCCC) FOR THE COMPLETION OF THE SOUTHGATE NEIGHBORHOOD COMMUNITY CENTER AND TO INCREASE THE PERMANENT FINANCING (HUNTER MILL DISTRICT)** (11:54 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the Fairfax County Redevelopment and Housing Authority to execute a contract amendment with FCCC for the completion of Southgate Neighborhood Community Center and to increase the permanent financing to cover the cost of the contract amendment. Supervisor Bulova seconded the motion.

Discussion ensued, with input from Cynthia J. Ianni, Director, Design, Development, and Construction, Department of Housing and Community Development, regarding the financing increase.

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

18. **A-2 – PARKING REDUCTION FOR 5852 COLUMBIA PIKE IN THE BAILEY'S CROSSROADS/SEVEN CORNERS COMMERCIAL REVITALIZATION DISTRICT (MASON DISTRICT)** (11:56 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve a parking reduction of 19.05 percent for parcels 61-2 ((17)) (A) 20, 21, and 22 pursuant to Paragraph 3(A), Section A7-209 of the Zoning Ordinance on the conditions as outlined in the Board Agenda Item dated May 15, 2006. Supervisor Bulova seconded the motion.

Following discussion, regarding the parking reduction, the question was called on the motion and it carried by unanimous vote.

19. **A-3 – VIRGINIA WATER SUPPLY PLANNING REGULATION 9 VAC 25-780-10** (11:58 a.m.)

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

- Designate Fairfax Water as the agent of the County responsible for the development of the County Water Supply Plan in accordance with 9 VAC 25-780-10, and directed the County Executive to appoint a Technical Advisory Committee comprised of appropriate County staff to assist with development of the plan.

- Authorize the County Executive to contact the Towns of Vienna, Clifton, and Herndon; the Cities of Alexandria, Fairfax, and Falls Church; and additional neighboring jurisdictions to determine their interest in participating in a regional water supply plan.

Supervisor Smyth seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, regarding the regional water supply plan, the question was called on the motion, and it carried by unanimous vote.

20. **A-4 – APPROVAL TO ESTABLISH AND IMPLEMENT A FAIRFAX COUNTY HOMEBUYER ASSISTANCE PROGRAM AND TO REALLOCATE FUNDS WITHIN FUND 145, HOME INVESTMENT PARTNERSHIPS GRANT** (12:03 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the reallocation of funds within Fund 145 to establish and implement a new Fairfax County HOME-funded homebuyer assistance program.

21. **A-5 – ENDORSEMENT OF THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY'S (NVTA) TRANSACTION 2030 LONG-RANGE TRANSPORTATION PLAN** (12:03 p.m.)

- (R) Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution endorsing the NVTA's TransAction 2030 Long-Range Transportation Plan. Supervisor Bulova seconded the motion.

Discussion ensued with input from Tom Biesiadny, Chief, Coordination and Funding Division, Department of Transportation, concerning challenges the County is confronted with as a result of Base Realignment and Closing (BRAC) and light rail.

Supervisor Kauffman asked unanimous consent that Board direct staff to indicate in the plan that there needs to be some flexibility given the opportunity and the challenge imposed upon the County by BRAC. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to:

- Footnote the plan to note that BRAC decisions have transportation impacts on Fort Belvoir and Quantico as well as Arlington and Alexandria.

- Review transportation impacts identified by the advisory commission appointed by Governor Warner that included desired transportation improvements as well as the dollar amounts associated with them.

Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth noted that the County was reviewing a multimodal solution to transportation and had conducted an outreach survey that found that the majority of people surveyed wanted the primary investment to be in transit.

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

22. **I-1 – CONTRACT AWARD – ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO EVALUATION OF POTENTIAL SITES FOR DEVELOPING AFFORDABLE HOUSING ON COUNTY-OWNED LAND**
(12:11 p.m.)

The Board next considered an item contained in the Board Agenda dated May 15, 2006, requesting authorization for staff to award a contract for consultant services to The BC Consultants, Incorporated, in the amount of up to \$200,000, with the final amount of the contract dependent on the number of parcels analyzed.

Supervisor Kauffman asked unanimous consent that the Board direct staff to be cognizant of the opportunity for multiple uses, not just affordable housing, in reviewing available sites. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to include school surplus properties in that consideration. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth noted that Board Members had received briefings on surplus properties available in their respective districts and she asked unanimous consent that the Board direct staff to provide an update on the progress that has been made in identifying the sites in their respective districts. Without objection, it was so ordered.

Supervisor Bulova noted that there were school properties included on the list that were not developable.

Discussion ensued with input from Anthony H. Griffin, County Executive, concerning proper identification of such property at the next update.

The staff was directed administratively to proceed as proposed.

23. **I-2 – CONTRACT AWARD – TRAFFIC SIGNALIZATION DESIGN SERVICES TASK ORDER CONTRACT** (12:16 p.m.)

The Board next considered an item contained in the Board Agenda dated May 15, 2006, requesting authorization for staff to award a contract to Vanasse Hangen Brustlin, Incorporated, in the amount of \$500,000 per year for Traffic Signalization Design Services on various County projects which are being designed by County staff and/or when these services are not part of a design contract with an outside firm. The contract will be renewable for two additional years.

Supervisor Kauffman stated that the Transportation Commission was having a broad discussion on the idea of signage and signalization and noted that other jurisdictions managed signage and signalization. With the relocation of the Virginia Department of Transportation (VDOT) Operation Center for Signage and Signalization from Arlington to a new facility, Supervisor Kauffmann asked unanimous consent that the Board direct staff to review the issues concerning County management of signage and signalization for its secondary road system. Without objection, it was so ordered.

Discussion ensued concerning the scheduling of a meeting of the Transportation Committee to consider these issues, including the use of technology to address many of the County's transportation concerns.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to schedule a Transportation Committee meeting. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor McConnell stated that she had been informed that VDOT was going to install a new warning of dangerous spots and she asked unanimous consent that the Board direct staff to schedule a briefing on how the system would work. Without objection, it was so ordered.

Discussion ensued with input from Anthony H. Griffin, County Executive, concerning the Traffic Management Center.

Supervisor McConnell asked unanimous consent that the Board direct staff to include on the agenda of the Committee meeting a review of VDOT policies that hamper County traffic. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct:

- Catherine A. Chianese, Assistant to the County Executive, to work with Supervisor McConnell to schedule a meeting of the Transportation Committee on a non-Board Monday so all Board Members may attend.
- Staff to request that VDOT identify which corridors have synchronized signals, report on how well they work, and whether the synchronization has improved mobility.

Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The staff was directed administratively to proceed as proposed.

24. **I-3 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-D05-20, WASHINGTON DC SMSA INVESTMENT PARTNERSHIP, D/B/A VERIZON WIRELESS (DRANESVILLE DISTRICT)** (12:24 p.m.)

The Board next considered an item contained in the Board Agenda dated May 15, 2006, announcing the Planning Commission's approval of Public Facilities Review Application 2232-D05-20, Washington DC SMSA Investment Partnership, d/b/a Verizon Wireless (Dranesville District). The application is to construct a 108-foot tall "treepole" with lightning rod at top and collocation potential for two other service providers. The facility will have twelve panel antennas and one equipment shelter. This telecommunications facility will be located in the northeast section of 1927 Pimmit Drive, part of the Pimmit Run Stream Valley Park. [Tax Map 40-1 ((13)) A and 40-1 ((15)) B].

ADDITIONAL BOARD MATTERS

NV:nv

25. **DIRECT CARE WORKERS WEEK** (12:25 p.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board proclaim June 10-17, 2006, as "Direct Care Workers Week" in Fairfax County and direct staff to invite the appropriate representatives from the Long Term Care Coordinating Council, the Department of Family Services, and the Health Department to be recognized with the proclamation at the June 5, 2006, Board meeting.

Following brief input from Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations for that date, without objection, it was so ordered.

26. **PUBLIC SERVICE RECOGNITION WEEK BAKE-OFF** (12:25 p.m.)

Chairman Connolly noted that each year the Department of Tax Administration (DTA) hosts a Countywide bake-off in celebration of Public Service Recognition Week. He said this exciting event takes place in the Government Center in the atrium and that some Board Members served as judges. He displayed a photograph of Catherine Lunsford of his office with her winning cake.

The first, second, and third place winners of this year's bake-off were as follows:

PIES

- First – Peggy Timms, DTA – Coconut Cream Pie
- Second – Carol Paton, Department of Finance – Lemon Sour Cream Pie
- Third – Peggy Timms, DTA – MaeMae's Apple Pie

COOKIES

- First – Steve Esenbock, DTA – Angel Bars
- Second – Jocelyn McNeill, DTA – Lemon Cookies
- Third – Michelle Harvin, DTA – World's Best Chocolate Chip Cookies

CAKES

- First – Catherine Lunsford, Chairman's Office – "Board of Supervisors" Cake
- Second – Marbelliz Reyes, DTA – Chocolate Cake
- Third – Renee Jamison, Department of Finance – Ladyfinger Cheesecake

MISCELLANEOUS

- First – Eman Dous, DTA – Baklava
- Second – Laura Haggerty-Lacalle, DTA – Chocolate Fudge
- Third – Kim Seburnia, DTA – Pecan Cheesecake Bars

Following a brief discussion regarding the winning cake and the event, Supervisor Hyland asked unanimous consent that the Board direct staff to request copies of the recipes. Without objection, it was so ordered.

27. **PANDEMIC FLU BUSINESS SUMMIT** (12:27 p.m.)

Chairman Connolly reminded everyone that the County is holding its second summit on the subject of pandemic flu, and it is aimed at the business community.

He urged Board Members to join the panel and participate. Supervisor Gross noted that the town meeting on the subject had been well attended.

Chairman Connolly announced that the business summit will be held on Friday, May 26 from 8 a.m. until 12:30 p.m. at the Government Center.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

28. **DEVELOPMENT OF DISBURSEMENT PROCEDURES FOR THE TREE PRESERVATION AND PLANTING FUND** (12:28 p.m.)

Supervisor Smyth reminded the Board that it approved several recent Providence District rezoning applications that included contributions for tree planting to a new County Tree Preservation and Planting Fund. The development of the Fairfax County Tree Preservation and Planting Fund necessitates that the Board develop a consistent Countywide protocol guiding the disbursement of collected proffered tree planting funds.

To that end, Supervisor Smyth moved that the Board direct the staff of the Urban Forest Management and Land Development Services in the Department of Public Works and Environmental Services, and the County Attorney's Office to develop and report with a set of suggested general policies and standards guiding the County disbursement of collected proffered tree planting funds. Supervisor Bulova seconded the motion, which carried by unanimous vote.

29. **PROVIDENCE DISTRICT LAND USE SEMINAR** (12:29 p.m.)

Supervisor Smyth announced that she is holding the last of her land use seminars on Monday, May 22, from 7:30-9:30 p.m. at the Fairhill Elementary School, 3001 Chichester Elementary School, Fairfax. This one is entitled "The Private Sector's Perspective of the Land Development Process."

30. **ASSAULT WEAPONS** (12:29 p.m.)

(NOTE: Earlier in the meeting, the Board reflected on tragic events at the Sully District Police Station. See Clerk's Summary Items #1 and #3.)

With reference to the tragic death that occurred last week, Supervisor Hudgins asserted that the County needs to deal with two issues: mental health treatment and its accessibility and United States House Resolution HR 654 entitled "50 Caliber Sniper Rifle Reduction Act" regarding the regulation of assault weapons. Federal legislation banning such weapons expired. She asserted that the availability of such weapons for non-military combat use is not needed in the community.

Accordingly, Supervisor Hudgins moved that the Board forward to its Congressional Delegation the encouragement that its members continue to address this issue at a federal level to ban 50 caliber weapons.

Following discussion regarding the penetration of the bullets into the cinderblock walls of the Sully District Police Station, Chairman Connolly restated the motion as directing staff to communicate with the Congressional Delegation the view of the Board, should it be the view of the Board, to ban assault weapons. Supervisor Hyland seconded the motion.

Following discussion regarding consideration at the Board's Legislative Committee and a previous Board position, Chairman Connolly noted that the motion essentially is to restore the previous federal ban on the purchase and possession of assault weapons that Congress allowed to expire.

Following discussion regarding previous staff analysis of federal legislation and the judicious wording of the proposed letter to the delegation, Supervisor Gross asked unanimous consent that the Board direct staff to provide copies of the legislation to the Board. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board defer action on this item until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action on this issue. See Clerk's Summary Item #49.)

31. **A LOOK BACK AT BRADDOCK HISTORY PROJECT DEBUT OF THE BOOK: BRADDOCK'S TRUE GOLD** (12:39 p.m.)

Supervisor Bulova said that on April 4, 2005, she announced that her office, working with a Community Task Force (which now numbers about 30 people), initiated a History Project called *A Look Back at Braddock*.

The goal of the task force was to:

- Gather written anecdotes, photographs, and historic materials.
- Record and transcribe oral histories from long time residents of the Braddock District area.
- Produce a layered map tracing the boundaries, landmarks, and features of Braddock District from early history to the present.
- Conduct a Student History Paper Competition.

Supervisor Bulova reported that in March of last year, Jeanne Niccolls, Park Authority Collection Manager, provided task force members with training on how

to conduct oral history interviews. Throughout the summer and fall, the Braddock District conference room became a TV studio, as about 50 area residents filed through to share their memories of the Braddock District area. A coat closet was converted into the repository for memorabilia. In July of last year, cash prizes were awarded to the first, second, and third prize winners of the student essay contest.

Supervisor Bulova noted that this month, the writers, Marion Meany and Mary Lipsey, completed the final draft of a book - a collection of old stories and memories, full of beautiful color photos and graphics provided by Gil Donohue, and an inserted history map, authored by task force member John Browne. The student essays are included in the book as well. The book and maps are being printed and will be debuted at a VIP reception the evening of June 2, during Lake Accotink Park Heritage Days Celebration. Board Members should have already received an invitation to this event.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to invite members of the *A Look Back at Braddock* Executive Committee to the June 5 Board meeting to be thanked and recognized for their incredible work, and so that they can present the book, *Braddock's True Gold, Memories of Twentieth Century Life in the Heart of Fairfax County*, to the Board.

Following discussion, with input from Merni Fitzgerald, Director, Office of Public Affairs, regarding the presentation schedule, without objection, it was so ordered.

32. **REQUEST FOR PRESENTATION TO THE BOARD OF *IN THE PATH OF HISTORY: VIRGINIA BETWEEN THE RAPPAHANNOCK AND THE POTOMAC: AN HISTORICAL PORTRAIT* BY AUTHORS RUTH PRESTON ROSE AND ROSS NETHERTON (BRADDOCK DISTRICT)**
(12:42 p.m.)

Supervisor Bulova said that preserving history is crucial to the safeguarding of events that have shaped the future of the region. Through the completion of *In the Path of History: Virginia Between the Rappahannock and the Potomac: An Historical Portrait*, Nan Netherton, Ruth Preston Rose, and Ross Netherton have accomplished this feat. *In the Path of History* is a sampler of the history that remains in the County and surrounding jurisdictions, from the northernmost part of Loudoun County to the southernmost part of Lancaster County.

Supervisor Bulova stated that it was the late Nan Netherton who first caught sight of the need for this book, and planned, researched, and coordinated its effort. She did not live to see its completion, but she worked on this book until the time of her death. In 2004 the Virginia General Assembly adopted a joint resolution in recognition of her outstanding career in history.

Supervisor Bulova said that Mr. Netherton and Mrs. Rose would like to formally present a copy of *In the Path of History* to each Member of the Board. Therefore, Supervisor Bulova asked unanimous consent that the Board direct the Office of Public Affairs to coordinate this presentation at a future Board meeting. Without objection, it was so ordered.

DS:ds

33. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2005-MV-001 (BROOKFIELD RIDGE ROAD, LLC) (MOUNT VERNON DISTRICT)** (12:44 p.m.)

Supervisor Hyland announced his intent to defer, later in the meeting at the appropriate time, the public hearing on Rezoning Application RZ 2005-MV-001 (Brookfield Ridge Road, LLC) until June 5, 2006, at 3 p.m.

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

34. **ROUBIN ASSOCIATES, LLC (MOUNT VERNON DISTRICT)** (12:44 p.m.)

Supervisor Hyland reminded the Board that as part of the Final Decree in *Roubin Associates, LLC v. Board of Supervisors*, In Chancery Number CH-2004-0192512, the Fairfax County Circuit Court ordered the Board to take legislative action to rezone property located at Tax Map Number 99-1 ((1)) parcel 5E to an industrial zoning district classification found by the Court to be reasonable. Therefore, public hearings on the property owner's rezoning application have been re-advertised to be held before the Planning Commission on June 15, 2006, and before the Board on July 10, 2006. To ensure that the deadlines established in the Final Decree for rezoning this property are met, it is necessary for the Planning Commission to complete its work on this matter and report its recommendations to the Board in advance of the Board's July 10, 2006, meeting.

Therefore, Supervisor Hyland moved that the Board:

- Refer this matter to the Planning Commission for its recommendations on this application, including all of the Board's options for rezoning this property as specified by the Court in the Final Decree.
- Direct the Planning Commission to report with its recommendations to the Board regarding this application and all the Board's options for rezoning this property on or before June 30, 2006.

Supervisor Frey seconded the motion.

Chairman Connolly announced that he would not be supporting this motion, in protest to the action of the Circuit Court, because he believes the court has exceeded its authority.

The question was called on the motion and it **CARRIED** by a recorded vote of eight, Chairman Connolly voting “NAY,” Supervisor Kauffman being out of the room.

35. **WOODLAWN REPLACEMENT ROAD (LEE AND MOUNT VERNON DISTRICTS)** (12:46 p.m.)

Supervisor Hyland said that Northern Virginia Congressmen Jim Moran and Tom Davis jointly secured \$13 million in funding for the construction of the Woodlawn Road replacement extension through Fort Belvoir in the Fiscal Year 2007 Defense Authorization Bill bringing the sum to a total of \$27 million.

Supervisor Kauffman noted a quote from Congressman Davis that said “Congressman Moran and I will continue to fight for every dollar to fund the necessary infrastructure improvements to the Belvoir area.”

36. **MOUNT PLEASANT BAPTIST CHURCH TO HOLD A “POLICE APPRECIATION DAY” IN MEMORY OF DETECTIVE VICKY ARMEL (MASON DISTRICT)** (12:48 p.m.)

(NOTE: Earlier in the meeting, the Board discussed the tragic shooting of Detective Vicky Armel. See Clerk’s Summary Items #1 and #3.)

Supervisor Gross announced that Mount Pleasant Baptist Church, one of the oldest African-American churches in the County, is holding a “Police Appreciation Day” in memory of fallen Detective Vicky Armel, on Sunday, May 21, 2006. She said that Pastor Harry J. Pilson of the Mount Pleasant Baptist Church, who serves as a chaplain for the Police Department, has extended an invitation to the Mason District Police Station as well as to the Chief of Police, and all County police officers to attend either of the two prayer services scheduled at 7:45 a.m. and 11 a.m. at the church located at 6477 Lincolnia Road, near its intersection with Columbia Pike in Mason District.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event so that all members of the Police Department, their families, and the community will be aware of it. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board discussed tributes for Detective Armel. See Clerk’s Summary Item #38.)

37. **REQUEST FOR CONCURRENT PROCESSING FOR REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2005-MA-014 (MASON DISTRICT)** (12:49 p.m.)

Supervisor Gross said that to expedite the application process for Rezoning/Final Development Plan Application RZ/FDP 2005-MA-014, the applicant has requested concurrent processing upon submittal of the site plan with the pending rezoning application. This project has been in the works for a very long time and concurrent processing would be appropriate.

Therefore, Supervisor Gross moved that Bannerwood Investments, LLC, be granted concurrent processing on Rezoning/Final Development Plan Application RZ/FDP 2005-MA-014. This motion should in no way be construed as a favorable recommendation by the Board on the said rezoning application or any subsequent development applications. Supervisor Bulova seconded the motion and it carried by unanimous vote.

38. **VICKY ARMEL TRIBUTE** (12:49 p.m.)

(NOTE: Earlier in the meeting, an announcement was made regarding a “Police Appreciation Day” program in remembrance of Detective Armel. See Clerk’s Summary Item #36.)

Supervisor Gross said she received an email from a lieutenant of the Fairfax County Fire and Rescue Department, a Mason District resident, who said that Stonecroft Boulevard should be considered to be renamed Vickie Armel Boulevard.

Therefore, Supervisor Gross asked unanimous consent that this issue be added to the list of suggestions. Without objection, it was so ordered.

Chairman Connolly said that Supervisor Frey and his colleagues at the Sully Station should be allotted plenty of time to discuss the suggestions.

PMH:pmh

39. **GOVERNMENT ANNOUNCEMENT REGARDING THE PROPOSED TUNNEL FOR TYSONS CORNER** (12:51 p.m.)

Supervisor Kauffman noted that the Governor will be responding to the Board’s request for an independent review on the proposed metrorail tunnel for Tysons Corner.

40. **DISTRICT OF COLUMBIA (DC) COMMUTER TAX CASE** (12:51 p.m.)

Chairman Connolly announced that the Supreme Court declined to hear the DC Commuter Tax case.

41. **GIRL POWER IN FAIRFAX COUNTY** (12:52 p.m.)

Supervisor McConnell said that Girl Power is a substance use prevention and mental health promotion program developed in the County by the Prevention Division of the Fairfax-Falls Church Community Services Board. The County's program has more than 500 girls, ages 9-14, participating at over 50 sites and focusing on health behavior choices for young women.

The Seventh Annual Girl Power Conference is scheduled for June 24, 2006, at the Government Center. This year's title is "Girl Power: Where Girls Make Great Choices."

To recognize this event and the outstanding achievements of the participants, Supervisor McConnell moved that the Board:

- Proclaim Saturday, June 24, 2006, as "*Girl Power Day*" in Fairfax County.
- Direct staff to invite Girl Power representatives to appear before the Board at its June 5, 2006, meeting to be recognized and presented with the proclamation.

Following discussion regarding the scheduling of presentations, with input from Catherine A. Chianese, Assistant to the County Executive, Supervisor Bulova asked unanimous consent that the Board direct staff to review the upcoming schedule of presentations to determine if presentations that are not time sensitive could be rescheduled. Without objection, it was so ordered.

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

42. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR MICHAEL FREY** (12:55 p.m.)

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

43. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2005-DR-009 (WINCHESTER HOMES) (DRANESVILLE DISTRICT)** (12:55 p.m.)

Supervisor DuBois announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 2005-DR-009 until June 5, 2006, at 3 p.m.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item #52.)

44. **McLEAN DAY (DRANESVILLE DISTRICT)** (12:55 p.m.)

Supervisor DuBois announced that the McLean community is celebrating its ninety-first annual McLean Day Festival on Saturday, May 20, at Lewinsville Park from 11 a.m. until 5 p.m. This annual day of fun for all ages includes carnival rides, games, craft booths, performances, and exhibits.

The first McLean Day was held in 1915 at the Civic League Lot which was later donated to the Franklin Sherman Elementary School. She noted that McLean Day continues to thrive and has become a cherished tradition in the McLean community.

Supervisor DuBois invited Board Members and the public to attend the festivities on Saturday, May 20, at Lewinsville Park in McLean.

45. **INTENT TO DEFER PUBLIC HEARINGS (DRANESVILLE, MASON, MOUNT VERNON, AND SULLY DISTRICTS)** (12:57 p.m.)

Chairman Connolly announced that the following public hearings would be deferred:

- Rezoning Application RZ 2005-MV-001
- Rezoning Application RZ 2005-MA-014
- Rezoning Application RZ 2005-DR-009
- Special Exception Amendment Application SEA 2004-MA-022
- Proposal to abandon a portion of a service drive adjoining Little River Turnpike (Route 236)
- Proposed Area Plan Review Item 04-III-1FC

(NOTE: Later in the meeting, the public hearings were formally deferred. See Clerk's Summary Items #50, #51, #52, #55, #56, and #58.)

46. **RECESS/CLOSED SESSION** (12:57 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. *David S. Bennett v. Fairfax County, Virginia, C.A. No. 1:05CV250* (U.S. District Court, E.D. Va.)
 - 2. *Peerless Insurance Company and Excelsior Insurance Company v. County of Fairfax, Virginia, At Law No. CL-2005-0003069* (Fx. Co. Cir. Ct.)
 - 3. *The Trustees of the Centerpointe Church at Fair Oaks and Centerpointe Church at Fair Oaks v. County of Fairfax, Virginia, and The Board of Supervisors of Fairfax County, In Chancery No. CH-2005-0004651* (Fx. Co. Cir. Ct.) (Springfield District)
 - 4. *William E. Shoup, Fairfax County Zoning Administrator v. Joseph K. Ashcraft, et al., In Chancery No. CH-2003-0184232* (Fx. Co. Cir. Ct.) (Dranesville District)
 - 5. *William E. Shoup, Fairfax County Zoning Administrator v. Konstantino M. Pappaminas, et al., Case No. CL-2006-0005204* (Fx. Co. Cir. Ct.) (Providence District)
 - 6. *William E. Shoup, Fairfax County Zoning Administrator v. Robert W. Clark, In Chancery No. CH-2005-0003579* (Fx. Co. Cir. Ct.) (Mount Vernon District)
 - 7. *William E. Shoup, Fairfax County Zoning Administrator v. Angula L. Mitchell, In Chancery No. CH-2005-0005119* (Fx. Co. Cir. Ct.) (Mount Vernon District)

8. *William E. Shoup, Fairfax County Zoning Administrator v. Hector D. Toyos and Maria E. Toyos*, Case No. CL-2006-0003619 (Fx. Co. Cir. Ct.) (Lee District)
9. *William E. Shoup, Fairfax County Zoning Administrator v. C. J. Hall*, Case No. CL-2006-0002008 (Fx. Co. Cir. Ct.) (Lee District)
10. *William E. Shoup, Fairfax County Zoning Administrator v. Clarence W. Case and Peggy Case*, In Chancery No. CH-2005-0005257 (Fx. Co. Cir. Ct.) (Providence District)
11. *William E. Shoup, Fairfax County Zoning Administrator v. Gregory L. Hensley and Deneen J. Hensley*, Case No. CL-2006-0005250 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *William E. Shoup, Fairfax County Zoning Administrator v. Enrique Lopez*, Case No. CL-2006-0004984 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Board of Supervisors v. Country Developers, Inc.*, At Law No. CL-2005-0005236 (Fx. Co. Cir. Ct.) (Dranesville District)

And in addition:

- Discussions under Virginia Code Section 2.2-3711- A.20
- Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5B-2
- Tax Map Number 49-3((6)) parcels 111, 112, and 113
- Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Section 20-300

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

DDC:ddc

At 4:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

47. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:50 p.m.)

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

AGENDA ITEM

48. **ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, EXPANDING THE KINGSTOWNE COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)** (4:51 p.m.)

(A) (NOTE: Earlier in the meeting, the Board discussed this item and deferred action until later in the meeting. See page 7.)

Supervisor Kauffman moved that the Board authorize the advertisement of a public hearing to be held before the Board on **June 26, 2006, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to expand the Kingstowne CPD in accordance with current CPD restrictions. Supervisor Hyland seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

49. **ASSAULT WEAPONS** (4:51 p.m.)

(NOTE: Earlier in the meeting, the Board reflected on tragic events at the Sully District Police Station. See Clerk's Summary Item #30.)

Supervisor Hudgins circulated to Board Members pending legislation (United States House Resolution HR 654 entitled "50 Caliber Sniper Rifle Reduction Act") that has been introduced by Congress Jim Moran and others.

Supervisor Hudgins moved that the Board go on record as supporting HR 654 in its banning of automatic weapons as described in the findings. Supervisor Hyland seconded the motion.

Following discussion regarding weapons, Supervisor Gross suggested that the Board endorse the reinstatement of a ban on assault weapons that previously was the law of the land rather than a particular bill.

Supervisor Hudgins amended the motion that the Board:

- Go on record opposing automatic weapons.
- Ask Congress reconsider the expiration of the ban on automatic weapons.
- Continue to monitor and direct staff and/or the Legislative Committee to respond to the proposed legislation.
- Go on record and communicate to the Congressional Delegation the Board's concern that automatic weapons, as used in the incident at the Sully District Police Station, are wholly unacceptable in protecting citizens, most specifically the public safety individuals that have gone on record equally opposed to automatic weapons.

Chairman Connolly restated the motion that the Board:

- Reaffirm its support for the reinstatement of the assault weapons ban that had been part of federal law but was allowed to expire.
- Refer HR 654 to the Legislative Committee and staff for further review, recommendations, and analysis.

This was accepted.

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

AGENDA ITEMS

PW:pw

50. **3 P.M. – PH ON REZONING APPLICATION RZ 2005-MV-001 (BROOKFIELD RIDGE ROAD, LLC) (MOUNT VERNON DISTRICT)**
(4:57 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2005-MV-001 until **June 5, 2006, at 3 p.m.** Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

51. **3 P.M. – PH ON REZONING APPLICATION RZ 2005-MA-014 (ROBERT A. YOUNG OF BANNERWOOD INVESTMENTS, LLC) (MASON DISTRICT)** (4:58 p.m.)

Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 2005-MA-014 until **September 11, 2006, at 3:30 p.m.** Supervisor Smyth seconded the motion and it carried by unanimous vote.

52. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2005-DR-009 (WINCHESTER HOMES, INCORPORATED) (DRANESVILLE DISTRICT)** (4:59 p.m.)

Supervisor DuBois moved to defer the public hearing on Rezoning Application RZ 2005-DR-009 until **June 5, 2006, at 3 p.m.** This motion, the second to which was inaudible, carried by unanimous vote.

53. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2005-MV-029 (INOVA HEALTH CARE SERVICES) (MOUNT VERNON DISTRICT)** (4:59 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2005-MV-029 until **June 5, 2006, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by unanimous vote.

54. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-S-061 (ERIC T. SOHN AND HAE-RI KIM) (SULLY DISTRICT)** (5 p.m.)

The application property is located on the north side of Old Lee Road approximately 1400 feet west of its intersection with Willard Road, Tax Map 43-2 ((1)) 5.

Mr. Mark Crain reaffirmed the validity of the affidavit for the record.

Mr. Crain 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, Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 87-S-061, subject to the proffers dated May 1, 2006. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

55. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2004-MA-022 (AMERADA HESS CORPORATION) (MASON DISTRICT)** (5:04 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Amendment Application SEA 2004-MA-022 until **June 26, 2006, at 3:30 p.m.** Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

56. **3:30 P.M. – PH ON A PROPOSAL TO ABANDON A PORTION OF A SERVICE DRIVE ADJOINING LITTLE RIVER TURNPIKE (ROUTE 236) (MASON DISTRICT)** (5:05 p.m.)

Supervisor Gross moved to defer the public hearing on a proposal to abandon a portion of a service drive adjoining Little River Turnpike (Route 236) until **June 26, 2006, at 3:30 p.m.** Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

57. **4 P.M. – PH ON A SPOT BLIGHT ABATEMENT ORDINANCE FOR 7343 HOOES ROAD (LEE DISTRICT)** (5:05 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 27 and May 4, 2006.

Christina M. Sadar, Blight Abatement Program Coordinator, Department of Housing and Community Development, presented the staff report.

Following the public hearing, Supervisor Kauffman moved:

- Adoption of the Ordinance to declare 7343 Hooes Road blighted, constituting a nuisance.
- Approval of the blight abatement plan for 7343 Hooes Road.

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

58. **4 P.M. – PH ON PROPOSED AREA PLAN REVIEW (APR) ITEM 04-III-1FC FOR VIRGINIA POWER SITE LOCATED ON FAIR RIDGE DRIVE AND ROUTE 50 IN THE FAIRFAX CENTER AREA, SUB-UNIT A5 (SULLY DISTRICT)** (5:09 p.m.)

Supervisor Frey moved to defer the public hearing on Area Plan Review Item 04-III-1FC until **June 5, 2006, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

59. **4 P.M. – PH ON PROPOSED AREA PLAN REVIEW (APR) ITEM 04-III-6DS FOR EDS SITE LOCATED WEST OF CENTREVILLE ROAD AND NORTH OF WALL ROAD IN THE DULLES SUBURBAN CENTER, SUB-UNIT D-3 (SULLY DISTRICT)** (5:10 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 27 and May 4, 2006.

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

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved approval of the Planning Commission Alternative recommendation for APR Item 04-III-6DS with the following modification:

- Change the sixth bullet, which addresses the provision of active recreation (on page 3), to insert the words "at least" before "five athletic fields" on the first line.

The recommendation adds an option for mixed-use development, with office, retail, recreational and residential uses, up to .70 floor area ratio, with conditions. Supervisor McConnell seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Hudgins voting "NAY," Supervisor Kauffman being out of the room.

60. **4 P.M. – PH ON A PROPOSAL TO VACATE A PORTION OF TALBERT ROAD (MOUNT VERNON DISTRICT)** (5:26 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 27 and May 4, 2006.

Michael A. Davis, Staff, Department of Transportation, presented the staff report.

Discussion ensued with input from Mr. Davis regarding community access issues, amount of property to be vacated for possible use for a trail, the County recommendation, and the process to determine the portion to be vacated.

Following the public hearing, which included testimony by ten speakers, Supervisor Hyland moved to defer decision on the proposal to vacate a portion of Talbert Road until **June 26, 2006, at 3:30 p.m.** to allow staff time to evaluate the options. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

61. **RECESS/CLOSED SESSION** (6:20 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of Tax Map Number 49-3((6)) parcels 111, 112, and 113. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

NV:nv

ADDITIONAL ACTIONS FROM CLOSED SESSION

At 7:24 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

62. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (7:24 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 Gross seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

63. **AUTHORIZATION OF AN APPEAL REGARDING 8739 CHERRY DRIVE (PROVIDENCE DISTRICT)** (7:25 p.m.)

Supervisor Smyth moved that the Board:

- Authorize an appeal to the Board of Zoning Appeals (BZA) from the Zoning Administrator's determination that the properties located at 8739 Cherry Drive, also know as Fairhill on the Boulevard, Lots 111, 112, and 113, qualified as buildable lots under Section 2-405 of the Zoning Ordinance and, in conjunction with that appeal, to appeal the approval by the Department of Public Works and Environmental Services of a minor lot line adjustment for those properties.
- Direct the County Executive to take all necessary steps to ensure that all proceedings, in furtherance of these approvals, be stayed pending a decision by the BZA.

Following a brief discussion, Supervisor Smyth amended her motion to add "in accordance with Section 15.2-2309 of the Va. Code" to the end of the first bullet. Supervisor Hyland seconded the motion.

Following a brief discussion, Supervisor McConnell asked to amend the motion to direct the staff to notify the applicant of this action.

Following input from Anthony H. Griffin, County Executive, the amendment was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

64. **BOARD ADJOURNMENT** (7:27 p.m.)

The Board adjourned.

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